

# CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 10/10/2013

Action Requested By:  
Planning

Agenda Item Type  
Resolution

Subject Matter:

Rezoning of Property.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance rezoning property lying south of U.S. Highway 72 West and on the west side of Burgreen Road from Highway Business C-4 District to Commercial Recreation C-5 District.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Not recommended by Planning Commission.  
Public Hearing Date: November 21, 2013

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: \_\_\_\_\_



Date: 9/25/2013

RESOLUTION NO. 13-

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 rezoning of certain lands lying south of U.S. Highway 72 West and on the west side of Burgreen Road from Highway Business C-4 District to Commercial Recreation C-5 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 \_\_\_\_\_ day of \_\_\_\_\_, 2013, and the second publication shall be one week thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, 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 6:00 p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, 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 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. 13-

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

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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, lying south of U.S. Highway 72 West and on the west side of Burgreen Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Highway Business C-4 District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Commercial Recreation C-5 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 25, Township 3 South, Range 3 West of the Huntsville Meridian, in the City of Huntsville, Limestone County, Alabama, more particularly described as beginning at the southwest corner of said Section 25; thence along the south boundary Due West 1541.12 feet; thence North 01 degrees 48 minutes 46 seconds West 495.46 feet to the point of true beginning; thence from the point of true beginning North 01 degrees 57 minutes 00 seconds East 981.81 feet; thence South 89 degrees 05 minutes 09 seconds East 193.27 feet; thence Due South 458.35 feet; thence North 89 degrees 00 minutes 00 seconds East 1115.00 feet; thence North 00 degrees 40 minutes 23 seconds East 469.40 feet; thence South 89 degrees 15 minutes 27 seconds East 202.75 feet to a point located on the west right-of-way of Burgreen Road; thence along said right-of-way South 00 degrees 45 minutes 09 seconds West 1232.15 feet; thence leaving said right-of-way North 74 degrees 39 minutes 04 seconds West 1000.42 feet; thence South 86 degrees 06 minutes 00 seconds West 570.14 feet to the point of true beginning and containing 24.73 acres, more or less.

2. The boundaries of the above district 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.

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

ORDINANCE NO. 13-

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

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

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

RESOLUTION NO. 13-

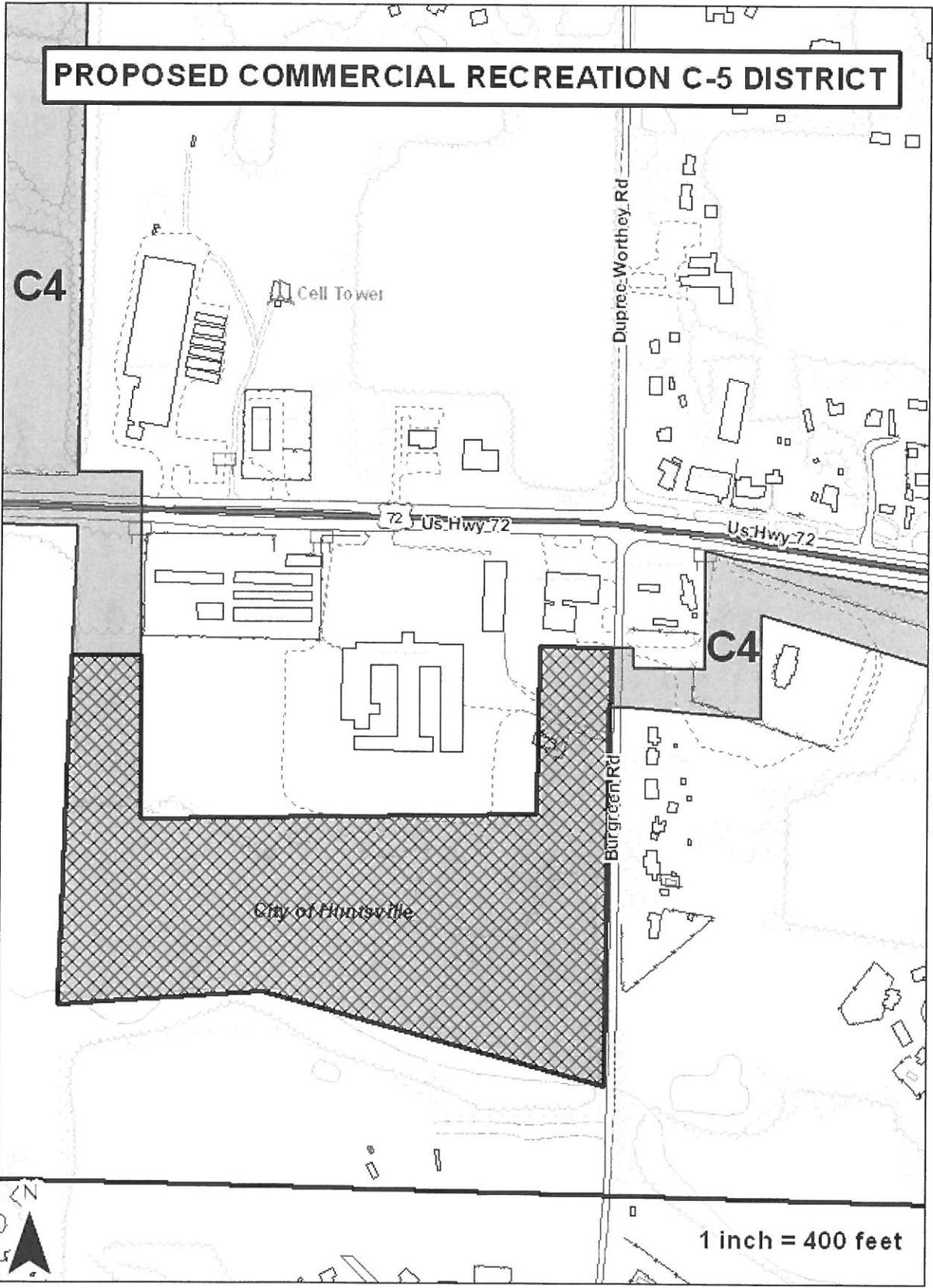
**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

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

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

# PROPOSED COMMERCIAL RECREATION C-5 DISTRICT



C4

Cell Tower

Dupree-Worthey Rd

72 Us Hwy 72

Us Hwy 72

C4

Burgreen Rd

City of Huntsville



1 inch = 400 feet