



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 2/10/2022

File ID: TMP-1167

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on the zoning of 36.57 acres of land lying on the north of University Drive and west of Wayne Road to Highway Business C-4 District and Residence 2 District; and the introduction of an Ordinance pertaining to the same. (Set March 24, 2022 Regular Council Meeting)

Resolution No.

Ordinance No.

Finance Information:

Account Number: Click or tap here to enter text.

City Obligation Amount: \$

Total Obligation: \$

Special Circumstances:

Grant Funded: \$

Grant Title - CFDA or granting Agency: Click or tap here to enter text.

Resolution #: Click or tap here to enter text.

Location:

Address:

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☒

Additional Comments:

Recommended by Planning Commission

RESOLUTION NO. 22-

WHEREAS, certain property has recently been annexed to the City of Huntsville, Alabama; and

WHEREAS, said property is now legally part of the incorporated municipality of the City of Huntsville, Alabama, and as such is subject to the laws and ordinances governing the City of Huntsville, Alabama; and

WHEREAS, said property, having been outside the boundaries of the City of Huntsville, Alabama, prior to the annexing of same to the City of Huntsville, Alabama, has never been subject to the Zoning Ordinances of the City of Huntsville, Alabama; and

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The zoning of 36.57 acres of land lying on the north of University Drive and west of Wayne Road to Highway Business C-4 District and Residence 2 District.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Huntsville Times on the 27th day of February, 2022, and the second publication shall be one week thereafter on the 6th day of March, 2022, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 24th day of March, 2022, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 22-____, which is introduced by the City Council of the City of Huntsville on the 10th day of February, 2022, amending the Zoning Ordinance of the City of Huntsville, Alabama.

2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 22-

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

1. That the following area, on the north of University Drive and west of Wayne Road, which area is a newly annexed area of the City of Huntsville, Madison County, Alabama, and which has not been zoned previously, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

A parcel of land situated in the Southeast Quarter of Section 25, Township 3 South, Range 2 West, Huntsville Meridian, in the City of Huntsville, Madison County, Alabama more particularly described as follows: Beginning at a found Hex Marking the Northeast Corner of the Southeast Quarter of said Section 25, having State Plane Coordinates (Alabama East Zone) of N-1,547,229.104 and E-402,121.431, also being the Northeast Corner of a parcel of land described in instrument #20120820000524690; Thence run South 01 Degrees 45 Minutes 50 Seconds West 423.36 feet along the East Line of said parcel of land described in instrument #20120820000524690 to a Set 5/8" Capped Rebar (Schoel Ca #003); Thence run North 89 Degrees 50 Minutes 45 Seconds East 397.52 feet along the North line of said parcel of land described in instrument #20120820000524690 to a found 5/8" Capped Iron Pin (Garver) on the West Right of Way of Wayne Road; Thence run South 02 Degrees 39 Minutes 14 Seconds West 208.67 Feet along the West Right of Way of said Wayne Road to a found 5/8" Iron Pin (Garver); Thence run South 89 Degrees 48 Minutes 55 Seconds West 392.56 feet along the South line of said parcel of land described in instrument #20120820000524690 to a set 5/8" Capped Rebar (Schoel Ca #003); South 01 Degrees 45 Minutes 50 Seconds West 371.41 feet along the East line of said parcel of land described in instrument #20120820000524690 to a found 5/8" Iron Pin; Thence run North 88 Degrees 42 Minutes 49 Seconds West 183.20 feet along the South line of said parcel of land described in instrument #20120820000524690; Thence run North 02 Degrees 27 Minutes 59 Seconds East 1003.81; Thence run South 88 Degrees 39 Minutes 34 Seconds East 169.17 feet along the North Line of said parcel of land described in instrument #20120820000524690 back to the Point of Beginning and containing 5.96 acres, more or less.

2. That the following area, on the north of University Drive and west of Wayne Road, which area is a newly annexed area of the City of Huntsville, Madison County, Alabama, and which has not been zoned previously, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Highway Business C-4 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

A parcel of land situated in the Southeast Quarter of Section 25, Township 3 South, Range 2 West, Huntsville Meridian, in the City of Huntsville, Madison County, Alabama more particularly described as follows: Commencing at a found Hex Marking the Northeast Corner of the Southeast Quarter of said Section 25, having State Plane Coordinates (Alabama East Zone) of N-1,547,229.104 and E-402,121.431, also being the Northeast Corner of a parcel of land described in instrument #20120820000524690; Thence run North 88 Degrees 37 Minutes 50 Seconds West 170.89 feet along the North line of said parcel of land described in instrument #20120820000524690 to the Point of Beginning, having State Plane Coordinates (Alabama East Zone) of N-1,547,233.188 and E-401,950.586; Thence run South 02 Degrees 27 Minutes 59 Seconds West 1003.81 Feet; Thence run North 88 Degrees 42 Minutes 49 Seconds West 1292.01 feet along the South line of said parcel of land described in instrument #20120820000524690 to a found Axel; Thence run North 00 Degrees 40 Minutes 02 Seconds East 1005.58 feet along the West line of said parcel of land described in instrument #20120820000524690 to a found concrete monument (Johnson & Associates Ca-0193-Ls); Thence run South 88 Degrees 37 Minutes 50 Seconds East 1323.55 feet along the North Line of said Parcel of land described in instrument #20120820000524690 back to the Point of Beginning, and containing 30.61 acres, more or less.

3. The boundaries of the above districts as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

4. This ordinance shall take effect from and after the date of publication.

ADOPTED this the _____ day of _____, 2022.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the _____ day of _____, 2022.

Mayor of the City of Huntsville, Alabama

ADOPTED this the ____ day of _____, 2022.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2022.

Mayor of the City of Huntsville, Alabama

PROPOSED HIGHWAY BUSINESS C-4 DISTRICT AND RESIDENCE 2 DISTRICT

