

ORDINANCE NO. 13-652

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:

WHEREAS, the City Council for the City of Huntsville, Alabama, approved the rezoning of land on Indian Creek Road (now Providence Main Street) for Providence Planned Development from Residence 1-A, Residence 2, Residence 2-A, and Neighborhood Business C-1 districts and unzoned land to Planned Development-Housing District, LUI Rating 56, on the 14th of November 2002, by Ordinance 02-784; and

WHEREAS, Ordinance No. 02-784 included approval of the contents, conditions, waivers, and modifications as set out in the *Report to the City Council on Providence PD-H Rezoning Request*, the *Providence Code Book*, the list of *Non-residential Uses Permitted in Transect 5 and Transect 6*, the *Transect Plan*, the *Open Space Plan*, the *Boundary and Topographic Survey Plat*, the *General Development Plan*, and the *Phasing Plan*; and

WHEREAS, the City Council for the City of Huntsville, Alabama, approved amendments to Ordinance No. 02-784 on the 25th of September 2003, by Ordinance No. 03-678 and on the 12th of October 2006, by Ordinance No. 06-786 and on the 24th of May 2007, by Ordinance No. 07-317 and on the 20th of December 2007, by Ordinance No. 07-1115 and on the 28th of August 2008, by Ordinance No. 08-699, and on the 18th of November 2010, by Ordinance No. 10-777 and on the 15th of December 2011, by Ordinance No. 11-844 and on the 24th of May 2012, by Ordinance No. 12-279; and

WHEREAS, the owners of Providence Planned Development desire to make certain changes in the General Development Plan to amend the approved Transect Plan, Open Space Plan, Development Plan and Phasing Plan for Providence Planned Development, LUI Rating 56, to include a layout of the approved Providence Planned Development resulting in an overall increase in the amount of property located within Transect 4 and an overall decrease in the amount of property located within Transect 1 as follows:

Amend the layout in the area of Transect 1(J) and Transect 4(A) to reallocate that property in Transect 1(J) to Transect 4(A).

Amend the layout in the area of Transect 1(A) and Transect 4(A) to decrease the amount of property

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allocated to Transect 1(A) and to reallocate that property to Transect 4(A).

NOW, THEREFORE, BE IT ORDAINED, by the City Council for the City of Huntsville, Alabama, that the General Development Plan, the Transect Plan, the Open Space Plan, the Phasing Plan, the Report to the City Council on Providence PD-H Rezoning Request and the Providence Code Book as approved by Ordinance No. 02-784 and amended by Ordinance No. 03-678, Ordinance No. 06-786, Ordinance No. 07-317, Ordinance No. 07-1115, Ordinance No. 08-699, Ordinance No. 10-777, Ordinance No. 11-844 and Ordinance No. 12-279; are hereby amended to incorporate the changes hereof, all of which are on file in the offices of the Huntsville Planning Division.

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

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. 13-651

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to Ordinance No. 02-784 as amended by Ordinance No. 03-678, Ordinance No. 06-786, Ordinance No. 07-317, Ordinance No. 07-1115, Ordinance No. 08-699, Ordinance No. 10-777, Ordinance No. 11-844, and Ordinance No. 12-279 a synopsis of said amendment being as follows:

- (1) Amends the approved Transect Plan, Open Space Plan, Development Plan and Phasing Plan for Providence Planned Development, LUI Rating 56, to include a relayout of the approved Providence Planned Development.
- (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 29th day of September, 2013, and the second publication shall be one week thereafter on the 6th day of October, 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 Ordinance No. 02-784 of the City of Huntsville, Alabama, in accordance with said request;

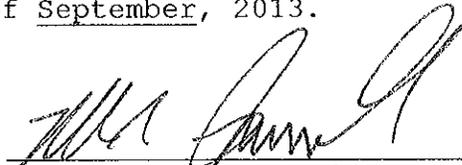
NOW, THEREFORE, **BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama, shall meet at 6:00 p.m. on the 24th day of October, 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 Ordinance No. 02-784 as amended by Ordinance No. 03-678, Ordinance No. 06-786, Ordinance No. 07-317, Ordinance No. 07-1115, Ordinance No. 08-699, Ordinance No. 10-777, Ordinance No. 11-844, and Ordinance No. 12-279 of the City of Huntsville, Alabama.

2. That the proposed amendment to Ordinance No. 02-784 as amended by Ordinance No. 03-678, Ordinance No. 06-786, Ordinance No. 07-317, Ordinance No. 07-1115, Ordinance No. 08-699, Ordinance No. 10-777, Ordinance No. 11-844, and Ordinance No. 12-279 of the City of Huntsville, Alabama, is substantially in words and figures as follows:

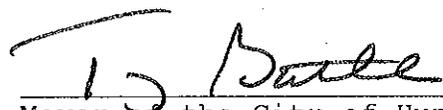
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ADOPTED this the 12th day of September, 2013.



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

APPROVED this the 12th day of September, 2013.



Mayor of the City of Huntsville,
Alabama

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 9/12/2013

Action Requested By:
Planning

Agenda Item Type
Resolution

Subject Matter:

Changes to Providence Planned Development

Exact Wording for the Agenda:

Resolution to set a public hearing on an ordinance amending the approved Transect Plan, Open Space Plan, Development Plan and Phasing Plan for Providence Planned Development, LUI Rating 56, to include a relayout of the approved Providence Planned Development.

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.

Recommended by Planning Commission.
Public hearing date: October 24, 2013.

Pub date, 9/29/13 + 10/14/13

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: *J. M. Baird*

Date: 8/28/2013