

PLANNING COMMISSION STAFF REPORT

March 18, 2024

Z-18-23

GENERAL INFORMATION

Property Owner () Petitioner (x)

Gonzalez-Strength & Associates, Inc.

Property Owner (x) Petitioner ()

Ginjo LLC & Ann Hinton Tinsley

Requested Action and Purpose

Rezone from *R-1 to BN. Parcels requesting to be annexed and rezoned are accompanied with a subdivision to allow for the development of a new neighborhood grocery store.

**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

8600 Highway 69 South – Not currently zoned

Size and Existing Land Use

1.86 acres total; Vacant

Surrounding Land Use and Zoning

North – Vacant, outside of City Limits

East – Vacant, outside of City Limits

South – Commercial, 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; Patriot Parkway, a private street.

Physical Characteristics

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

PLANNING COMMISSION STAFF REPORT
March 18, 2024



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

PLANNING COMMISSION STAFF REPORT

March 18, 2024

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 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

March 18, 2024

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

March 18, 2024

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

March 18, 2024

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: _____	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: 63 36 06 14 0 005 003.000 63 36 06 14 0 005 006.000	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 SUBMITTAL REQUIREMENTS ON THE BACK OF THIS APPLICATION**

Applicant: _____  _____ 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, 3rd FL planningcommission@tuscaloosa.com
Planning Division Tuscaloosa, AL 35401

Parcel IDs for proposed subdivision:

63 36 06 14 0 005 006.000

63 36 06 14 0 005 003.005

63 36 06 14 0 005 003.000

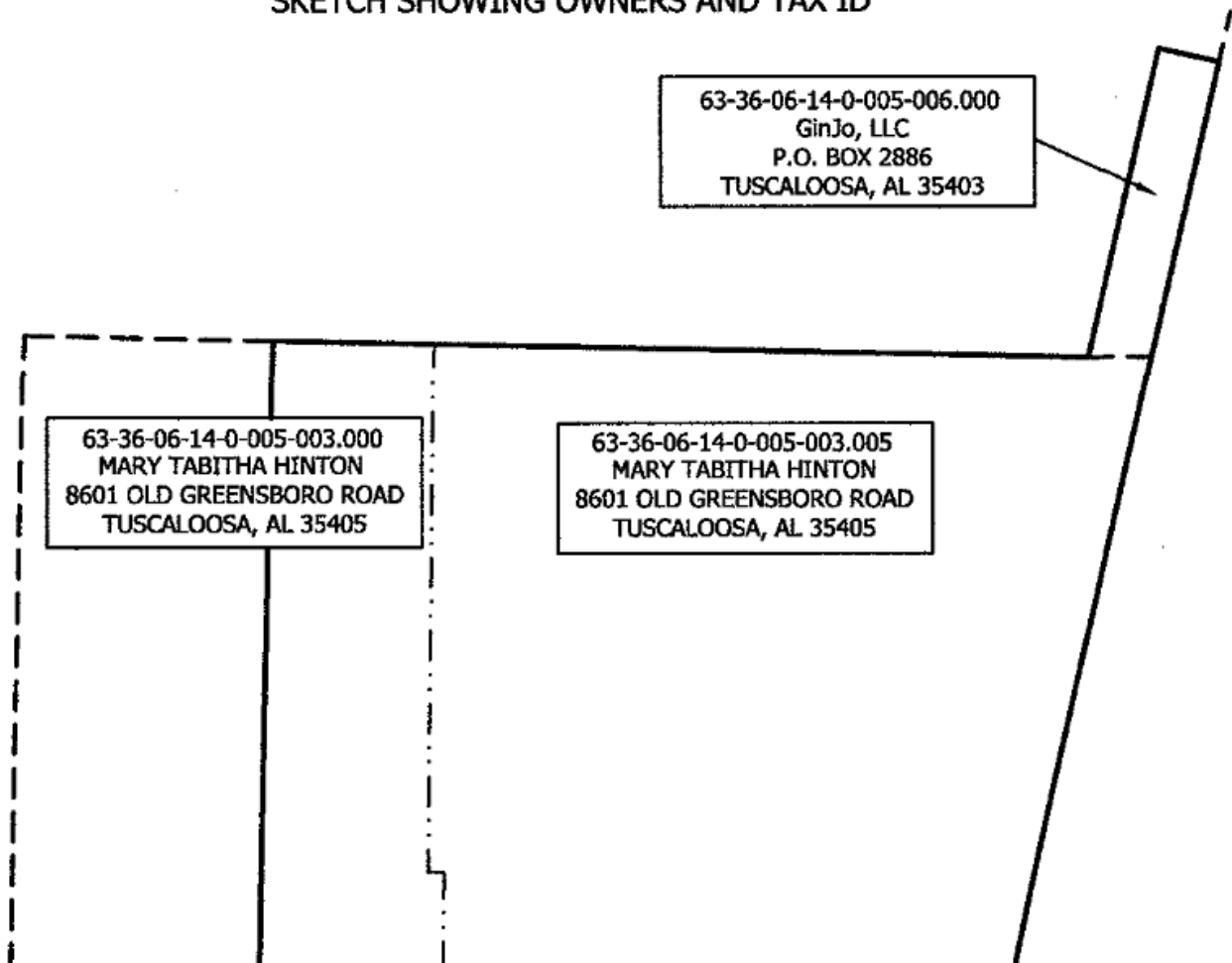
Property Owner Contact Information for Parcel ID: 63 36 06 14 0 005 006.000

GINJO LLC
PO BOX 2886
TUSCALOOSA, AL 35403
Virginia Underwood
hunderwood@delview.com
205-345-4600 ext.315

Property Owner Contact Information for Parcel IDs: 63 36 06 14 0 005 003.005 & 63 36 06 14 0 005 003.000

HINTON MARY TABITHA ET AL
(Ann Hinton Tinsley)
8601 OLD GREENSBORO RD
TUSCALOOSA, AL 35405
205-799-4646
ah10sley@gmail.com

SKETCH SHOWING OWNERS AND TAX ID



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.**

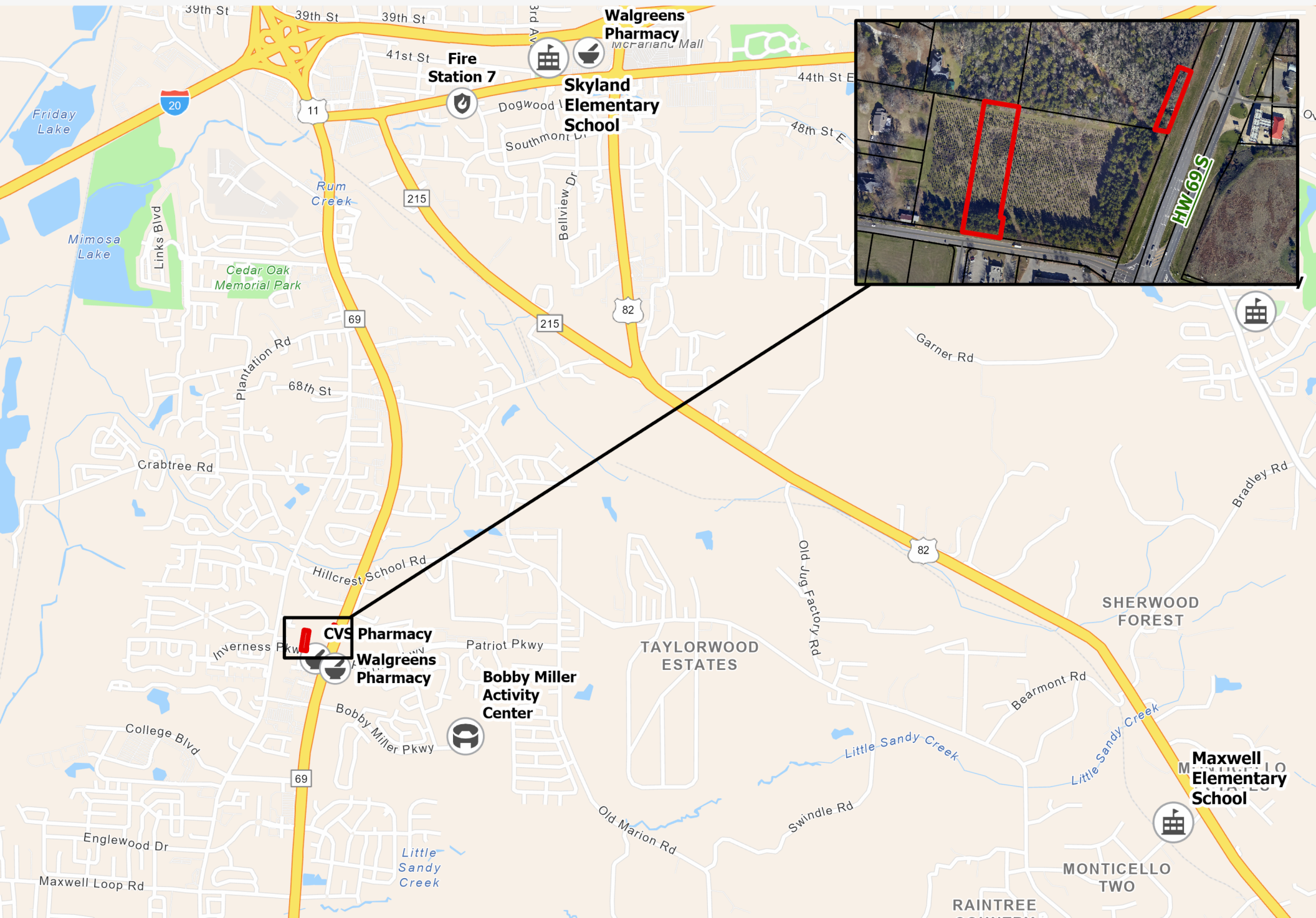
After any notification has been sent to surrounding property owners, a petitioner or developer may only request to have the petition postponed by appearing at the hearing in person to request a continuance.

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



8600 Highway 69S

1 inch = 3,000 feet
0 0.25 0.5 0.75 1 Miles





8600 Highway 69S

1 inch = 167 feet
0 90 180 270 360 Feet



JOAN DR

PATRIOT PKWY

HW 69S

GARDEN HILL DR

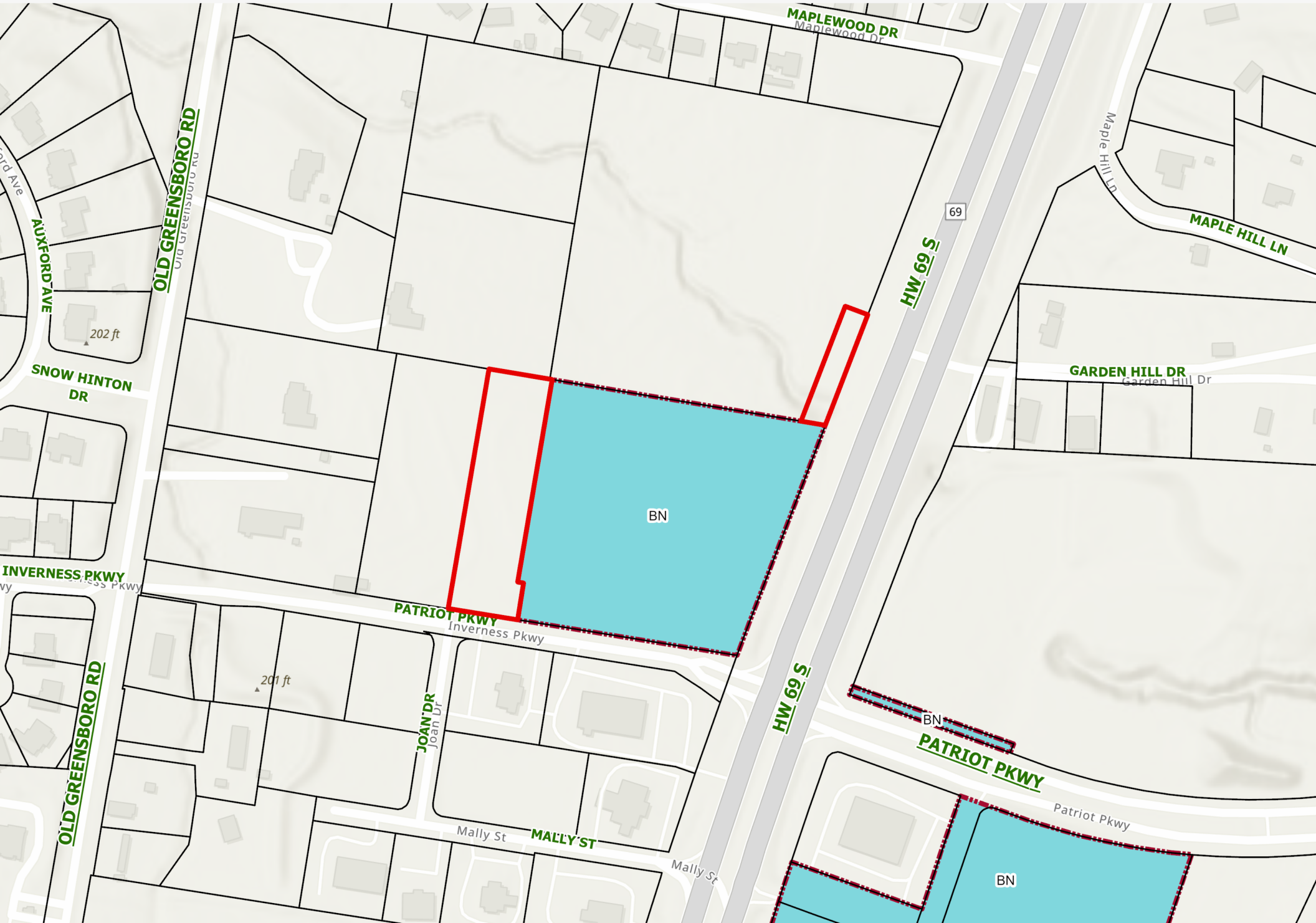
PATRIOT PKWY

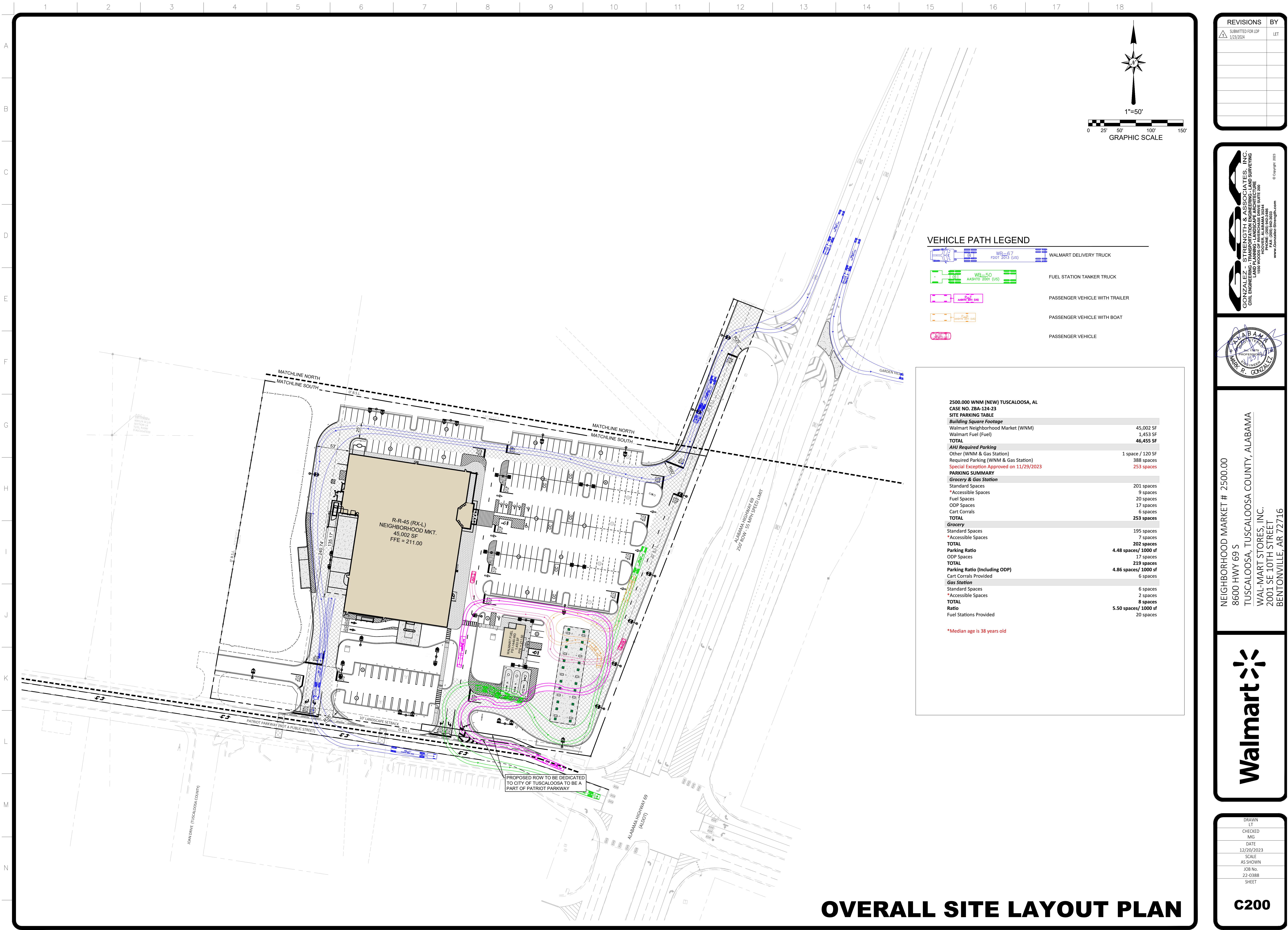


8600 Highway 69S

1 inch = 250 feet

0 150 300 450 600 Feet





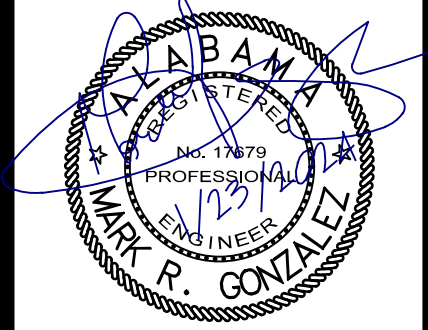
VEHICLE PATH LEGEND			
	WR=67 FDOT 2013 (US)		WALMART DELIVERY TRUCK
	WR=50 AASHTO 2001 (US)		FUEL STATION TANKER TRUCK
	WR=67 AASHTO 2001 (US)		PASSENGER VEHICLE WITH TRAILER
	WR=67 AASHTO 2001 (US)		PASSENGER VEHICLE WITH BOAT
	WR=67 AASHTO 2001 (US)		PASSENGER VEHICLE

2500.000 WNM (NEW) TUSCALOOSA, AL	
CASE NO. ZBA-124-23	
SITE PARKING TABLE	
Building Square Footage	
Walmart Neighborhood Market (WNM)	45,002 SF
Walmart Fuel (Fuel)	1,453 SF
TOTAL	46,455 SF
AHI Required Parking	
Other (WNM & Gas Station)	1 space / 120 SF
Required Parking (WNM & Gas Station)	388 spaces
Special Exception Approved on 11/29/2023	253 spaces
PARKING SUMMARY	
Grocery & Gas Station	
Standard Spaces	201 spaces
*Accessible Spaces	9 spaces
Fuel Spaces	20 spaces
ODP Spaces	17 spaces
Cart Corrals	6 spaces
TOTAL	253 spaces
Grocery	
Standard Spaces	195 spaces
*Accessible Spaces	7 spaces
TOTAL	202 spaces
Parking Ratio	4.48 spaces/ 1000 sf
ODP Spaces	17 spaces
TOTAL	219 spaces
Parking Ratio (Including ODP)	4.86 spaces/ 1000 sf
Cart Corrals Provided	6 spaces
Gas Station	
Standard Spaces	6 spaces
*Accessible Spaces	2 spaces
TOTAL	8 spaces
Ratio	5.50 spaces/ 1000 sf
Fuel Stations Provided	20 spaces

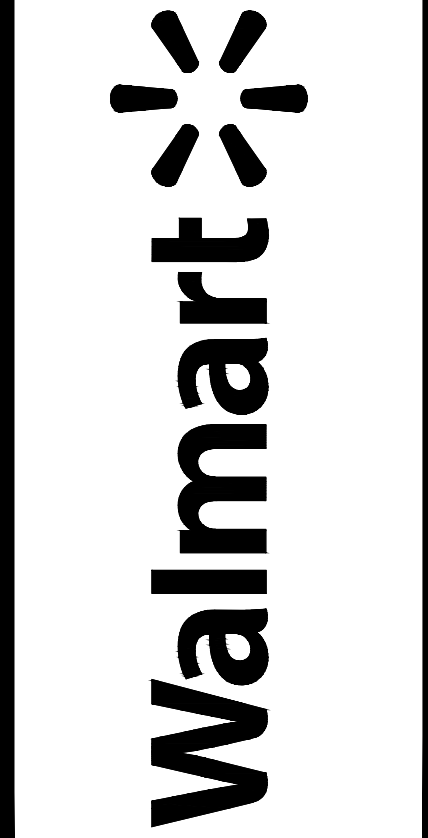
*Median age is 38 years old

REVISIONS		BY
	SUBMITTED FOR LDP	LET
1/23/2024		

GONZALEZ ENGINEERING & ASSOCIATES, INC.
CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
1350 WOODBURN AVENUE, SUITE 200
HOUSTON, ALABAMA 35244
PHONE: (205) 442-2038
FAX: (205) 442-2033
www.Gonzalez-Strength.com

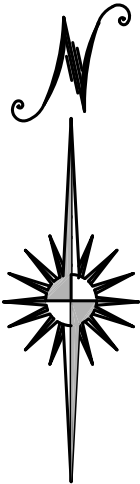


NEIGHBORHOOD MARKET # 2500.00
8600 HWY 69 S
TUSCALOOSA, TUSCALOOSA COUNTY, ALABAMA
WAL-MART STORES, INC.
2001 SE 10TH STREET
BENTONVILLE, AR 72716



DRAWN	LT
CHECKED	MG
DATE	12/20/2023
SCALE	AS SHOWN
JOB No.	22-0388
SHEET	

GINJO ANNEXATION EXHIBIT



LOT 3
GINJO SUBDIVISION
PB 2018, PG 23

12,615 SQ.FT.
0.290 AC.

N 21°16'02" E
257.39

S 21° 16' 02" W
247.20

ALABAMA HIGHWAY 69

S 68°43'58" E
50.00

\triangle S $80^{\circ}13'19''$ E
43.73

S 80°10'02" E
200.69

S 80°16'53" E
--- 22 ---
626.12

P.O.B.

S 80°15'08" E
31.24

N 80°15'08" W
51.03

SE CORNER LOT 3
GINJO SUBDIVISION

N 0°23'44" E
128.00

P.O.C. =
SW CORNER
NW1/4 SE1/4
SECTION 14
T22S, R10W

SKETCH ONLY - NOT A SURVEY

SEE ATTACHED DESCRIPTION



HERNDON, HICKS & ASSOCIATES, INC.

Professional Land Surveyors

2728 Lurleen Wallace Blvd. (P.O. Box 508) - Northport, AL 35476

Phone (205) 333-0003

mike@hhasurveyors.com

Drawn By

JMH

Scale

$$1'' = 50'$$

Date

1-26-24

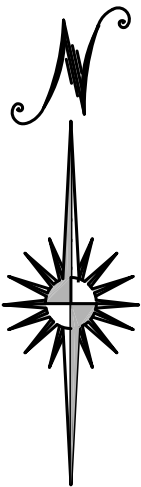
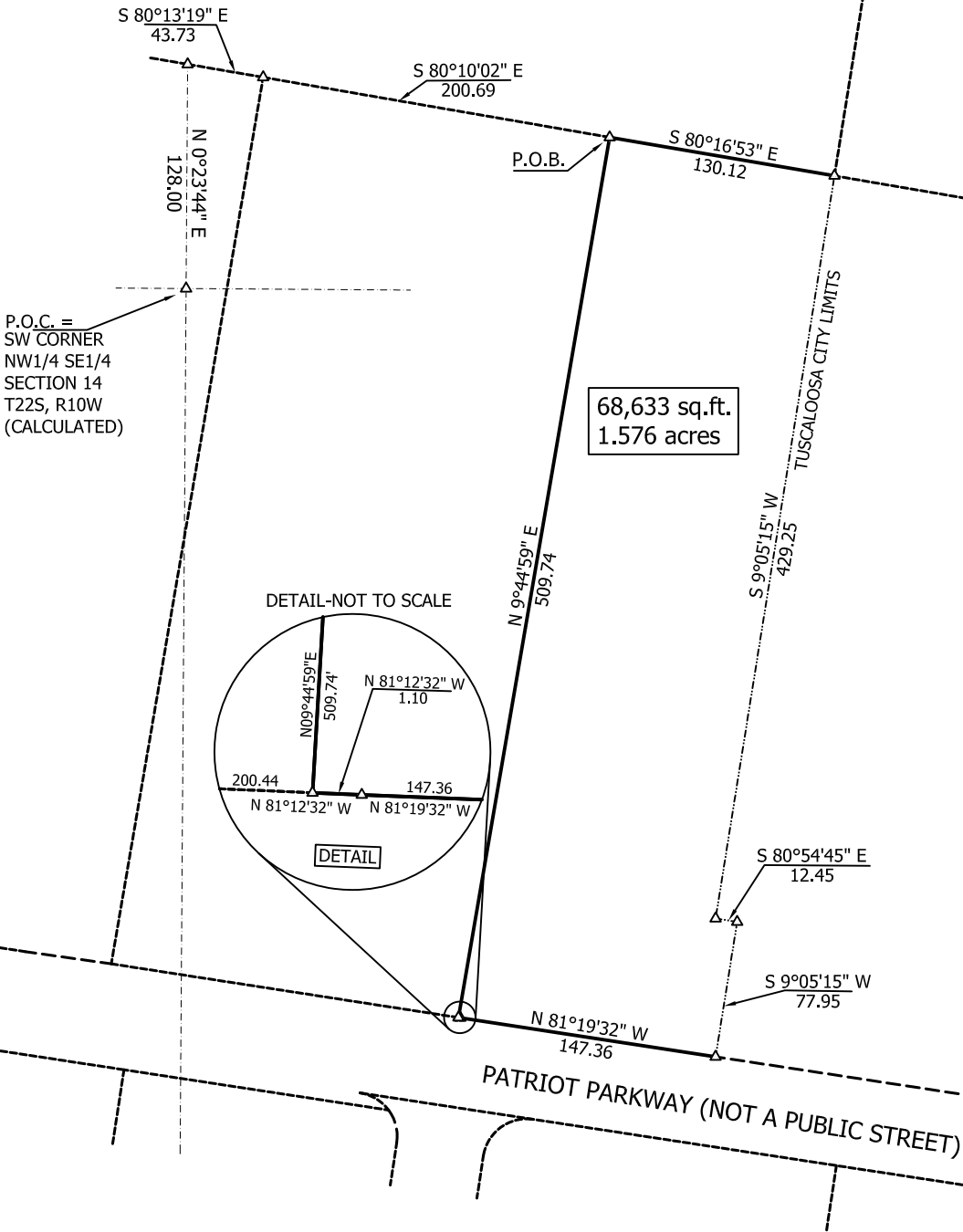
Drawing No.

2309-021 GINJO

Job No.	
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2309-021

MARY TABITHA HINTON BROWN
ANNEXATION EXHIBIT



SKETCH ONLY - NOT A SURVEY
SEE ATTACHED DESCRIPTION



HERNDON, HICKS & ASSOCIATES, INC.
Professional Land Surveyors

2728 Lurleen Wallace Blvd. (P.O. Box 508) - Northport, AL 35476
Phone (205) 333-0003
mike@hhasurveyors.com

Drawn By
JMh
Scale
1"=100'
Date
01/26/2024
Drawing No.
2309-021 Hinton Exhibit
Job No.
2309-021

March 4, 2024

Dear Property Owner(s),

You are receiving this public notice because you are an adjacent property owner to a property that the Tuscaloosa Planning and Zoning Commission is set to consider for the following request:

S-17-24: TAN Subdivision, consisting of two lots on approximately 17.3 acres located at and around 8600 Highway 69S in conjunction with AN-02-24 and Z-03-24. (Not in City Limits).

AN-02-24: Annexing approximately 7.89 acres located at and around 8600 Highway 69S in conjunction with Z-03-24 and S-17-24.

Z-03-24: Gonzalez-Strength & Associates, Inc. petitions to rezone approximately 7.89 acres located at and around 8600 Highway 69S from R-1 to BN in conjunction with AN-02-24 and S-17-24. (Not in City Limits)

All application materials, including site plans or drawings (when applicable), will be made available for review approximately one (1) week prior to the meeting a www.tuscaloosa.com/planningcommission **For information on how to participate in the meeting, please refer to the back side of this notice.**

The public hearing will be held on **Monday, March 18, 2024, at 5:00 p.m.** in the City Council Chambers in City Hall. A map showing the general location of the property is provided below:



If you would like to oppose or support this request, you can provide comment through one of two options:

1. **In advance by email.** 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 date of the meeting. Written comments from individuals will be provided to the Board for consideration. If there is a large group with similar comments, we encourage one letter to be written with multiple signatures on the letter.
2. **During the meeting, in-person.** Please note the only access into City Hall is through the entrance on the top floor of the Intermodal Facility Parking Deck, located at the corner of 7th Street and 23rd Avenue. Upon entering City Hall, follow the arrows on the foam board signs directing you to the Council Chambers. Those wishing to speak in favor or in opposition are both limited to four speakers each, for a maximum of five minutes per speaker.

Purpose of the City of Tuscaloosa Planning and Zoning Commission: *By virtue of State Law and City Ordinances, the purpose of the Planning and Zoning Commission (PZC) is to guide and accomplish a comprehensive and coordinated development of the City. Some of the PZC's duties include, but are not limited to, approving new subdivisions and recommending changes to the zoning ordinance to the Tuscaloosa City Council.*

Any questions can be directed to planningcommission@tuscaloosa.com or by phone at 205-248-5100.