



HUNTSVILLE

The Star of Alabama

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: 10.3.

Meeting Type: City Council Regular Meeting

Meeting Date: 9/9/2021

Type of Action: Approval/Action

Agenda Type: CITY COUNCIL

Subject:

Resolution to set a public hearing on the zoning of 50.07 acres of land lying on the south of Martin Road and east of Finney Drive to Planned Industrial District; and the introduction of an Ordinance pertaining to the same. (Set October 28, 2021 Regular Council Meeting) (Planning)

Account Number:**City Obligation Amount:****Total Project Budget:****Other Comments:**

Recommended by Planning Commission

Grant Funded:**Grant Name - Resolution #:****Resolution #:****ATTACHMENTS:**

Description

- ☐ Finney Farms Zoning
- ☐ Finney Farms Zoning Resolution
- ☐ Finney Farms Zoning Ordinance
- ☐ Finney Farms Zoning Map

RESOLUTION NO. 21-

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 newly annexed land lying on the south of Martin Road and east of Finney Drive to Planned Industrial 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 3rd day of October, 2021, and the second publication shall be one week thereafter on the 10th day of October, 2021, 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 28th day of October, 2021, 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. 21-____, which is introduced by the City Council of the City of Huntsville on the 9th day of September, 2021, 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. 21-

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 south of Martin Road and east of Finney Drive, 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 Planned Industrial District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of the Southwest Quarter of Section 33, Township 04 South, Range 02 West of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama and part of the Northwest Quarter of Section 04, Township 05 South, Range 02 West of the Huntsville Meridian, Madison County, Alabama, more particularly described as commencing at a ½ inch diameter crimped top pipe marking the Southwest Corner of said Section 33; thence along the South boundary of said Section 33, North 89 Degrees 49 Minutes 46 Seconds East, a distance of 936.46 feet to a #5 rebar with a cap stamped "GARVER LLC CA-445-LS" (typical) set on the West boundary of a tract of land conveyed to Finney Farms LLC. in Instrument 2009-00756340 as recorded in the Office of the Judge of Probate of Madison County, Alabama, said point being the Point of Beginning of the herein described tract; thence leaving said Section line and along said West boundary of Finney Tract, North 01 Degree 30 Minutes 40 Seconds East, a distance of 289.11 feet to a #5 rebar found; thence North 01 Degree 31 Minutes 37 Seconds East, a distance of 474.61 feet to a #5 rebar found on the South right-of-way of Finney Drive; thence leaving said South right-of-way, North 01 Degree 38 Minutes 04 Seconds East, a distance of 59.92 feet to a 3 inch diameter concrete monument with blank disc found on the North right-of-way of Finney Drive; thence leaving said North right-of-way, North 01 Degree 30 Minutes 36 Seconds East, a distance of 499.79 feet to a 3 inch diameter concrete monument with blank disc found; thence North 01 Degree 31 Minutes 06 Seconds East, a distance of 228.85 feet to a #5 rebar with aluminum cap stamped "GARVER LLC CA-445-LS" set as reference monument; thence continue North 01 Degree 31 Minutes 06 Seconds East, a distance of 50.00 feet to the centerline of Bradford Creek; thence leaving said West boundary of Finney tract and along the centerline of Bradford Creek as follows: North 57 Degrees 06 Minutes 04 Seconds East, a distance of 80.67 feet; thence South 72 Degrees 54 Minutes 13 Seconds East, a distance of 82.83 feet; thence South 36 Degrees 58 Minutes 21 Seconds East, a distance of 45.61 feet; thence South 25 Degrees 07 Minutes 13 Seconds West, a distance of 51.70 feet; thence

South 36 Degrees 18 Minutes 51 Seconds East, a distance of 126.98 feet; thence South 47 Degrees 38 Minutes 27 Seconds East, a distance of 94.40 feet; thence South 21 Degrees 00 Minutes 27 Seconds East, a distance of 62.83 feet; thence South 05 Degrees 44 Minutes 27 Seconds West, a distance of 49.07 feet; thence South 78 Degrees 14 Minutes 52 Seconds East, a distance of 268.10 feet; thence North 83 Degrees 30 Minutes 37 Seconds East, a distance of 125.26 feet; thence North 62 Degrees 33 Minutes 59 Seconds East, a distance of 43.27 feet; thence North 24 Degrees 49 Minutes 40 Seconds East, a distance of 141.66 feet; thence North 89 Degrees 09 Minutes 36 Seconds East, a distance of 78.84 feet; thence South 51 Degrees 29 Minutes 04 Seconds East, a distance of 225.49 feet; thence South 28 Degrees 26 Minutes 22 Seconds East, a distance of 117.14 feet; thence South 68 Degrees 31 Minutes 56 Seconds East, a distance of 124.73 feet; thence South 42 Degrees 58 Minutes 52 Seconds East, a distance of 87.67 feet; thence South 13 Degrees 12 Minutes 50 Seconds East, a distance of 49.27 feet; thence South 36 Degrees 15 Minutes 34 Seconds West, a distance of 83.49 feet; thence South 56 Degrees 31 Minutes 31 Seconds West, a distance of 79.62 feet; thence South 16 Degrees 44 Minutes 12 Seconds West, a distance of 34.09 feet; thence South 16 Degrees 17 Minutes 15 Seconds East, a distance of 220.33 feet; thence South 20 Degrees 00 Minutes 29 Seconds East, a distance of 129.52 feet; thence South 00 Degrees 00 Minutes 00 Seconds West, a distance of 52.08 feet; thence South 25 Degrees 57 Minutes 26 Seconds East, a distance of 182.69 feet; thence South 64 Degrees 28 Minutes 19 Seconds East, a distance of 56.15 feet; thence North 70 Degrees 20 Minutes 35 Seconds East, a distance of 86.38 feet; thence South 37 Degrees 54 Minutes 13 Seconds East, a distance of 54.70 feet; thence South 03 Degrees 49 Minutes 20 Seconds East, a distance of 236.67 feet to the South boundary of said Section 33; thence leaving said Section line, South 03 Degrees 49 Minutes 20 Seconds East, a distance of 93.37 feet to the South boundary of said Finney tract; thence leaving said centerline of creek and along said South boundary of Finney tract, North 89 Degrees 54 Minutes 46 Seconds West, a distance of 50.00 feet to a #5 rebar with aluminum cap stamped "GARVER LLC CA-445-LS" set as reference monument; thence North 89 Degrees 54 Minutes 46 Seconds West, a distance of 847.57 feet to a #5 rebar set; thence South 53 Degrees 19 Minutes 56 Seconds West, a distance of 179.43 feet to a #5 rebar set; thence South 15 Degrees 38 Minutes 31 Seconds West, a distance of 434.33 feet to a #5 rebar set; thence South 83 Degrees 54 Minutes 18 Seconds West, a distance of 449.93 feet to a #5 rebar with a cap stamped G.W. JONES" found marking the southwest corner of said Finney tract; thence leaving said south boundary and along the west boundary of said Finney tract North 01 Degree 30 Minutes 40 Seconds East, a distance of 660.48 feet back to the Point of Beginning. The above described tract contains 50.07 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.

ADOPTED this the _____ day of _____, 2021.

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

APPROVED this the _____ day of _____, 2021.

Mayor of the City of Huntsville, Alabama

ADOPTED this the _____ day of _____, 2021.

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

APPROVED this the _____ day of _____, 2021.

Mayor of the City of Huntsville, Alabama

PROPOSED PLANNED INDUSTRIAL DISTRICT

