

PLANNING COMMISSION STAFF REPORT  
December 19, 2016

Z-17-16

GENERAL INFORMATION

**Property Owner ( ) Petitioner (x)**  
Larry Rockwell

**Requested Action and Purpose**  
Rezone from BNS to BN to accommodate a restaurant with an attached drive-thru food pickup window.

**Location and Existing Zoning**  
3618 Stillman Boulevard; Zoned BNS.

**Size and Existing Land Use**  
Approximately 0.60 acres; commercial development.

**Surrounding Land Use and Zoning**  
North – Vacant (R-4)  
East – Single-family dwellings (R-3)  
South – Stillman College (I)  
West – Single-family dwellings and two vacant lots (R-4)

**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.

**Transportation**  
Stillman Boulevard, a major arterial, and 37<sup>th</sup> Avenue, a residential street.

**Physical Characteristics**  
Approximately 0.60 acres; the property currently has an occupied personal service shop, but is primarily vacant.



**SUBJECT PROPERTY**

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**ANALYSIS**

The applicant is bringing the rezoning proposal forward in order to permit the construction of a restaurant with an attached drive-thru food pickup window. The property is currently zoned for special neighborhood commercial uses (BNS), but the applicant's proposed use of a restaurant with an attached drive-thru food pick up window is not allowed in the BNS zone. While currently zoned for business uses, the rezoning generally conflicts with the 2007 **Specific Plan for the West Tuscaloosa Community** (Plan).

The Strategic Development Concept (p. 11) shows Stillman Boulevard as an image corridor with "neighborhood connections" in the location of the property proposed for rezoning. Additionally, the Plan identifies this property as single-family residential in the Future Land Use map (p. 27).

The proposed rezoning's location is directly across the street from Stillman University – an institutional activity center. It is within a three block radius between two planned activity centers and is located along an image corridor – Stillman Boulevard (see Strategic Development Concept, p. 11).

The Plan identifies "lack of commercial property," "limited restaurants and fast food," and "Zoning (too much R-3 and R-4)" as issues facing the West Tuscaloosa community (p. 8). The plan notes that the participants' view of local assets tended to stress the positive physical aspects of the area while the issues focused on relationships and communication. Plan participants noted that image corridors and commercial corridors were opportunities for the area (p. 9).

Again, the Strategic Development Concept (p. 11) shows Stillman Boulevard as an image corridor with "neighborhood connections" in the location of the property proposed for rezoning. The Strategic Development Concept anticipated the following: There will be a system of primary pedestrian corridors to help interconnect neighborhoods with the community's various activity centers; Existing commercial centers will be revitalized as supporting commercial activity centers – diverse, specialty commercial and dining facilities, with appropriate commercial infill and minor additions; Several major image corridors will help define the community and provide the major spines of an area-wide wayfinding system (p. 12). Moreover, a key policy area of the Strategic Development Concept is to organize commercial areas into strong commercial activity centers. Development, planning, and design along corridors should "develop commercial concentrations at major intersections, where they can capitalize on visibility and access from the corridor", while, "direct[ing] commercial development ... and discouraging scattered or strip patterns of commercial development" (p. 30)

Within the Strategies for Implementing the Plan, the area is identified as being part of a new historic district – Newtown Historic District (p. 33). The Plan identifies CDBG and Home Ownership programs as benefits to this revitalization strategy (p. 34).

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



# REZONING PETITION

ZP 16-2035

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

Currently zoned: BNS

Request zone change to: BN

FEE SCHEDULE	
<b>Filing Fee</b>	
0-5 acres	\$300.00
5.1-10 acres	\$400.00
10.1-40 acres	\$500.00
More than 40 acres	\$600.00
<b>PLUS All Legal Advertisement Costs</b>	<b>TBD</b>
<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 LARRY ROCKWELL  
 Address P.O. Box 71235 ZIP 35407  
 Phone No. 205 657 5050 Email LDROCK523@gmail.com

Property owner GEORGE C RICHARDSON  
 Address PO BOX 2268, Tuscaloosa, AL ZIP 35403  
 Phone No. 454-2278 Email \_\_\_\_\_

Premises affected (street address) 3618 Stillman Blvd  
 Lot No. 3, 4, 5, 6 in (name of subdivision) HARDING  
 If property is not located in a recorded subdivision, Tax Parcel I.D. number must be provided.  
 Lot size .60 Date purchased \_\_\_\_\_  
 Existing buildings or structures 1  
 Proposed buildings or construction 1  
 Proposed construction (type of materials) Modular

Reasons for requesting a zoning change:  
Restaurant with drive thru

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. 17-16 FILED: 11-18-16 HEARING DATE: 12-19-2016

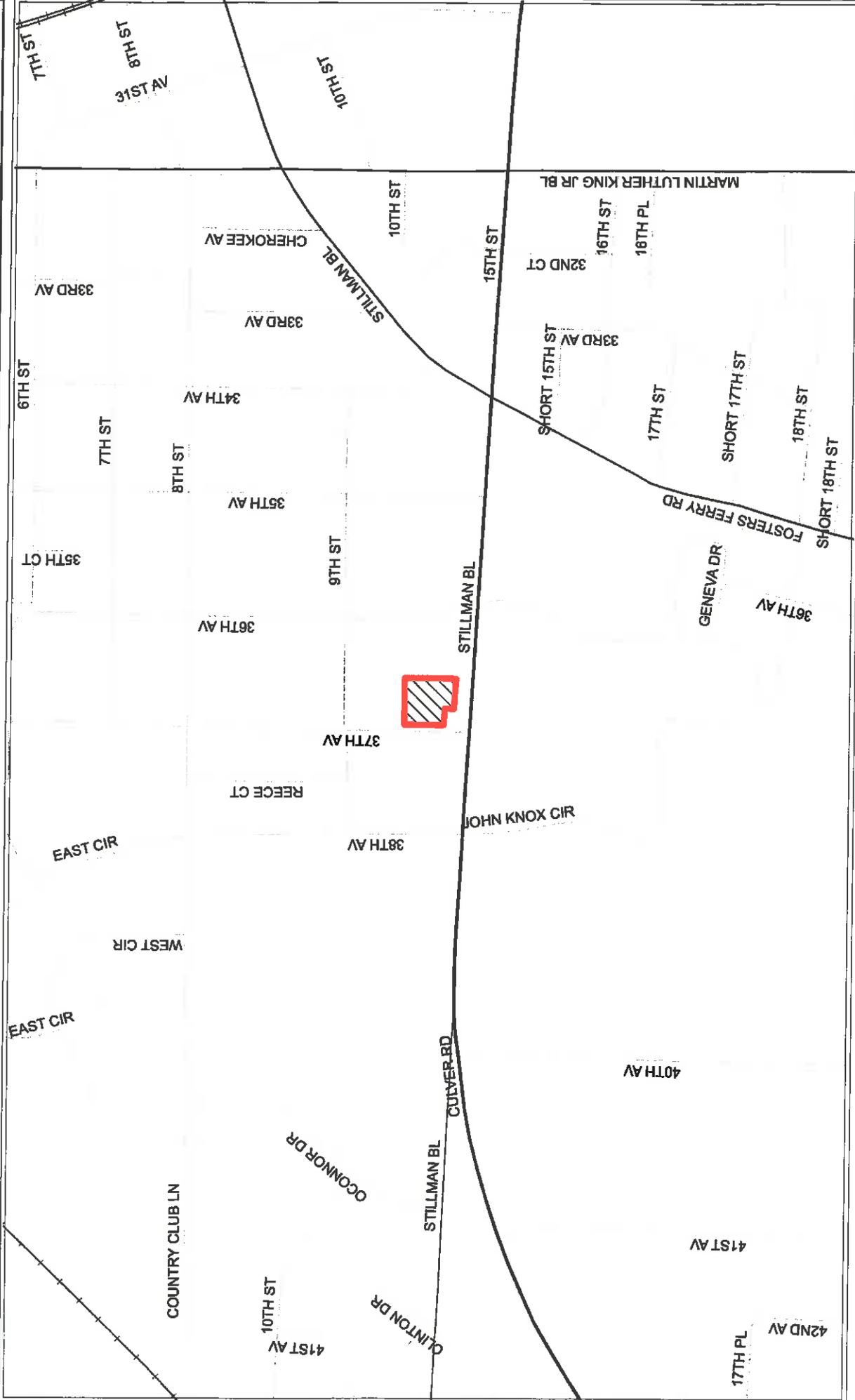
# Vicinity Map

Z-17-16

 Subject Property



1 inch = 500 feet  
0 200 400 600 800 1,000  
Feet

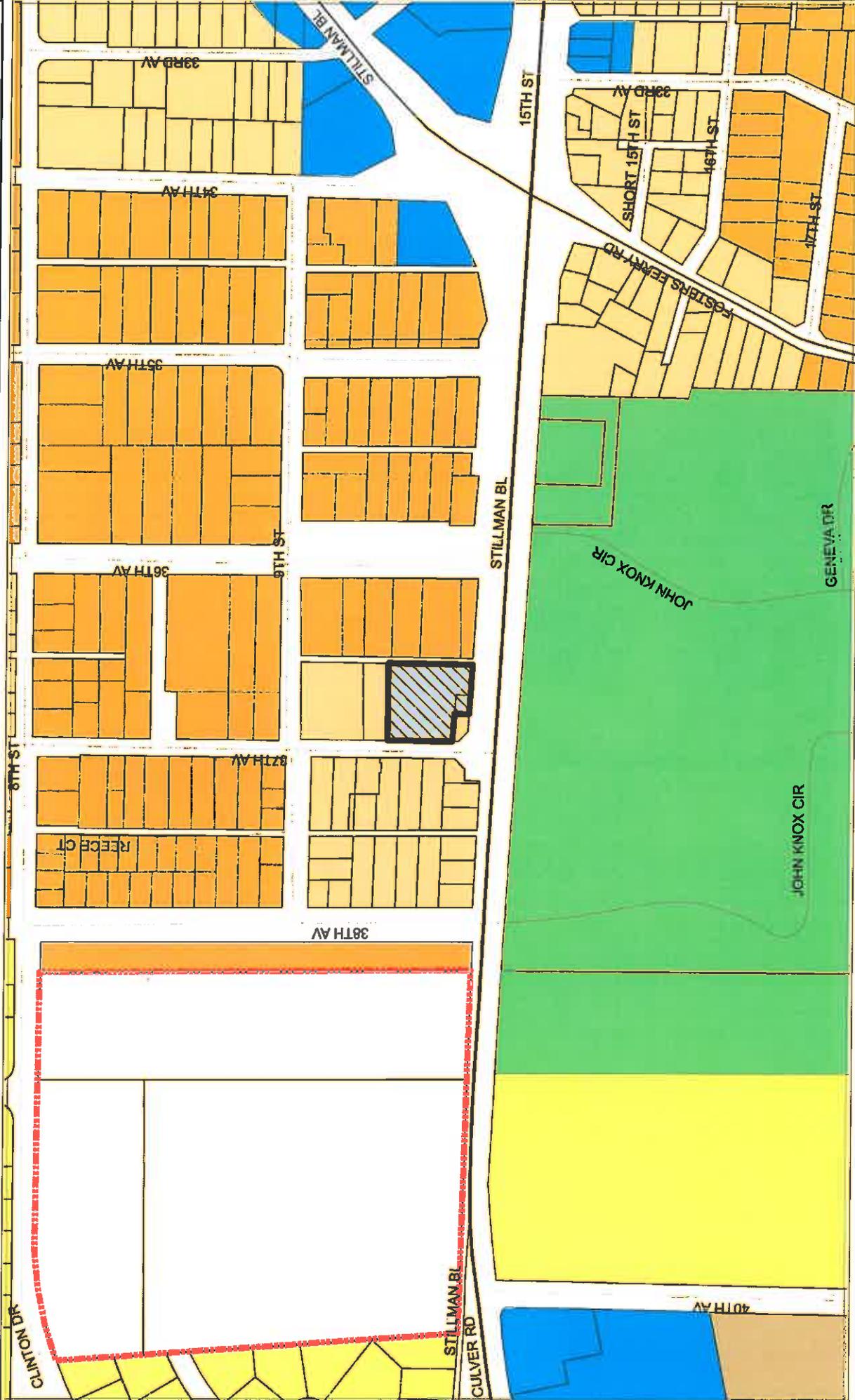


# Z-17-16

Subject Property  
City Limits

## Zoning Districts


1 inch = 300 feet





**Z-17-16**



**Subject Property**

1 inch = 100 feet

0 50 100 150 200  
Feet



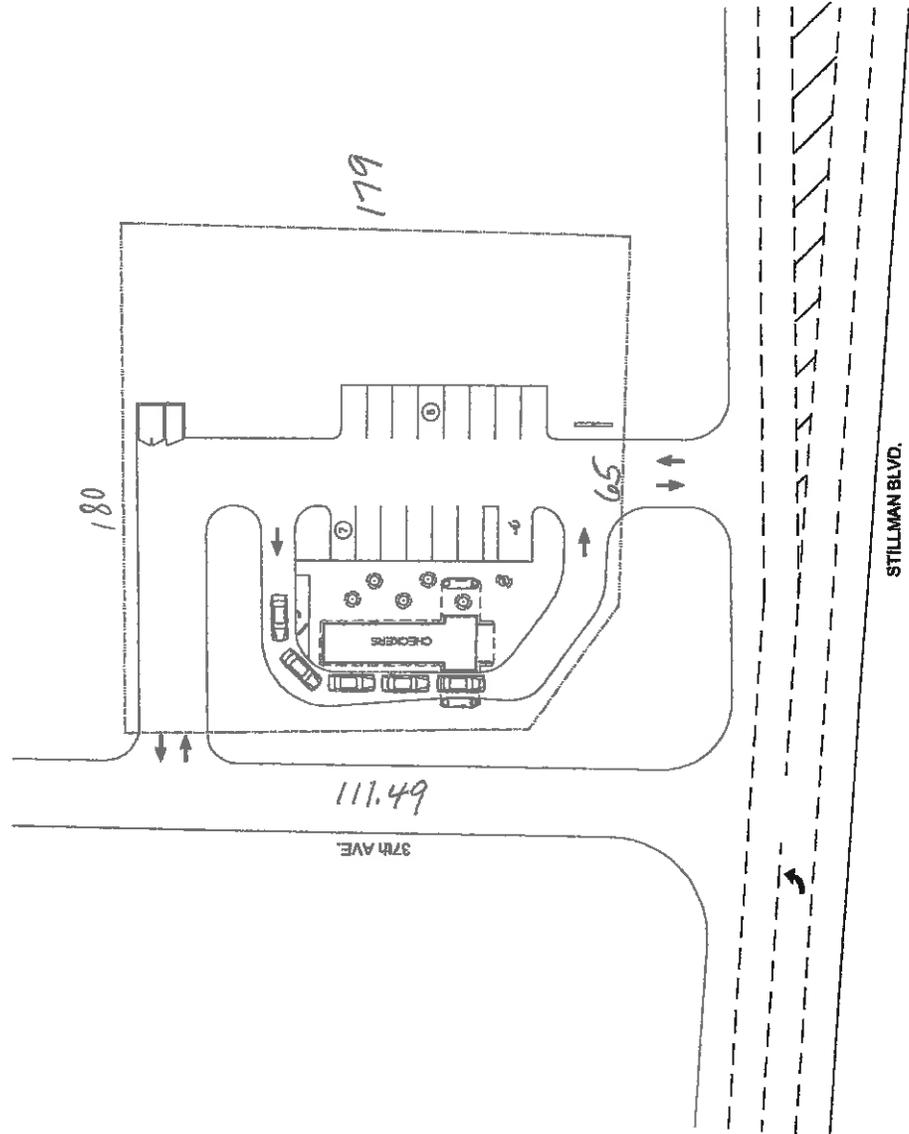
Source: Esri, DeLorme, GeoEye, Earthstar, United Technologies, Swire, IGN, USGS, AeroGRID, IGN, and the GIS User Community



DATE DRAWN	NO.	DATE	REVISIONS

PRELIMINARY SITE PLAN:  
 CHECKERS RESTAURANT  
 3818 STILLMAN BLVD.  
 TUSCALOOSA, AL

PSP-1



SITE DATA ANALYSIS	
AREA OF DEVELOPMENT	21,211 S.F.
PARKING SPACES PROVIDED	19 SPACES
VESTIBULE	NO

NOV 21 2016

**CURRENT SITE**



**CURRENT SITE**



