



TUSCALOOSA  
PLANNING COMMISSION

REZONING PETITION

Please complete all of the following required fields:

**Applicant**

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_ / \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**Property Owner (If different from applicant)**

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State: \_\_\_\_\_ / \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**Property**

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ / \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
Subdivision: \_\_\_\_\_ Parcel ID: \_\_\_\_\_ Lot Number: \_\_\_\_\_  
Existing buildings or structures: \_\_\_\_\_ Lot Size: \_\_\_\_\_

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

Current zoning: \_\_\_\_\_ Request zoning change to: \_\_\_\_\_

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

Proposed buildings or construction: \_\_\_\_\_

**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 SUBMITTIAL REQUIREMENTS ON THE BACK OF THIS APPLICATION

Applicant: Walt Moulton Date: \_\_\_\_\_

**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

Please review the following information prior to application submission:

**2021 Meeting Dates & Deadlines:**

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

*UNLESS OTHERWISE ADVERTISED*

**Fee Schedule:**

0 – 5 acres	\$300.00
5.1 – 10 acres	\$400.00
10.1 – 40 acres	\$500.00
More than 40 acres	\$600.00

**REQUIRED Application Materials:**

The Planning Division requires for all zoning applications that the legal description be submitted by email or on a CD or thumb drive as a word document to the planning division. The applicant is solely responsible for the accuracy of the description submitted. The Planning Division will not independently verify the accuracy of the description. The City of Tuscaloosa is not liable for any costs, inconvenience or other damages from errors in the submitted legal description.

All requests must be accompanied by a drawn to scale site plan showing present and proposed lot lines, 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.

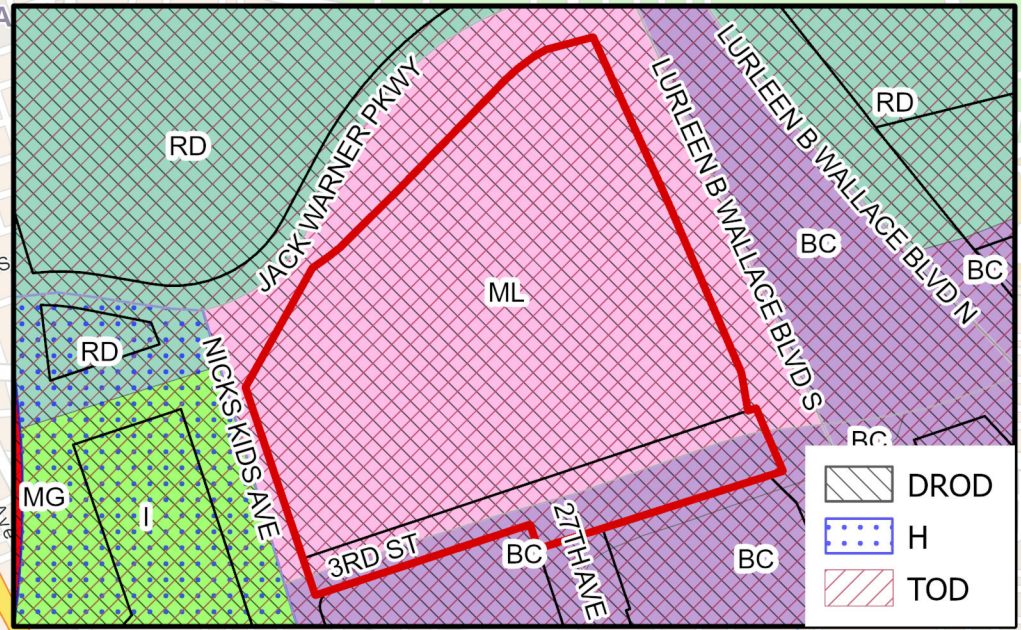
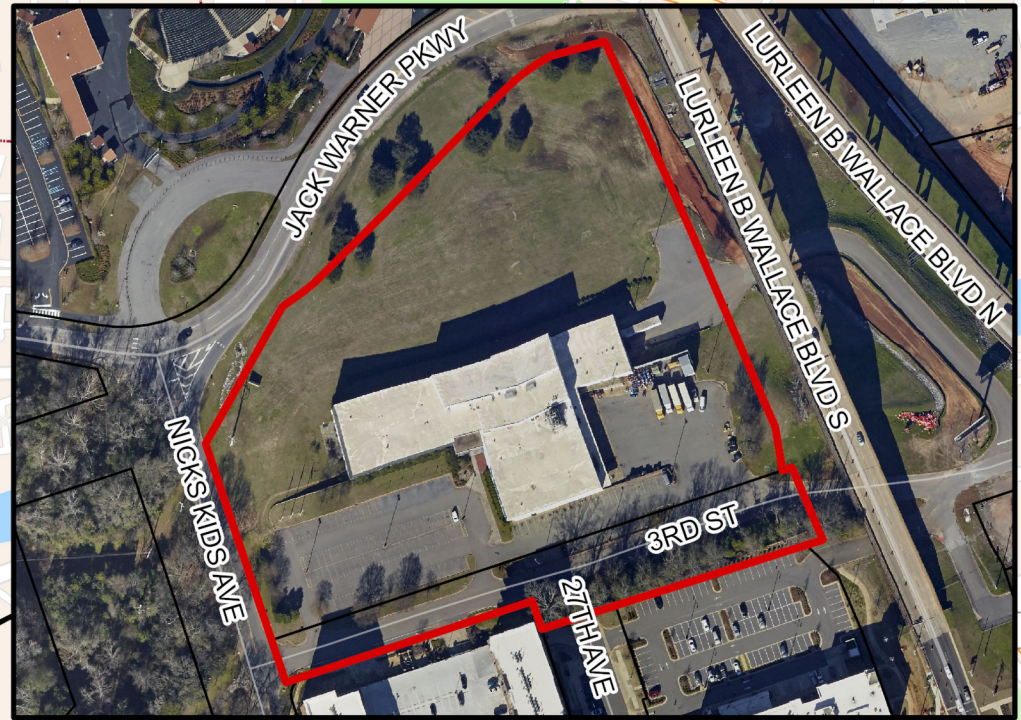
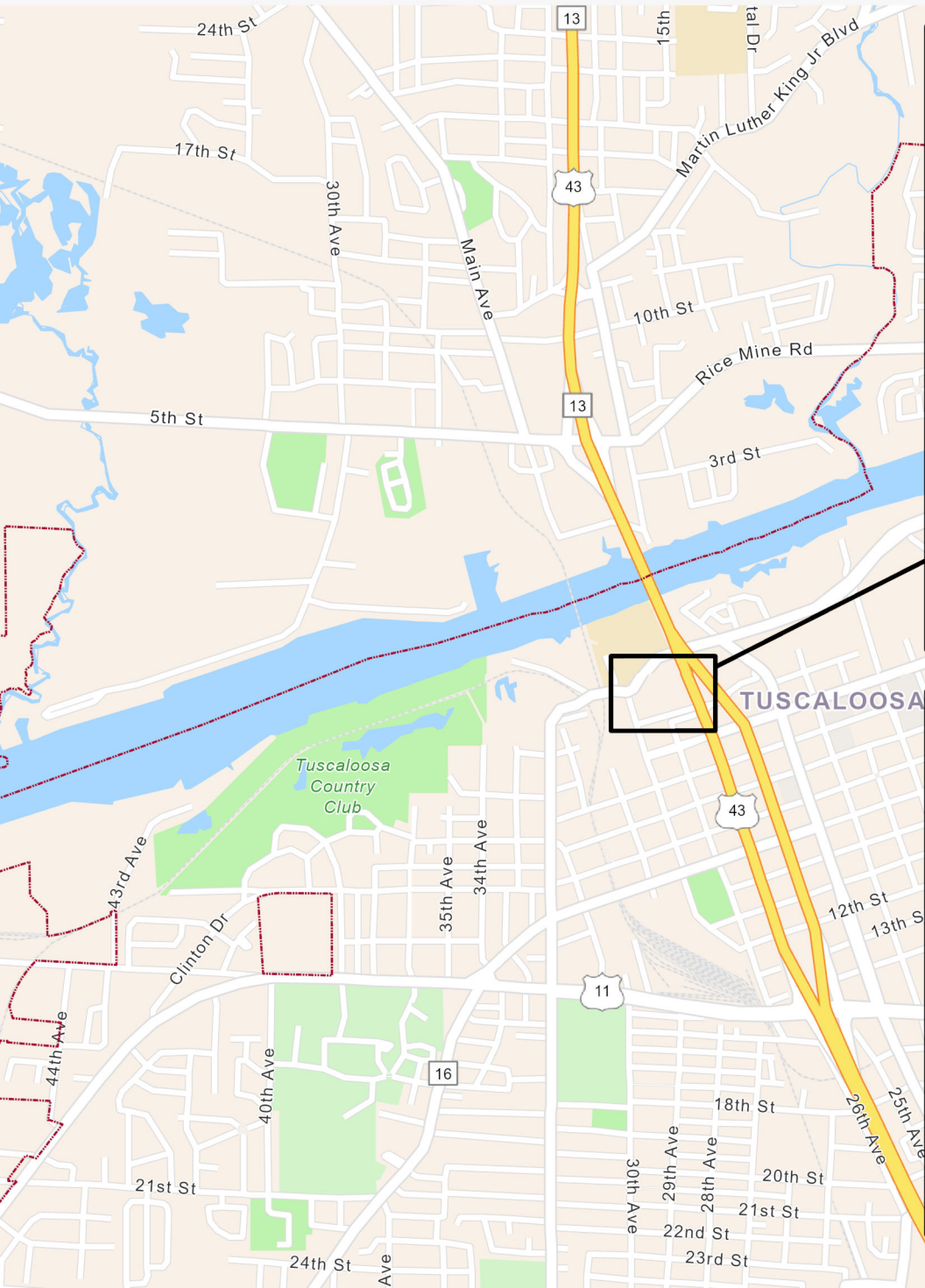
All legal advertisement costs must be paid prior to final consideration by the city council





# 315 Nicks Kids Ave

1 inch = 244 feet  
0 100 200 300 400



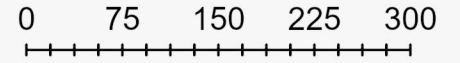
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# 315 Nicks Kids Ave

1 inch = 150 feet



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JACK WARNER PKWY

LURLEEN B WALLACE BLVD S

LURLEEN B WALLACE BLVD N

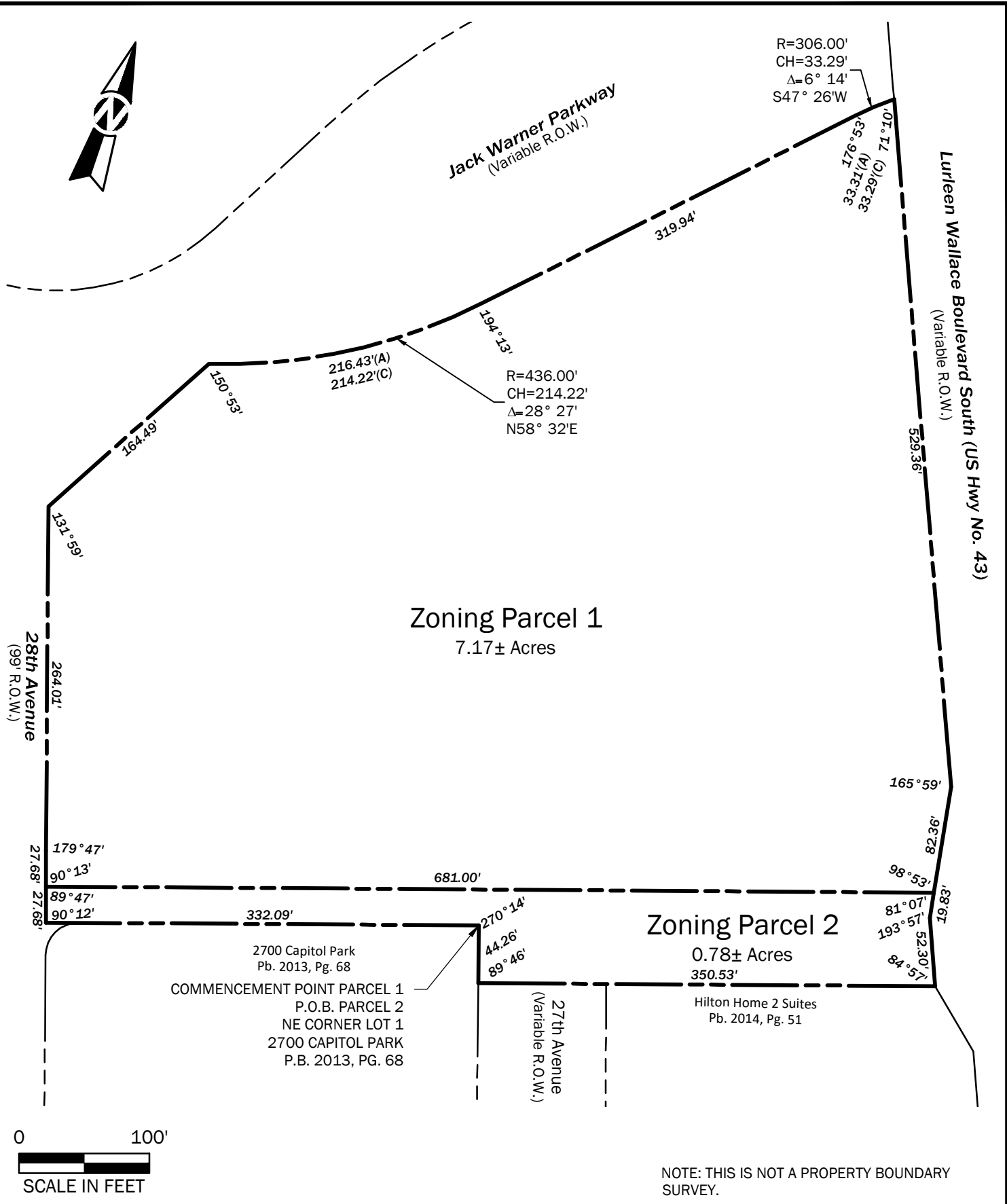
NICKS KIDS AVE

3RD ST

2ND AVE

UNIVERSITY BLVD





NOTE: THIS IS NOT A PROPERTY BOUNDARY SURVEY.



3516 Greensboro Avenue | Tuscaloosa, AL 35401  
205.345.0816 | www.ttlusa.com

**TUSCALOOSA NEWS PROPERTY**  
**CITY OF TUSCALOOSA**  
315 28th Avenue  
Tuscaloosa, Alabama

Sheet Title  
**ZONING EXHIBIT SKETCH**

No.	Date	Revision Description

Drawn By: GNF      Checked By: EMH  
Date: 4/22/2022      Proj. No.: 22-01-0924.00  
File Name: 22-924.Zoning-Exhibit.dwg

Sheet No. **1**



Exhibit A  
Legal Description

A parcel of land located in Section 22, Township 21 South, Range 10 West, in Tuscaloosa County, Alabama, which is also part of 3rd Street, part of 27th Avenue and parts of Lots 28, 31, 32, 35, 53-59 and B.C. of River Margin Survey as recorded in Plat Book 3, at pages 53 and 54 in the Probate Office of Tuscaloosa County, Alabama, and being more particularly described as follows:

Beginning at the Southwest corner of Lot 53 of River Margin Survey, as recorded in Plat Book 3, at Pages 53 and 54 and running thence North 18 degrees 37 minutes 20 second West, 264.03 feet to an iron pin; thence run North 29 degrees 22 seconds 06 seconds East, 148.05 feet to an iron pin; thence turn North 29 degrees 22 minutes 06 seconds East, 298.45 feet to an iron pin; thence North 49 degrees 51 minutes 06 seconds East, 106.41 feet to an iron pin; thence run North 74 degrees 21 minutes 06 seconds East, 58.90 feet to an iron pin; thence run North 74 degrees 42 minutes 06 seconds East, 146.07 feet to an iron pin; thence run South 23 degrees 46 minutes 54 seconds East, 227.56 feet to an iron pin; thence run South 23 degrees 46 minutes 54 seconds East, 49.70 feet to an iron pin; thence run South 23 degrees 46 minutes 54 seconds East, 261.01 feet to an iron pin; thence run South 09 degrees 44 minutes 54 seconds East, 54.35 feet to an iron pin; thence run South 71 degrees 22 minutes 06 seconds West, 685.42 feet to an iron pin, said pin being the True Point of Beginning.



PLANNING COMMISSION STAFF REPORT

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Z-11-22

**GENERAL INFORMATION**

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

The City of Tuscaloosa

**Requested Action and Purpose**

Rezone from ML-DROD and BC-DROD to Institutional-DROD

**Location and Existing Zoning**

315 Nicks Kids Avenue, Zoned ML-DROD and BC-DROD

**Size and Existing Land Use**

7.95 acres total; Commercial

**Surrounding Land Use and Zoning**

North – Tuscaloosa Amphitheater, Zoned RD-DROD

East – Vacant, Zoned BC-DROD

South – Mixed-use, Zoned BC-DROD

West – Vacant, Zoned Institutional

**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**

Jack Warner Parkway, a minor arterial street; Nicks Kids Avenue, a local street.

**Physical Characteristics**

7.95 acres to be rezoned. 7.17 acres of the property is currently zoned ML-DROD, and the remaining 0.78 acres is currently zoned BC-DROD; Tuscaloosa Amphitheater to the North, vacant land to the East and West, and mixed-use to the South.



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## SUBJECT PROPERTY

### ANALYSIS

In **Framework**, this property is identified in the Future Land Use and Character Map as Civic/Institutional (CI) (p. 22).

CI areas include “school campuses, large civic uses, hospitals, and city/ county/state/federally owned facilities. These sites often have a development pattern that is unique to each area and may differ significantly from their surroundings. Examples of the character type include the DCH Medical Center, Tuscaloosa Veterans Affairs Medical Center, and the Tuscaloosa National Airport.” (p. 40).

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
  - 6.5: Redefine the Downtown/Riverfront District.

Objective 6.5 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



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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 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.

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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.