Introduced 12/18/2014

ORDINANCE NO: 14- 970

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama as follows:

Section 1. Chapter 3, Article II, Subsection (c) of Section 3-27 of the Code of Ordinances of the City of Huntsville, Alabama is hereby amended to read as follows:

(c) *Arts and entertainment districts established.*

(1) Subject to subsections (2) and (3) of this subsection (c), there is hereby established the following two named and generally described districts, the Quigley District and the Entertainment District II (Meridian District), which are also shown on the appended map incorporated herein by reference, which districts shall constitute entertainment districts pursuant to section 28-3A-17.1, Code of Ala. 1975:

a. Quigley District

Beginning at the intersection of the East bank of Pinhook Creek and the North right of way(ROW) line for Clinton Ave NW; thence from the point of beginning Northwest along the East bank of Pinhook Creek to a point on the East margin of Pinhook Creek and the South margin of Holmes Avenue; Thence East along the South margin of Holmes Avenue to a point further described as lying on the South margin of Holmes Avenue and the West Margin of Monroe Street; thence Southeast along the West margin of Monroe Street to a point on the West margin of Monroe Street and the North margin of Clinton Avenue; thence Northeast along the North ROW of Clinton Ave West to a point on the West margin of Spragins Street; thence Northwest along the West ROW of Spragins Street to a point on the North margin of Holmes Avenue and the West ROW of Spragins Street; thence Northeast along the North ROW of Holmes Avenue to a point on the East ROW of Spragins Street and the North ROW of Holmes Avenue; thence Northwest along the East margin of Spragins Street 445 feet to a point on the North property line of a parcel; thence Northeast along the property boundary to a point of the West margin of Jefferson Street; thence Southeast along the West margin of Jefferson Street to a point on the West margin of Jefferson Street and the North margin of Holmes Avenue; thence Northeast along the North ROW of Holmes Avenue to a point on the North ROW of Holmes Avenue

and the East ROW of Green Street; thence North 32 Degrees 42 minutes West 100 feet to a point; thence North 57 Degrees 16 Minutes East 171 feet to a point; thence South 31 Degrees 14 Minutes East 97.6 feet to a point on the North margin of Holmes Avenue; thence Southwest along the North margin of Holmes Avenue to the intersection of the North margin of Holmes Avenue and the East ROW of Greene Street; thence Southeast along the East ROW of Greene Street to the Southwest corner of Parking Lot "D"; thence Southwest crossing over Greene Street to a point on the West ROW of Greene Street; thence continuing Southwest along the property line to the center of the block being bounded by Homes Ave. to the North, Clinton Ave. to the South, Greene Street to the East and Washington Street to the West; thence Southeast along the property lines crossing over Clinton Ave. to a point on the South ROW of Randolph Ave.; thence Southwest along the South ROW of Randolph Ave. to the western most property line of the Church of Christ; thence Southeast along said property line and through Parking Lot "E" to a point on the North ROW of Eustis Ave.; thence Northeast along the North ROW of Eustis Ave. for 400 feet to a point; thence Southeast crossing over Eustis Ave. and following the Western most property line of 306 Eustis Ave., 230 feet to a point; thence Southwest to a point on the West ROW of Greene Street; thence continuing Southwest along a line South of the Church of Nativity to a point on the Eastern ROW of Franklin Street; thence Southeast along the Eastern ROW of Franklin Street to the intersection of the Eastern ROW of Franklin Street and the South ROW of Gates Ave., thence Southwest along the South ROW of Gates Ave. to the intersection of the South ROW of Gates Ave. and the East ROW of Madison Street; thence Southeast along the Eastern ROW of Madison Street to a point at the intersection of the Eastern ROW of Madison Street and the North ROW of Williams Avenue; thence Southeast crossing Williams Avenue to a point on the South ROW of Williams Avenue and the East ROW of Madison Street; Thence Southwest along the South ROW of Williams Avenue to a point on the South ROW of Williams Avenue and the East ROW of Church Street; thence Southeast along the East ROW of Church Street to a point on the East ROW of Gallatin Street and the South ROW of Lowe Avenue; thence West crossing over Gallatin Street to a point on the West ROW of Gallatin Street and the South ROW of Lowe Avenue; thence Southeast along the West ROW of Gallatin

Street to a point on the West ROW of Gallatin Street and the North ROW of St. Clair Avenue; thence West along the North ROW of St. Clair Avenue to a point on the North ROW of St. Clair Avenue and the West ROW of the proposed Downtown Gateway (Harvard Drive Extension); thence North along the West ROW of the Downtown Gateway to a point on the West ROW of the Downtown Gateway and the North margin of Peter Fagan Creek; thence West along the North boundary of Peter Fagan Creek 650 feet to a point; thence crossing Peter Fagan Creek Southwest 150 feet to a point further described as being the Northeast corner of Williams Aquatic Center property; thence Northwest along the North boundary of the Aquatic Center for 300 feet to a point on the East margin of Monroe Street; thence South along the East ROW of Monroe Street 487 feet to a point, said point lying on the South Margin of Davis Circle extended and the South Margin of the traffic circle; thence North 61 Degrees West 105 feet to a point on the South margin of Heart of Huntsville Drive; thence Northwest along the South margin of Heart of Huntsville Drive 723 feet to a point; thence South 15 Degrees 15 Minutes West 95 feet to a point on the East margin of a parcel at 725 Constellation Place Drive; thence South along the East boundary of said parcel 632 feet to a point on the East margin of said property and the North margin of a private access road; thence Northwest along the North margin of said private access road to a point on the North margin of said access road and the South boundary of Constellation Place Drive; thence Northeast along the South boundary of Constellation Place Drive to a point on the South boundary of Constellation Place Drive and the South boundary of Heart of Huntsville Drive; thence N 44 Degrees 37 Minutes East 72.9 feet to a point on the North margin of Heart of Huntsville Drive; thence Southeast along the North margin of Heart of Huntsville Drive 683 feet to a point; thence Northwest along the Eastern margin of Pinhook Creek to the point of beginning; containing 136.5 acres more or less.

Less and except the following parcels:

Huntsville Utilities Property,

Parking Garage O,

Parking Garage A,

The Council Parking Garage,

The Madison County Courthouse building,

Blocks 1,9,17 and 25 of the Quigley Map,

A tract of land described as lying South of Big Spring Park East; West of Fountain Circle, North of Williams Avenue and East of Church Street;

a tract of land described as being South of Gates Avenue, West of Madison Street, North of Williams Avenue and East of Fountain Circle;

and a tract of land described as follows: Beginning at the intersection of the South Margin of Clinton Avenue and the West margin of Church Street; thence South along the West margin of Church Street 382 feet to a point on the North Margin of The Summit Condominiums; thence following the Summit Condominiums property line West and South to a point on the North Margin of Big Spring Park; thence Southwest along the North boundary of Big Spring Park to a point on the East Margin of Monroe Street; thence Northwest along the East margin of Monroe Street 507 feet to a point; thence Northeast 320 feet along the South boundary of a tract of land deeded to the Broadway Center LLC; thence Northwest along the Eastern property line of said tract to a point on the South margin of Clinton Avenue; thence Northeast along the South margin of Clinton Avenue to the point of beginning;

A tract of land described as being bounded by Williams Avenue to the North, Gallatin Street to the East and Lowe Avenue on the South and West.

b. Entertainment District II (Meridian District)

Beginning at the intersection of the West ROW of Dallas Street and the South ROW of Howe Ave.; thence North 32 Degrees 48 Minutes 16 Seconds West 52.1 feet to a point on the North Side of Howe Ave.; thence North 79 Degrees 51 Minutes West a distance of 139.5 feet to a point; thence North 32 Degrees 53 Minutes West a distance of 91.35 feet; thence North 03 Degrees 43 Minutes West a distance of 23.11 feet to a point; thence North 24 Degrees 37 Minutes East a distance of 139.48 feet to a point; thence North 04 Degrees 35 Minutes West a distance of 106.5 feet to a point

on the South ROW of Pratt Ave.; thence West along the South ROW line of Pratt Ave a distance of 362.2 feet to a point on the Eastern ROW of the Norfolk Southern Railroad; thence Southwest along the Eastern ROW of the Norfolk Southern Railroad to the intersection of said railroad ROW and the South ROW of Cleveland Ave.; thence East along the South ROW of Cleveland Ave. to the intersection of the South ROW of Cleveland Ave. and the Western ROW of Meridian Street; thence South along the West ROW of Meridian Street a distance of 184.3 feet to a point; thence North 86 Degrees 01 Minutes East a distance of 150.6 feet to a point on the South ROW of Howe Ave.; thence Northeast along the South ROW line of Howe Ave 697 feet to the point of beginning; a tract of land 10.4 acres more or less.

(2) Notwithstanding anything in this section to the contrary, at any time and from time to time, the arts and entertainment districts established in this section may be enlarged, reduced, modified, or eliminated, in whole or part, and the regulations set forth in this section are subject to amendment at any time and from time to time. No vested rights shall be acquired by or be conferred upon any person as a result of the establishment of an arts and entertainment district or permitting under this section.

(3) In the event an arts and entertainment district established by this section falls below the number of alcoholic beverage licensees required for the establishment of the district according to section 28-3A-17.1, Code of Ala. 1975, then the city may amend this section to either eliminate that particular arts and entertainment district or modify the district so as to remain in compliance with section 28-3A-17.1, unless applicable state alcoholic beverage control laws allow for continuance of a once-established district regardless of the number of alcoholic beverage licensees remaining.

(4) Where this section provides for the opening of a portion of an arts and entertainments district, that portion that is opened shall have not fewer than the required number of alcoholic beverage licensees.

(5) The arts and entertainment districts established in this subsection (c) shall operate separately from each other.

Section 2. The severability provisions of section 1-8 of the Code of Ordinances of the City of Huntsville, Alabama are specifically included herein by reference as if fully set forth.

Section 3. This Ordinance shall become effective upon its adoption and approval.

ADOPTED this the ____ day of _____, 2015.

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

APPROVED this the ____ day of _____, 2015.

_____
Mayor of the City of
Huntsville, Alabama

Wheeler Ave NW
Pegram St NW
Pratt Ave NW
Pratt Ave NE
Dallas St NE
White St NE
Meridian District
Howe Ave NE
Price Aly NE
Walker Ave NE
Dallas St NE
Mill St NW
Cleveland Ave NW
Washington St NW
Meridian St N
Smith St NE
Steele St NE
Monroe St NE
Greene St NE
Jefferson St N
Lincoln St NE
East Clinton Ave
Figures Aly SE
Randolph Ave SE
Church St NW
Holmes Ave NE
Greene St SE
Lincoln St SE
Eustis Ave SE
Spragins St NW
Dallas Ave NW
Holmes Ave NW
East Side Sq SE
Spring St SW
Monroe St NW
Pollard St NW
Woodson St NW
Gates Ave SE
Monroe St SW
West Clinton Ave
Church St SW
Gates Ave SW
Williams Ave SE
Williams Ave SW
Fountain Row SW
Madison St SE
Franklin St SE
Cruse Aly SE
Neal Ave SE
Quigley District
Heart of Huntsville Dr SW
Manning Dr SW
Lowe Ave SE
Lowe Ave SW
231
Davis Cir SW
Pelham Ave SW
Memorial Pky SW
Memorial Pky SW
Memorial Pky SW
Memorial Pky SW
Saint Clair Ave SW
Turner St SW
Sivley Rd SW
Engel Dr SW
431
0 115 230 460 690 920
Feet
HUNTSVILLE
The Star of Alabama
Geographic Information Systems

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Dec 18, 2014

Action Requested By: Planning

Agenda Type: Ordinance

Subject Matter:

Ordinance amending Chapter 3, Article II, Subsection (c) of Section 3-27 of the Code of Ordinances of the City of Huntsville, Alabama

Exact Wording for the Agenda:

Ordinance amending Chapter 3, Article II, Subsection (c) of Section 3-27 (Arts & Entertainment District Ordinance) of the Code of Ordinances of the City of Huntsville, Alabama to establish the Quigley District and Entertainment District II (Meridian District)

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

Item to be considered for: Introduction

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.

Associated Cost: _____

Budgeted Item: _____

MAYOR RECOMMENDS OR CONCURS: _____

Department Head: _____

Date: 12-10-14