

PLANNING COMMISSION STAFF REPORT
December 19, 2016

Z-16-16

GENERAL INFORMATION

Property Owner (x) Petitioner (x)
Springbrook Investments, LLC

Requested Action and Purpose

Rezone from R-2 to BN, conditioned on development of the property as a Planned Unit Development (PUD). The applicants are requesting the zoning change for the development of a retail village.

Location and Existing Zoning

34-36 and 38-57 Springbrook (23 parcels); Zoned R-2

Size and Existing Land Use

Approximately 5.61 acres; 20 single-family dwellings and 3 vacant lots

Surrounding Land Use and Zoning

North – Vacant land (BN)

East – Commercial buildings (BN)

South – Single-family dwellings (R-2)

West – Single-family dwellings (R-2)

Applicable Regulations

BN Neighborhood Commercial Districts: This district is created to provide minimum standards for the development and use of retail and service establishments concentrated at convenient locations throughout the city and intended primarily to serve local residents. While the Zoning Map of Tuscaloosa recognizes the existence of extensive strips of land devoted to such uses along major streets, it is intended to encourage the clustering of such uses into properly designed shopping centers in future development. (Section 24-51)

Planned Unit Developments. Development controls required when land is developed on a lot-by-lot basis are necessarily somewhat inflexible and may result in a monotonous or otherwise undesirable development pattern. When a large parcel of land under unified ownership or control is developed in accordance with a unified plan and subject to appropriate controls to ensure adherence to such plan, greater flexibility in building type and site design restrictions is both possible and in the public interest. This chapter provides for such flexibility under planned unit development provisions. (Section 24-161)

Transportation

Springbrook and Albright Road, both residential streets

Physical Characteristics

Approximately 5.61 acres of residential lots – 20 single-family dwellings and 3 vacant lots

PLANNING COMMISSION STAFF REPORT
December 19, 2016



SUBJECT PROPERTY

ANALYSIS

The applicant is bringing the rezoning proposal forward for the development of a retail village. The rezoning proposal is consistent with the zoning to the north and east, as well as the 2007 **City of Tuscaloosa Citywide Future Land Use Plan** (Future Land Use Plan), but inconsistent with the zoning to the south and west, and with the 2009 **City of Tuscaloosa Specific Plan for District 7** (Specific Plan).

The Future Land Use Plan identifies McFarland Boulevard as a commercial corridor (Diagram 2). Commercial Corridors are commercial arterials with a mix of business and commercial enterprises typically along both sides and adjacent to (one to two blocks) a major street or boulevard (p. 18). McFarland Boulevard was identified as a "Gateway to City/University of Alabama" (p. 19) (Diagram 5). Additionally, the Future Land Use Plan identified Expanding Commercial Activity Centers (Diagram 8), which are existing significant nodes that exhibit current growth and expansion. McFarland Boulevard/Skyland Boulevard is identified as such (p. 21). The Future Land Use Plan, does, however, state that "if conflict exists between this Plan and a Specific Plan, the Specific Plan will take precedence" (p. 26).

The Specific Plan identifies the neighborhood park (Springbrook Park) at the northern-most extent of the Springbrook neighborhood in the Strategic Development Concept (Figure 9). While a commercial corridor is identified in the Strategic Development Concept, the properties in question are not part of the identified commercial corridor along McFarland Boulevard East. Additionally, no future land use changes were identified for the properties in question in the Future Land Use Map (Figure 10).

The Specific Plan identifies the Springbrook neighborhood as one of the many well-established neighborhoods and subdivisions when describing the District 7 Community (p. 2). Under assets, the Specific Plan identifies the following: good definition between commercial and residential; high rate of ownership/low percentage of home rentals; and abundant neighborhoods (p.4). Liabilities included: vacancies in commercial areas; conflict of commercial uses abutting residential properties; lack of buffers/maintenance between commercial and residential land uses; lack of design control guidelines along commercial corridors; and an undesired transition of zoning on Hargrove from residential to commercial uses (p. 5).

The Specific Plan identified some opportunities and visions for the District 7 Communities, including: maintain commercial uses separate from residential uses; design and construct higher quality commercial

PLANNING COMMISSION STAFF REPORT
December 19, 2016

buildings with more consistent design and image; maintain residential areas as single-family density; provide incentives to fill and redevelop vacant stores; and create more small neighborhood parks (p. 6). While McFarland Boulevard is identified as a commercial corridor, the Strategic Development Concept does not identify the Springbrook properties as part of that commercial corridor (p. 9, Figure 9). Additionally, any development and redevelopment of the corridors is to be consistent with the Plan (p. 14).

The Specific Plan identifies the predominant current land use of District 7 as residential (p. 10). Springbrook Park is identified as a prominent land use in District 7, as the neighborhood parks occupy land adjacent or in close proximity to existing neighborhoods and residential areas (p. 14). Neighborhoods established many decades ago comprise most of the lands between Skyland Boulevard and Hargrove Road (p. 15). The Advisory Committee advocated maintaining and sustaining neighborhoods as an objective of the plan. The Plan states, "the current zoning over this area is predominantly single-family residential and any zoning change to higher density should not be designed or developed" (p. 15).

The applicant has not submitted plans for the subdivision of this land, though they have provided a preliminary site plan. No PUD application has been submitted at this time.

Notification was sent via USPS to property owners located within 500 feet of the subject property.



REZONING PETITION

Pursuant to the Zoning Ordinance of Tuscaloosa, the undersigned petitioner requests a change to the Zoning Map as indicated below:

Currently zoned: R2
Request zone change to: BN-PUD

FEE SCHEDULE	
Filing Fee	
0-5 acres	\$300.00
5.1-10 acres	\$400.00
10.1-40 acres	\$500.00
More than 40 acres	\$600.00
PLUS All Legal Advertisement Costs	TBD
<small>(You will receive an invoice after the City Council considers this petition)</small>	

MEETING DATE AND TIME:

**THE THIRD MONDAY OF EACH MONTH
AT 5:00 P.M.
IN THE CITY COUNCIL CHAMBER
(SECOND FLOOR OF CITY HALL)**

UNLESS OTHERWISE ADVERTISED

Petitioner Springbrook Investments, LLC ZIP 35401
 Address 2209 18th Street, Tuscaloosa, AL
 Phone No. (205) 799-8110 Email richard@druidcityproperties.com

Property owner Springbrook Investments, LLC and others (see attached) ZIP _____
 Address _____
 Phone No. _____ Email _____

Premises affected (street address) Multiple parcels as shown on the attached map and property information
 Lot No. _____ in (name of subdivision) _____
 If property is not located in a recorded subdivision, Tax Parcel I.D. number must be provided.
 Lot size Total acreage +/- 5.61 acres Date purchased _____
 Existing buildings or structures Single-family rental homes
 Proposed buildings or construction 4 retail buildings
 Proposed construction (type of materials) see attached narrative

Reasons for requesting a zoning change:
For development of a retail village. See attached narrative.

I certify that the foregoing facts, to the best of my knowledge, are true and correct.


SIGNATURE

ALL REQUESTS MUST BE ACCOMPANIED BY A DRAWN TO SCALE SITE PLAN SHOWING PRESENT AND PROPOSED LOTLINES, BUILDINGS, AND/OR PARKING DIMENSIONS. AN ACCURATE LEGAL DESCRIPTION MUST BE INCLUDED WITH THE PETITION.

ANY REQUEST WHICH WILL NOT BE REPRESENTED BY THE PROPERTY OWNER AT THE PUBLIC HEARING MUST BE ACCOMPANIED BY A DESIGNATION OF AGENT FORM.

AFTER ANY NOTIFICATION HAS BEEN SENT TO SURROUNDING PROPERTY OWNERS, A PETITIONER OR DEVELOPER MAY ONLY REQUEST TO HAVE THE PETITION POSTPONED BY APPEARING AT THE HEARING IN PERSON TO REQUEST A CONTINUANCE.

THIS PETITION WILL NOT BE ACCEPTED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

ALL LEGAL ADVERTISEMENT COSTS MUST BE PAID PRIOR TO FINAL CONSIDERATION BY THE CITY COUNCIL

CAL NO. Z-16-16

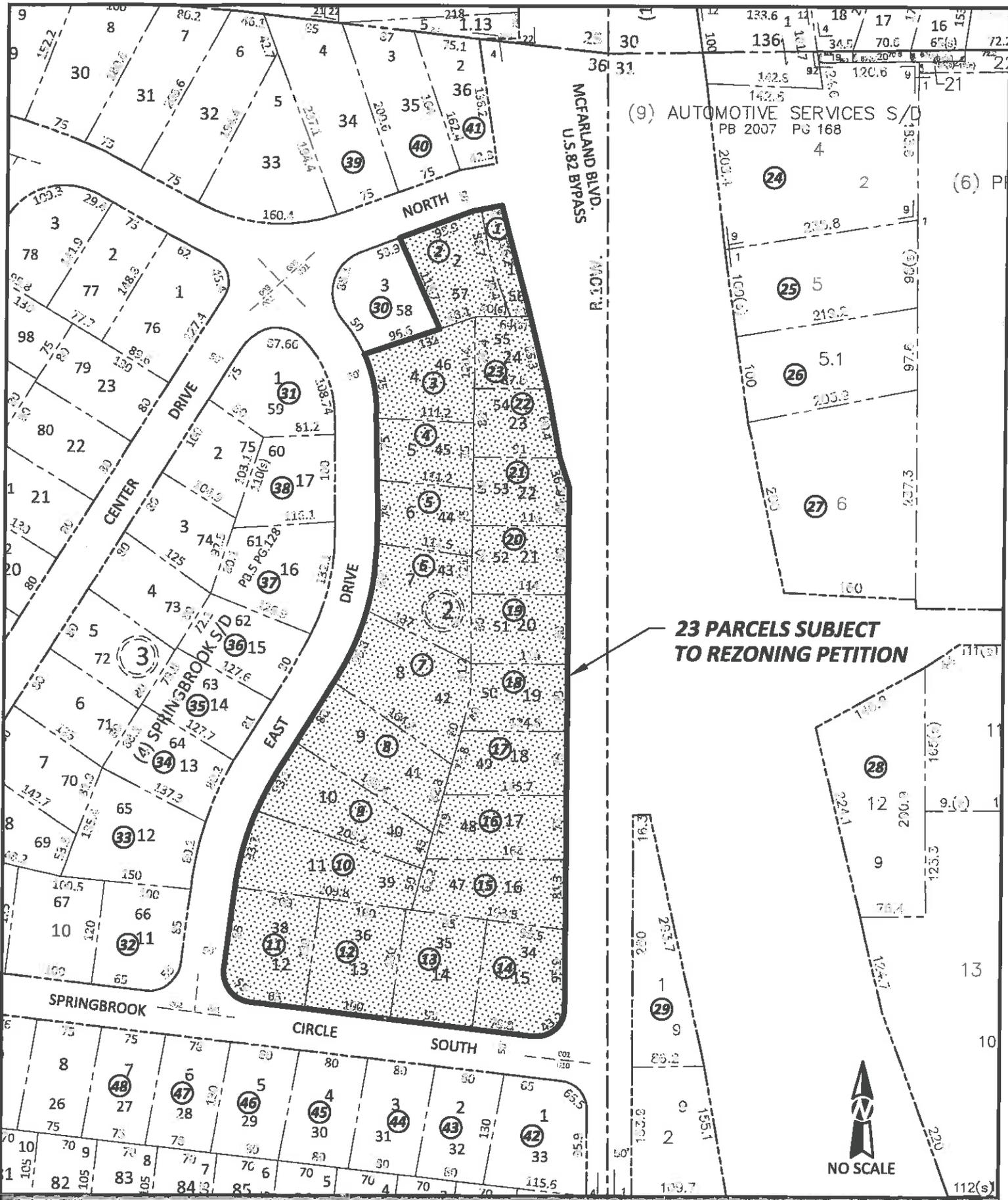
FILED: 11-18-16
amended 12-6-16

HEARING DATE: 12-19-16

**Proposed Springbrook Retail Village Rezoning
Property Owners**

- 1. Springbrook Investments, LLC**
4029 Greensboro Ave Suite B
Tuscaloosa, AL 35406
Registered Agent: Richard Henry
Phone No.: (205) 409-3260
Email: richard@druidcityproperties.com
- 2. Richard Henry**
4029 Greensboro Avenue, Suite B
Tuscaloosa, AL 35405
Phone No.: (205) 409-3260
Email: richard@druidcityproperties.com
- 3. Young Family, LLC**
1818 University Boulevard
Tuscaloosa, AL 35401
Registered Agent: Robert N. Young, Jr.
Phone No.: (205) 758-3344
Email: bobnyoung@aol.com
DOA Form: Yes
- 4. Cabin, LLC**
4029 Greensboro Avenue, Suite B
Tuscaloosa, AL 35405
Registered Agent: Richard Henry
Phone No.: (205) 409-3260
Email: richard@druidcityproperties.com
DOA Form: Yes
- 5. A and R, LLC**
4029 Greensboro Avenue, Suite B
Tuscaloosa, AL 35405
Registered Agent: Richard Henry
Phone No.: (205) 409-3260
Email: richard@druidcityproperties.com
DOA Form: Yes

- 6. Thomas Henry**
10 Central Highlands
Tuscaloosa, AL 35404
Phone No.: (205) 409-3260
Email: TAllenHenry@gmail.com
DOA Form: Yes
- 7. Grand M, LLC**
4029 Greensboro Ave Suite B
Tuscaloosa, AL 35404
Registered Agent: Sara Henry
Phone No.: (205) 409-3260
Email: saraeveretthentry@gmail.com
DOA Form: Yes
- 8. Crimson Properties, LLC**
3802 Mill Creek Avenue
Tuscaloosa, AL 35401
Registered Agent: Lynn Corder
Phone No.: (205) 342-3940
Email: lcorder@thebuildersgroup.info
DOA Form: Yes
- 9. Cypress Properties, LLC**
9138 Taylorwood Drive
Tuscaloosa, AL 35405
Registered Agent: Wendell Barton
Phone No.: (205) 342-3940
Email: wbarton@thebuildersgroup.info
DOA Form: Yes



(9) AUTOMOTIVE SERVICES S/D
PB 2007 PG 168

**23 PARCELS SUBJECT
TO REZONING PETITION**



WA WALKER ASSOCIATES, INC.
ENGINEERING, PLANNING, GIS & SURVEYING

2890 Rice Mine Road NE
Tuscaloosa, AL 35406

www.walkercivil.com
P (205) 561-3778 | F (205) 561-3779

**PROPERTY MAP
REZONING PETITION**

PARCELS ADJACENT TO REZONING PETITION

Key	Parcel ID	Owner	Property Location	Plat Book	Plat Page
24	30-09-31-2-001-004-000	NOWLIN H M	3011 MCFARLAND BLVD E	2007	168
25	30-09-31-2-001-005-000	SHERRILL REALTY CO INC	3017 MCFARLAND BLVD E	4	69
26	30-09-31-2-001-005-001	L L & T PROPERTIES	3025 MCFARLAND BLVD E	4	69
27	30-09-31-2-001-006-000	R O J U I LLC	3035 MCFARLAND BLVD E	4	69
28	30-09-31-2-002-012-000	WYATT JOHN R &	3115 MCFARLAND BLVD E	4	69
29	30-09-31-2-003-001-000	A & M OIL COMPANY LLC	3212 MCFARLAND BLVD E	4	69
30	31-07-36-1-001-003-000	LOWE VIVIAN	58 SPRINGBROOK	5	128
31	31-07-36-1-002-001-000	GILES JUDY C	59 SPRINGBROOK	5	128
32	31-07-36-1-002-011-000	ROBINSON DANIEL &	66 SPRINGBROOK	5	128
33	31-07-36-1-002-012-000	HUGHES RICHARD EARL	65 SPRINGBROOK	5	128
34	31-07-36-1-002-013-000	WILSON SANDRA P ETVIR	64 SPRINGBROOK	5	128
35	31-07-36-1-002-014-000	FARRIS TIFFANY JUNE	63 SPRINGBROOK	5	128
36	31-07-36-1-002-015-000	B T I REAL ESTATE	62 SPRINGBROOK	5	128
37	31-07-36-1-002-016-000	HAYES RICHARD E	61 SPRINGBROOK	5	128
38	31-07-36-1-002-017-000	CYPRESS PROPERTIES LLC	60 SPRINGBROOK	5	128
39	31-07-36-1-005-034-000	SOUTHERN WINGS FIVE LLC	4 SPRINGBROOK	5	128
40	31-07-36-1-005-035-000	SOUTHERN WINGS FIVE LLC	3 SPRINGBROOK	5	128
41	31-07-36-1-005-036-000	SOUTHERN WINGS FIVE LLC	2 SPRINGBROOK	5	128
42	31-07-36-1-010-001-000	TIDE PROPERTIES LLC	33 SPRINGBROOK	5	128
43	31-07-36-1-010-002-000	DOBBS DANNY LEE & CHERE DOBBS	32 SPRINGBROOK	5	128
44	31-07-36-1-010-003-000	EAGLE HOLDINGS LLC	31 SPRINGBROOK	5	128
45	31-07-36-1-010-004-000	TAYLOR ANNIE B	30 SPRINGBROOK	5	128
46	31-07-36-1-010-005-000	J & S PROPERTIES INC	29 SPRINGBROOK	5	128
47	31-07-36-1-010-006-000	JACKSON ONIS HOWELL	28 SPRINGBROOK	5	128
48	31-07-36-1-010-007-000	A & R LLC	27 SPRINGBROOK	5	128



WALKER ASSOCIATES, INC.
ENGINEERING, PLANNING, GIS & SURVEYING

2890 Rice Mine Road NE
Tuscaloosa, AL 35406

www.walkercivil.com
P (205) 561-3778 | F (205) 561-3779

PROPERTY INFORMATION REZONING PETITION

**PAGE
3
OF
3**

PARCELS SUBJECT TO REZONING PETITION

Key #	Parcel ID	Owner	PropertyLocation	PlatBook	PlatPage	Acreage (+/-)	Date Purchased
1	31-07-36-1-001-001-000	SPRINGBROOK INVESTMENTS LLC	56 SPRINGBROOK	5	128	0.077	3/31/2014
2	31-07-36-1-001-002-000	SPRINGBROOK INVESTMENT LLC	57 SPRINGBROOK	5	128	0.243	3/31/2014
3	31-07-36-1-001-004-000	HENRY RICHARD & ALLEN HENRY	46 SPRINGBROOK	5	128	0.274	5/17/2013
4	31-07-36-1-001-005-000	SPRINGBROOK INVESTMENTS LLC	45 SPRINGBROOK	5	128	0.192	5/29/2014
5	31-07-36-1-001-006-000	YOUNG FAMILY LLC	44 SPRINGBROOK	5	128	0.194	1/3/1997
6	31-07-36-1-001-007-000	CABIN LLC	43 SPRINGBROOK	5	128	0.271	9/30/2010
7	31-07-36-1-001-008-000	A AND R LLC	42 SPRINGBROOK	5	128	0.359	5/30/2013
8	31-07-36-1-001-009-000	HENRY THOMAS O ETUX JOYCE R	41 SPRINGBROOK	5	128	0.33	9/30/2002
9	31-07-36-1-001-010-000	GRAND M LLC	40 SPRINGBROOK	5	128	0.303	12/21/2012
10	31-07-36-1-001-011-000	GRAND M LLC	39 SPRINGBROOK	5	128	0.336	12/21/2012
11	31-07-36-1-001-012-000	SPRINGBROOK INVESTMENTS LLC	38 SPRINGBROOK	5	128	0.288	5/9/2014
12	31-07-36-1-001-013-000	CABIN LLC	36 SPRINGBROOK	5	128	0.297	9/25/2010
13	31-07-36-1-001-014-000	A AND R LLC	35 SPRINGBROOK	5	128	0.283	7/15/2013
14	31-07-36-1-001-015-000	GRAND M LLC	34 SPRINGBROOK	5	128	0.282	12/21/2012
15	31-07-36-1-001-016-000	CABIN LLC	47 SPRINGBROOK	5	128	0.276	6/9/2011
16	31-07-36-1-001-017-000	CABIN LLC	48 SPRINGBROOK	5	128	0.26	4/27/2012
17	31-07-36-1-001-018-000	CRIMSON PROPERTIES LLC	49 SPRINGBROOK	5	128	0.224	10/30/2003
18	31-07-36-1-001-019-000	CRIMSON PROPERTIES LLC	50 SPRINGBROOK	5	128	0.204	3/3/2004
19	31-07-36-1-001-020-000	SPRINGBROOK INVESTMENTS LLC	51 SPRINGBROOK	5	128	0.206	2/28/2014
20	31-07-36-1-001-021-000	CYPRESS PROPERTIES LLC	52 SPRINGBROOK	5	128	0.203	11/14/2005
21	31-07-36-1-001-022-000	CYPRESS PROPERTIES LLC	53 SPRINGBROOK	5	128	0.197	10/28/2008
22	31-07-36-1-001-023-000	SPRINGBROOK INVESTMENTS LLC	54 SPRINGBROOK	5	128	0.168	3/31/2014
23	31-07-36-1-001-024-000	A & R LLC	55 SPRINGBROOK	5	128	0.141	5/16/2013

TOTAL ACREAGE: ±5.61

Black Warrior Village

A Planned Unit Development

November 18, 2016

Springbrook Investments, LLC respectfully submits the following in regard to rezoning of the identified site to BN – PUD. The proposed site, of approximately 5.6 acres, is bordered by McFarland Blvd. and Albright Road to the East, 30th Street E to the North, 7th Avenue E to the West, and 32nd St E to the South. The proposed rezoning encompasses all of the individual parcels within the confines of these bordering public streets, with the exception of one parcel. These parcels are currently “For Rent” residential homes.

McFarland Blvd. is identified as a major commercial corridor, according to the city-wide plan, and residential homes fronting this corridor are increasingly difficult to rent residentially. Therefore, our team proposes to redevelop this site as a retail village, known as Black Warrior Village. Black Warrior Village is proposed to consist of four buildings of approximately 44,000 square feet, along with associated parking, driveways, sidewalks, and landscaping as required by city code. All access to the Village is proposed from Albright Road and McFarland Blvd. Each building is proposed on an individual, newly subdivided parcel, which will increase opportunities for new-to-market national and regional retailers.

Springbrook Investments, LLC has discussed the plans for Black Warrior Village with neighbors of Springbrook and the surrounding areas on five separate occasions...twice at Skyland Elementary, once at the Belk Activity Center, once at Planning Commission, and once at City Council. As a result of these meetings, Springbrook Investments, LLC, has incorporated a majority of the neighbors’ concerns and requests into its plan, the most significant of which is the PUD designation, which requires further public scrutiny and input. Springbrook Investments will also meet with the neighbors again to discuss this PUD application. Additionally, Springbrook Investments, LLC agreed to add use restrictions prohibiting check cashing and title loan stores, tobacco and tattoo shops, bail bondsmen, and fortunetelling operations. Finally, the neighbors requested a “green” buffer between the site and the adjoining residential, and we have incorporated Landscaping and screening into the plan. We are purposing the uses of trees similar to Leland cypresses and other full trees and other architectural details like knee walls and elevation changes.

All-in all, Black Warrior Village is expected to cost over \$25 million and construction is expected to begin in late 2017 or early 2018. Phasing is probable depending on tenant negotiations and agreements. We anticipate, that upon securing tenant commitments, each phase will require an additional, separate PUD submittal for final approval. This submittal will provide further architectural and civil detail. This is almost identical to the process being adhered to for Northbank on Rice Mine Road. The proposed buildings will consist of a differing mixture of architectural finishes, such as brick, EIFS/Stucco, cementitious siding, steel, and block. Final architectural drawings will be submitted for approval with each phase.

The end result is anticipated to be an extremely attractive retail village that provides needed buffering between McFarland Blvd. and residential uses, that fulfills retail gaps in our existing local market, and that provides additional sales tax and property tax for the city coffers.

The developer requests a waiver of the financial capability requirements based on previous development and commercial retail experience. Brock Corder has participated in the development of over 1.5 million square feet of retail space from the Gulf Coast to the North East to the mid West, and many of the members of the LLC have been developing property in Tuscaloosa for many, many years.

13-137 Springbrook – Property Description

November 18, 2016

STATE OF ALABAMA)
COUNTY OF TUSCALOOSA)

Lots 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57 in Springbrook Subdivision, a map or plat of which is recorded in the Probate Office of Tuscaloosa County, Alabama in plat book 5, at page 128, reference to said map or plat being hereby made in aid of and as part of this description. Less and except that portion of said property being a part of right-of-way for US Highway No. 82, State of Alabama Project No. U & F – 372(2).

Z-16-16

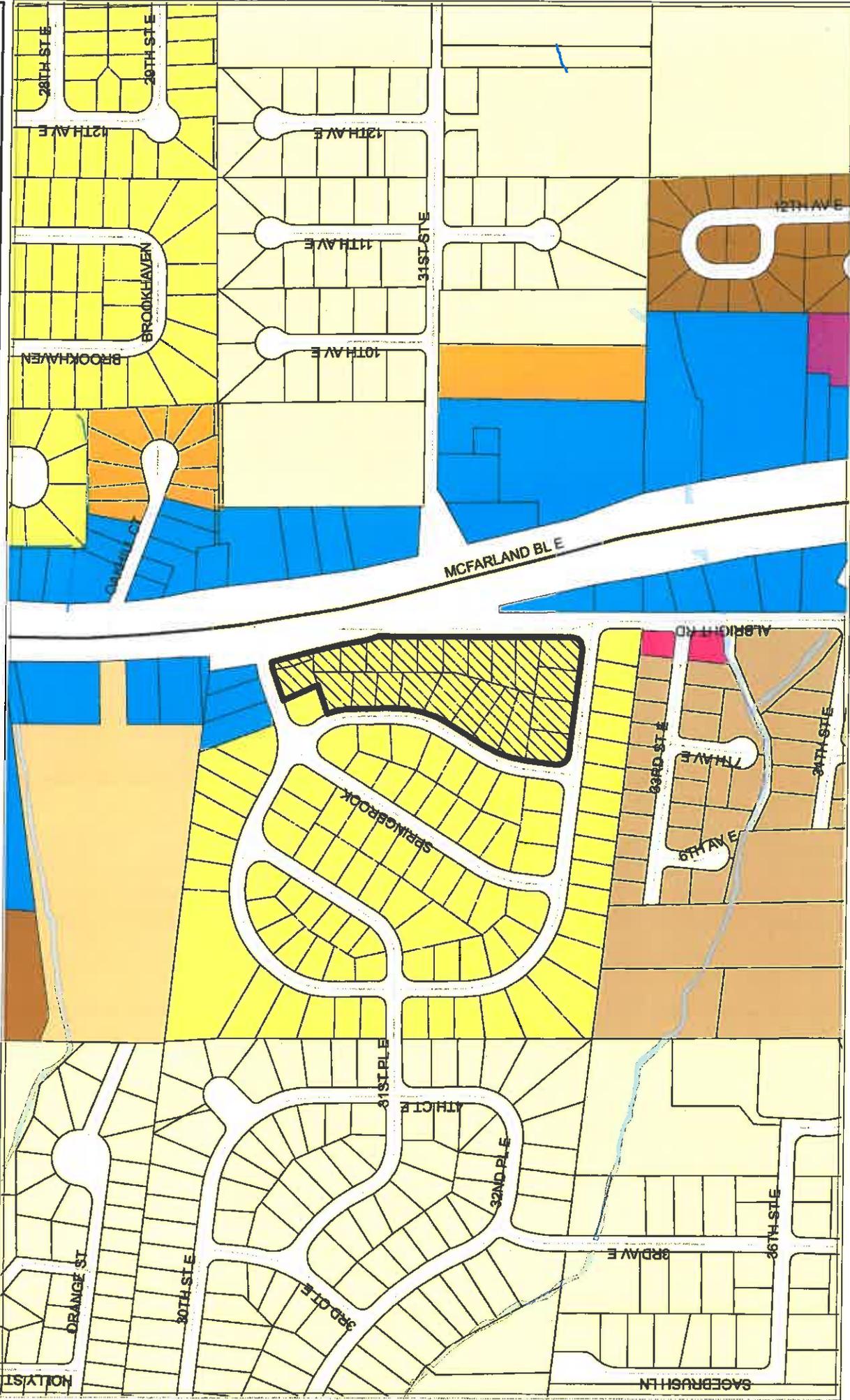


 Subject Property

Zoning Districts

	DROD		HB		R-3		RA-1		RM-3		MX-5		BNS		MG
	ELCOD		UAN		R-4		RA-2		RM-4		MX-8		BGO		MH
	PLOD		R-1		RD-1		RMF-1		RMH		BC		BH		I
	H		R-2		RD-2		RMF-2		MX-3		BN		ML		RD

1 inch = 400 feet





Z-16-16



Subject Property

1 inch = 200 feet

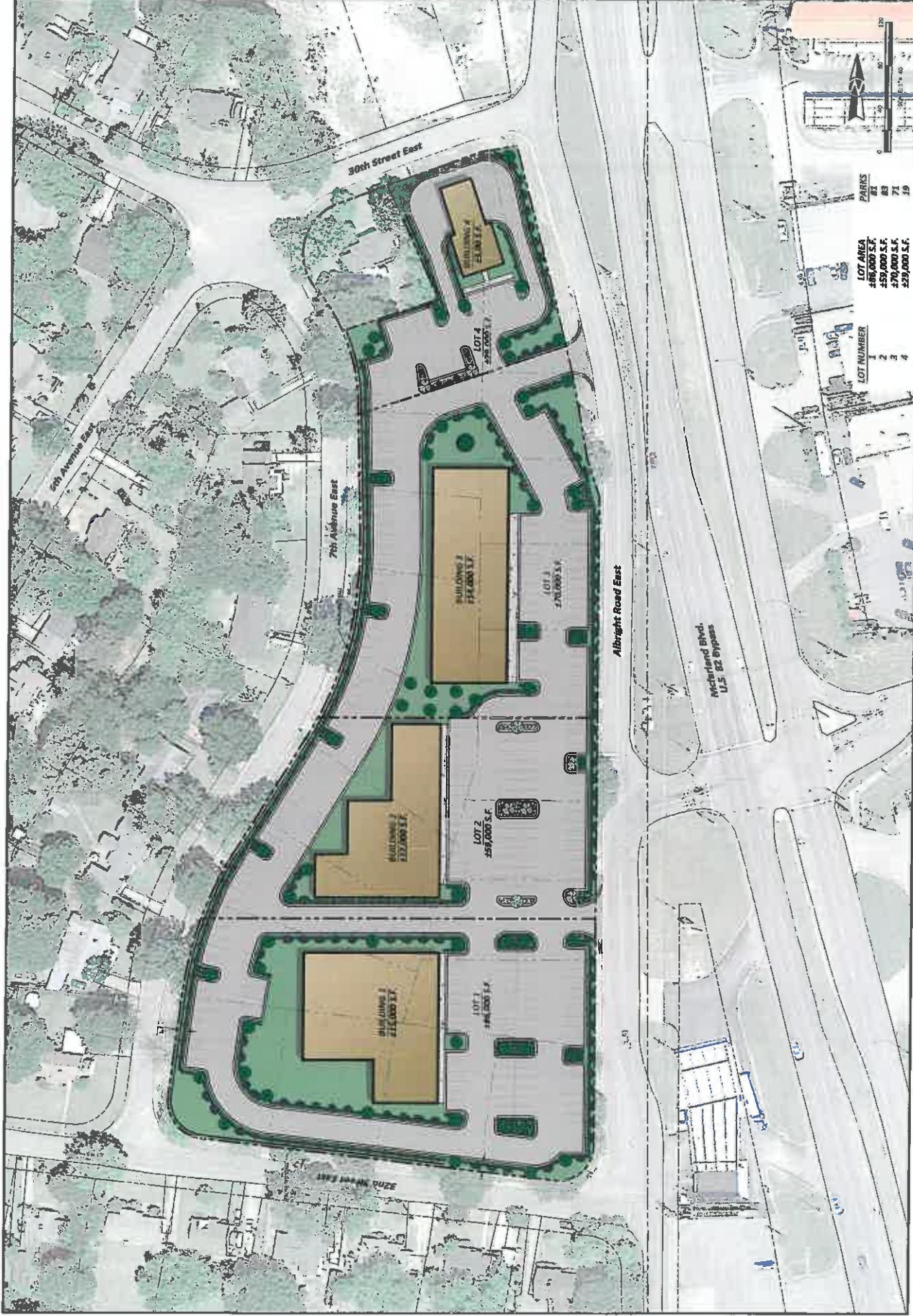


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Satellite DS, USDA, AeroGRID, IGN, and the GIS User Community

DATE: 7/16/16	DATE: 10-13-17
CHECKED BY: JCM	DESIGNED BY: JCM
PROJECT: CL-0	DESCRIPTION:

PRELIMINARY SITE PLAN
 SPRINGBROOK / McFARLAND COMMERCIAL
 TUSCALOOSA, ALABAMA

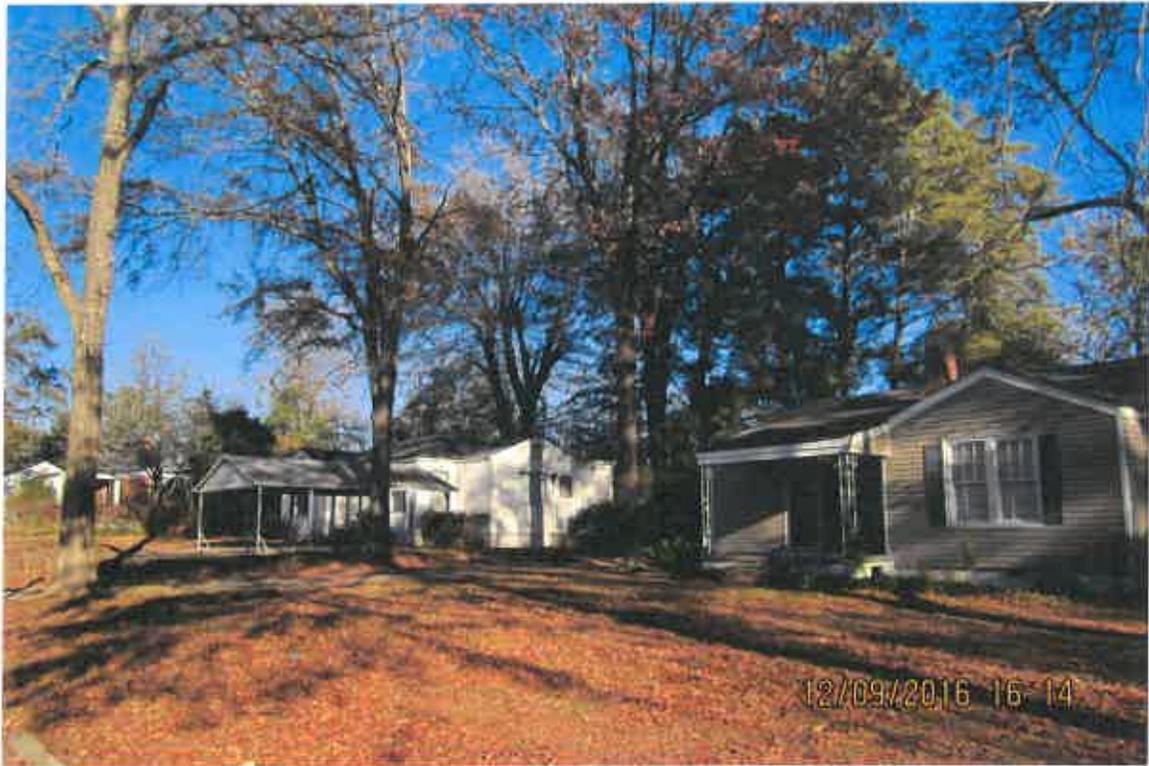
PRELIMINARY
 2850 McFarland Road NE
 Tuscaloosa, AL 35405
 P (205) 561-3778 | F (205) 561-3779
 WWW.WALKERASSOCIATES.COM
WALKER ASSOCIATES, INC.
 ARCHITECTURE, PLANNING, AND SURVEYING



EXISTING PROPERTIES (1)



(2)



(3)



(4)



(5)





REZONING NOTICE

City of Tuscaloosa

What:

Tuscaloosa Planning Commission to consider request to rezone property

Where:

City Hall Council Chamber
2201 University Boulevard

When:

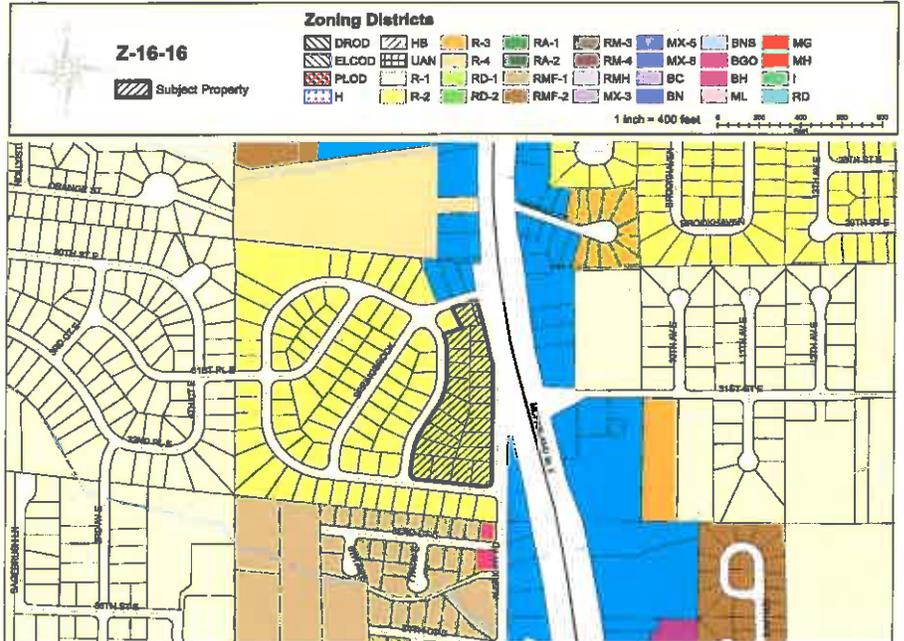
December 19, 2016 at 5:00 p.m.

Case Number:

Z-16-16

Applicant:

Springbrook Investments, LLC
(205) 799-8110



ZONING MAP

Subject Property:

Located at 34-36 and 38-57 Springbrook (23 parcels)

Property Size:

Approximately 5.61 acres

Current Zoning:

R-2

Proposed Zoning:

BN, conditioned on development of the property as a Planned Unit Development (PUD).

Purpose of Request:

Petitions to rezone approximately 5.61 acres located at 34-36 and 38-57 Springbrook (23 parcels) from R-2 to BN, conditioned on development of the property as a Planned Unit Development (PUD). (Council District 7)

All current case files can be found at <http://www.tuscaloosa.com/planningcommission> approximately one (1) week before the meeting.



PROVIDED SITE PLAN

Please contact Planning & Development Services at 248-5110 or visit Tuscaloosa.com if you have questions