

REZONING PETITION

Please complete all of the following required fields:

<b>Applicant</b>	
Name: <u>Daryl Dollinger</u>	Email: <u>ddollinger@biggamebrands.com</u> Phone: <u>404.392.3315</u>
Address: <u>6090 Roswell Road</u>	City/State: <u>Sandy Springs</u> / <u>GA</u> ZIP Code: <u>30328</u>
<b>Property Owner (If different from applicant)</b>	
Name: <u>Chris Ball</u>	Email: <u>cball7190@gmail.com</u> Phone: <u>205.394.0505</u>
Address: <u>1415 High Forest Drive N.</u>	City/State: <u>Tuscaloosa</u> / <u>AL</u> ZIP Code: <u>35406</u>
Address: <u>1917 University Boulevard</u>	Property City/State: <u>Tuscaloosa</u> / <u>AL</u> ZIP Code: <u>35401</u>
Subdivision: <u>Original City of Tuscaloosa</u>	Parcel ID: <u>63-31-05-22-1-107-033-.000</u> Lot Number: <u>Lot 180</u>
Existing buildings or structures: <u>3,300 sq.ft., single story restaurant building.</u>	Lot Size: <u>.25 acres</u>

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

Current zoning: BN Request zoning change to: BC

Reasons for requesting a zoning change: \_\_\_\_\_

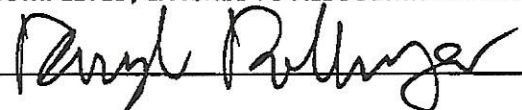
The BC zoning is more appropriate for this property, considering the similarities of the dynamics of this location to the dynamics of the businesses located in the proper downtown area.

Proposed buildings or construction: Construction of a new 4,300 sq.ft., two story restaurant building.


**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:  Date: 2.22.22

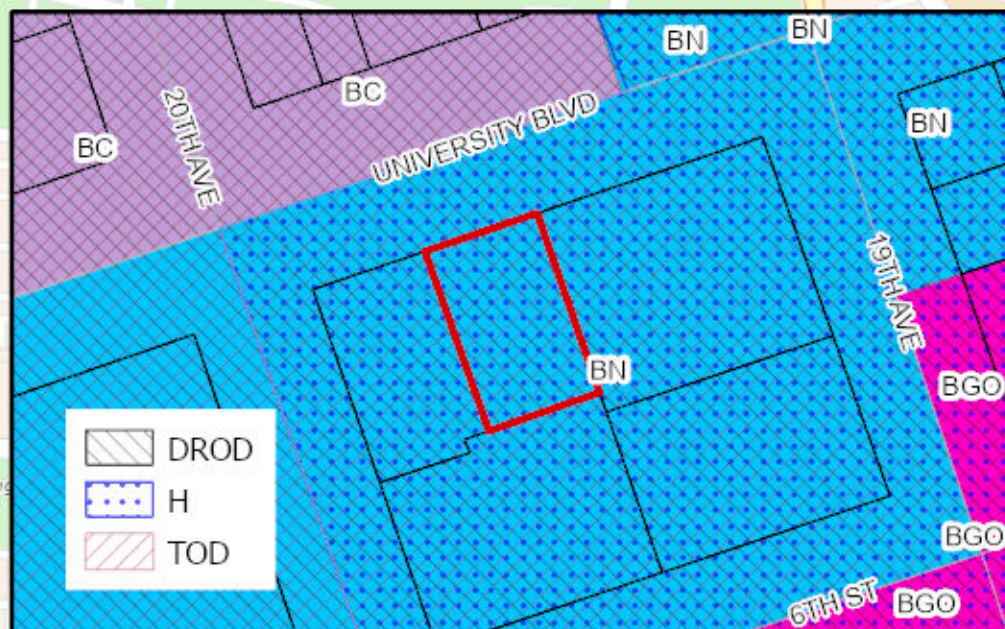
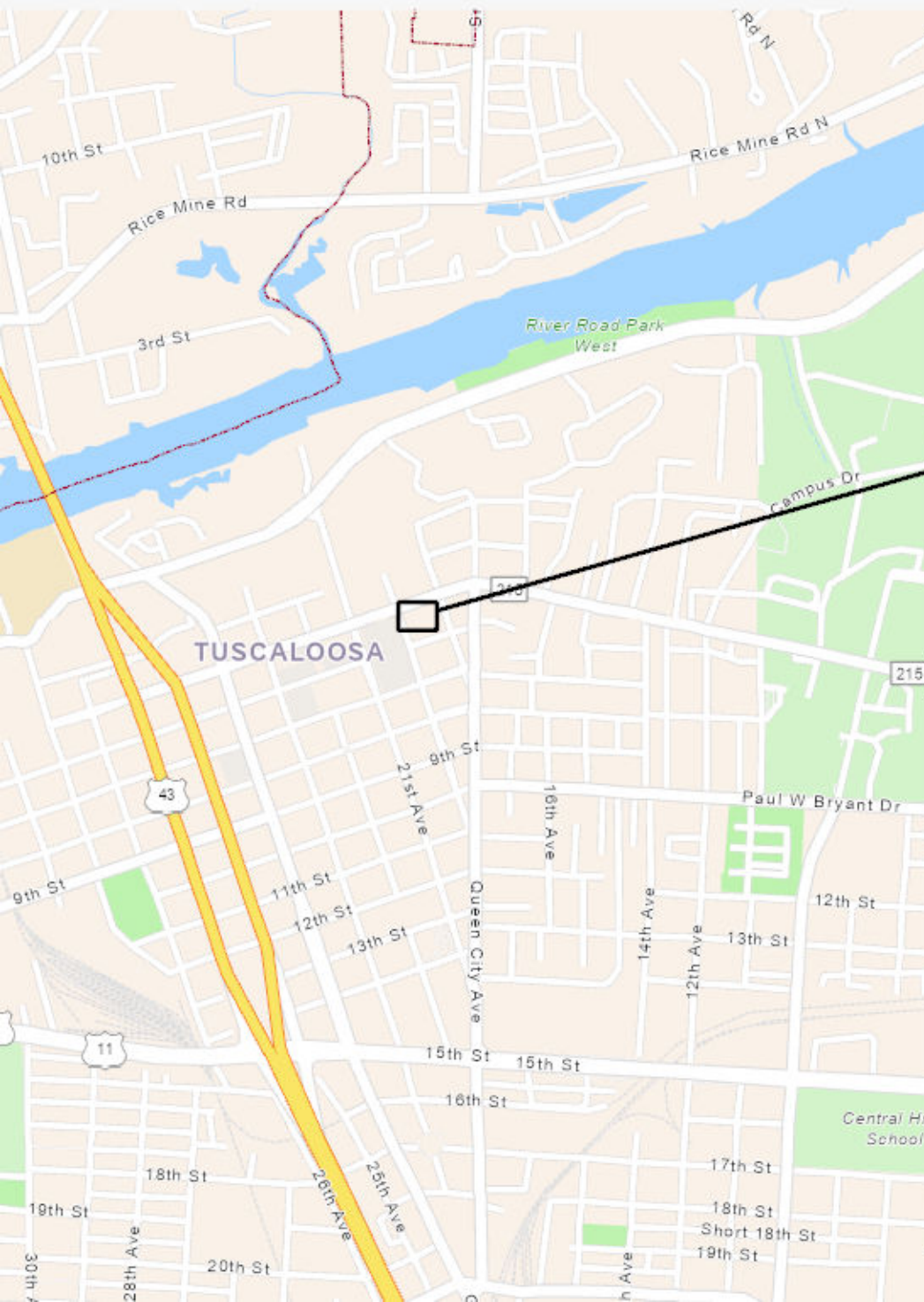
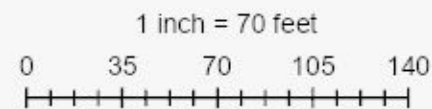
PLEASE SUBMIT AN ELECTRONIC COPY OF  
PAGE ONE (1) AND ANY NECESSARY SUPPORTING MATERIALS TO:

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





# 1917 University Boulevard



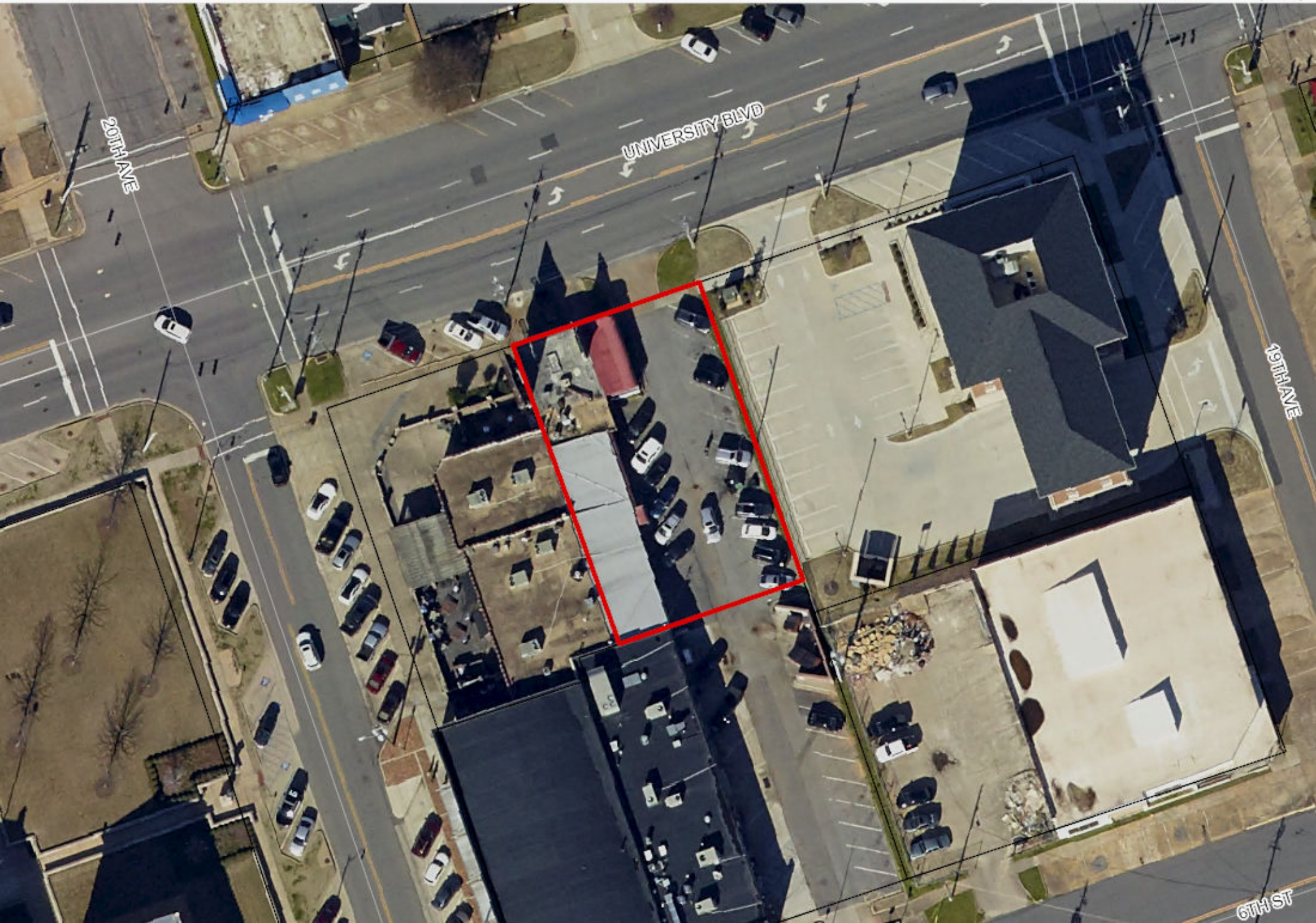




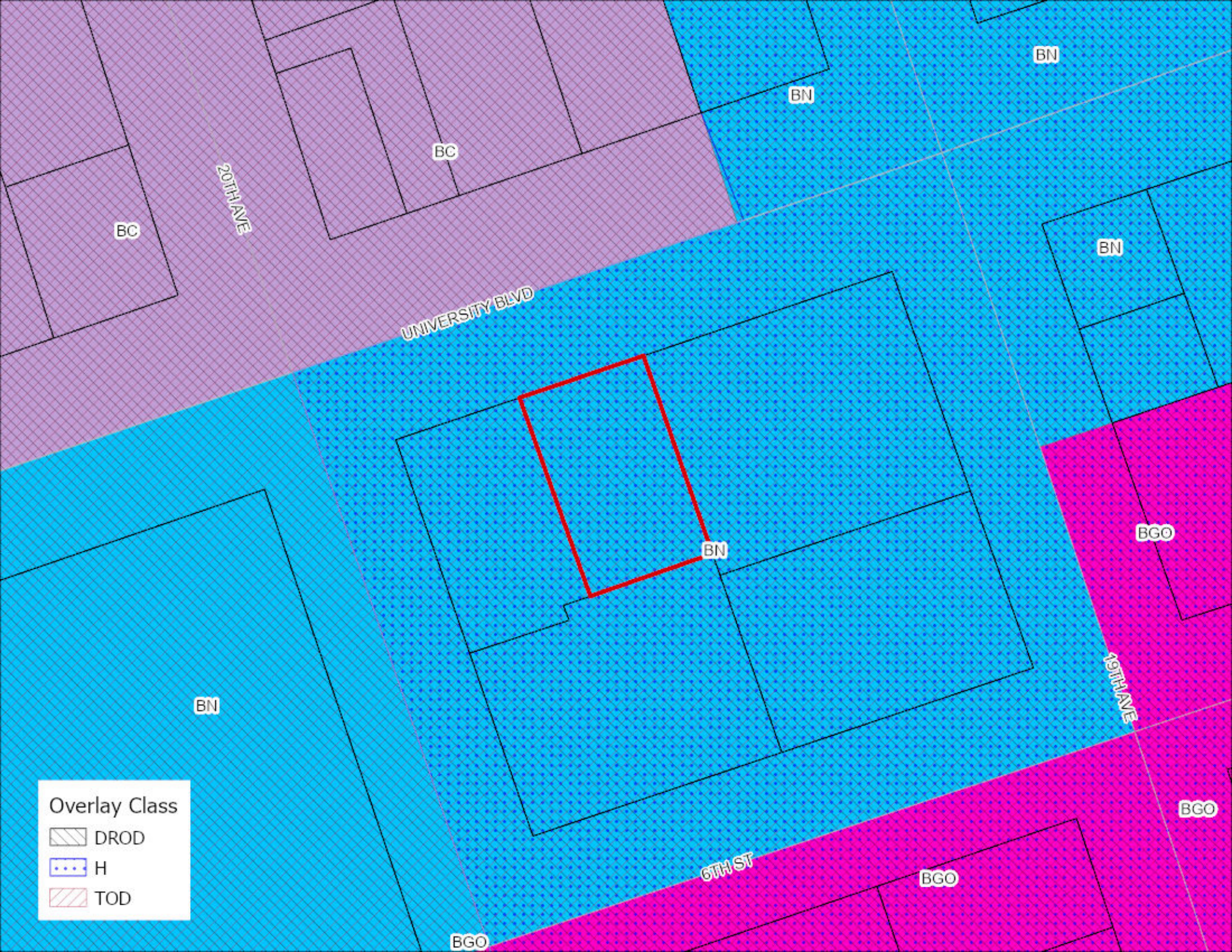
# 1917 University Boulevard

1 inch = 50 feet  
0 25 50 75 100

N







Overlay Class

	DROD
	H
	TOD



LEGAL DESCRIPTION  
1917 University Boulevard

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

A parcel of land being a part of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 22, Township 21 South, Range 10 West and being part of Lot 180 of the McCalla Street Center Survey of 1891 as found recoded in Plat Book 10001 at Page 1 in the Probate Records of Tuscaloosa County and being more particularly described as follows:

BEGIN at the Northeast corner of Lot 180 of the McCalla Street Center Survey of 1891 as found recoded in Plat Book 10001 at Page 1, said point located on the South right-of-way of University Boulevard; thence run South 18 degrees, 34 minutes, 08 seconds East and along the East boundary of said Lot 180 for a distance of 133.83 feet to a capped (McGiffert ) rebar; thence run South 71 degrees, 15 minutes, 25 seconds West for a distance of 83.51 feet; thence run North 18 degrees, 41 minutes, 51 seconds West for a distance of 133.80 feet to a point located on the South right-of-way of University Boulevard; thence run North 71 degrees, 14 minutes, 12 seconds East and along said South right-of-way for a distance of 83.81 feet to the POINT OF BEGINNING.

Said parcel containing 0.26 acres, more less.

## PLANNING COMMISSION STAFF REPORT

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**Z-05-22**

### GENERAL INFORMATION

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

Daryl Dollinger

**Requested Action and Purpose**

Rezone from BN to BC

**Location and Existing Zoning**

1917 University Boulevard, Zoned BN

**Size and Existing Land Use**

0.25 acres total; Commercial

**Surrounding Land Use and Zoning**

North – Commercial, Zoned BC

East – Commercial, Zoned BN

South – Commercial, Zoned BN

West – Commercial, Zoned BN

**Applicable Regulations**

Sec. 24-51. – Statements of intent.

The Central Business District is created to provide minimum standards for the use and redevelopment of land and structures in the Tuscaloosa central business district. While recognizing the limitations imposed by existing development, these standards are designed to promote the gradual evolution of the central core area in accordance with the city's development objectives.

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

**Transportation**

University Boulevard, an arterial street

**Physical Characteristics**

0.25 acres to be rezoned. The property currently has a commercial building on it (the old Hooligans restaurant). There is not much parking currently on the property, and the petitioner would like to redevelop the property and rezone, stating “the BC zoning is more appropriate for this property, considering the similarities and dynamics of this location to the dynamics of the businesses located in the property downtown area (petition).”

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### ANALYSIS

In **Framework**, this property is identified in the Future Land Use and Character Map as Downtown Historic Edge (DHE) (p. 26).

DHE areas include “a transitional space between the Downtown Core, Downtown Edge, and traditional historic neighborhoods. As part of the larger Downtown areas, this designation supports a high-quality mixed-use setting with opportunities for residential, employment, neighborhood-scale commercial, and institutional development at a historic scale. (p. 26).

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. 26):

- Height range: 2-5 stories, maximum (generally consistent within a block).
- Building form: Free-standing or attached to adjacent buildings. Variety of building styles in keeping with historic districts.
- Building setback: 0-20 feet (generally consistent within a block).
- Streets: Blocks are small and walkable. Streets generally form a grid system within the neighborhoods; alleys are common.
- Transportation: Walking, biking, transit, automobile.
- Parking: On-street and private off-street, generally located behind buildings.
- Open Space: Preserved passive open space, neighborhood/ community parks, pocket parks, private yards, connections to school yards.

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
  - 6.2: Refine zoning districts and development standards that apply to the University District.

Objective 6.2 states, “To clarify expectations and maintain a high standard of development in the University District, the existing UAN overlay zoning district could be replaced with unique base zoning districts that provide areas for single family residential, mixed residential, and commercial development with appropriate standards. Development standards that apply to the University District should address building form, architecture, and materials, as well as site standards like lighting, landscaping, and parking that are tailored to the area. The intent should be to continue to create a high quality and cohesive district linking Downtown and the University of Alabama campus.” (p.57)

The intent of the DHE area is as follows:

- Continue historic preservation efforts to maintain the existing neighborhood character within local historic districts.
- Adhere to the Historic Preservation Commission's Design Guidelines for any redevelopment.
- Support adaptive reuse of existing buildings.

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- Encourage neighborhood-scale commercial centers.
- Improve connections between Downtown and historic neighborhoods.
- Improve and 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.



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**BC Permitted Uses (Sec. 24-52):**

<b>Permitted Uses</b>	<b>BC</b>
Accessory use on the same lot with and customarily incidental to any of the below uses permitted in the district concerned	X
Antique shops	X
Apartment	
Appliance repair store, watch or camera repair store and the like	X
Automobile repair shop	X
Automobile filling stations with or without convenience store	X
Automobile and truck sales agency, provided that any used car sales lot abutting any residence shall be shielded from such residence by a wall, solid fence, or hedge not less than five (5) nor more than eight (8) feet high, and that any lighting used to illuminate such used car lot shall be deflected away from any residence	X
Automobile sales event lasting no longer than ten (10) days in the parking lot of a shopping center, subject to determination of zoning officer that ample space in excess of normal parking requirement is available	
Automobile/truck parts store	X
Automobile washing facility	X
Brewpub	X
Café, coffee house, juice bar	X
Church and other place of worship, religious or philanthropic use	X
Club or lodge organized for fraternal or social purposes	X
Confectionery or bake shop	X
Doctor or dentist office, medical or dental clinic, medical laboratory	X
Drive-in theater, provided that no portion of the premises shall be less than five hundred (500) feet from any residential district	
Editorial offices of newspaper or other publisher, not including a printing plant employing a web-fed press	X
Financial institution, including bank, savings and loan company, credit union, finance company, or mortgage company *	X
Food catering	X
Governmental and quasi-governmental offices	X
Grocery or drug store	X
Group home for individuals with developmental disabilities or mental illness	
Indoor theater or auditorium, bowling alley or other recreational facility enclosed within a building	X
Laundry and dry cleaning pickup and delivery establishment, not including a dry-cleaning or laundry plant	X
Marina and related facilities	
Mobile home sales agency	
Motel	X
Off-site sign	X
On-site sign, subject to regulations set forth in article X	X
Other dwelling, not including a mobile home	
Package liquor store	
Parking facility, subject to regulations set forth in Section 24-121	X
Passenger station, railway or bus	X
Personal service shop, including tailor, barber, beauty shop, shoe repair, and the like	X
Photographic studio	X
Professional office, i.e., insurance, real estate, lawyer, architect, engineer, and the like	X
Radio or television studio	X
Real estate office, insurance agency	X

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<b>Restaurant</b>	<b>X</b>
<b>Restaurant; bistro</b>	<b>X</b>
<b>Restaurant; drive-through/drive-up/walk-up *</b>	
<b>Restaurant with attached bar</b>	<b>X</b>
<b>Retail sales store, but not including a motor vehicle sales agency, farm implement sales agency, heavy construction equipment sales agency, or mobilehome sales agency, building supply and lumber retail sales store, or package liquor store</b>	<b>X</b>
<b>School of dance, drama, or music</b>	<b>X</b>
<b>Service establishments needed to support the above uses, such as messenger service, answering service, telegraph office, blueprinting and reproducing establishment, and the like</b>	<b>X</b>
<b>Telephone exchange or other switching equipment entirely enclosed within a building</b>	<b>X</b>
<b>Tire recapping plant</b>	
<b>Tradesmen and operatives such as plumbers, electricians and the like with no outside storage of supplies/equipment and with no more than one rollup door, with opening not exceeding ten (10) feet by ten (10) feet</b>	<b>X</b>
<b>Unified shopping center, including miscellaneous retail service uses, provided that overall gross leasable area of the center is forty thousand (40,000) square feet or more</b>	
<b>Unified shopping center, incorporating any of the above uses permitted in the district concerned</b>	<b>X</b>
<b>Vehicle-mounted or tent-sheltered food sales or other retailing, under permit issued by zoning officer, subject to same conditions as apply to a special exception for such uses, for no more than ten (10) days in connection with a special event</b>	<b>X</b>
<b>Wine bar</b>	<b>X</b>
<b>Wireless telecommunication towers and antennas subject to requirements in Sections 24-110 and 24-111</b>	<b>X</b>
<b>Wholesale store without outside storage or exterior tanks in building(s) not exceeding six thousand (6,000) sq. ft. total</b>	<b>X</b>

<b>Limited Permitted Uses</b>	<b>BC</b>
<b>Bar/tavern</b>	<b>(B)(C)</b>
<b>Event space, banquet/reception hall</b>	<b>(C)</b>
<b>Gastropub</b>	<b>(C)</b>
<b>Live entertainment</b>	<b>(C)</b>

**Footnotes:**

**(B)** Permitted in this district provided that the use is limited to one per block face and no closer in proximity than fifty (50) feet to another limited use that is subject to these spacing restrictions.

**(C)** Permitted provided that the standards of Section 10.8-13, Noise in residential districts are adhered to.

**BC Special Exception Uses (Sec. 24-53):**

<b>Special Exception Uses</b>	<b>BC</b>
<b>Apartment</b>	<b>X</b>
<b>Automobile repair shop</b>	
<b>Beauty parlor, barber shop</b>	
<b>Brewpub</b>	
<b>Building supply and lumber retail sales store</b>	
<b>Business, industrial or trade school</b>	<b>X</b>



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Day-care center, kindergarten	
Electric substation and similar utility equipment	X
Extended stay motel	
Farm implement or heavy construction equipment sales agency	
Funeral home, cemetery	
Greenhouse or plant nursery	
Laundry or dry cleaning plant, including coin-operated laundry or dry cleaning facilities	X
Marina and related facilities	
Miniature golf course; other outdoor amusement	
Motor vehicle sales agency, not including farm implement or heavy construction equipment sales agency	
Nursing home, personal care home for adults	
Pharmacy, in combination with medical or dental clinic or doctor's or dentist's offices	
Printing plant employing a web-fed press	X
Private or parochial school	
Recreational vehicle park	
Research or testing laboratory	
Restaurant in combination with an office building	
Self-service storage facilities	
Short-term rental of tools, equipment, wedding supplies and the like, not including rental of heavy construction equipment	
Single-family dwelling in combination with a business use	X
Vehicle-mounted or tent-sheltered food sales or other retailing	X
Veterinary clinic, not including kennels or animal pens outside enclosed building	
Other veterinary clinic	
Wireless telecommunication towers and antennas subject to requirements in section 24-110	X
Wholesale or other specialized store dealing with a limited or specialized clientele, and not with the general public, including feed and seed stores	X

**BN Permitted Uses (Sec. 24-52):**

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<b>Permitted Uses (24-52)</b>	<b>BN</b>
Accessory use on the same lot with and customarily incidental to any of the below uses permitted in the district concerned	X
Antique shops	X
Apartment	(P)
Appliance repair store, watch or camera repair store and the like	X
Automobile repair shop	
Automobile filling stations with or without convenience store	X
Automobile and truck sales agency, provided that any used car sales lot abutting any residence shall be shielded from such residence by a wall, solid fence, or hedge not less than five (5) nor more than eight (8) feet high, and that any lighting used to illuminate such used car lot shall be deflected away from any residence	
Automobile sales event lasting no longer than ten (10) days in the parking lot of a shopping center, subject to determination of zoning officer that ample space in excess of normal parking requirement is available	X
Automobile/truck parts store	X
Automobile washing facility	X
Brewpub	
Café, coffee house, juice bar	X
Church and other place of worship, religious or philanthropic use	X
Club or lodge organized for fraternal or social purposes	X
Confectionery or bake shop	X
Doctor or dentist office, medical or dental clinic, medical laboratory	X
Drive-in theater, provided that no portion of the premises shall be less than five hundred (500) feet from any residential district	
Editorial offices of newspaper or other publisher, not including a printing plant employing a web-fed press	X
Financial institution, including bank, savings and loan company, credit union, finance company, or mortgage company *	X
Food catering	X
Governmental and quasi-governmental offices	X
Grocery or drug store	X
Group home for mentally retarded/mentally ill	
Indoor theater or auditorium, bowling alley or other recreational facility enclosed within a building	X
Laundry and dry cleaning pickup and delivery establishment, not including a dry-cleaning or laundry plant	X
Marina and related facilities	
Mobile home sales agency	
Motel	(P)



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Off-site sign	X
On-site sign, subject to regulations set forth in article X	X
Other dwelling, not including a mobile home	(P)
Package liquor store	X
Parking facility, subject to regulations set forth in Section 24-121	X
Passenger station, railway or bus	X
Personal service shop, including tailor, barber, beauty shop, shoe repair, and the like	X
Photographic studio	X
Professional office, i.e., insurance, real estate, lawyer, architect, engineer, and the like	X
Radio or television studio	X
Real estate office, insurance agency	X
Restaurant	X
Restaurant; bistro	X
Restaurant; drive-through/drive-up/walk-up *	X
Restaurant with attached bar	X
Retail sales store, but not including a motor vehicle sales agency, farm implement sales agency, heavy construction equipment sales agency, or mobilehome sales agency, building supply and lumber retail sales store, or package liquor store	X
School of dance, drama, or music	X
Service establishments needed to support the above uses, such as messenger service, answering service, telegraph office, blueprinting and reproducing establishment, and the like	X
Telephone exchange or other switching equipment entirely enclosed within a building	X
Tire recapping plant	
Tradesmen and operatives such as plumbers, electricians and the like with no outside storage of supplies/equipment and with no more than one rollup door, with opening not exceeding ten (10) feet by ten (10) feet	X
Unified shopping center, including miscellaneous retail service uses, provided that overall gross leasable area of the center is forty thousand (40,000) square feet or more	
Unified shopping center, incorporating any of the above uses permitted in the district concerned	X
Vehicle-mounted or tent-sheltered food sales or other retailing, under permit issued by zoning officer, subject to same conditions as apply to a special exception for such uses, for no more than ten (10) days in connection with a special event	X
Wine bar	X
Wireless telecommunication towers and antennas subject to requirements in Sections 24-110 and 24-111	X
Wholesale store without outside storage or exterior tanks in building(s) not exceeding six thousand (6,000) sq. ft. total	X

Limited Permitted Uses	BN
Bar/tavern	(B)(C)
Event space, banquet/reception hall	(C)
Gastropub	(C)
Live entertainment	(C)

## Footnotes:

(A) Permitted in this district only in the area platted and known as the original city survey and subject to the same restrictions as in the RMF-2 district.

(B) Permitted in this district provided that the use is limited to one per block face and no closer in proximity than fifty (50) feet to another limited use that is subject to these spacing restrictions.

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(C) Permitted provided that the standards of Section 10.8-13, Noise in residential districts are adhered to.

(P) Permitted in this district only in a planned unit development, except as provided in Section 24-53.

(\*) Provided that drive-through teller or food pickup windows may be included only if the adequacy and safety of the driveways are approved by the city engineer or his designee, and further provided that any establishment with a drive-thru window located within one hundred (100) feet of a residence shall be screened along the side facing such residence by a wall, opaque fence or compact hedge not less than six (6) feet in height, and that exterior lighting shall be shielded and deflected away from such residence.