

PLANNING COMMISSION STAFF REPORT

December 19, 2022

Z-33-22

GENERAL INFORMATION

Property Owner (x) Petitioner (x)

EMB Holdings, LLC

Requested Action and Purpose

Rezone from MG to BN to renovate the existing building into a restaurant.

Location and Existing Zoning

1710 25th Avenue; Zoned MG

Size and Existing Land Use

2.5 acres total; former church

Surrounding Land Use and Zoning

North – Contractor, Zoned MG

East – Church, Zoned R-3

South – Financial office, Zoned MG

West – Interstate (I-359)

Applicable Regulations

Sec. 24-51. – Statements of intent.

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.

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

Transportation

25th Avenue, a local street

Physical Characteristics

2.5 acres to be rezoned. The property is currently zoned general industrial; commercial to the north and south, an interstate to the west, and a church to the east.

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SUBJECT PROPERTY

ANALYSIS

In **Framework**, this property is identified in the Future Land Use and Character Map as Limited Commercial (NC) (p. 30).

NC areas are “smaller nodes of commercial development that provide goods and services to and within walking distance of surrounding neighborhoods. They generally exist near prominent intersections within a neighborhood or at its edge, and may serve as a transition between a more intense Corridor Commercial and a residential area. These centers may include mixed-use, live-work, or multi-family residential uses that are compatible in scale to nearby neighborhoods.” (p. 30).

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.

The intent of the NC area is as follows:

- Accommodate limited commercial services by-right compared to Corridor Commercial; allow other uses (such as drive-throughs, etc.) under some conditions.
- Provide pedestrian and bicycle connectivity to surrounding neighborhoods and nearby public uses (schools, parks, etc.).

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- Support some residential use that is compatible with the surrounding neighborhood character.
- In a walkable neighborhood context, locate new buildings near the street and accommodate parking to the side or rear of buildings and accommodate on-street parking.
- Improve/provide public realm features such as signs, sidewalks, lighting, 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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BN Permitted Uses (Sec. 24-52):

Permitted Uses	BC	BGO	BN	BNS	BH
Accessory use on the same lot with and customarily incidental to any of the below uses permitted in the district concerned	X	X	X	X	X
Antique shops	X	X	X	X	
Apartments, not including student-oriented housing development		(A)	(P)		
Appliance repair store, watch or camera repair store and the like	X	X	X	X	
Automobile repair shop	X				X
Automobile filling stations with or without convenience store	X		X		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				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			X		
Automobile/truck parts store	X		X	X	X
Automobile washing facility	X		X		X
Brewpub	X				
Café, coffee house, juice bar	X	X	X	X	X
Church and other place of worship, religious or philanthropic use	X	X	X	X	X
Club or lodge organized for fraternal or social purposes	X	X	X		
Confectionery or bake shop	X		X	X	
Doctor or dentist office, medical or dental clinic, medical laboratory	X	X	X	X	X
Drive-in theater, provided that no portion of the premises shall be less					X

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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	X	X	X	
Financial institution, including bank, savings and loan company, credit union, finance company, or mortgage company*	X	X	X	X	X
Food catering	X		X	X	
Governmental and quasi-governmental offices	X	X	X	X	X
Grocery or drug store	X		X	X	X
Group home for individuals with developmental disabilities or mental illness		(A)			
Indoor theater or auditorium, bowling alley or other recreational facility enclosed within a building	X		X		X
Laundry and dry cleaning pickup and delivery establishment, not including a dry-cleaning or laundry plant	X		X	X	
Marina and related facilities					X
Mobile home sales agency					X
Motel	X		(P)		X
Off-site sign	X		X		X
On-site sign, subject to regulations set forth in article X	X	X	X	X	X
Other dwelling, not including a mobile home		(P)	(P)		
Package liquor store			X		X
Parking facility, subject to regulations set forth in Section 24-121	X	X	X	X	X
Passenger station, railway or bus	X		X		X
Personal service shop, including tailor, barber, beauty shop, shoe repair, and the like	X		X	X	
Photographic studio	X	X	X	X	
Professional office, i.e., insurance, real estate, lawyer, architect, engineer, and the like	X	X	X	X	X
Radio or television studio	X	X	X		X
Real estate office, insurance agency	X	X	X	X	X

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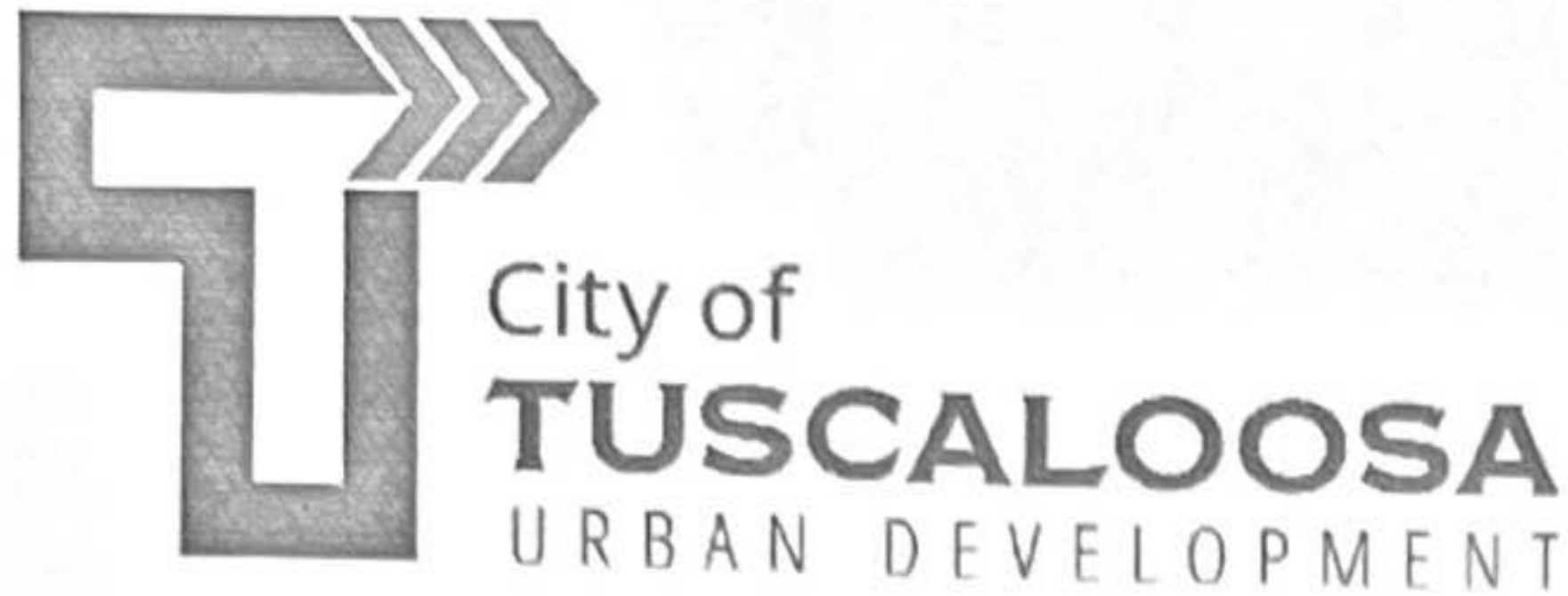
Restaurant	X		X	X	X
Restaurant; bistro	X	X	X	X	X
Restaurant; drive-through/drive-up/walk-up*			X		X
Restaurant with attached bar	X		X	X	X
Retail sales store, but not including a motor vehicle sales agency, farm implement sales agency, heavy construction equipment sales agency, or mobilehome sales agency, building supply and lumber retail sales store, or package liquor store	X		X	X	
School of dance, drama, or music	X	X	X	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	X	X	X	
Telephone exchange or other switching equipment entirely enclosed within a building	X	X	X	X	X
Tire recapping plant					X
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	X	X		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					X
Unified shopping center, incorporating any of the above uses permitted in the district concerned	X		X	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		X	X	X

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Wine bar	X		X	X	
Wireless telecommunication towers and antennas subject to requirements in Sections 24-110 and 24-111	X	X	X	X	X
Wholesale store without outside storage or exterior tanks in building(s) not exceeding six thousand (6,000) sq. ft. total	X		X		

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.
- (C) Permitted provided that the standards of section 10.8-13, Noise in residential districts are adhered to.
- (D) Permitted in this district as a conditional use subject to review and approval by the city council. Conditional use criteria for the city council to consider include, but are not limited to: occupancy, hours of operation (bar/tavern only), kitchen hours of operation and bar hours of operation (gastropubs only), proximity to like establishments, public safety plan (security and lighting), and plan to reduce possible nuisances (parking, noise, crowding, and the like).
- (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.



TUSCALOOSA
PLANNING COMMISSION

REZONING PETITION

Please complete all of the following required fields:

Applicant
 Name: EMB Holdings, LLC Email: nikki@embprosystems.com Phone: 2057589119
 Address: 4755 Jug Factory Road City/State: Tuscaloosa / AL ZIP Code: 35405

Property Owner (If different from applicant)
 Name: EMB Holdings, LLC (Matt and Nikki Ray) Email: _____ Phone: _____
 Address: _____ City/State: _____ / _____ ZIP Code: _____

Property
 Address: 1710 25th Ave City/State: Tuscaloosa / AL ZIP Code: 35401
 Subdivision: Banks Quarles Parcel ID: _____ Lot Number: 2
 Existing buildings or structures: Single Story Brick Building 7200SQ FT Lot Size: 2.5AC

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

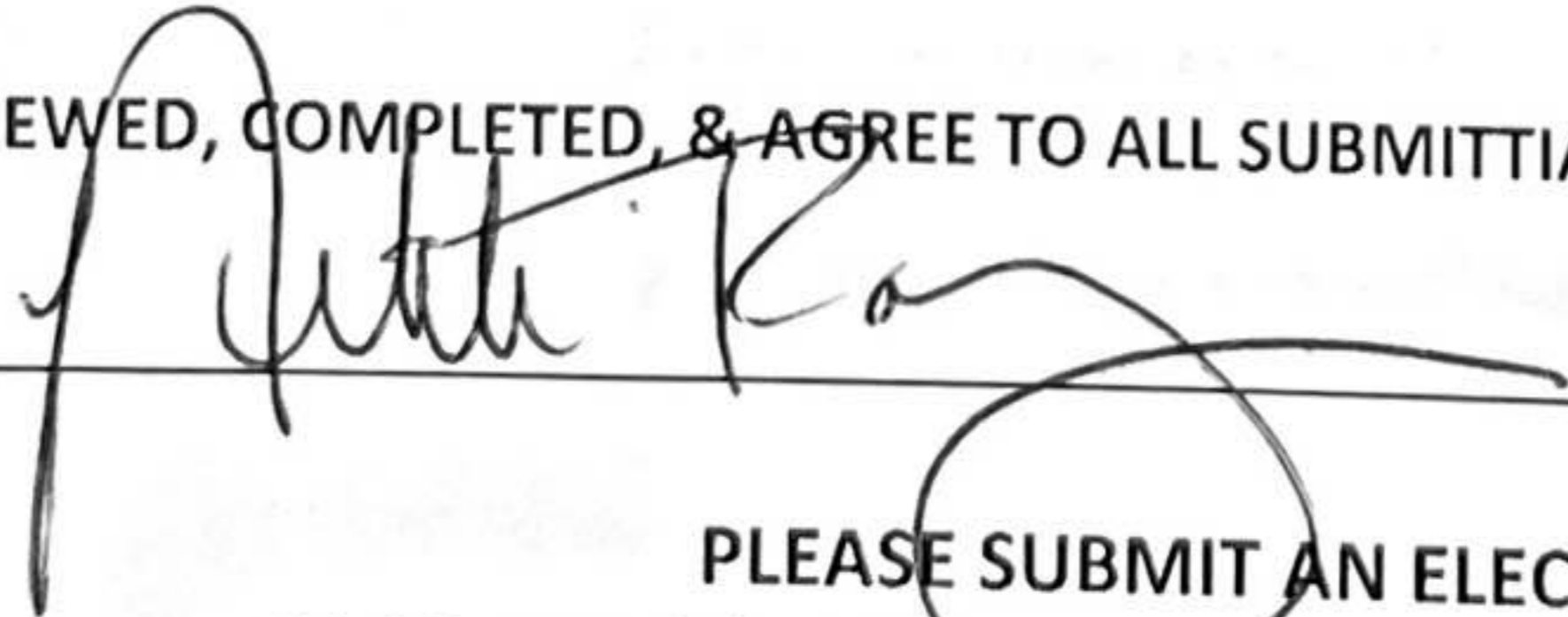
Current zoning: MG/General Industrial Request zoning change to: BN/ Neighborhood Commercial
 Reasons for requesting a zoning change: _____
Renovate existing bldg to restaurant/bar.

 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:  Date: 11/1/2022

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

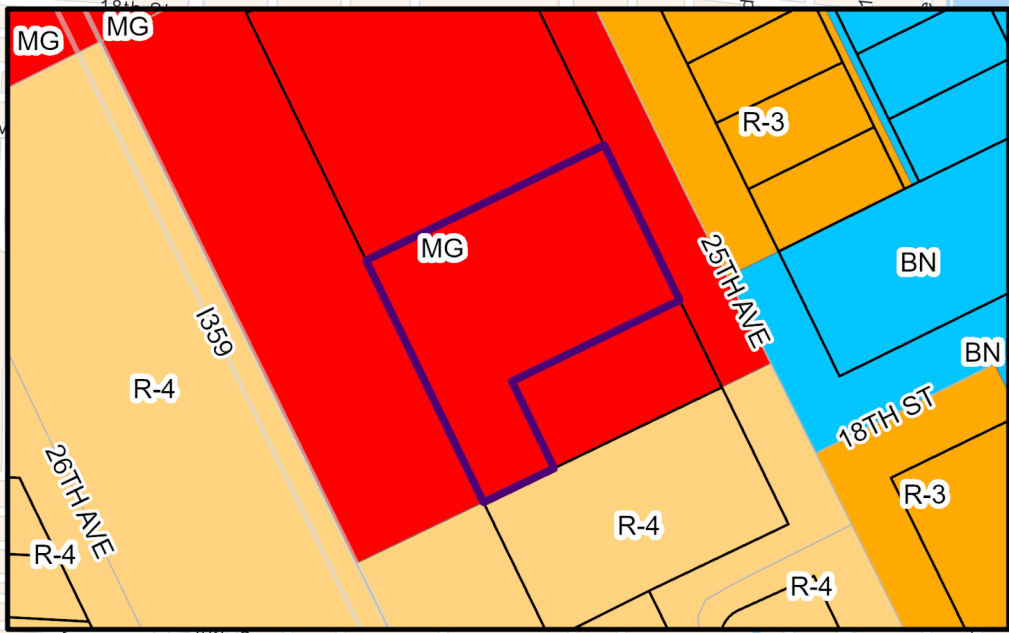
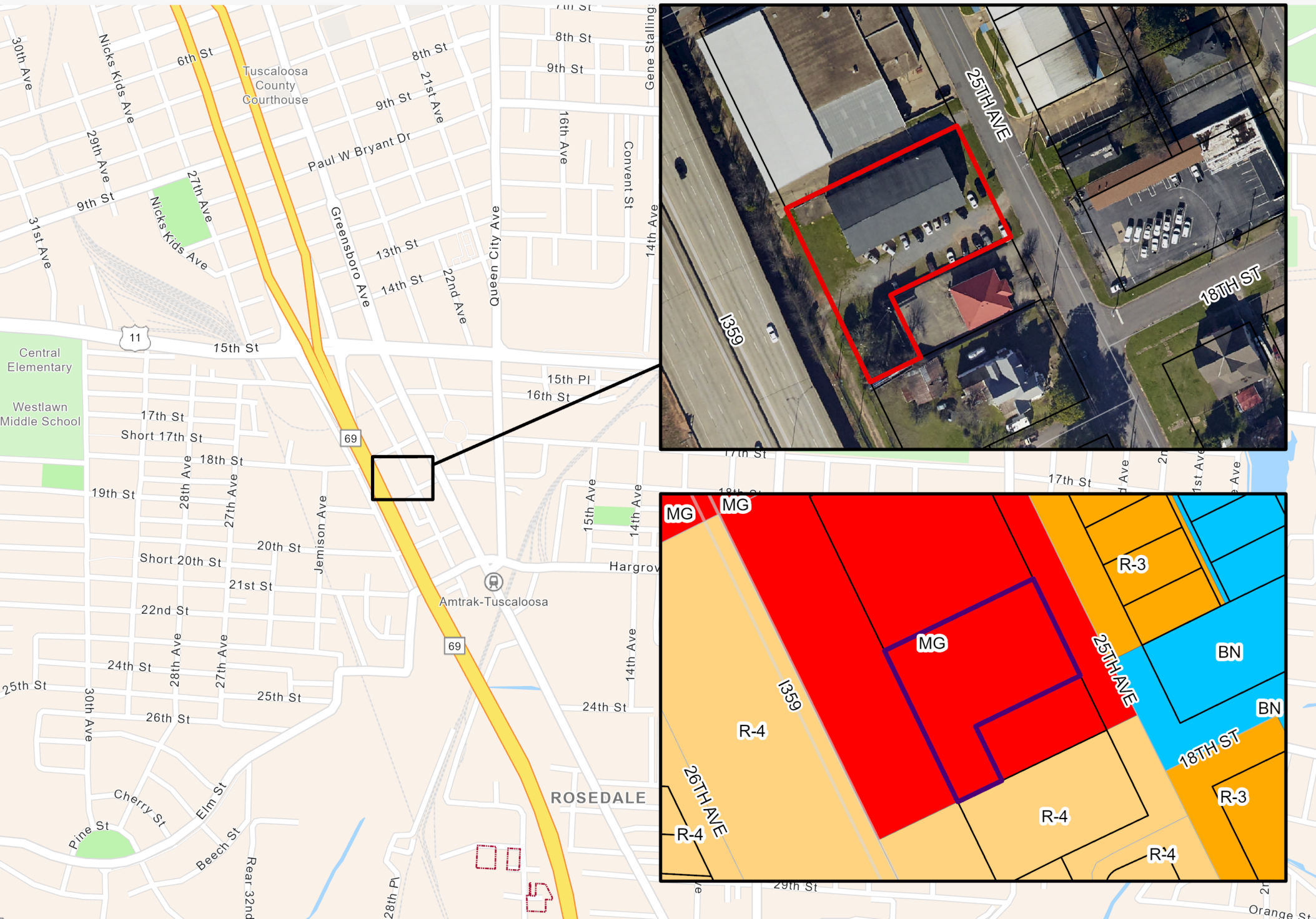
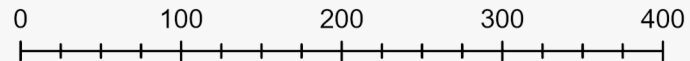
Office of Urban Development: 2201 University Boulevard, Annex III, 3rd FL planningcommission@tuscaloosa.com
 Planning Division Tuscaloosa, AL 35401

SUBMIT FORM



1710 25th Avenue

1 inch = 120 feet





1710 25th Avenue

1 inch = 50 feet

0 50 100 150 200

N



MG

17TH ST

R-3

1359

MG

BN

R-4

18TH ST

25TH AVE

R-3

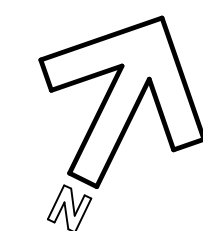
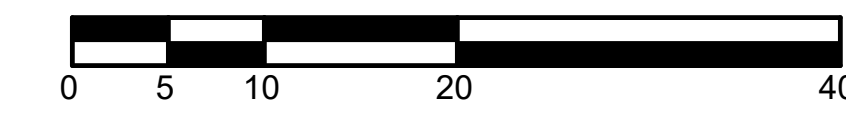
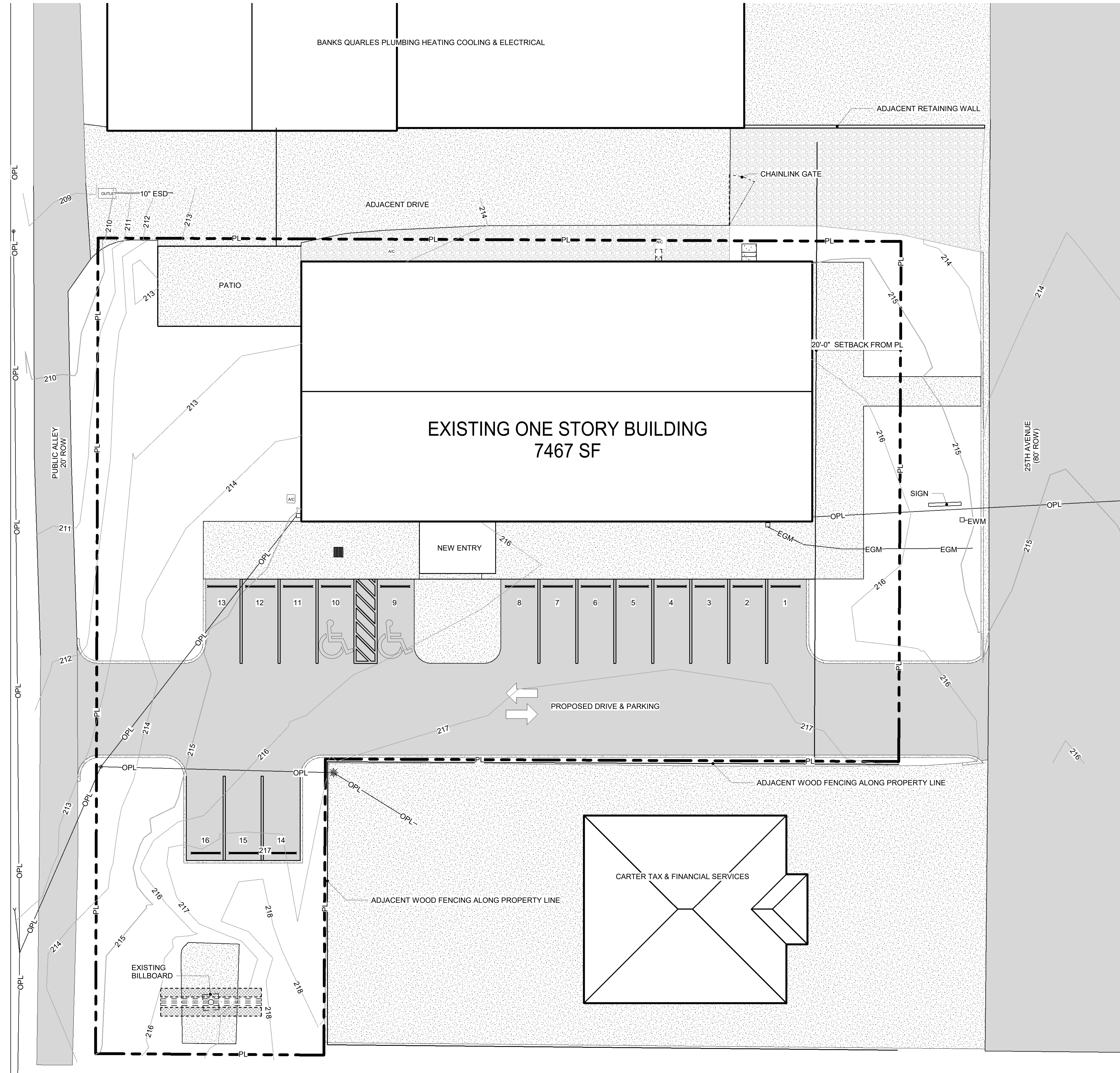
R-4

INGLESIDE VILLAGE

R-4

R-4

INTERSTATE #359
190' ROW



1 SITE PLAN
1" = 10'-0"

THE SANCTUARY
EMB HOLDINGS, LLC
1710 25TH AVE, TUSCALOOSA, AL 35401

REZONING PROPOSALS		
DATE:	11/17/22	
PROJ NO:	22-824	
REVISIONS		
#	DESC	DATE
ARCHITECTURAL SITE PLAN		
AC01		

REZONING NOTICE

Public Hearing: **DECEMBER 19, 2022**

What:
Tuscaloosa Planning and Zoning Commission to consider request to rezone property.

Where:
City Council Chambers
2201 University Boulevard

When: December 19, 2022 at 5:00 pm

Case Number: Z-33-22

Applicant: EMB Holdings, LLC

MG

BN

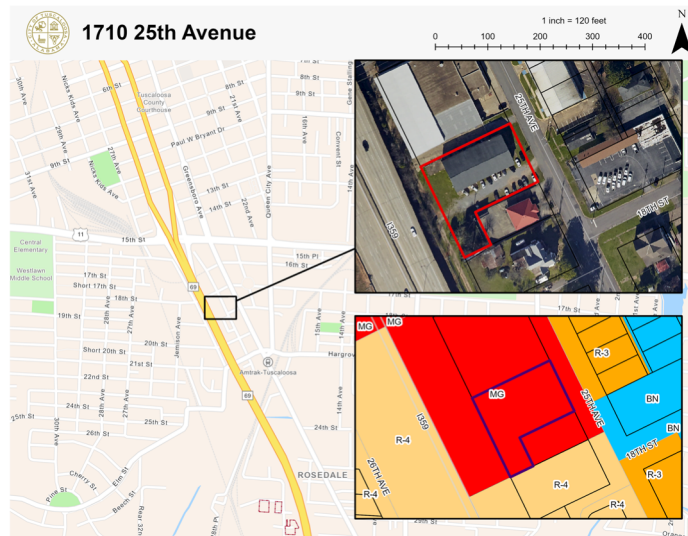
Subject Property Address: 1710 25th Avenue

Purpose of Request: EMB Holdings, LLC petitions to rezone approximately 0.6 acres located at 1710 25th Avenue from MG to BN. (Council District 2)

Property Size: Approximately 0.6 acres

Current Zoning: MG
Proposed Zoning: BN

Existing Zoning Map



Proposed Site Plan

Interested in participating in the meeting?

Please refer to the back side for details on how to participate.

IF YOU RECEIVED THIS NOTICE BY MAIL, THE SUBJECT PROPERTY IS LOCATED IN YOUR IMMEDIATE AREA

Questions? Please visit www.tuscaloosa.com/planningcommission or contact the Planning Division of the Office of Urban Development at 248-5100

You can provide comments on this application through one of two options:

- 1. In advance by written comment.** There's no need to attend in-person. Submit written comments by email (planningcommission@tuscaloosa.com) or through the City's website—www.tuscaloosa.com/planningcommission—no later than 3:00 p.m. on the meeting date. Written comments will be provided to the Commission for consideration prior to the meeting and may also be read into the record during the meeting.
- 2. During the meeting, in-person.** You can attend the meeting in-person to speak by coming to the City Council Chambers, located at 2201 University Boulevard, in downtown Tuscaloosa. Parking is located in the Intermodal Facility at the corner of 7th Street and 23rd Avenue.

IF YOU RECEIVED THIS NOTICE BY MAIL, THE SUBJECT PROPERTY IS LOCATED IN YOUR IMMEDIATE AREA