

PLANNING COMMISSION STAFF REPORT

January 18, 2023

Z-03-23

GENERAL INFORMATION

Property Owner (x) Petitioner (x)

Robb's Investments

Requested Action and Purpose

Rezone from *R-1 to BN.

**Property is currently located outside of City Limits; an annexation petition is in conjunction with this rezoning. Default zoning if annexed is R-1.*

Location and Existing Zoning

9200 Highway 69 South – Not currently zoned

Size and Existing Land Use

3.78 acres total; Vacant

Surrounding Land Use and Zoning

North – Commercial, Zoned BN

East – Single-family residential, outside of City Limits

South – Vacant, outside of City Limits

West – Vacant, outside of City Limits

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 table of permitted uses in the BN zone.

Transportation

Highway 69 South, a Principal Arterial street.

Physical Characteristics

3.78 acres to be rezoned. The property is currently outside of City Limits; vacant land to the south and west, single-family use to the east, and commercial to the north.

PLANNING COMMISSION STAFF REPORT
January 18, 2023



SUBJECT PROPERTY

ANALYSIS

In **Framework**, this property is identified in the Future Land Use and Character Map as Corridor Commercial (CC) (p. 22).

CC areas include “a wide range of retail, offices, and services in a generally car-oriented pattern. This type of development tends to serve the larger community, is typically located along major corridors or intersections, and may include regional destinations, such as shopping malls and car dealerships.” (p. 29).

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 CC, building blocks include (p. 29):

- Height range: 1-5 stories (generally up to 60 feet).
- Building form: Predominantly single story, but commercial buildings may have 2-story appearance. Includes large footprint buildings and both attached and freestanding structures.
- Building setback: Varies.
- Streets: Blocks are long and have fewer street connections than in the mixed use districts.
- Transportation: Primarily automobile, but site design should consider transportation alternatives.
- Parking: Surface lots.
- Open Space: Passive preserved land and landscaped setback areas, generally private.

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):

PLANNING COMMISSION STAFF REPORT

January 18, 2023

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 CC area is as follows:

- Accommodate a wide range of commercial uses.
- Concentrate future commercial development at major intersections.
- Encourage new buildings to be located near the primary street on at least one side or on an internal street, with parking areas consolidated between buildings in a configuration that can be shared by multiple tenants or uses.
- Apply zoning districts that are appropriate for a site's context such as a highway corridor or a more urban corridor.
- Provide connection to surrounding pedestrian path networks and provide for safe pedestrian facilities within sites.
- Provide connectivity to surrounding neighborhoods and transit service locations.

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

January 18, 2023

BN Permitted Uses (Sec. 24-52):

Permitted Uses (24-52)	BN
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)

PLANNING COMMISSION STAFF REPORT

January 18, 2023

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:

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

PLANNING COMMISSION STAFF REPORT

January 18, 2023

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:

Name: Robb's Investments Applicant Email: bpwinter@winmclaw.com Phone: 2056501
Address: c/o Winter McFarland, LLC City/State: Northport / AL ZIP Code: 35473

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

Address: Hwy 69 South (See att) Property City/State: Tuscaloosa / AL ZIP Code: 35405
Subdivision: Hillcrest Gardens PUD Parcel ID: 63 36 06 23 0 001 012.033; 63 36 06 23 0 001 012.000 Lot Number: _____
Existing buildings or structures: None Lot Size: 3.78

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

Current zoning: Unzoned - To be Annexed Request zoning change to: BN
Reasons for requesting a zoning change: _____
Under the Restrictive Covenants, this part of the Hillcrest Gardens need not be built, as it is economically unfeasible given the runaway inflation.
Proposed buildings or construction: BN Commercial

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] Date: 12/22/22

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

Office of Urban Development:
Planning Division

2201 University Boulevard, Annex III, 3rd FL
Tuscaloosa, AL 35401

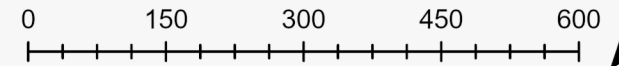
planningcommission@tuscaloosa.com

SUBMIT FORM

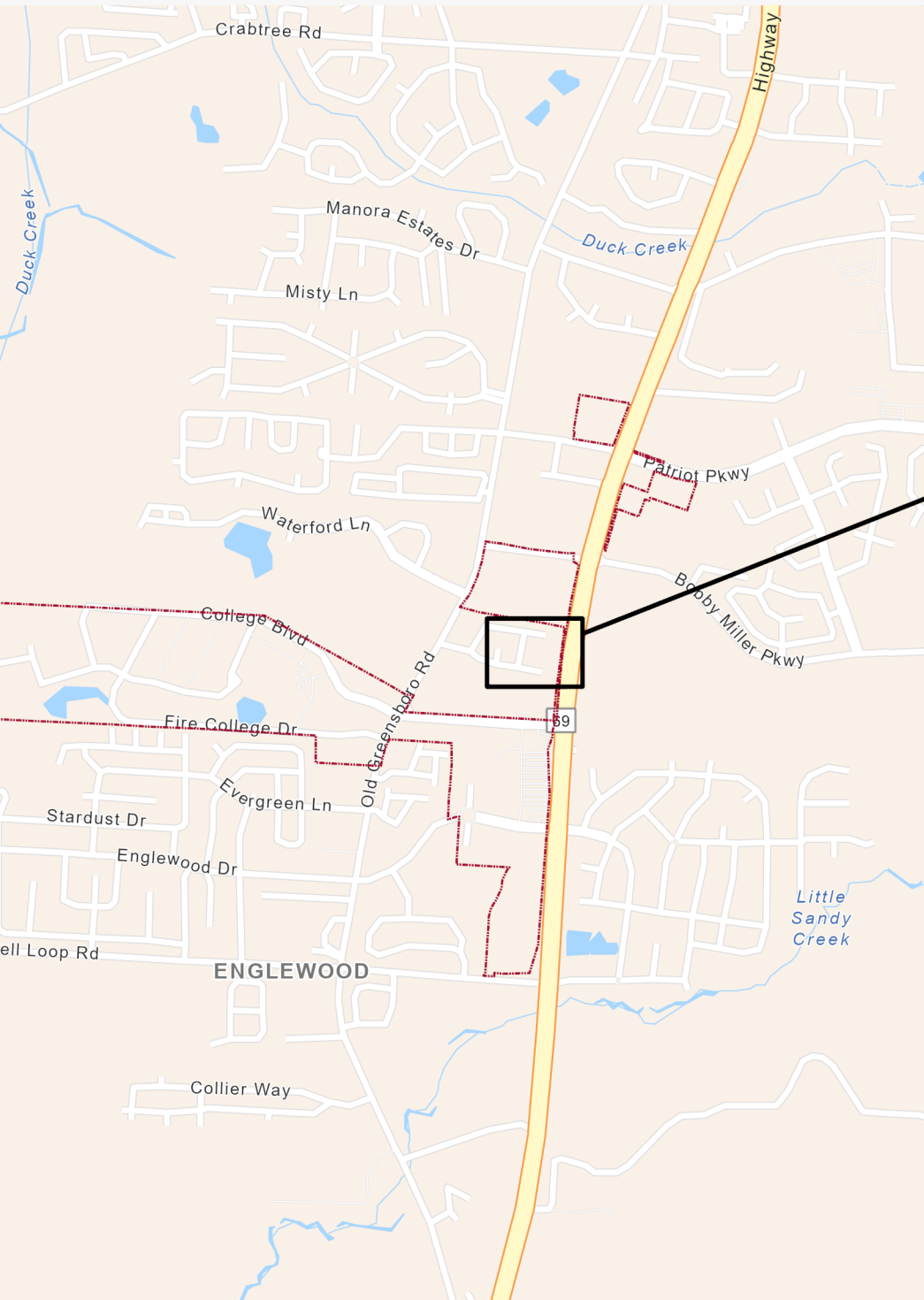


9200 Highway 69S

1 inch = 209 feet



N





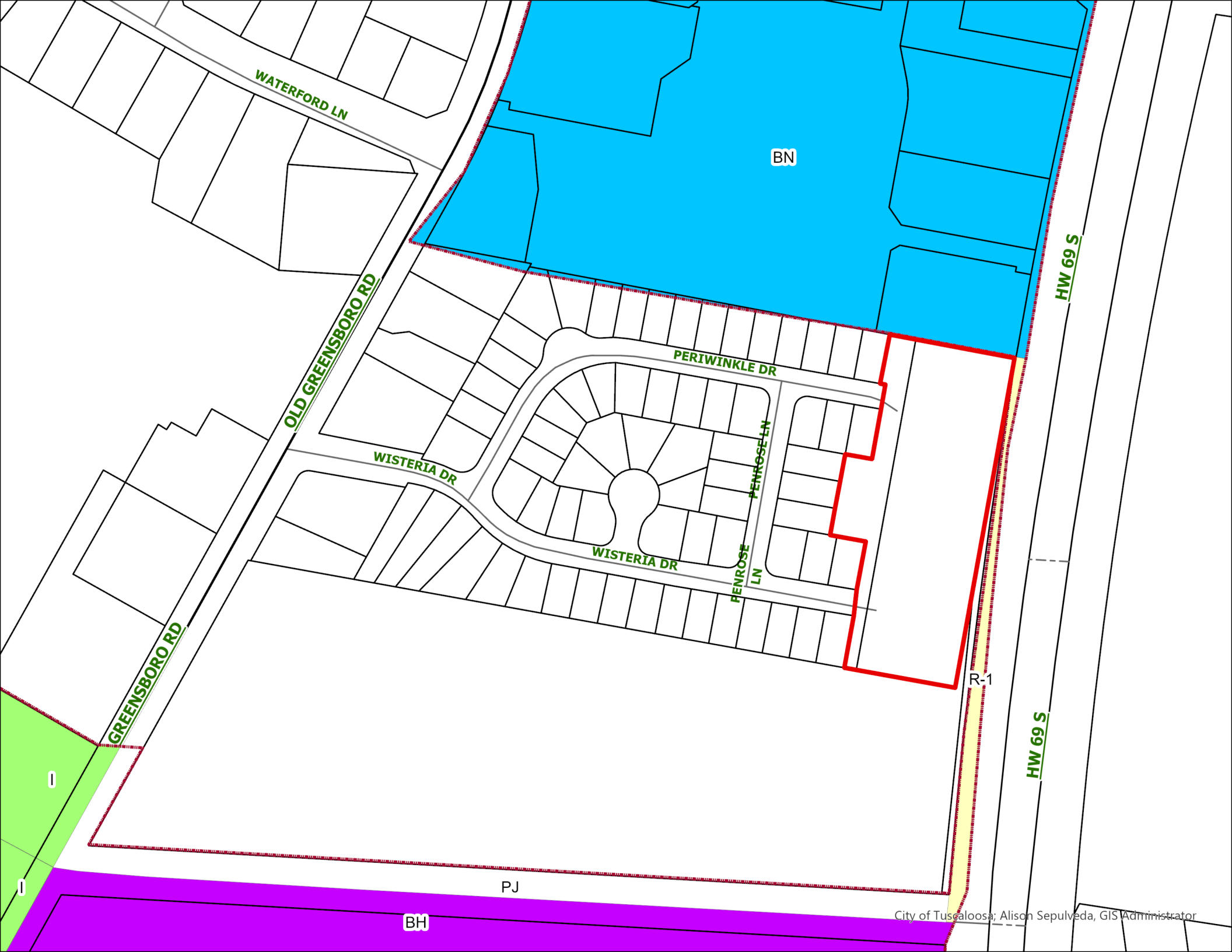
180 & 242 Patriot Parkway

1 inch = 156 feet

0 100 200 300 400

N







GENERAL NOTES

TOTAL LOT AREA: ±3.9 AC
PROPOSED ZONING: BN
TOTAL RETAIL SPACE PROVIDED: 29,750 SF
TOTAL PARKING SPACES:
MIN. REQ'D FOR SHOPPING CENTER: 4.5 SPACES/1,000 SF RETAIL SPACE = 29,750 SF/1,000 SF X 4.5 = 134 SPACES
TOTAL PARKING SPACES PROVIDED: 150 SPACES
TOTAL ADA PARKING SPACES:
REQUIRED ADA SPACES: 5
PROVIDED SPACES: 6

PAVING LEGEND

- REQ'D ASPHALT PAVEMENT
- REQ'D CONCRETE SIDEWALK

TTL

2890 Rice Mine Road NE | Tuscaloosa, AL 35406
205.561.3778 | www.ttlusa.com

HWY 69 COMMERCIAL DEVELOPMENT

ROBBS INVESTMENTS, LLC

TUSCALOOSA, ALABAMA

PRELIMINARY
(NOT FOR CONSTRUCTION,
RECORDING PURPOSES
OR IMPLEMENTATION)

CONCEPTUAL LAYOUT		Revision Description		Checked By:	
No.	Date			Drawn By:	Proj. No.:
				Date:	File Name: 16129 Concept4.dwg