

ZONING BOARD OF ADJUSTMENT STAFF REPORT  
December 18, 2019

**ZBA-123-19**

**GENERAL INFORMATION**

**Property Owner (X) Petitioner (X)**

Christian Elliott

**Requested Action and Purpose**

A variance from the dwelling unit density regulations

**Location and Existing Zoning**

301 Helen Keller Boulevard. Zoned R-4. (Council District 5)

**Size and Existing Land Use**

Approximately 17.74 acres, multi-family dwellings

**Surrounding Land Use and Zoning**

North: Vacant lot and Taylor Hardin Secure Medical Facility, R-4 and I

East: Recreational area and multi-family dwellings, R-4 and RMF-1

South: Multi-family dwellings, RMF-1, R-4, and I

West: Church and recreational facility, I

**Applicable Regulations**

[Sec. 24-32](#). – Permitted uses.

In residential districts, land and structures may be used and structures may be erected, altered, or enlarged only for the uses listed in the table below, except as provided in [section 24-33](#), special exceptions, [section 24-106](#), historical or architectural landmarks, and [article XII](#), planned unit developments:

| Permitted Uses   | Residential District |
|--|----------------------|
| Apartment or multifamily dwelling occupied by no more than one family per unit | R-4                  |

**Footnote:** This use is permitted, provided that dwelling unit density does not exceed fifteen (15) dwelling units per net site acre.

**SUMMARY**

The petitioner is requesting a variance as part of interior renovations to the property to decrease the number of bedrooms. The complex was constructed in 1993 and geared towards students. Currently, the community consists of 146 four-bedroom units and 48 two-bedroom units (194 total units and 680 total bedrooms).

According to the petitioner, “The community is predominantly made up of a [sic] four-bedroom/two-bathroom units, which is an outdated floor plan for the student profile and is simply non-conducive for conventional residents” (ZBA Petition Application, 2019). Additionally, the petitioner proposes to “modify the existing unit-mix to respond to the market’s existing oversupply of underclassman housing product (units with three or more bedrooms), [sic] and relative undersupply of one and two-bedroom units” (ZBA Petition Application, 2019).

The proposal would “convert the existing four-bedroom units into the following: 192 one-bedroom units and 96 two-bedroom units” (ZBA Petition Application, 2019).

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The petitioner believes that “by reconfiguring the current four-bedroom apartments into one-bedroom and two-bedroom apartments, ... [they] can attract a wider range of students as well as non-students including – university faculty and staff, young professionals and families” (ZBA Petition Application, 2019). Additionally, they stated that a recent conversion of “four-bedroom apartments at Landmark [Apartments] into one-bedroom, two-bedroom, and three-bedroom apartments helped revitalize a struggling 60% occupied student community into a 100% occupied community housing both students and non-students alike” (ZBA Petition Application, 2019).

Of the entire property, approximately 17.74 acres are zoned R-4 and contain apartments. This limits the allowable unit count to 266 units, per [Sec. 24-32](#). The proposal would bring the units to 338 or 19 per net site acre. While the proposed 338 units would exceed the limit, it is important to note that the proposal would significantly decrease the total number of bedrooms from 680 to 484 total.

Please see the ZBA Petition Application for further details.

Office of Urban Development, Planning Division: No comment

Office of Urban Development, Building and Inspections Division: No comment

Infrastructure and Public Services, Engineering Division: No comment

Tuscaloosa Fire and Rescue Department, Fire Administration: No comment



ZONING BOARD OF ADJUSTMENT

PETITION APPLICATION

Last Updated, Oct 2019

Please complete all of the following required fields:

Location of Petitioned Property

Address: 301 Helen Keller Blvd., Tuscaloosa, AL 35404

Property Owner

Name: CREI-Tuscaloosa, LLC Phone: Email:

Address: 402 Office Park Dr., Ste. 150 Birmingham, AL ZIP Code: 35223

Petitioner (if different from owner)

Name: Christian Elliott Phone: 205-603-2039 Email: celliott@creimail.com

Address: 402 Office Park Dr., Ste. 150 Birmingham, AL ZIP Code: 35223

The Petitioner requests the following item(s) from the Zoning Board of Adjustment:

A special exception is a conditional use which the zoning ordinance expressly permits under conditions specified in the zoning ordinance. A variance is a deviation from the regulations in the zoning ordinance which requires proof of an unnecessary hardship. An appeal is a formal challenge of the zoning officer's ruling.

- Special Exception, Use Variance, Variance, Short-Term Rental, Appeal Zoning Officer's ruling

Briefly describe the variance, special exception, and/or appeal being requested:

A variance in the number of units to allow for 338 units.

Certification of Applicant

I certify that the foregoing facts, to the best of my knowledge, are true and correct and that except for the exception, variance, or appeal requested in this petition, the proposed construction and use complies with all requirements for the zoning district in which the property is located.

- For all requests for any variance from or special exception to a zoning requirement pertaining to a dimensional requirement or the site, a scaled site plan and/or building elevation produced by a registered land surveyor, professional engineer, or architect shall be required. Requests for an exception from fence requirements must depict proposed location and design of fence. Any request which will not be represented by the property owner at the public hearing must be accompanied by a designation of agent form.

Print Name: CREI-Tuscaloosa, LLC

Signature: Christian Elliott

Please complete the applicable fields prior to application submission:

**Answer the following for ALL requests:**

Describe the reasons for the request and, if requesting a special exception, any extra related information. (e.g. number of parking spaces, hours of operation, etc.)

\_\_\_\_\_  
Please see attachments.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Answer the following for VARIANCE requests ONLY:**

The petitioner must specifically state a hardship for the variance. Explain the ways in which the zoning regulation creates a hardship on the property. When a variance is at issue, the primary consideration is whether a literal enforcement of a zoning ordinance will result in unnecessary hardship. Explain any special circumstances or conditions that are peculiar to the land or buildings because of which a strict application of the ordinance would deprive the applicant of the reasonable use of such land or building.

\_\_\_\_\_  
Please see attachments.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain how the variance request is in harmony with the general purpose and intent of the regulations imposed by this ordinance on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

\_\_\_\_\_  
Please see attachments.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE SUBMIT AN ELECTRONIC COPY OF THIS APPLICATION AND ANY NECESSARY SUPPORTING MATERIALS TO:**

Office of Urban Development:  
Planning Division

2201 University Boulevard, Annex III  
Tuscaloosa, AL 35401

Email: [zba@tuscaloosa.com](mailto:zba@tuscaloosa.com)

**SUBMIT FORM**

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**FOR OFFICE USE ONLY:**

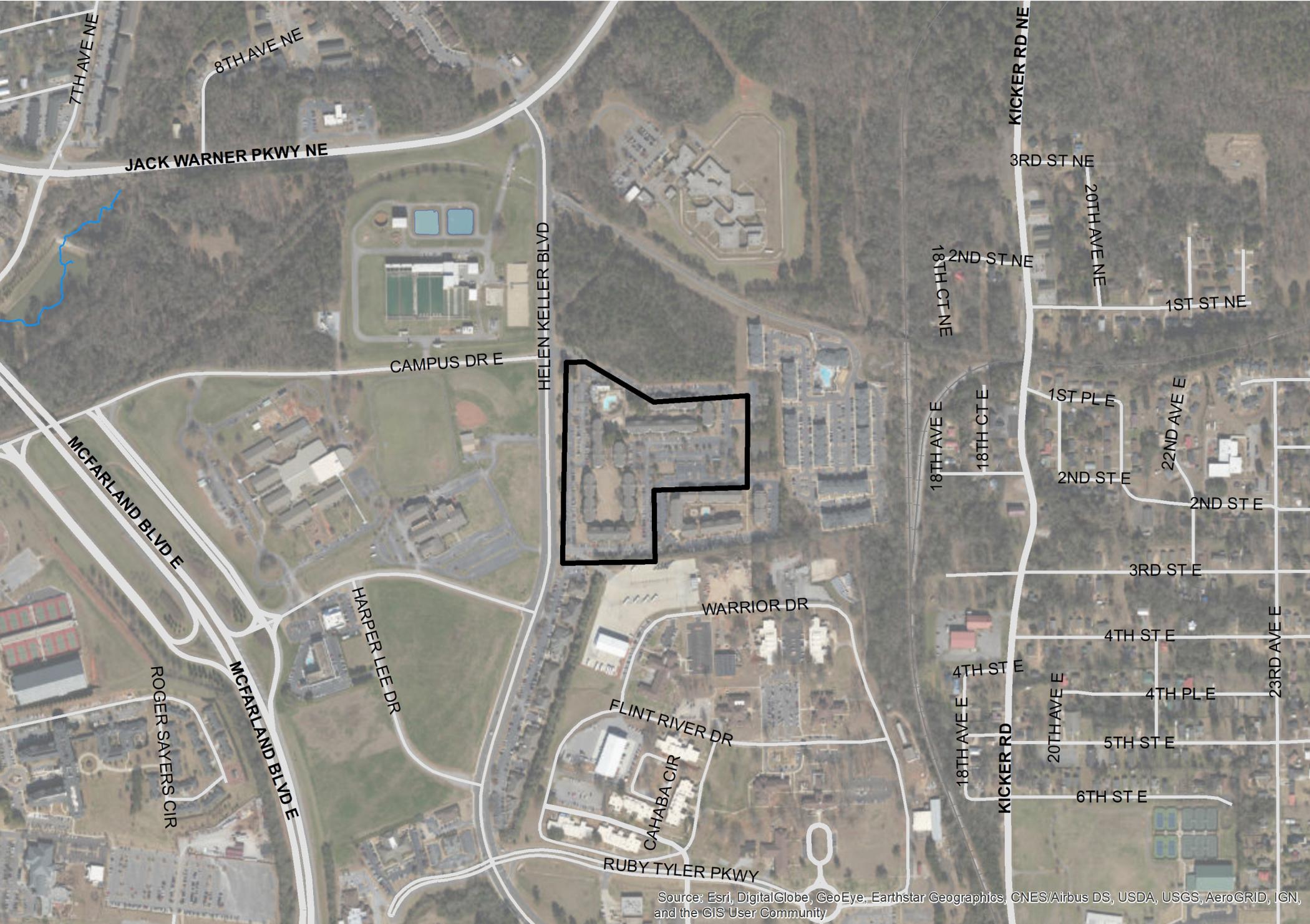
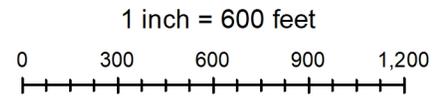
ZBA Case Number: \_\_\_\_\_

Submission Date: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

# ZBA-123-19 Vicinity Map

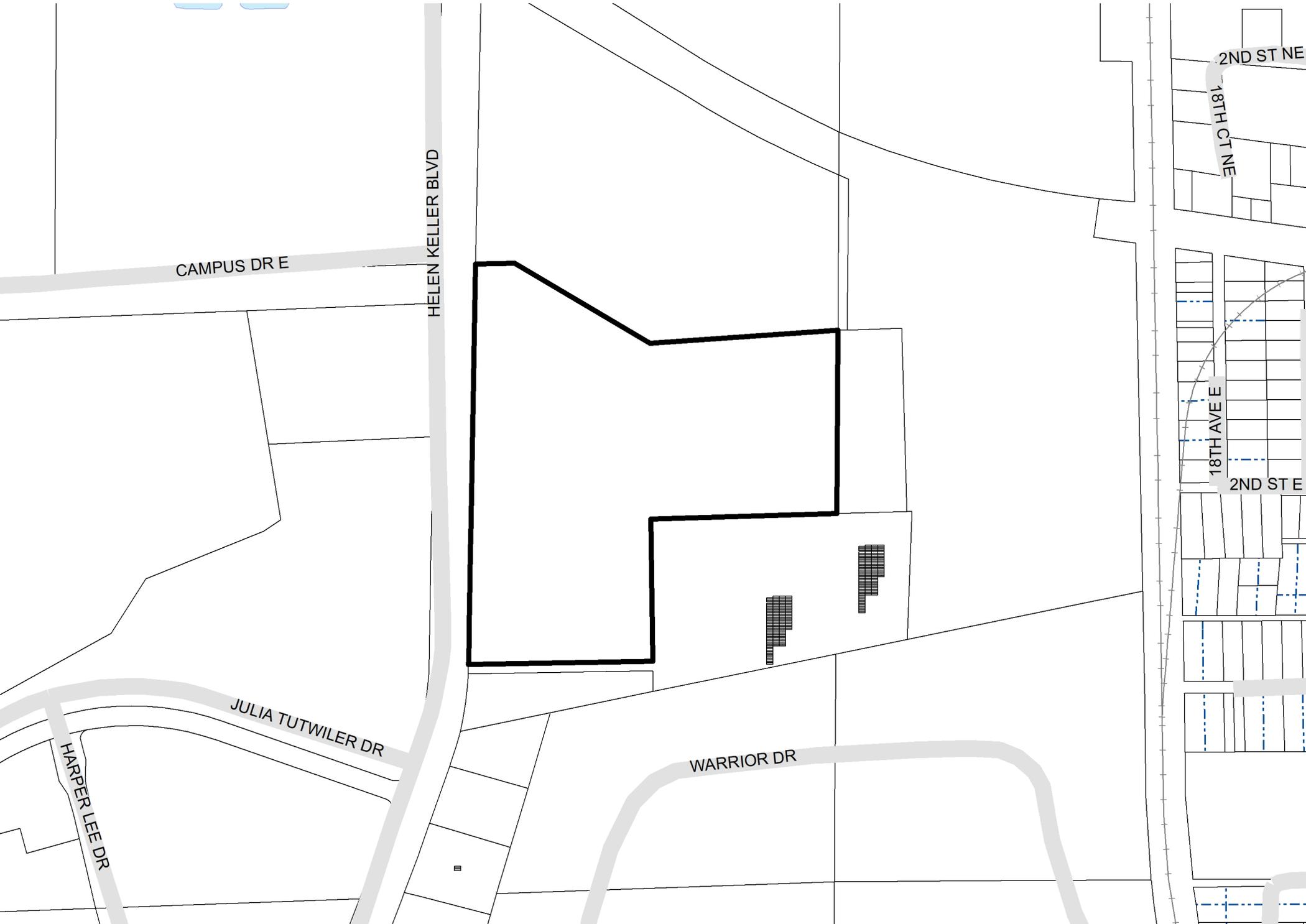
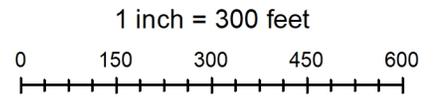


# ZBA-123-19 Aerial Map

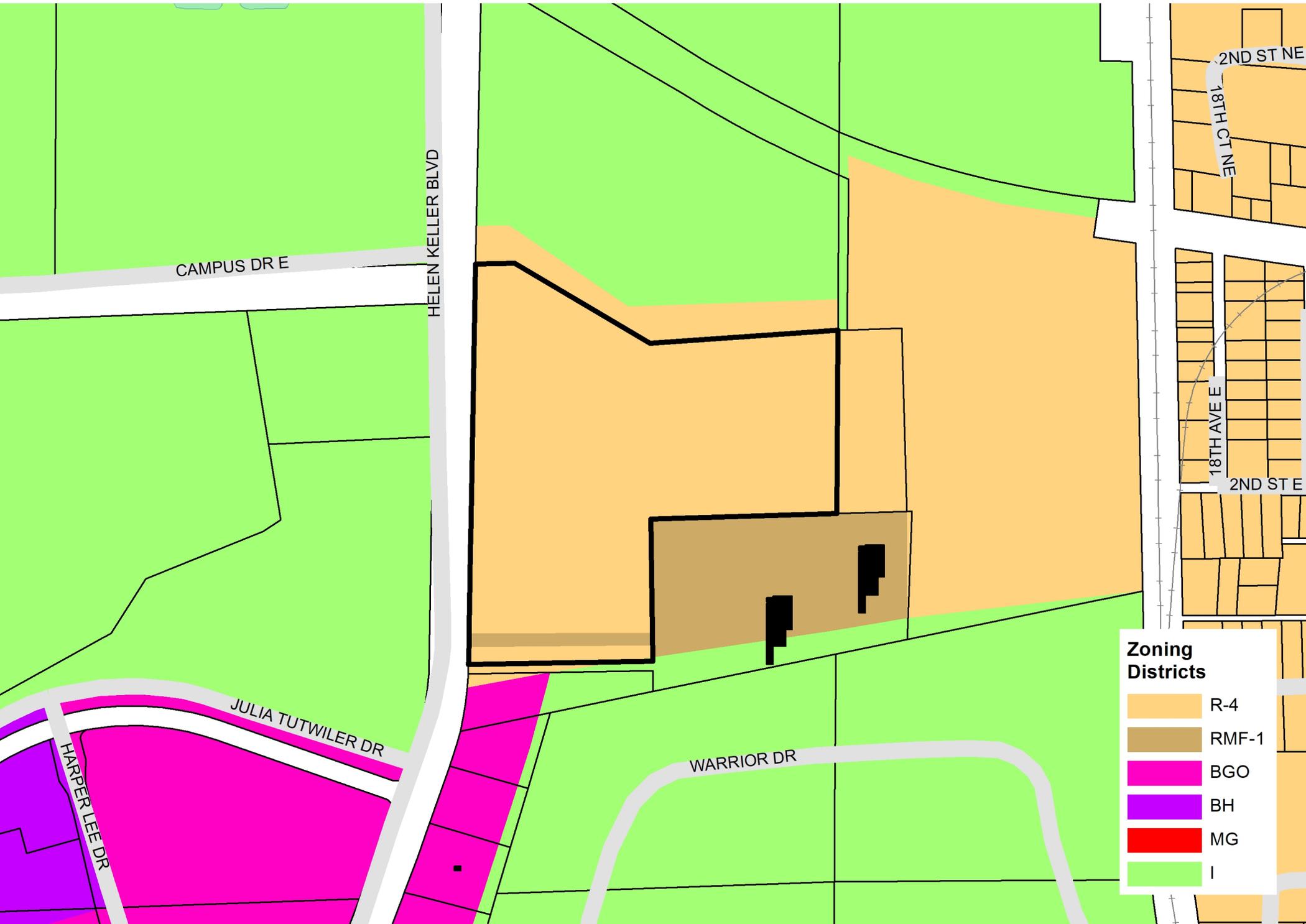
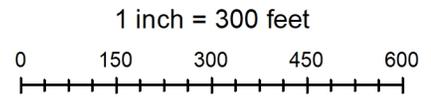
1 inch = 200 feet  
0 100 200 300 400



# ZBA-123-19



# ZBA-123-19 Zoning Map



| Zoning Districts  |       |
|---|-------|
|  | R-4   |
|  | RMF-1 |
|  | BGO   |
|  | BH    |
|  | MG    |
|  | I     |



12/05/2019



12/05/2019



12/05/2019



CAUTION  
DRIVE  
SLOWLY

12/05/2019



CAUTION  
DRIVE  
SLOWLY

SPEED  
LIMIT  
15

12/05/2019

Date: 11-19-2019



Located at 301 Helen Keller Blvd., **Parker 301** was originally developed in 1993 as a “purpose-built” student housing apartment community. The community currently consists of 146 four-bedroom units and 48 two-bedroom units (194 total units and 680 total bedrooms) and sits on three parcels (30-04-18-3-001-001.006, 30-04-18-3-001-001.016, 30-04-18-4-005-001.002) totaling 17.74 acres. The property is currently zoned R-4 which has a maximum density of 15 units per acre.

The community is predominantly made up of a four-bedroom/two-bathroom units, which is an outdated floor plan for the student profile and is simply non-conducive for conventional residents. The lack of unit diversity and bed-to-bath parity at the property has largely contributed to the decline in occupancy and rental rates over recent years and – without dynamic unit reconfigurations – it will be very difficult to revitalize the property. With nearly three decades of experience in the student housing industry, Capstone Real Estate Investments, LLC. (“Capstone” or “CREI”) immediately recognized this issue and knew exactly how to address it. As a result, Capstone moved to acquire Parker 301 with the intention to reconfigure the units in order to successfully reposition the property.

Capstone’s specific strategy for Parker 301 is to modify the existing unit-mix to respond to the market’s existing oversupply of underclassman housing product (units with three or more bedrooms) and relative undersupply of one and two-bedroom units. Capstone’s plan is to convert the existing four-bedroom units into the following: 192 one-bedroom units and 96 two-bedroom units. The one-bedroom and two-bedroom units will be created by taking the existing four-bedroom units and “splitting” them into two, independent, units (please refer to concept plans provided for more detail). These conversions would increase the total unit count from 194 to 338 but would significantly decrease the number of bedrooms made available from 680 to 484. By reducing the number of bedrooms to 484 (**and therefore 196 less people potentially living on-site**), we would be greatly reducing the property’s impact on parking, traffic and utilities.

The unit conversion plan uses the existing building footprint, but we will have to “scab on” a +/- 10’ x 12’ bathroom appendage to the newly created two-bedroom units. This will allow Capstone to offer a bathroom for every bedroom and deliver a more desirable unit layout. Capstone also plans to implement property wide enhancements such as:

1. The installation of a property-wide fire suppression system
2. Upgraded property wide security camera system
3. Improved landscaping
4. New exterior signage and paint scheme

Capstone’s plan will also create a surplus in parking as there are currently 800 parking spaces and only 518 would be required. This surplus parking would be used as appropriately located visitor parking for the residents and/or additional greenspace.

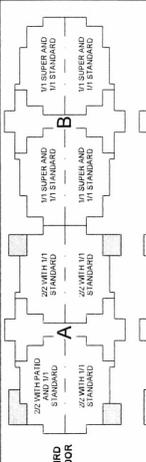
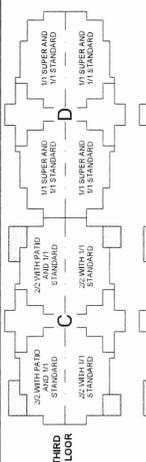
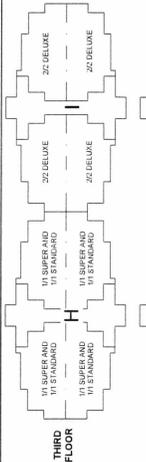
We believe that by reconfiguring the current four-bedroom apartments into one-bedroom and two-bedroom apartments, we can attract a wider range of students as well as non-students including - university faculty and staff, young professionals and families. Capstone recently completed a similar renovation / property repositioning at Landmark Apartments (formerly Boardwalk at Brittain Landing; located at 5501 Old Montgomery Hwy). The conversion of the four-bedroom apartments at Landmark into one-bedroom, two-bedroom, and three-bedroom apartments helped revitalize a struggling 60% occupied student community into a 100% occupied community housing both students and non-students alike. However, as was the case at Landmark, the conversion of the existing four-bedroom units into the above stated unit types creates a unique issue regarding allowable unit/site density vs. occupant density.

Capstone Real Estate Investments, LLC would like to petition the Zoning Board of Adjustment for a variance to increase the maximum number of units to 338 at Parker 301. Currently, using the maximum 15 units/acre R-4 density, the property is zoned for 266 units. At the needed 338 units, the density per acre would be a modest increase to 19 units/acre. We feel that a variance is appropriate due to the unique nature of this repositioning plan. It is also a special circumstance as reconfiguring the existing student housing four-bedroom floorplan into more widely desirable floorplans increases the number of units but significantly decreases the number of occupiable bedrooms / residents living at the property.

As noted above, Capstone believes the variance will allow for the attraction of a wider range of tenants which will allow the property to be more harmonious to the residential character of the neighborhood. Capstone also believes that – since our repositioning plan does not drastically affect the current look and character of the buildings nor does it include significant exterior work – the impact, if any, to the surrounding neighborhood will be minimal. In conclusion, Capstone’s primary goal is to deliver a newly updated and repositioned community that the City and neighborhood can be proud of for years to come.

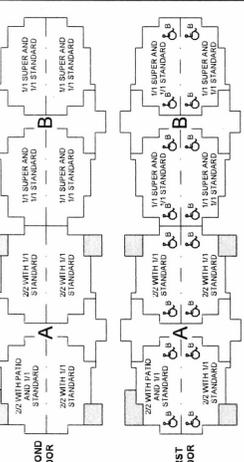
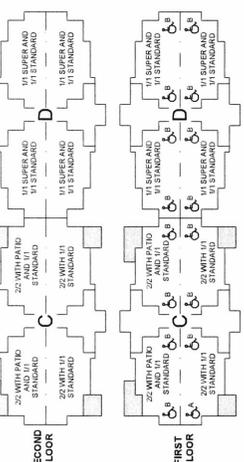
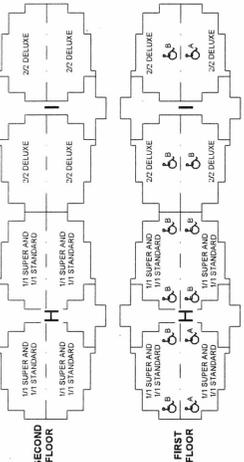
**ADA UNIT DESCRIPTION**

- 6 ADA TYPE A UNITS
- 8 ADA TYPE B UNITS
- 300 COMBINED UNITS
- NOTE: RE. A00 SHEET FOR ADA UNIT A AND B TYPICAL BUILDING CODE INFORMATION.



**PARKING INFORMATION**

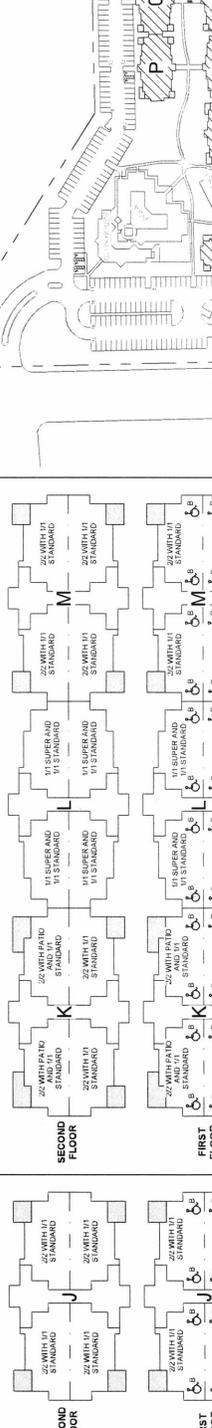
- EXISTING SPACES = 631 (INCLUDES 13 ADA SPACES)
- REQUIRED SPACES = 631
- EXISTING REQUIRED = 1,255 SPACES PER UNIT FOR A REQUIRED TOTAL OF 195
- REQUIRED SPACES = 1,255 SPACES PER UNIT = 375

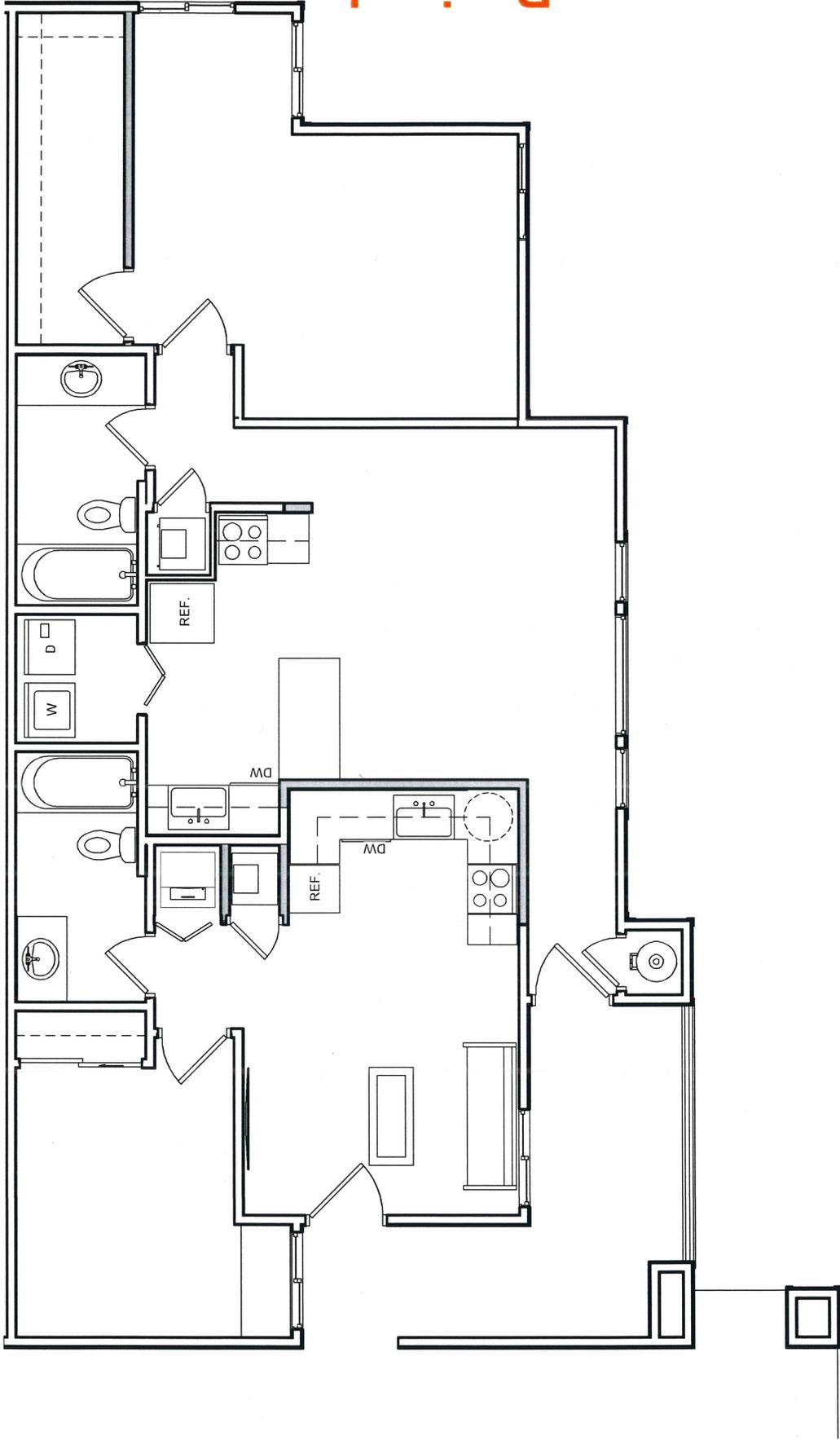


**DRAWING LEGEND**

- EXISTING BUILDING TO BE RENOVATED
- NEW BUILDING TO BE CONSTRUCTED
- SHADED AREA INDICATES A BUILDING NOMENCLATURE FOR LOCATION
- SEE 1/A.1 FOR SCOPE OF WORK
- SEE 1/A.2 FOR SCOPE OF WORK
- SEE 1/A.3 FOR SCOPE OF WORK
- SEE 1/A.4 FOR SCOPE OF WORK

**BUILDING NOMENCLATURE**

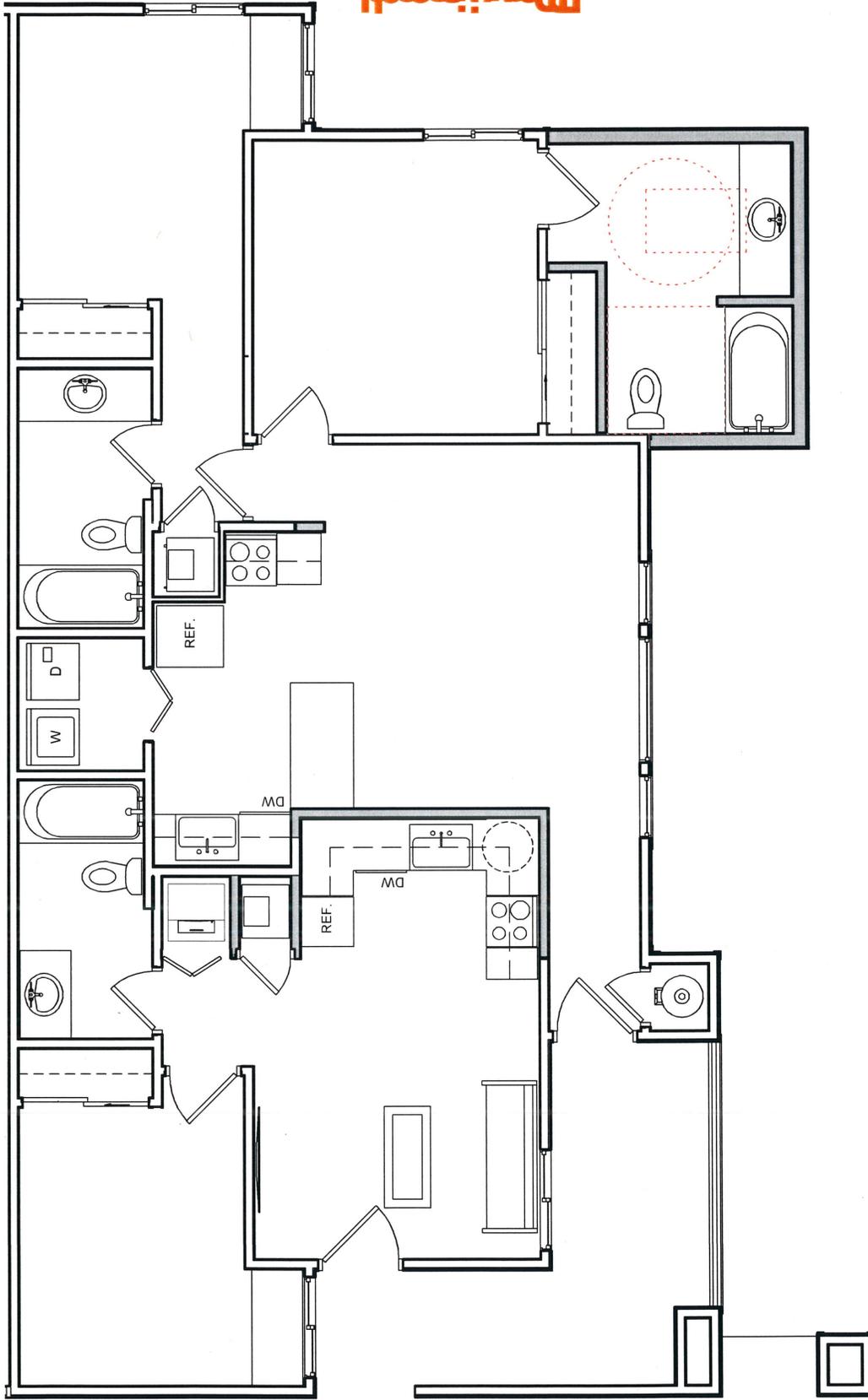




Revised  
 08/26/2019 4:01:47 PM

**NON ADA UNITS**  
 1/4" = 1'-0" SCALE

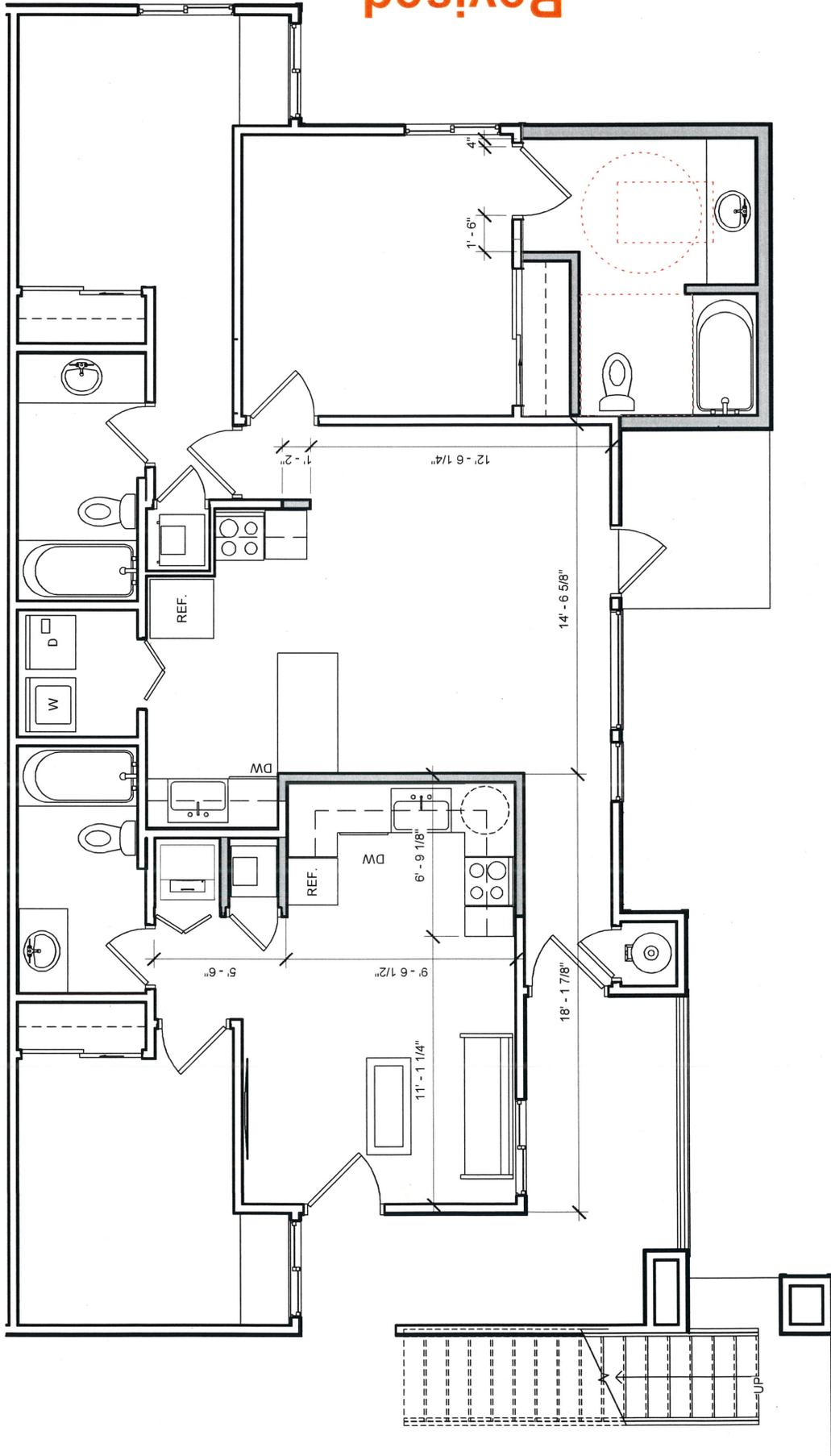
**1 Br + Super 1 Br**



08/22/09 98.26228 PM  
**Revised**

**NON ADA UNITS**  
 1/4" = 1'-0" SCALE

**1 Br + 2 Br**



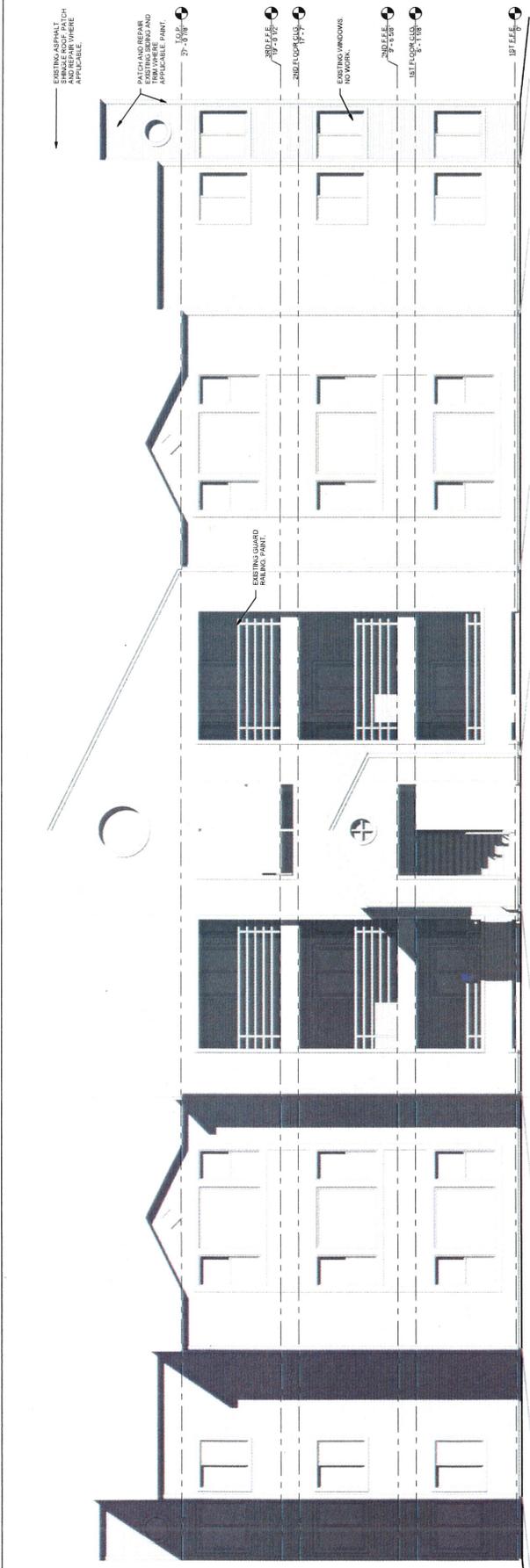
**Revised**  
 08/26/2019 3:39:45 PM

**1 Br + 2 Br w/ Patio**

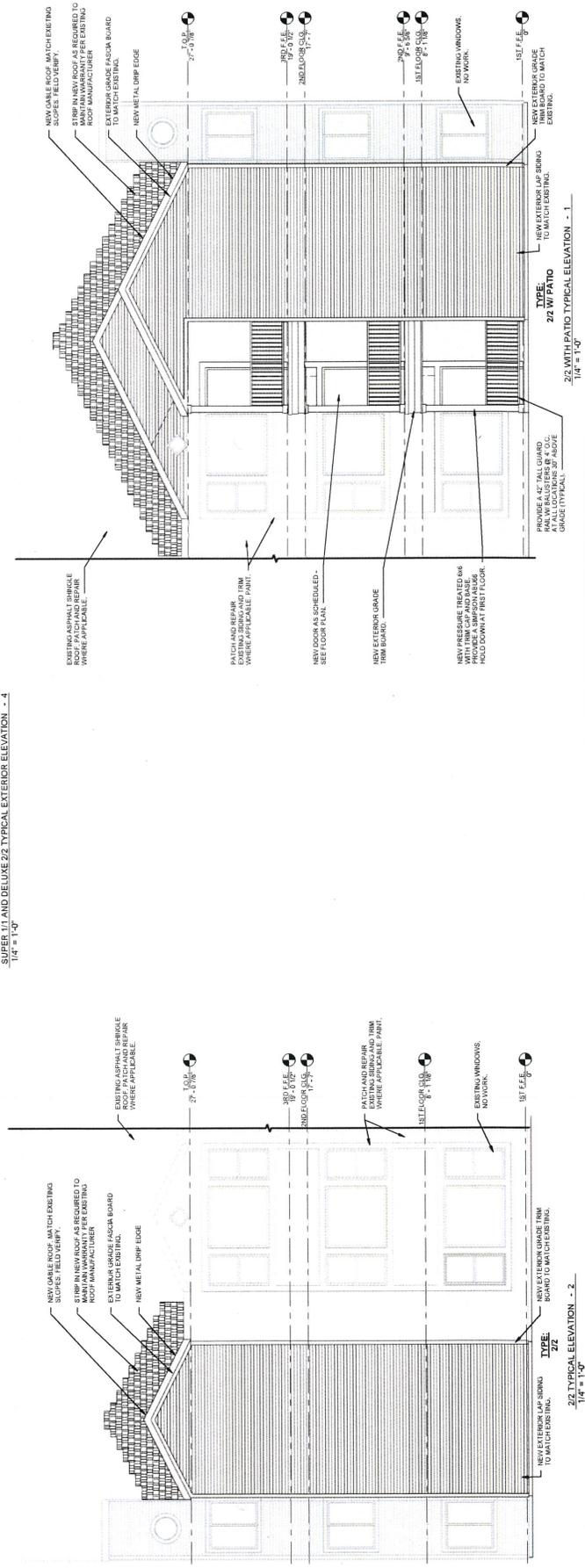
**NON ADA UNITS**  
 1/4" = 1'-0" SCALE

DRAWN: CGGA  
 CHECKED: JKL  
 ESTABLISH: Issue Date  
 APPROVED: [Signature]  
 DATE: [Date]

**NOT FOR CONSTRUCTION**  
 EXTERIOR ELEVATIONS  
 PARKER 301 APARTMENTS  
 RENOVATIONS  
 CAPSTONE REAL ESTATE INVESTMENTS  
 TUSCALOOSA, AL  
 SHEET NUMBER: CN19 - 3735  
 A2.1



SUPER 1.1 AND DELUXE 2.2 TYPICAL EXTERIOR ELEVATION - 4  
1/4" = 1'-0"



2.2 TYPICAL ELEVATION - 2  
1/4" = 1'-0"

This is a "printer friendly" page. Please use the "print" option in your browser to print this screen.



**Tuscaloosa, City of, AL**

**Urban Development - Permits & Fees**

**Confirmation Number:** 22781C  
**Payment Date:** Friday, November 22, 2019  
**Payment Time:** 09:12AM CT

**Payer Information**

**Name:** Christian Elliott  
**Street Address:** 4160 Winston Way  
Birmingham, AL 35213  
United States  
**Daytime Phone Number:** (205) 603 - 2039  
**E-mail Address:** celliott@creimail.com  
**Invoice Number:** ZBA-123-19  
**Permit Number:** ZBA-123-19  
**Comments:** ZBA-123-19; 301 Helen Keller Blvd.

**Card Information**

**Card Type:** Visa  
**Card Number:** \*\*\*\*\*8397  
**Card Verification Number:** \*\*\*\*

**Payment Information**

**Payment Type:** Urban Development - Permits & Fees  
**Payment Amount:** \$50.00  
**Convenience Fee:** \$2.95  
**Total Payment:** \$52.95

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