Planning Commission
November 19, 2026

Agenda Item # 15

ZON-UDC-003919-2026

View additional details on this proposal and all application materials using the following link:

Applicant Materials for Consideration

DETAILS

Location:
Northwest corner of Dauphin Island Parkway and Magnolia Lane

Applicant / Agent:
Ice Management, LLC/ Helmsing Leach, P.C., Agent

Property Owner:
Billy McLeod, Ice Management, LLC

Current Zoning:
R-1, Single-Family Residential Suburban District

Proposed Zoning:
B-2, Neighborhood Business Suburban District

Future Land Use:
Low Density Residential

Neighborhood Meeting:

- A Neighborhood Meeting was required due to the proposed rezoning to a higher zoning classification.
- The meeting was held on October 20, 2026, at 5:00 p.m. at 1924 Dauphin Island Parkway, Suite B.

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Map for Mobile Comprehensive Plan

Proposal:

- Rezoning from R-1 to B-2
- **Note:**
  Any use permitted in the proposed district would be allowed at this location if the zoning is approved. The Planning Commission may consider other zoning districts than the proposed sought by the applicant for this property.

Commission Considerations:

1. Rezoning with two (2) conditions.

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PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and commercial units, church buildings, and vacant land.

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APPLICANT Ice Management, LLC (Helmsing Leach, P.C., Agent)

REQUEST Rezoning from R-1 to B-2

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SITE HISTORY

The site was originally part of the *Hakanson Subdivision*, the plat for which was recorded in the Mobile County Probate Court in April 1938.

The site was subsequently included in a resubdivision of Lots 4–8 of the *Hakanson Subdivision*, which was recorded in May 1939, followed by a resubdivision of Lots 1–10, recorded in January 1943.

The property was annexed into the City of Mobile in 1956 and assigned an R-1, Single-Family Residential District zoning classification.

The site is currently undeveloped, and there are no records of Planning Commission or Board of Zoning Adjustment cases associated with the property.

STAFF COMMENTS

Engineering Comments:

1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 and Article 12, Section 64-12-1 of the City's Unified Development Code.

Urban Forestry Comments:

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the *International Fire Code (IFC)*.

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in *Appendices B and C* of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the *International Residential Code (IRC)* functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the *International Fire Code*, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant requests rezoning of the site from R-1, Single-Family Residential Suburban District, to B-2, Neighborhood Business Suburban District, to facilitate development of a self-service ice vending machine.

In support of the request, the applicant states that the rezoning would facilitate redevelopment of a vacant parcel along Dauphin Island Parkway with a small-scale, automated ice kiosk. The applicant identifies the property's location along an established transportation corridor, the presence of existing commercial and public uses nearby, and the City's efforts to encourage reinvestment along the corridor as justification for the request. The proposed development is intended to provide convenient access to bagged and bulk ice for nearby residents, businesses, and travelers while promoting productive use of vacant property and contributing to the City's tax base. The applicant anticipates minimal traffic and operational impacts and indicates that future development will comply with applicable City requirements.

A detailed description and justification of the request are provided in the applicant's narrative, accessible via the link on Page 1 of this report.

The applicant submitted documentation demonstrating that a Neighborhood Meeting was conducted in accordance with Article 5, Section 64-5-4 of the Unified Development Code (UDC), as required for requests

involving rezoning to a higher classification. The meeting was properly advertised, with notice mailed to all property owners within 300 feet of the subject site. It was held on October 20, 2026, at 5:00 PM at the Parkway Branch – Mobile Public Library (1924 Dauphin Island Parkway, Suite B). According to the submitted sign-in sheet, no members of the public unaffiliated with the application attended. The meeting remained open until 6:00 PM, satisfying the minimum one-hour meeting requirement. All required documentation was submitted within the prescribed timeframe, and the applicant executed the required checklist attesting to the accuracy and completeness of the information provided.

The subject site is surrounded by properties zoned R-1, Single-Family Residential Suburban District. The property to the north is developed with a restaurant, which was authorized through a Use Variance in 1974. The adjacent property to the south is developed with a religious facility, authorized through Planning Approval in 2004. The property to the east contains a cemetery, for which Planning Approval was granted in 2012 to allow construction of a crematorium in conjunction with an existing funeral home and cemetery. Although additional B-2-zoned properties and commercial uses exist along Dauphin Island Parkway within the vicinity, the immediate surrounding neighborhood remains predominantly residential.

The applicant submitted a site plan depicting a proposed 192-square-foot ice vending machine, parking area, and sidewalks. Ice vending machines are permitted within the B-2 district but are not allowed within the R-1 district.

It should be noted that approval of the rezoning request would not authorize the specific development depicted on the submitted site plan. Any future development would remain subject to the applicable provisions of Article 3 of the UDC and all other City codes and ordinances.

The Unified Development Code and Official Zoning Map are founded upon long-range comprehensive planning principles intended to promote orderly growth, compatible land use patterns, and the public health, safety, and welfare. Accordingly, amendments to the Official Zoning Map should be supported by evidence demonstrating that the proposed change is warranted. In evaluating rezoning requests, the Planning Commission considers:

- Consistency with the Comprehensive Plan;
- Whether the existing zoning resulted from a mistake or error;
- Compatibility with the surrounding neighborhood;
- Promotion of the public health, safety, and welfare;
- Availability of adequate public infrastructure; and
- The presence of changed or changing conditions warranting the amendment.

The applicant identifies the property's location along Dauphin Island Parkway, the presence of established commercial and public uses nearby, and the City's efforts to encourage reinvestment along the corridor as reasons for the requested rezoning. While these circumstances provide some support for the request, additional consideration should be given to whether the proposed change from R-1 to B-2 is appropriate for the property and surrounding neighborhood.

Although the property is located along an established transportation corridor and near existing commercial and public uses, the surrounding area remains predominantly residential. Additionally, while the applicant references the City's Comprehensive Plan objectives for infill development, redevelopment, and economic reinvestment, the property's Low Density Residential Future Land Use Map designation does not identify that the site is suitable for commercial development. The presence of other non-residential uses in the area is worth considering; however, it does not necessarily mean that commercial zoning is appropriate for this particular property.

The applicant's justification also focuses primarily on the proposed small-scale, automated ice kiosk and its anticipated limited impacts. However, approval of the rezoning would not be limited to the proposed ice kiosk and would allow other uses permitted within the B-2 zoning district. As a result, the Planning Commission must

consider not only the proposed development but also the range of uses that could potentially occupy the property in the future, particularly given the nearby single-family residential properties.

Additionally, the applicant provides limited discussion of how future commercial development might affect nearby residential properties. While the applicant indicates that no adverse impacts are anticipated and that applicable requirements for landscaping, buffering, screening, lighting, access, and drainage will be met, these considerations do not fully address the potential impacts of other uses permitted within the B-2 district. Similarly, the applicant's discussion of available infrastructure is based primarily on the anticipated needs of the proposed ice kiosk rather than the potential demands of other permitted commercial uses.

Ultimately, the Planning Commission must consider whether the proposed rezoning is consistent with the City's long-range planning objectives and appropriate for the surrounding area. While the property's location along Dauphin Island Parkway and the presence of nearby nonresidential uses are relevant considerations, the submitted information provides limited support for changing the property's zoning from residential to commercial. The Commission should carefully weigh the potential benefits of allowing the proposed commercial development against the property's residential Future Land Use Map designation, the predominantly residential character of the surrounding neighborhood, and the additional development opportunities that B-2 zoning would provide.

The site is located within the Peninsula Overlay District. Accordingly, any future development will also be required to comply with the applicable provisions of the UDC, including Article 12.

REZONING CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-5.E. states that Rezonings are intended to carry out the objective of a sound, stable and desirable development and that casual change or amendment would be detrimental to the achievement of that objective.

The UDC goes on to say that zoning changes should be consistent with the Comprehensive Plan. However, the Comprehensive Plan and Future Land Use Plan (FLUP) and Map (FLUM) are meant to serve as a general guide, not a detailed lot and district plan; they are not a legal mandate for development. The FLUP and FLUM allow the Planning Commission and City Council to consider individual cases based on several factors including: surrounding development, classification requested, timing of the request, and the appropriateness and compatibility of the proposed use the zoning classification.

The UDC states that an application for rezoning shall include a statement of the justification for the proposed amendment that addresses all of the following:

A. Consistency. Whether the proposed amendment is consistent with the Comprehensive Plan;
B. Mistake. For a Rezoning, whether there was a mistake or error in the original zoning map; and
C. Compatibility. Whether the proposed amendment is compatible with:
    (1) The current development trends, if any, in the vicinity of the subject property;
    (2) Surrounding land uses;
    (3) Would adversely impact neighboring properties; or
    (4) Cause a loss in property values.
D. Health, Safety and General Welfare. Whether the proposed amendment promotes the community’s public health, safety, and general welfare;
E. Capacity. Whether the infrastructure is in place to accommodate the proposed amendment; and

F. Change. Whether changed or changing conditions in a particular area make an amendment necessary and desirable.
G. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

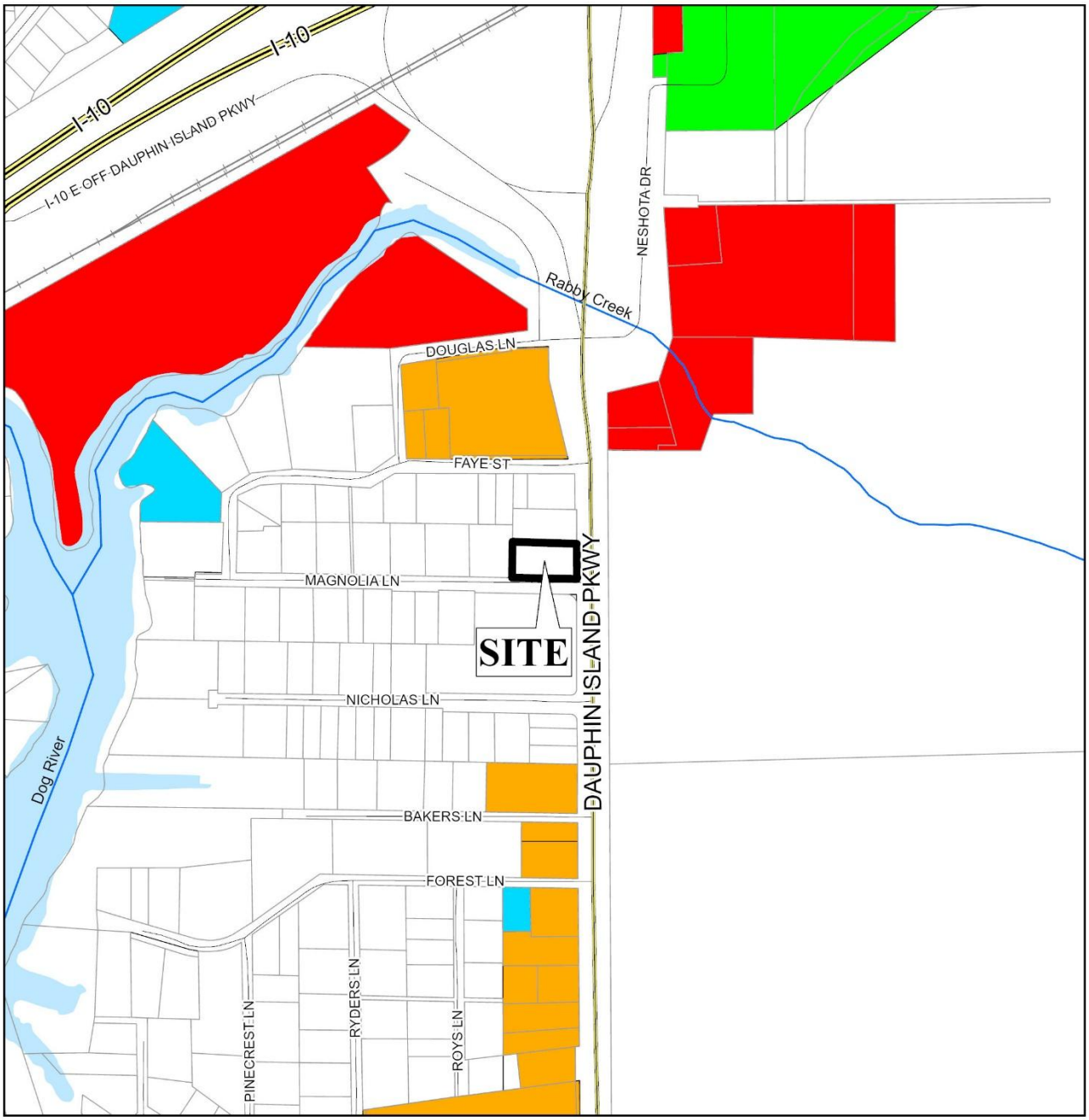
The applicant's responses to address the above criteria are available in the link on page one (1).

Considerations:

If the Planning Commission considers a recommendation of approval of the request to the City Council to Rezone the site to B-2, the following conditions could apply:

1. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in this staff report; and,
2. Full compliance with all municipal codes and ordinances.

LOCATOR ZONING MAP



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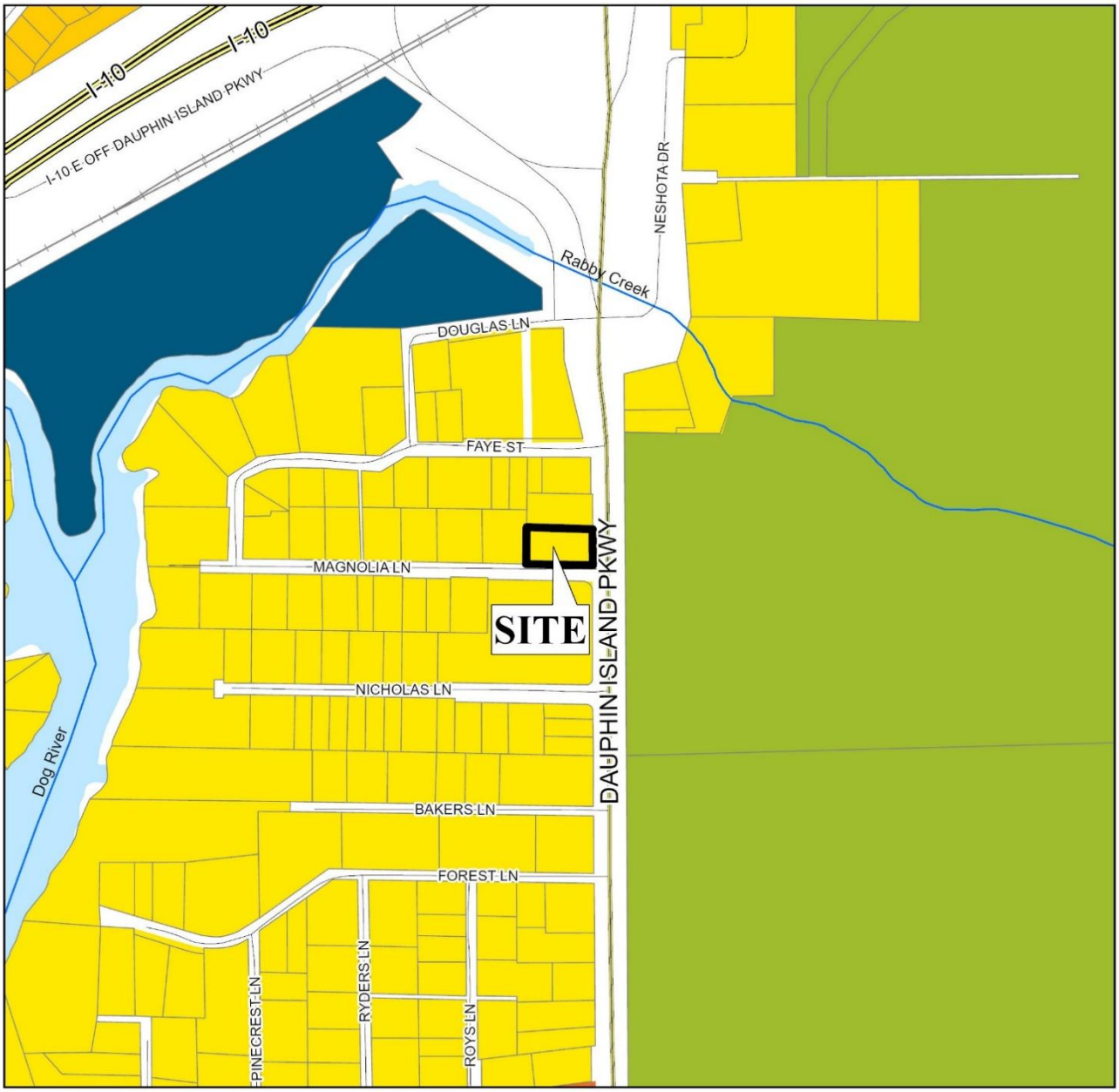
FLUM LOCATOR MAP



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REQUEST Rezoning from R-1 to B-2

- Low Density Residential
- Mixed Density Residential
- Downtown
- District Center
- Neighborhood Center - Traditional
- Neighborhood Center - Suburban
- Traditional Corridor
- Mixed Commercial Corridor
- Light Industry
- Heavy Industry
- Institutional
- Parks, Open Space
- Water Dependent

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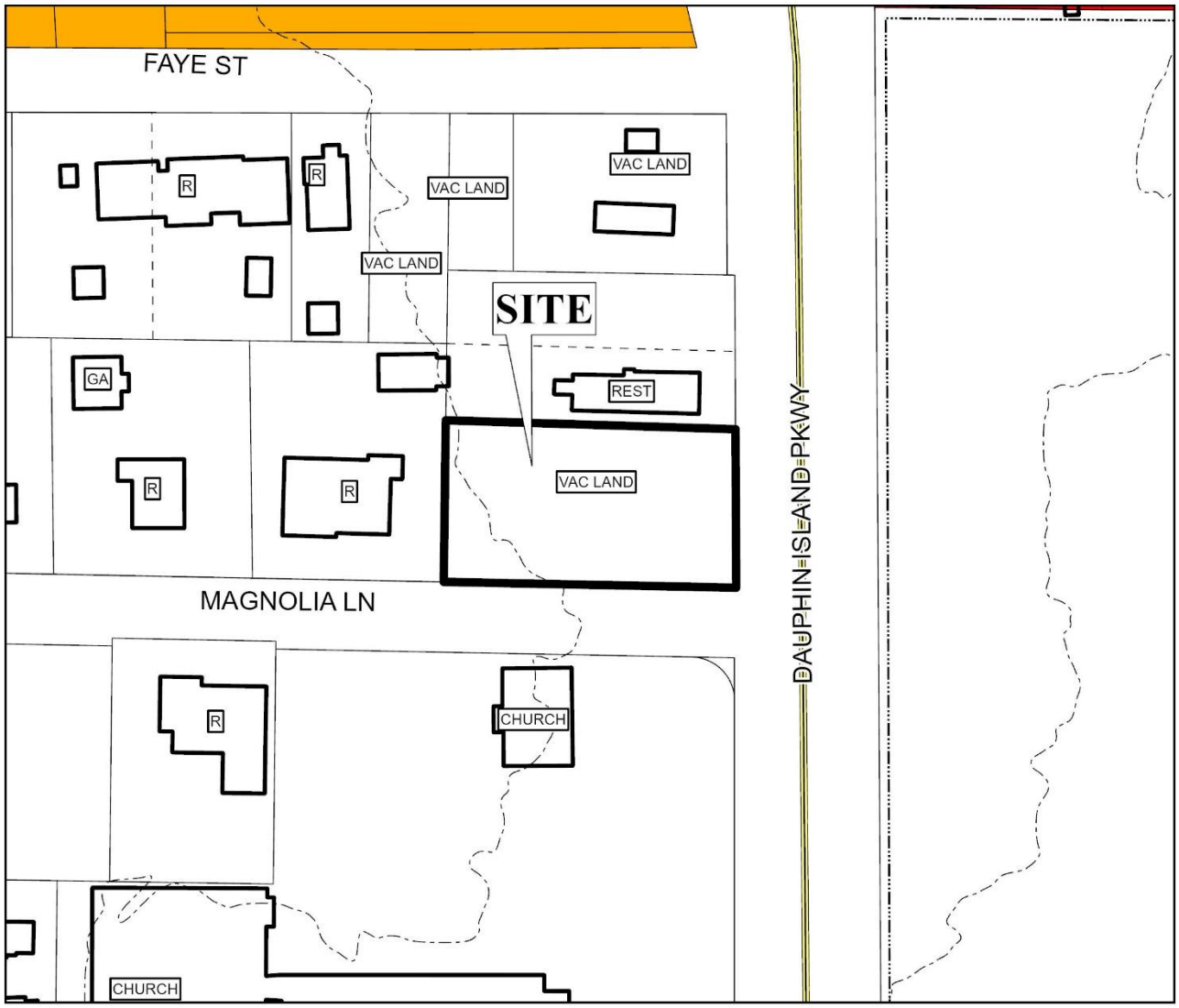
PLANNING COMMISSION
VICINITY MAP - EXISTING ZONING



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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	

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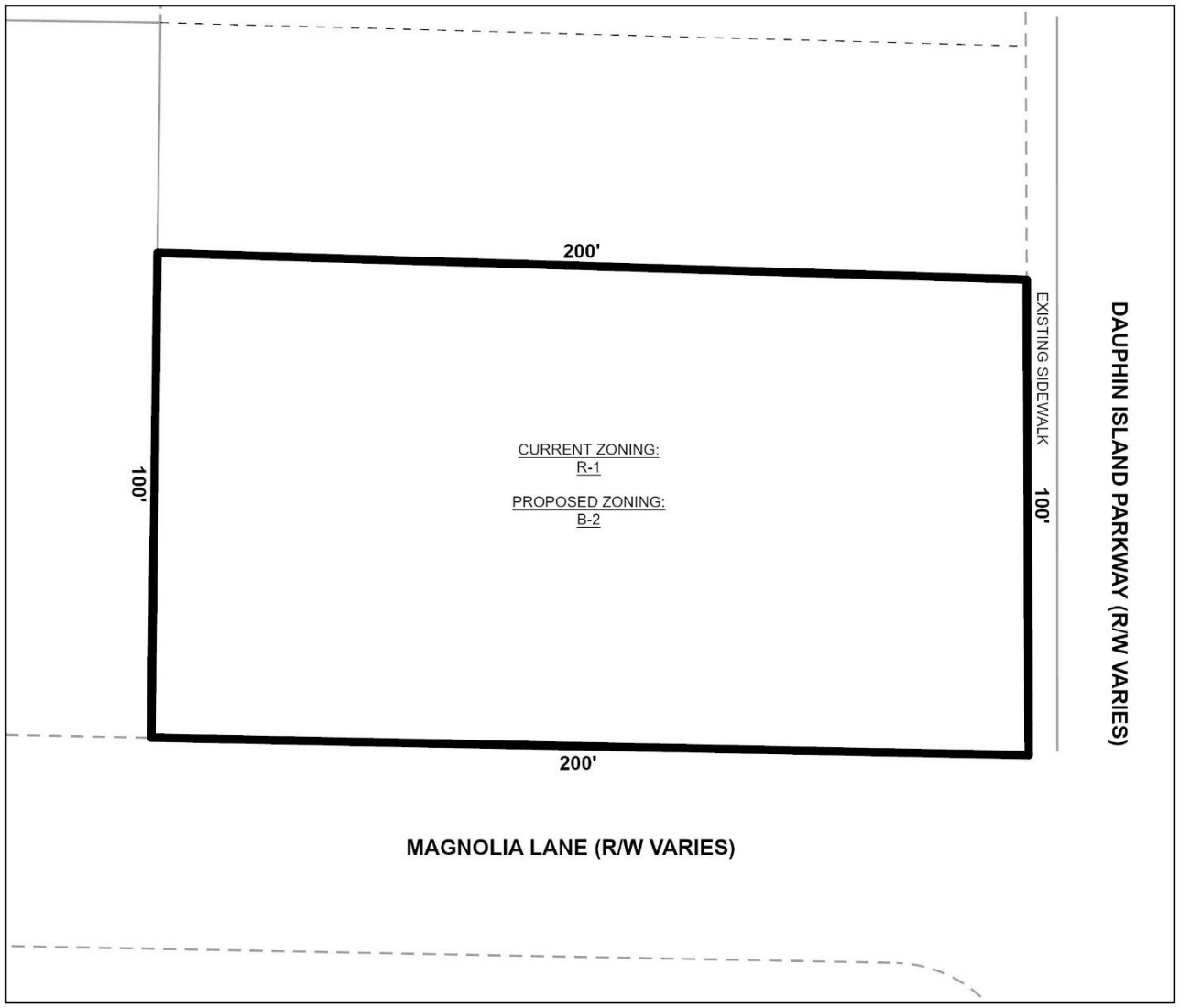
SITE PLAN



The site plan illustrates proposed lot rezoning and existing landscape features.

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FUTURE LAND USE MAP CORRESPONDENCE TO ZONING

A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the "mixed use" types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

Each future land use designation on the FLUM will have at least one corresponding zoning district, allowing a more precise application of the FLUM based on specific local conditions. In most cases, there are multiple combinations or types of zoning techniques that can accomplish the future land use designation's objectives.

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is "automatically" assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

■ Zoning district is appropriate to implement the future land use category.

U S Zoning district with Urban or Suburban subdistrict is appropriate to implement the future land use category.

○ Elements of the zoning district are related to the future land use category and may be appropriate with qualifications or conditions.

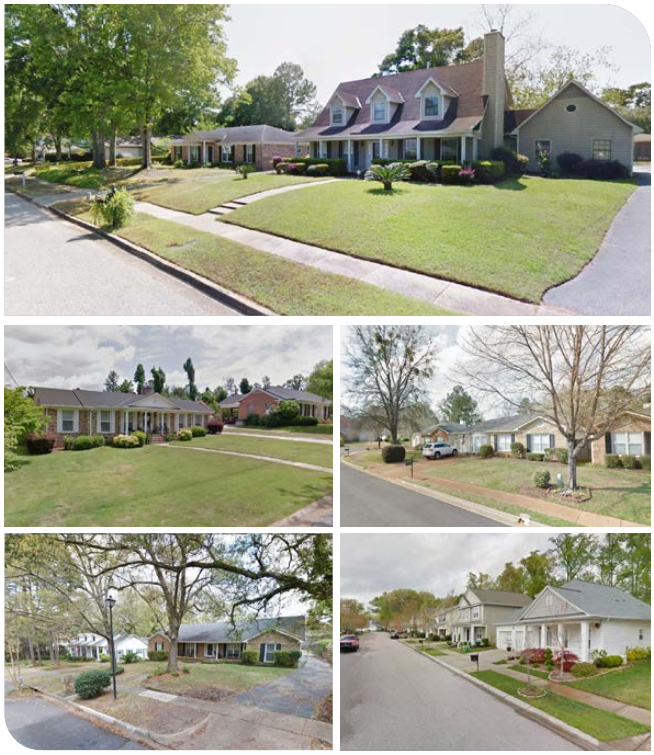
□ Zoning district is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

	RESIDENTIAL - AC (R-A)	ONE-FAMILY RESIDENCE (R-1)	TWO-FAMILY RESIDENCE (R-2)	MULTIPLE-FAMILY (R-3)	RESIDENTIAL BUSINESS (R-B)	HISTORIC BUSINESS (H-B)	BUFFER BUSINESS (B-1)	TRANSITIONAL BUSINESS (T-B)	LIMITED BUSINESS (LB-2)	NEIGHBORHOOD BUSINESS (B-2)	COMMUNITY BUSINESS (B-3)	GENERAL BUSINESS (B-4)	OFFICE-DISTRIBUTION (B-5)	COMMERCIAL WAREHOUSE (CW)	MARITIME MIXED (MM)	MARITIME LIGHT (ML)	MARITIME HEAVY (MH)	LIGHT INDUSTRY (I-1)	HEAVY INDUSTRY (I-2)	VILLAGE CENTER (TCD)	NEIGHBORHOOD CENTER (TCD)	NEIGHBORHOOD GENERAL (TCD)	DOWNTOWN DEV. DDD (T-6)	DOWNTOWN DEV. DDD (T-5.1)	DOWNTOWN DEV. DDD (T-5.2)	DOWNTOWN DEV. DDD (T-4)	DOWNTOWN DEV. DDD (T-3)	DOWNTOWN DEV. DDD (SD-WH)	DOWNTOWN DEV. DD (SD)
LOW DENSITY RESIDENTIAL (LDR)	■	S	S	S			○							○															○
MIXED DENSITY RESIDENTIAL (MDR)		U	U	■	■			■	■	■					■															○
DOWNTOWN (DT)						■					■													■	■	■	■	■	○	○
DISTRICT CENTER (DC)								■			U	○	○																	
NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)		■	■	U	■	■	○	■	○	○	○										■	■	■							
NEIGHBORHOOD CENTER - SUBURBAN (NC-S)				S			S	■	S	S	○									■	■									○
TRADITIONAL CORRIDOR (TC)		■	■		■	■	U	■	U	U	○																			○
MIXED COMMERCIAL CORRIDOR (MCC)							■		■	■	■	■	■	■	■															
LIGHT INDUSTRIAL (LI)													■	■	■	■			■										○	○
HEAVY INDUSTRY (HI)																■	■	■	■										○	○
INSTITUTIONAL LAND USE (INS)											■	■		○	○				○											
PARKS & OPEN SPACE (POS)	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
WATER DEPENDENT USES (WDWRU)	■					○								■	■	■		○												

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Character Example



Development Intent

- Complementary uses are designed and sited in a manner compatible with and connected to the surrounding context.
- The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.
- When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- Residential, Single family
- Residential, Attached

Secondary Uses

- Residential, Multifamily
- Civic
- Parks

Housing mix

- Predominantly single family subdivisions with lots smaller than one acre
- Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home