ZONING BOARD OF ADJUSTMENT STAFF REPORT
July 26, 2021

ZBA-49-21

GENERAL INFORMATION

Property Owner (X) Petitioner (x)
Spectrum Tide II, LLC

Requested Action and Purpose
A use variance to operate a private parking facility

Location and Existing Zoning
700 Wallace Wade Avenue. Zoned RMF-2U. (Council District 4)

Size and Existing Land Use
Approximately .97 Acres, Vacant

Surrounding Land Use and Zoning
North: Multi-family, Student Oriented Development, RMF-2U
East: Parking Lot, RMF-2U
South: Multi-family, Student Oriented Development, RMF-2U
West: Multi-family, Student Oriented Development, RMF-2U

Applicable Regulations
Sec. 24-32. – Permitted uses.

Not a permitted use in the RMF-2U zoning district.

SUMMARY
The petitioner is requesting a use variance to operate a private parking facility. The petitioner proposes to use the existing grass site for private, University of Alabama game day parking, typically eight times out of the year. The site will remain vacant the rest of the year. The site will have 86 parking spaces, and will be accessed off Wallace Wade Avenue through a private access easement on the east side of the lot. There is a public alley on the southwest corner of the lot, but there is an existing Alabama Power transformer in this location, restricting vehicular access to the site. The petitioner has been in contact with the University of Alabama Police Department and Tuscaloosa Police Department to discuss access onto the site during game days.

Office of Urban Development, Planning Division: No comment

Office of Urban Development, Code Enforcement: No comment

Office of Urban Development, Building and Inspections Division: No comment

Infrastructure and Public Services, Engineering Division: Engineering is okay with the site remaining grass.

Fire and Rescue Department, Fire Administration: Fire is okay with the site layout.

City of TUSCALOOSA
URBAN DEVELOPMENT

ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION

Last Updated, Feb 2021

Please complete all of the following required fields:

Location of Petitioned Property

Address: 8th Street - (LOT 2 WestGate)

Property Owner

Name: Spectrum Tide II, LLC Phone: (601) 351-2038 Email: dniederriter@spectrumcapitalre.com

Address: 781 Larson Street, Jackson MS ZIP Code: 39202

Petitioner (*if different from owner*)

Name: _____ Phone: _____ Email: _____

Address: _____ ZIP Code: _____

The Petitioner requests the following item(s) from the Zoning Board of Adjustment:

A special exception is a conditional use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A variance is a deviation from the regulations in the zoning ordinance which requires proof of an unnecessary hardship. An appeal is a formal challenge of the zoning officer's ruling.

☐ **Special Exception**	☑ **Use Variance**	☐ **Variance**
Commercial ..... $ 200.00 per lot	Commercial ..... $ 200.00 per lot	Commercial ..... $ 200.00 per lot
Residential ..... $ 50.00 per lot	Residential ..... $ 50.00 per lot	Residential ..... $ 50.00 per lot

☐ **Short-Term Rental** ..... $ 400.00 per lot ☐ **Appeal Zoning Officer's ruling** ..... $ 10.00 per lot

Briefly describe the variance, special exception, and/or appeal being requested:

Spectrum Tide II, LLC is requesting a use variance to operate a private parking facility on the property that is zoned RMF-2U.

Certification of Applicant

I certify that the foregoing facts, to the best of my knowledge, are true and correct and that except for the exception, variance, or appeal requested in this petition, the proposed construction and use complies with all requirements for the zoning district in which the property is located. I recognize the City will send public notification and place a sign on the property with information for the public. This Petition will not be accepted until all required information is provided.

- For all requests for any variance from or special exception to a zoning requirement pertaining to a dimensional requirement or the site, a scaled site plan and/or building elevation produced by a registered land surveyor, professional engineer, or architect shall be required.
- Requests for an exception from fence requirements must depict proposed location and design of fence.
- Any request which will not be represented by the property owner at the public hearing must be accompanied by a designation of agent form.

Print Name: Spectrum Tide II, LLC Drew Niederriter **Signature:** [signature] on behalf of Spectrum Tide II, LLC **Date:** 6/7/2021

Please complete the applicable fields prior to application submission:

Answer the following for ALL requests:

Describe the reasons for the request and, if requesting a special exception, any extra related information. (e.g. number of parking spaces, hours of operation, etc.)

Spectrum Tide II, LLC is requesting the use variance to allow for game day only parking at the property. The proposed layout comfortably provides 89 parking spaces on the property generally following the city parking standards for size and spacing. These spaces will be leased to individuals for use only during UofA game days, typically eight (8) days per year.

Answer the following for VARIANCE requests ONLY:

The petitioner must specifically state a hardship for the variance. Explain the ways in which the zoning regulation creates a hardship on the property. When a variance is at issue, the primary consideration is whether a literal enforcement of a zoning ordinance will result in unnecessary hardship. Explain any special circumstances or conditions that are peculiar to the land or buildings because of which a strict application of the ordinance would deprive the applicant of the reasonable use of such land or building.

Additional game day parking is needed near the property and this lot is ideal for providing that parking during those few high volume days of the year. Without the use variance, this property cannot provide that much needed limited functionality, while other private owners already do at adjacent nearby private lots.

Explain how the variance request is in harmony with the general purpose and intent of the regulations imposed by this ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

This request provides for only private parking during special busy time periods and aims to provide critical parking needs in an organized and beneficial way. The parking area is not adjacent to public streets and can only be accessed via a private controlled easement, and thereby not injurious to the neighborhood or detrimental to the public welfare.

PLEASE SUBMIT AN ELECTRONIC COPY OF THIS APPLICATION AND ANY NECESSARY SUPPORTING MATERIALS TO:

Office of Urban Development:
Planning Division

2201 University Boulevard, Annex III
Tuscaloosa, AL 35401

Email: zba@tuscaloosa.com

SUBMIT FORM

FOR OFFICE USE ONLY:

ZBA Case Number: _____ Submission Date: _____

Zoning District: _____ Hearing Date: _____

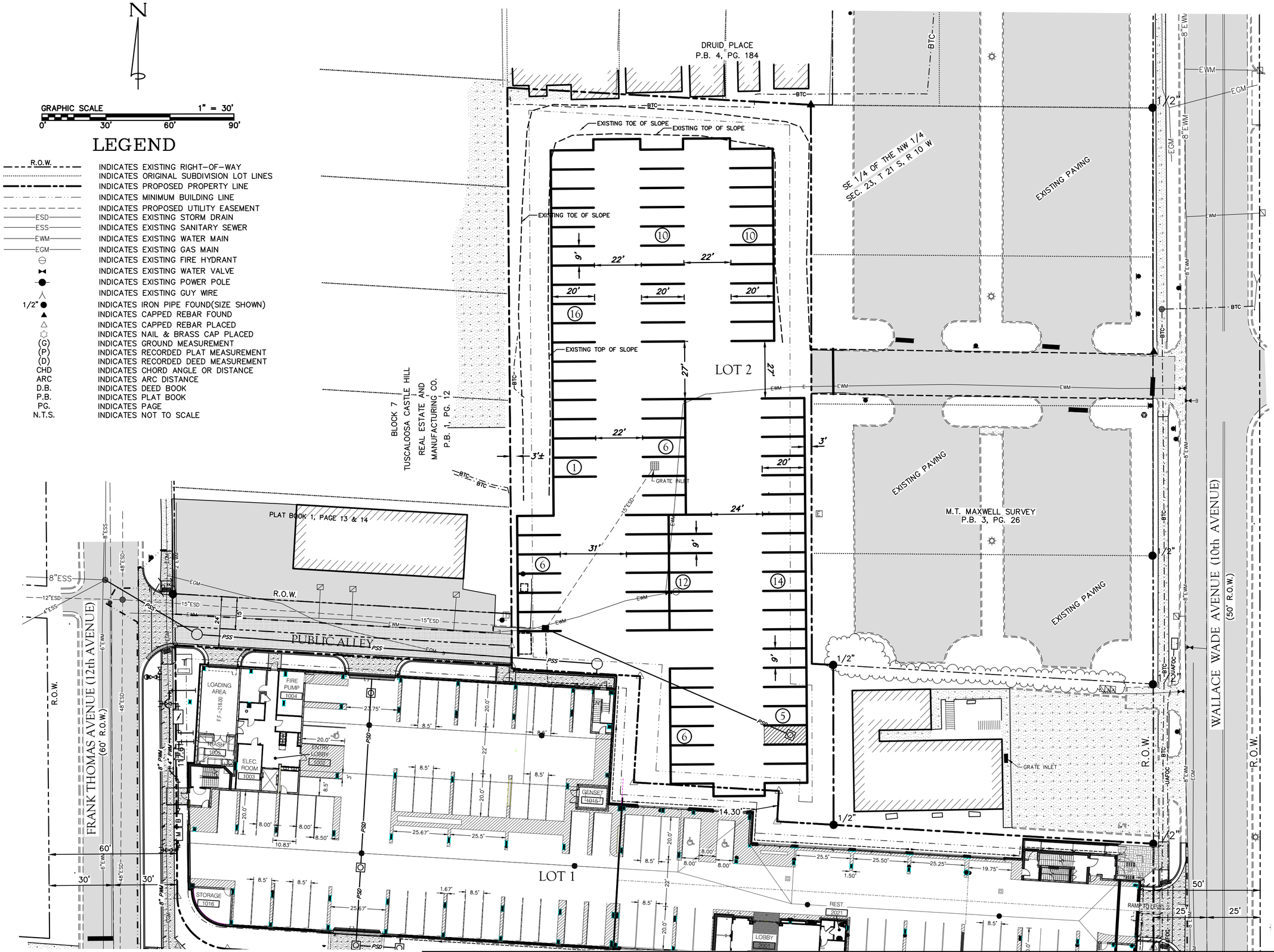
N

GRAPHIC SCALE 1" = 30'

0' 30' 60' 90'

LEGEND

R.O.W.	INDICATES EXISTING RIGHT-OF-WAY
	INDICATES ORIGINAL SUBDIVISION LOT LINES
	INDICATES PROPOSED PROPERTY LINE
	INDICATES MINIMUM BUILDING LINE
	INDICATES PROPOSED UTILITY EASEMENT
ESD	INDICATES EXISTING STORM DRAIN
ESS	INDICATES EXISTING SANITARY SEWER
EWM	INDICATES EXISTING WATER MAIN
EGM	INDICATES EXISTING GAS MAIN
	INDICATES EXISTING FIRE HYDRANT
	INDICATES EXISTING WATER VALVE
	INDICATES EXISTING POWER POLE
	INDICATES EXISTING GUY WIRE
1/2"	INDICATES IRON PIPE FOUND(SIZE SHOWN)
	INDICATES CAPPED REBAR FOUND
	INDICATES CAPPED REBAR PLACED
	INDICATES NAIL & BRASS CAP PLACED
(G)	INDICATES GROUND MEASUREMENT
(P)	INDICATES RECORDED PLAT MEASUREMENT
(D)	INDICATES RECORDED DEED MEASUREMENT
CHD	INDICATES CHORD ANGLE OR DISTANCE
ARC	INDICATES ARC DISTANCE
D.B.	INDICATES DEED BOOK
P.B.	INDICATES PLAT BOOK
PG.	INDICATES PAGE
N.T.S.	INDICATES NOT TO SCALE



NOTES:

1. 86 PARKING SPACES PROPOSED
2. LOT TO STAY GRASSED AND ONLY USED DURING GAMEDAY WEEKENDS
3. PARKING SPACES MARKED WITH FLUSH SURFACE GROUND MEDALLIONS LOCATED AT CORNERS
4. ACCESS TO LOT RESTRICTED, ONLY PARKING LEASE HOLDERS ALLOWED TO ENTER WITH DECAL

McGiffert and Associates, LLC
— SINCE 1949 —
CIVIL ENGINEERS
2814 STILLMAN BLVD. • P.O. BOX 20559
TUSCALOOSA, ALABAMA 35402-0559
WWW.MCGIFFERT.COM (205)759-1521 FAX (205)759-1524

SCHEMATIC LAYOUT

REVISION

DATE	DESCRIPTION	BY
5-14-21	REMOVED 3 SPACES FOR FIRE ACCESS	W T B

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WESTGATE
LOT 2
GAME DAY PARKING

TUSCALOOSA ALABAMA

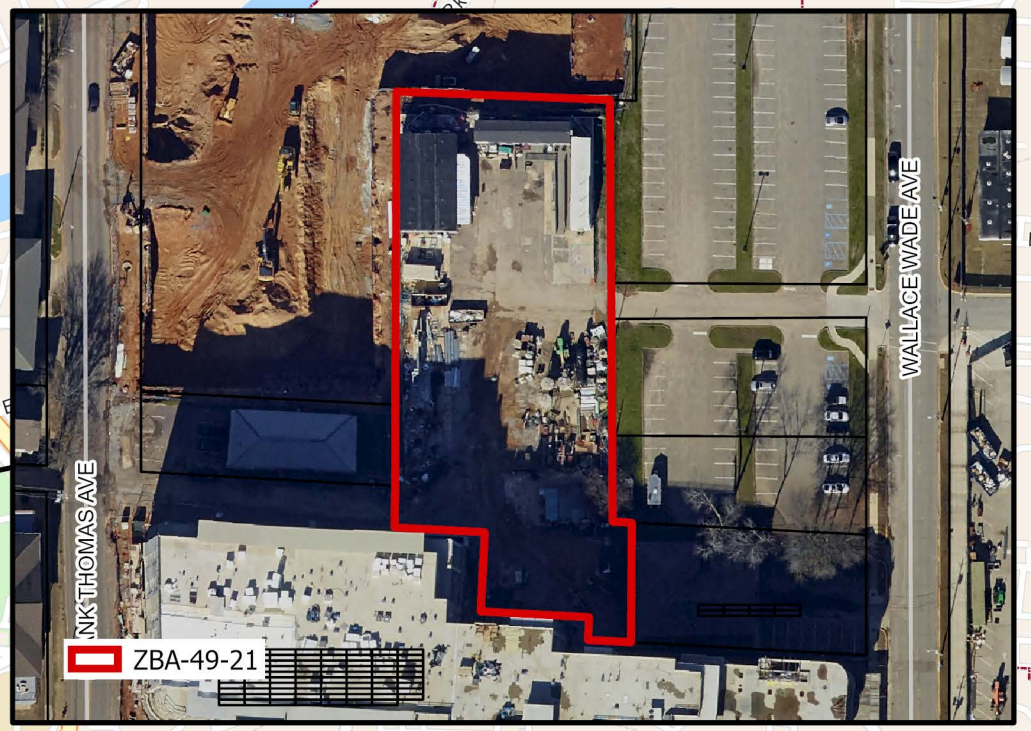
FILE NAME: WSTGATE-GAMEDAY_PARKING		SHEET No. 1 OF 1	
DATE OF FIELD SURVEY: N/A	JOB No. 21-2059	CHECKED BY: QHS	DWG. No. 153-21
FIELD BOOK: N/A	SCALE: 1"=30'		
PAGE: N/A	DRAWN BY: D D H		

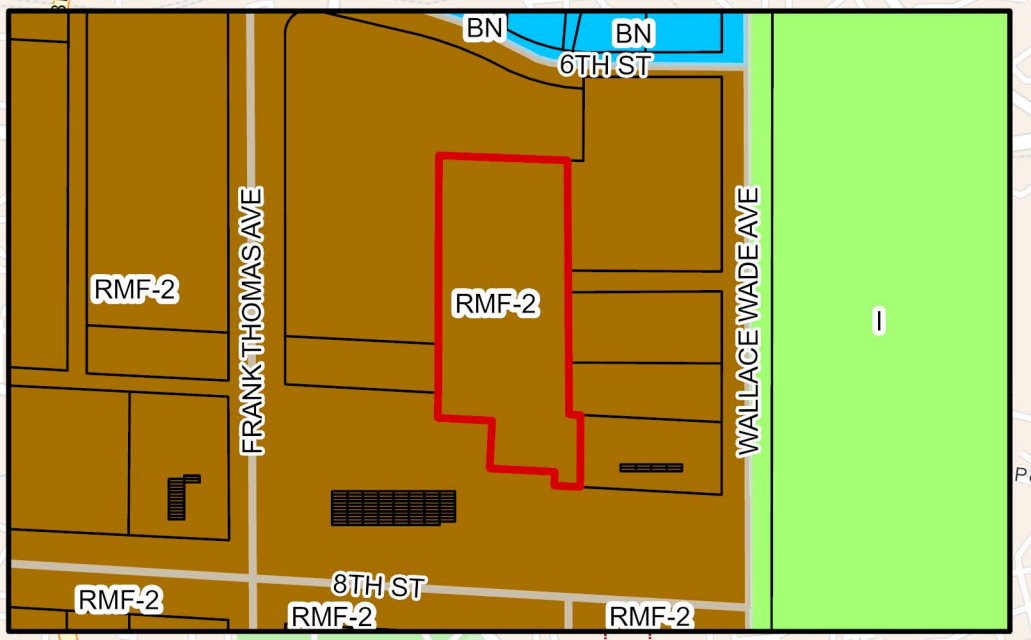
ZBA-49-21: 700 Wallace Wade Avenue

1 inch = 120 feet

0 60 120 180 240

N



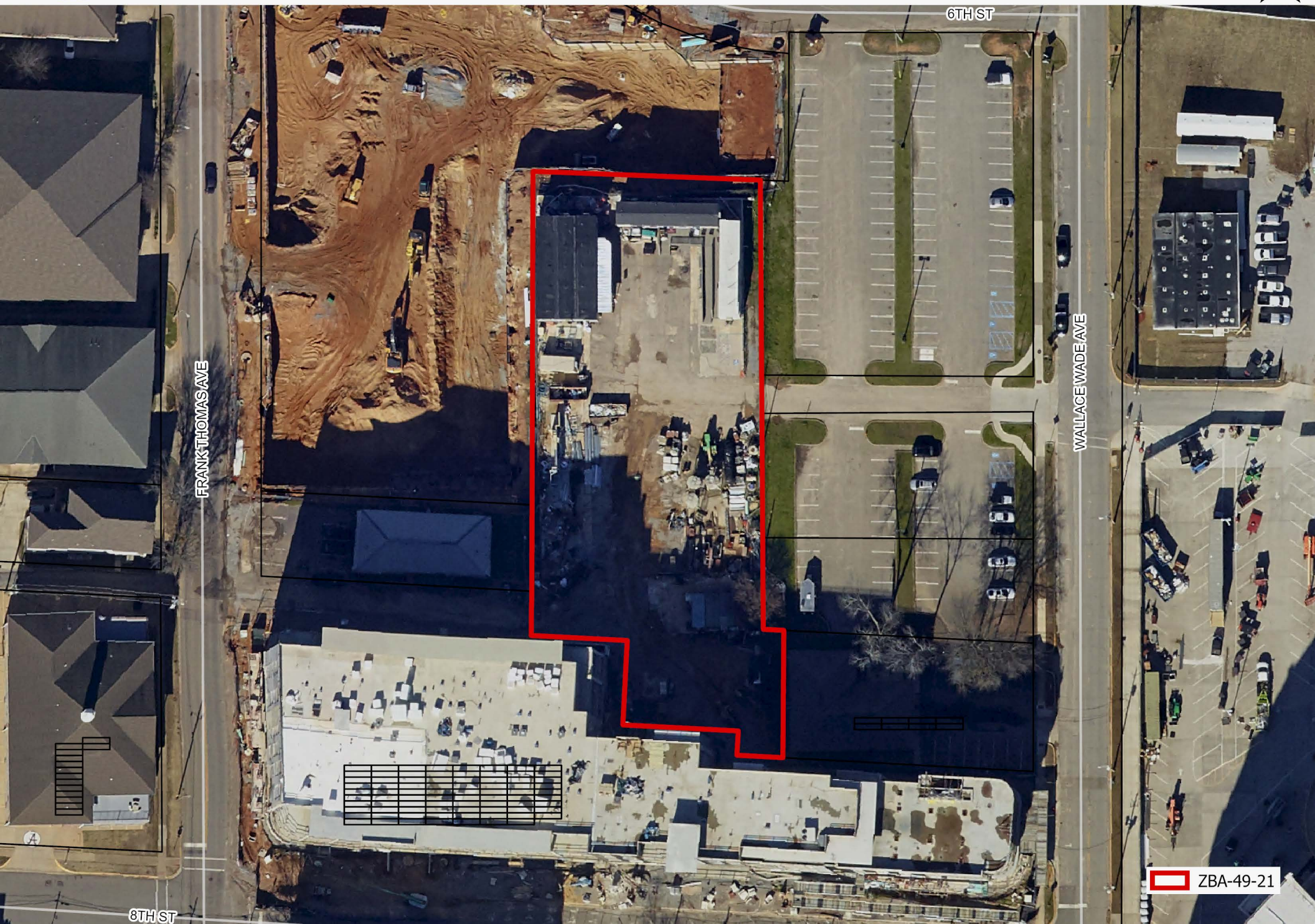


ZBA-49-21: 700 Wallace Wade Avenue

1 inch = 70 feet

0 35 70 105 140

N



PERMIT
PARKING
ONLY
THIS LOT MUST BE
CLEARED ON FRIDAY
OF HOME FOOTBALL
GAMES BY 5:00PM
TACOMA

STOP

STOP

RE
RUMSEY
ENVIRONMENTAL
02097
02094
02423

PM2473
PM2471
PM2469
PM2467
PM2465
PM2463
S-G1155