



TUSCALOOSA  
PLANNING COMMISSION

REZONING PETITION

Please complete all of the following required fields:

**Applicant**  
Name: The University of Alabama Board of Trustees Email: tleopard@ua.edu Phone: 205-348-8157  
Address: P.O. Box 870106 City/State: Tuscaloosa / AL ZIP Code: 35487

**Property Owner (If different from applicant)**  
Name: same as applicant Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_ / \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**Property**  
Address: 223 University Boulevard East City/State: Tuscaloosa / AL ZIP Code: 35487  
Subdivision: Resurvey Lot A Gallalee Tract 1 Parcel ID: 63 31 06 24 1 003 010.000 Lot Number: 1  
Existing buildings or structures: 1 (existing Newk's) Lot Size: +/- 1.63 acres

The petitioner requests a change to the Zoning Map as indicated below:

Current zoning: BGO Request zoning change to: Institutional  
Reasons for requesting a zoning change: \_\_\_\_\_  
Institutional use  
\_\_\_\_\_  
Proposed buildings or construction: None at this time

**Certification of Applicant**

I hereby certify that I have read and examined this application and known the same to be true and correct. I understand that consideration of this application is based upon the correctness of the information I have supplied and that any permit(s) granted may be revoked upon finding by the Zoning Official that any relevant information supplied on or with the application is substantially incorrect. I certify that the legal description I have submitted is accurate and understand that I am solely responsible for the accuracy of the description submitted. I further understand that only complete applications including all required exhibits, and fees are received by the City of Tuscaloosa Office of Urban Development, Planning Division by the scheduled deadline in order to be placed on the agenda.

☒ I HAVE REVIEWED, COMPLETED, & AGREE TO ALL SUBMITTAL REQUIREMENTS ON THE BACK OF THIS APPLICATION

Applicant: Cheryl Mowdy Date: 1/31/2022  
Assistant Vice President for  
Finance & Operations

**PLEASE SUBMIT AN ELECTRONIC COPY OF  
PAGE ONE (1) AND ANY NECESSARY SUPPORTING MATERIALS TO:**

Office of Urban Development: 2201 University Boulevard, Annex III, 3<sup>rd</sup> FL planningcommission@tuscaloosa.com  
Planning Division Tuscaloosa, AL 35401 **SUBMIT FORM**





University Blvd

Jack's

Newk's

2

Subject property

Bryant Drive

8





RENDERING REPRESENTS POTENTIAL BUILDING SCHEME AND IS SUBJECT TO CHANGE DURING PROGRAMING, PLANNING, AND FINAL DESIGN.

## LEGAL DESCRIPTION

### Rezoning Petition – Part of Lot 1 Resurvey of Lot A Gallalee Tract No. 1

A parcel of land situated in the Southwest Quarter of the Northeast Quarter of Section 24, Township 21 South, Range 10 West, in Tuscaloosa County, Alabama; also, being Part of Lot 1 Resurvey of Lot A Gallalee Tract No. 1, as recorded in Plat Book 2017 at Page 100 in the Probate Records of Tuscaloosa County, Alabama, said parcel being more particularly described as follows:

As a POINT OF BEGINNING, start at the Southeast corner of Lot 1 Resurvey of Lot A Gallalee Tract No. 1, as recorded in Plat Book 2017 at Page 100 in the Probate Records of Tuscaloosa County, Alabama; thence run in a Northerly direction and along the East boundary of said Lot 1 for a distance of 186.93' to the Northeast corner of said Lot 1, said point lying on the Southern right-of-way of University Boulevard (110' R.O.W.); thence with an interior angle of 101°48' to the right, run in a Westerly direction and along the North boundary of said Lot 1 and the Southern right-of-way of University Boulevard for a distance of 172.88' to a point; thence with an interior angle of 78°06' to the right, run in a Southerly direction for a distance of 222.58' to the Northeast corner of Lot 2 of said Resurvey of Lot A Gallalee Tract No. 1; thence with an interior angle of 90°00' to the right, run in an Easterly direction and along the Southern boundary of said Lot 1 for a distance of 168.84' to the POINT OF BEGINNING, at which point the interior angle of closure is 90°06'. Said parcel contains 0.79 acres more or less.



TUSCALOOSA

DESIGNATION OF AGENT

PROPERTY OWNER

I, The University of Alabama, being owner of the property which is the subject of this application  
PRINT NAME  
223 University Blvd, 900 Anna Avenue, and 904 Anna Avenue, Tuscaloosa, AL 35487 hereby authorize  
SUBDIVISION NAME, PROPERTY ADDRESS, OR TAX PARCEL ID  
Duncan Coker Associates, PC to act as my representative with the City of Tuscaloosa's Zoning Board of  
PRINT NAME  
Adjustment, and/or Planning and Zoning Commission, and/or Historic Preservation Commission, and /or City Council, as  
required by the type of request listed hereon.

Such representation shall be for all purposes concerning any manner, right or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Signature

Cheryl Mowdy  
Cheryl Mowdy  
Assistant Vice President for  
Finance & Operations

Date

1/31/2022

STATE OF ALABAMA | COUNTY OF TUSCALOOSA

I, Lillian Rachel Cooper, a Notary Public in and for said State at Large, hereby certify that  
Cheryl Mowdy, who is named as Assistant VP for Finance & Operations, is  
signed to the foregoing document, and:

- ☒ Who is known to me, or  
☐ Whose identity I proved on the basis of \_\_\_\_\_, or  
☐ Whose identity I proved on the oath/affirmation of \_\_\_\_\_, a  
credible witness to the signer of the above document

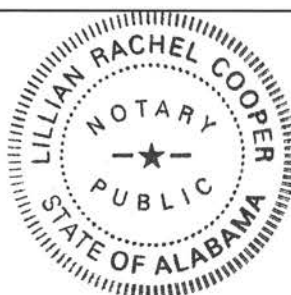
and that being informed of the contents of the document, he/she, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 31st day of January, 2022

Lillian Rachel Cooper  
Notary Public

07-15-2025

Commission Expiration





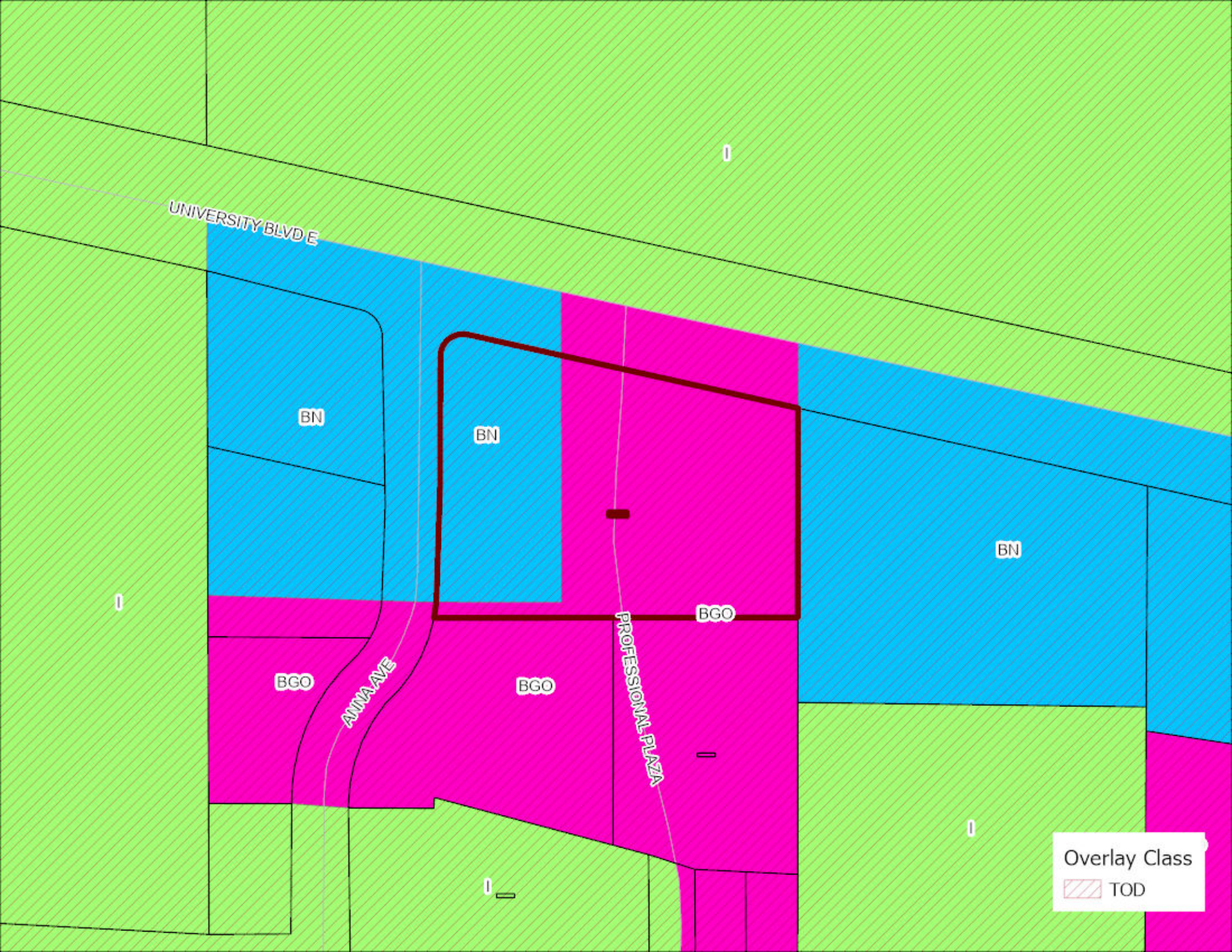


# 223 University Boulevard

1 inch = 100 feet  
0 50 100 150 200









# PLANNING COMMISSION STAFF REPORT

March 21, 2022

## Z-01-22

### GENERAL INFORMATION

#### **Property Owner (x) Petitioner (x)**

The University of Alabama Board of Trustees

#### **Requested Action and Purpose**

Rezone from BGO to Institutional

#### **Location and Existing Zoning**

223 University Boulevard East, Zoned BGO

#### **Size and Existing Land Use**

1.63 acres total; Commercial

#### **Surrounding Land Use and Zoning**

North – University Medical Center, Zoned Institutional

East – Vacant, Zoned BN

South – Commercial, Zoned BGO

West – Commercial, Zoned BN

#### **Applicable Regulations**

Sec. 24-81. – Statements of intent.

The Institutional District is created in order to provide appropriate land use regulations for major public and private nonprofit institutions serving the public, such as universities, colleges, hospitals, parks, fairgrounds, and large state, federal and municipal facilities. Since these institutions operate in the public interest and are generally inoffensive in character, this chapter places principal reliance upon the voluntary cooperation of institutional authorities with municipal officials rather than upon detailed land use regulations. It is intended that the conversion of excess institutional land to noninstitutional purposes should be preceded by thorough cooperative planning between the disposing institution and the planning commission and should take place under appropriate controls to ensure that the future use of the excess land conforms to the Comprehensive Plan.

*See end of report for detail of permitted uses in the Institutional zone.*

#### **Transportation**

University Boulevard East, a minor arterial street; Professional Plaza, a local street; Paul W Bryant Drive, a minor arterial street.

#### **Physical Characteristics**

1.63 acres to be rezoned. The entire property is currently split in regards to zoning – the western piece where Newks currently sits today is zoned BN, whereas the vacant lot that is requesting to be rezoned is currently zoned BGO; a medical center to the North, a vacant lot to the East, and commercial use to the West and South.



## PLANNING COMMISSION STAFF REPORT

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### SUBJECT PROPERTY

#### ANALYSIS

In **Framework**, this property is identified in the Future Land Use and Character Map as Campus Services (CS) (p. 27).

CS areas include “commercial and mixed-use development between traditional neighborhoods (core) and the higher education campuses (the University of Alabama and Stillman College). These mixed-use centers share characteristics with the Downtown Core and Downtown Edge but consist of smaller-scale buildings. Buildings are located near the street and arranged in a walkable pattern and include a mix of uses either within a single building or a connected site. They typically serve an area near a neighborhood or campus. University Boulevard's "The Strip" is the primary existing example of this type of development.” (p. 27).

While the Zoning Ordinance updates have only recently begun as part of the Framework process, building blocks were outlined to serve as a general guide to the intended scale and character of development. For CS, building blocks include (p. 2&):

- Height range: 1-6 stories (generally up to 75 feet).
- Building form: Set near the street with parking areas set to the side or to the building's rear.
- Building setback: 0-20 feet (setbacks may vary depending on character and classification of the street).
- Streets: Short, walkable block lengths.
- Transportation: Walking, biking, transit, automobile.
- Parking: On-street, shared structures, or shared surface lots located to the side or rear of buildings. Allow space for pick-up/to-go orders.
- Open Space: Formal parks and plazas may serve as a district focal point. Landscaped common areas and outdoor dining may be featured.

Framework is organized into six broad theme chapters, reflecting the inter-relatedness of issues. Each chapter is supported by a goal and several objectives that serve to organize the 111 specific actions in the Plan. The Growing chapter provides guidance for the physical development, infrastructure improvement and stewardship of natural resources with the following Goal (p. 10):

*Well-managed land and infrastructure that includes revitalization, strategic growth, and stewardship of the natural environment, creates an appealing community character, and promotes the city's long-term financial health.*

In support of this Goal and pertinent to this request, the following objectives and actions were outlined:

- Objective 6: Manage growth in the Downtown/University Area
  - 6.1: Redefine the University Area Neighborhood (UAN) and “The Box” as one concept: The University District.

Objective 6.1 states, “The University Area Neighborhood as currently defined in the Zoning Ordinance is an area generally bounded by Queen City Avenue, 15th Street, Hackberry Lane and Jack Warner Parkway. Its intent is to strengthen property values in the area, protect historic neighborhoods, and promote redevelopment that supports the unique needs adjacent to the University. "The Box" is a recommendation originally defined by the 2013 Student Rental Housing Task Force and supported by City Council, outside of which there were to be no new rezonings for student-oriented multi-family housing containing over 200 bedrooms. The intent of "The Box" was to contain large student housing developments to the University Area until such time that the Framework Comprehensive Plan and Zoning Code could be amended. The boundaries of "The Box" include the University Area Neighborhood and extend east to McFarland Boulevard. There is a continuing need to treat the area near the University of Alabama's campus differently in



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terms of development intensity and design quality. A proposed name for this area is "The University District" and boundaries are shown on Map 4 (area A)." (p.55)

The intent of the CS area is as follows:

- Coordinate development with neighboring institutions.
- Create and reinforce walkable activity centers that are connected to surrounding development and include a mix of complementary uses.
- Provide public realm features such as signs, sidewalks, landscaping, and street trees.

The Zoning Ordinance Revision Project is currently underway, will be city-wide, and will revise all zoning districts and standards.

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



## PLANNING COMMISSION STAFF REPORT

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### **Institutional District Regulations (Sec. 24-82):**

In Institutional Districts, only those uses and structures are permitted which are normal or necessary to the operation of the institution, provided that:

- (1) Uses which are permitted in MH Industrial Districts but not permitted in MG Industrial Districts are prohibited in I Institutional Districts.
- (2) All uses in an I Institutional District shall comply with the performance standards prescribed in Section 24-73 for MG General Industrial Districts.
- (3) When land in an I Institutional District is sold or leased to a party other than a public institution, no construction, alteration, or change of use shall be permitted on said land until it shall have been reclassified in another zoning district.
- (4) Any auditorium, stadium, arena, or other place of public assembly with a seating capacity exceeding three thousand (3,000) shall be permitted only as a special exception.
- (5) The following commercial activities may be permitted on a temporary basis upon a finding by the zoning officer that they comply with the descriptions and restrictions set forth herein, to wit:
  - a. Major exhibitions and amusement events, such as circuses, fairs, rodeos, horse shows, tractor pulls, and the like, together with customarily related commercial activities, such as sale of refreshments, souvenirs, and so on, for a period not exceeding seven (7) consecutive days, subject to satisfactory assurances as to the adequacy of off-street parking and emergency access.
  - b. Specialty or novelty sale events lasting no more than four (4) days, including, but not limited to, arts and crafts sales, gun, knife, coin, and/or stamp shows and swap meets, automobile sales, plant sales, tool sales, and the like, subject to satisfactory assurances as to the adequacy of off-street parking and emergency access.