

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 9/11/2014

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 on the east and west sides of South Shawdee Road and on the north and south sides of South Village Square Road from Residence 2-A District and Neighborhood Business C-1A District to Residence 1 District (11.05 acres), Residence 2-A District and Neighborhood Business C-1A District to Neighborhood Business C-1 District (4.44 acres), and Residence 1 District to Neighborhood Business C-1 District (0.01 acres).

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 23, 2014

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____

Date: _____

8-28-14

RESOLUTION NO. 14-

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 on the east and west sides of South Shawdee Road and on the north and south sides of South Village Square Road from Residence 2-A District and Neighborhood Business C-1A District to Residence 1 District.
- (2) The rezoning of certain lands lying on the east side of South Shawdee Road and on the south side of South Village Square Road from Residence 2-A District and Neighborhood Business C-1A District to Neighborhood Business C-1 District.
- (3) The rezoning of certain lands lying on the east side of South Shawdee Road and on the south side of South Village Square Road from Residence 1 District to Neighborhood Business C-1 District.
- (4) 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 _____, 2014, and the second publication shall be one week thereafter on the _____ day of _____, 2014, 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 _____, 2014, 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. 14-

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, lying on the east and west sides of South Shawdee Road and on the north and south sides of South Village Square Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2-A District and Neighborhood Business C-1A District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 1 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 10, Township 5 South, Range 1 East and Section 15, Township 5 South, Range 1 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of said Section 10; thence from the point of beginning and along the south boundary of said Section 10 Due East 1,013.93 feet; thence leaving said boundary North 00 degrees 01 minutes 05 seconds East 201.81 feet; thence South 84 degrees 48 minutes 36 seconds East 111.14 feet to a point; said point is further described as the point of true beginning; thence from the point of true beginning North 04 degrees 33 minutes 12 seconds West 54.18 feet to a point located on the south right-of-way South Village Square Road; thence leaving said right-of-way North 04 degrees 01 minutes 12 seconds West 334.35 feet; thence South 87 degrees 13 minutes 10 seconds East 380.42 feet; thence North 05 degrees 49 minutes 12 seconds West 235.29 feet to a point located on the west right-of-way of South Shawdee Road; thence leaving said right-of-way South 89 degrees 34 minutes 24 seconds East 333.92 feet; thence South 05 degrees 07 minutes 05 seconds East 1,017.66 feet; thence North 88 degrees 15 minutes 28 seconds West 338.80 feet to a point located on the west right-of-way of South Shawdee Road; thence along said right-of-way North 05 degrees 35 minutes 52 seconds West 335.20 feet; thence leaving said right-of-way the following bearings and distances: North 15 degrees 27 minutes 59 seconds West 4.02 feet, North 24 degrees 40 minutes 30 seconds West 4.02 feet, North 35

degrees 26 minutes 51 seconds West 5.35 feet, North 46
degrees 12 minutes 00 seconds West 4.02 feet, North 55
degrees 26 minutes 19 seconds West 4.02 feet, North 64
degrees 39 minutes 22 seconds West 4.02 feet, North 72
degrees 20 minutes 10 seconds West 2.68 feet, North 78
degrees 29 minutes 27 seconds West 2.68 feet, and North 83
degrees 07 minutes 06 seconds West 1.34 feet; thence North
87 degrees 32 minutes 16 seconds West 350.49 feet to the
point of true beginning and containing 11.05 acres, more or
less.

2. That the following area, lying on the east side of South Shawdee Road and on the south side of South Village Square Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2-A District and Neighborhood Business C-1A District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Neighborhood Business C-1 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 10, Township 5 South, Range 1 East and Section 15, Township 5 South, Range 1 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of said Section 10; thence from the point of beginning and along the south boundary of said Section 10 Due East 1,013.93 feet; thence Due North 193.27 feet; thence South 87 degrees 32 minutes 34 seconds East 466.19 feet to a point; said point is further described as being located on the west right-of-way of South Shawdee Road; thence along said right-of-way the following bearings and distances to a point located on the west right-of-way: South 83 degrees 07 minutes 06 seconds East 1.34 feet, South 78 degrees 29 minutes 27 seconds East 2.68 feet, South 72 degrees 20 minutes 10 seconds East 2.68 feet, South 64 degrees 39 minutes 22 seconds East 4.02 feet, South 55 degrees 26 minutes 19 seconds East 4.02 feet, South 46 degrees 12 minutes 00 seconds East 4.02 feet, South 35 degrees 26 minutes 51 seconds East 5.35 feet, South 24 degrees 40 minutes 30 seconds East 4.02 feet, and South 15 degrees 27 minutes 59 seconds East 4.02 feet; thence continuing along said right-of-way South 05 degrees 34 minutes 38 seconds East 355.20 feet; thence leaving said right-of-way South 85 degrees 02 minutes 42 seconds West 321.74 feet; thence North 88 degrees 08 minutes 26 seconds West 200.32 feet; thence Due North 224.26 feet to the point of true beginning and containing 4.44 acres, more or less.

3. That the following area, lying on the east side of South Shawdee Road and on the south side of South Village Square Road, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 1 District shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Neighborhood Business C-1 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 10, Township 5 South, Range 1 East and Section 15, Township 5 South, Range 1 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of said Section 10; thence from the point of beginning and along the south boundary of said Section 10 Due East 1,013.93 feet; thence Due South 200.30 feet to a point; said point is further described as the point of true beginning; thence from the point of true beginning South 88 degrees 08 minutes 26 seconds East 200.32 feet; thence South 85 degrees 01 minutes 50 seconds West 201.32 feet; thence Due North 23.92 feet to the point of true beginning and containing 0.01 acres, more or less.

4. 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.

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

ADOPTED this the _____ day of _____, 2014.

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

APPROVED this the _____ day of _____, 2014.

Mayor of the City of Huntsville,
Alabama

RESOLUTION NO. 14-

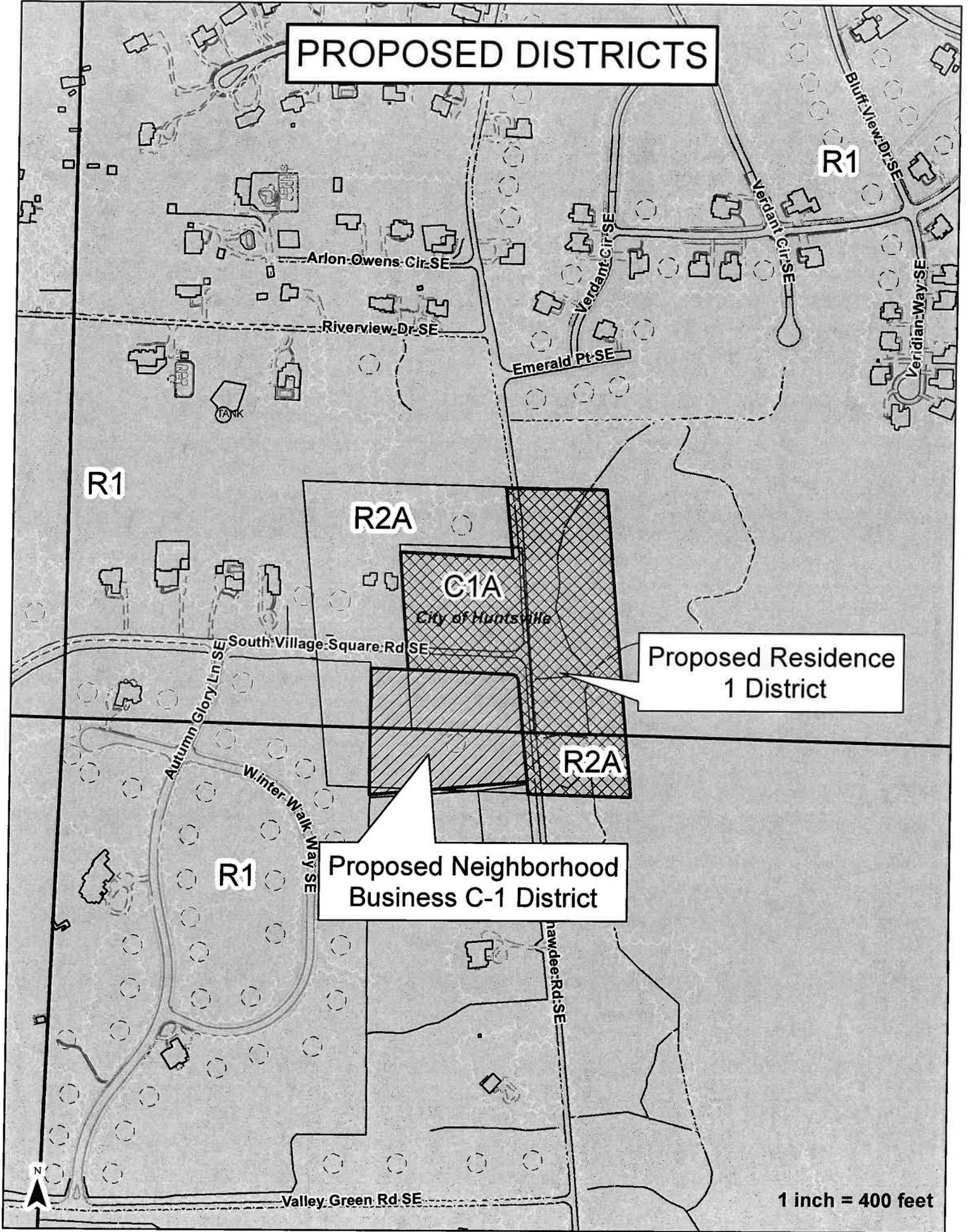
ADOPTED this the _____ day of _____, 2014.

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

APPROVED this the _____ day of _____, 2014.

Mayor of the City of Huntsville,
Alabama

PROPOSED DISTRICTS



Proposed Residence 1 District

Proposed Neighborhood Business C-1 District

1 inch = 400 feet