

PLANNING COMMISSION STAFF REPORT

December 19, 2022

Z-34-22

GENERAL INFORMATION

Property Owner (x) Petitioner (x)

Westervelt Investment Realty, Inc

Requested Action and Purpose

Rezone from R-1 to BN to match the zoning districts of surrounding property for a future commercial development.

Location and Existing Zoning

South of 2700 Jack Warner Parkway; Zoned BN & R-1

Size and Existing Land Use

9.1 acres total; Vacant

Surrounding Land Use and Zoning

North – Nonprofit organization, Zoned R-3

East – Vacant, Zoned BN

South – Vacant, Zoned BN

West – Vacant, Zoned BN

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.

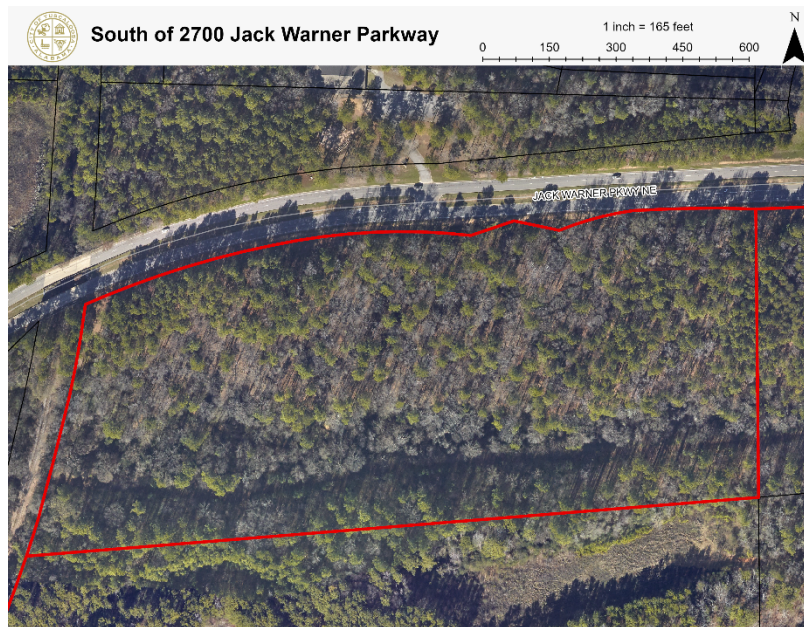
Transportation

25th Avenue, a local street

Physical Characteristics

9.1 acres to be rezoned. The property is currently zoned BN & R-1; vacant land to the east, west, and south, and a nonprofit to the north.

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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.

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- Provide pedestrian and bicycle connectivity to surrounding neighborhoods and nearby public uses (schools, parks, etc.).
- 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: Westervelt Investment Realty, Inc. Email: tchambers@westervelt.com Phone: (205) 562-5000
 Address: P.O. Box 48999 City/State: Tuscaloosa / AL ZIP Code: 35404

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

Property
 Address: Jack Warner Parkway NE City/State: Tuscaloosa / AL ZIP Code: 35404
 Subdivision: NA Parcel ID: 63-30-03-08-3-001-001.000 Lot Number: NA
 Existing buildings or structures: None Lot Size: +/-9.1 acres

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

Current zoning: R-1 Request zoning change to: BN

Reasons for requesting a zoning change: _____
 The property was previously rezoned to R-1 associated with an anticipated residential project.

With this petition, request is made to rezone the property to BN to match the zoning districts of the surrounding property along JWP.

Proposed buildings or construction: Future Commercial Development

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: [Signature] FOR TOM CHAMBERS, WESTERVELT REALTY Date: 11/18/2022

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

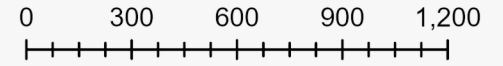
Office of Urban Development: 2201 University Boulevard, Annex III, 3rd FL planningcommission@tuscaloosa.com
 Planning Division Tuscaloosa, AL 35401

SUBMIT FORM

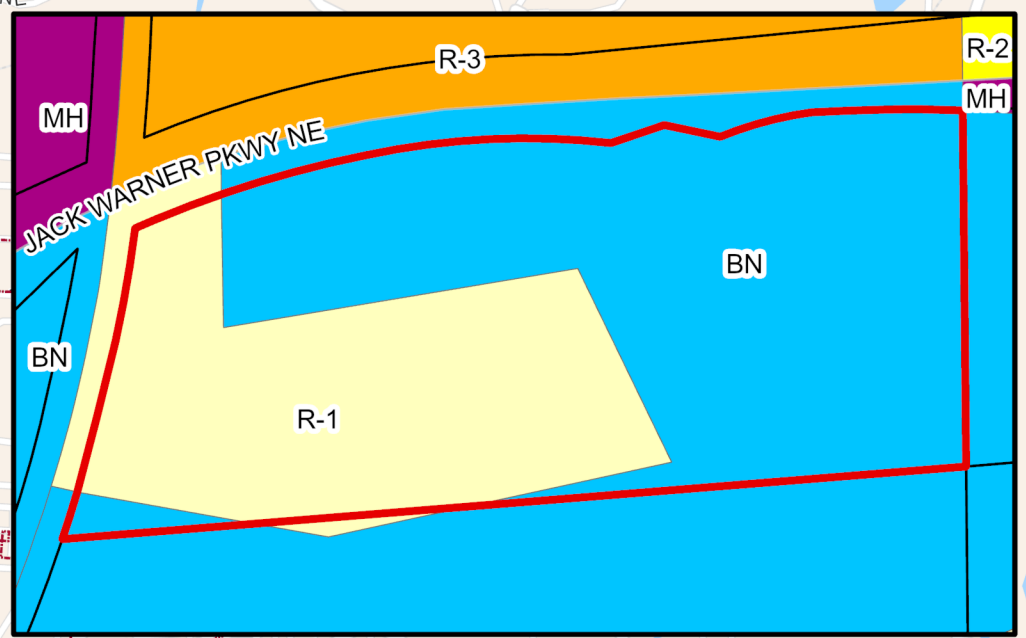
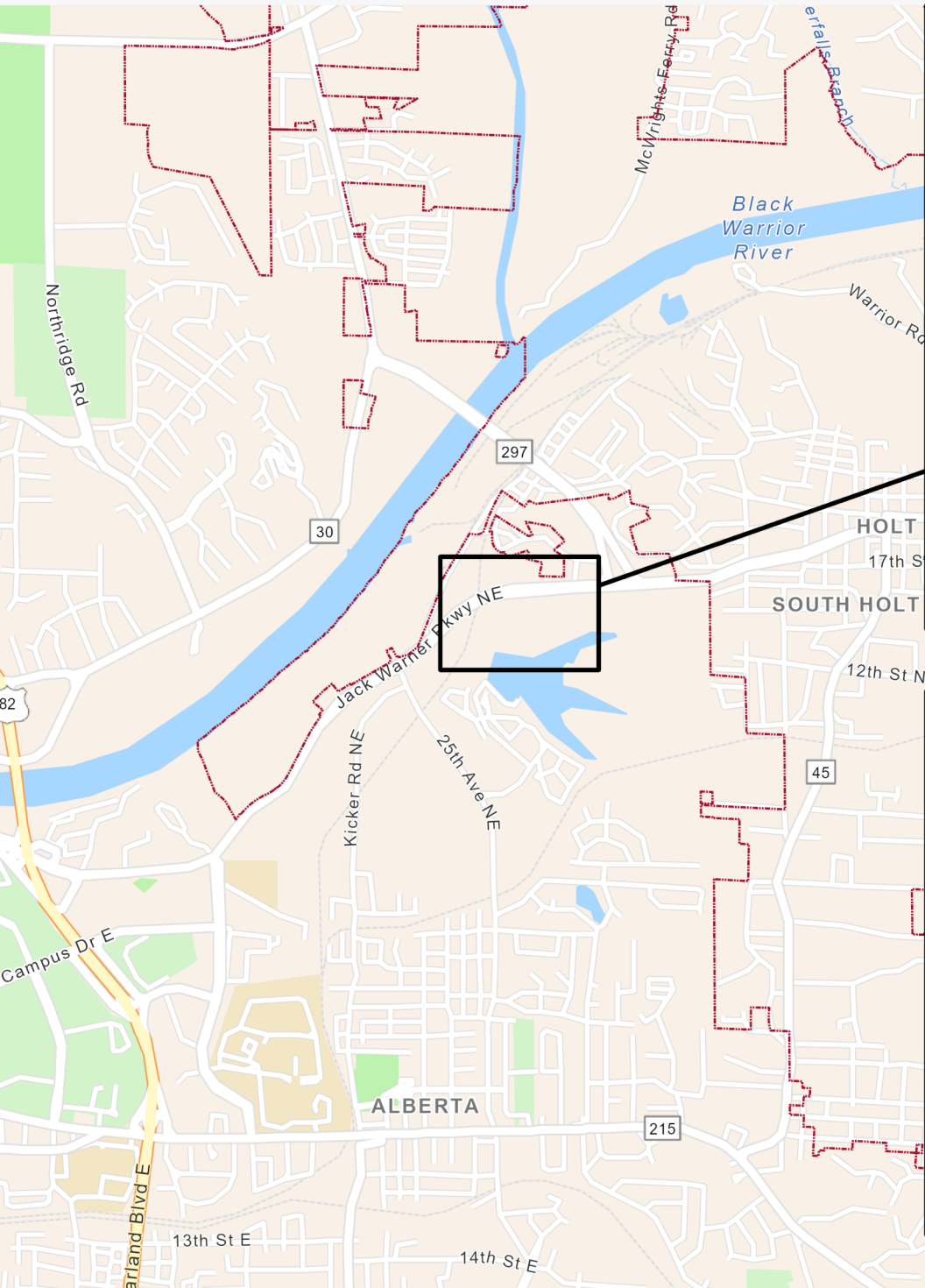


South of 2700 Jack Warner Parkway

1 inch = 547 feet



N





South of 2700 Jack Warner Parkway

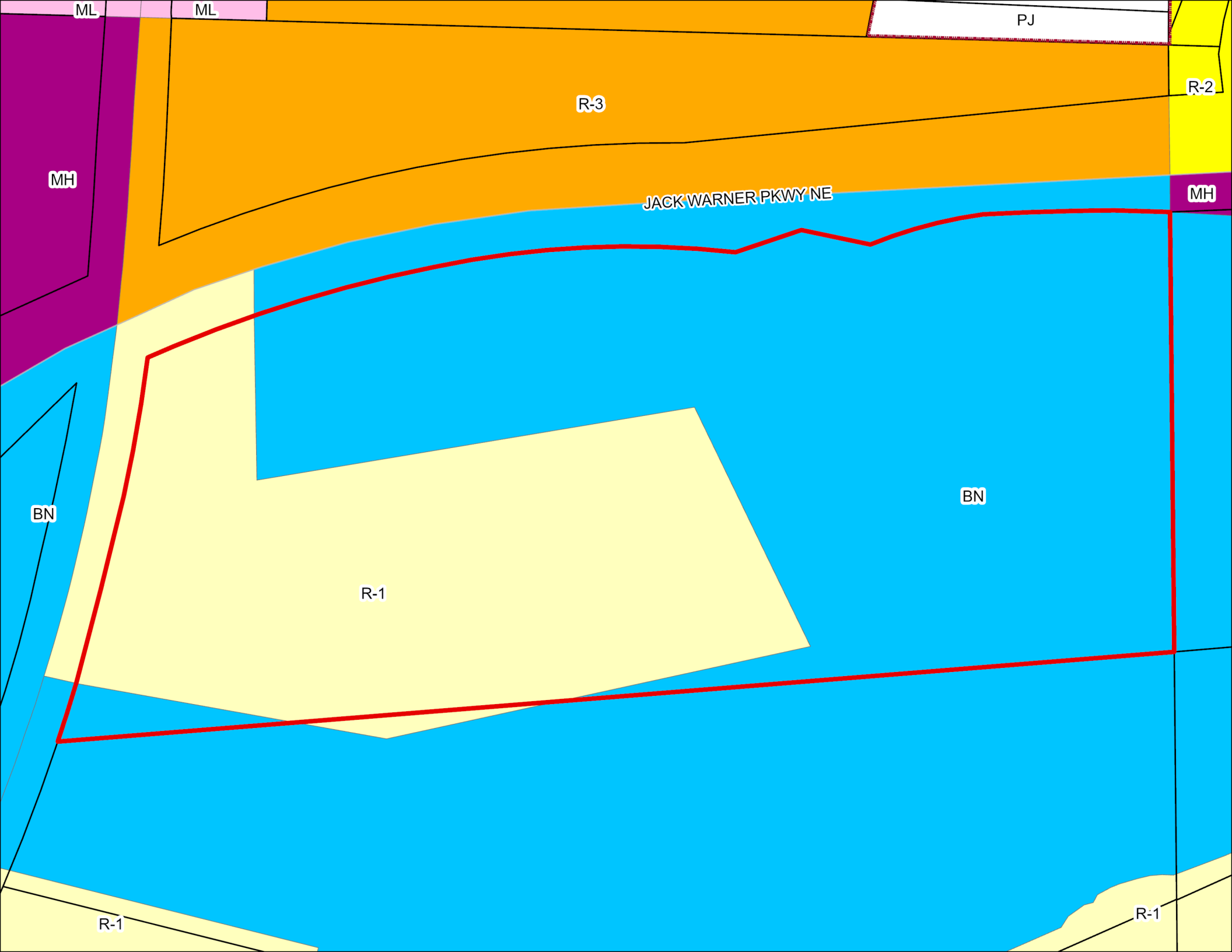
1 inch = 165 feet

0 150 300 450 600

N



JACK WARNER PKWY NE



ML

ML

PJ

R-3

R-2

MH

JACK WARNER PKWY NE

MH

BN

BN

R-1

R-1

R-1

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