

ORDINANCE No. 135-223

AN ORDINANCE OF THE CITY OF PELHAM, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF PELHAM, ALABAMA, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 135-223 PROVIDING THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

SECTION ONE: Ordinance No. 135-219 adopted by the Pelham City Council on October 18, 2018 rezoned property located off Oak Mountain Drive and Amphitheater Road from A-1 (Agricultural District) and O & I (Office & Institutional) to R-A (Apartment Dwelling District) and B-2 (General Business District).

SECTION TWO: Applicant HCI Oak Mtn., LLC is desirous of making zoning adjustments to the rezoned property adopted as a part of Ordinance No. 135-219 and those adjustments are attached as Exhibit A.

SECTION THREE: All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

SECTION FOUR: This ordinance shall become effective upon its passage and publication or posting as required by law.

THEREUPON Beth McMillan, a councilmember moved and Maurice Mercer, a councilmember seconded the motion that Ordinance No. 135-223 be given vote. The roll call vote on said motion was as follows:

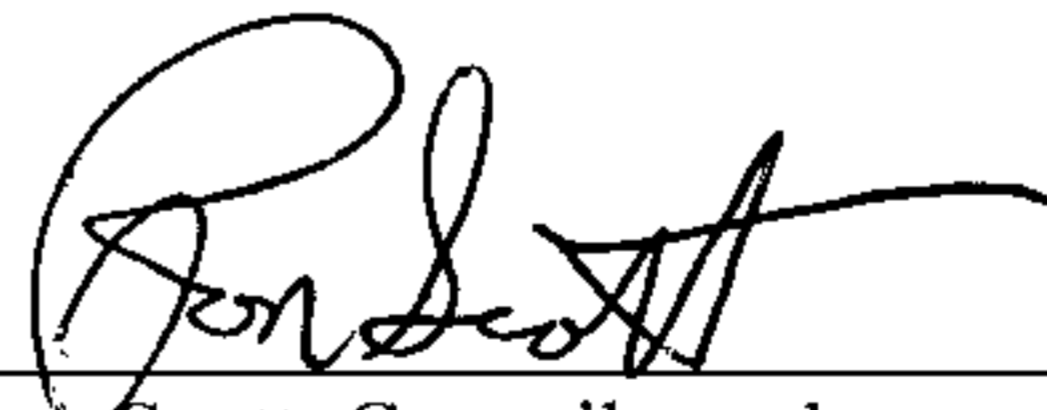
Rick Hayes, Council President	<u>Yes</u>
Ron Scott, Councilmember	<u>Yes</u>
Beth McMillan, Councilmember	<u>Yes</u>
Maurice Mercer, Councilmember	<u>Yes</u>
Mildred Lanier, Councilmember	<u>Yes</u>

Ordinance No. 135-223 passed by majority vote of the Council and the Council President declared the same passed.

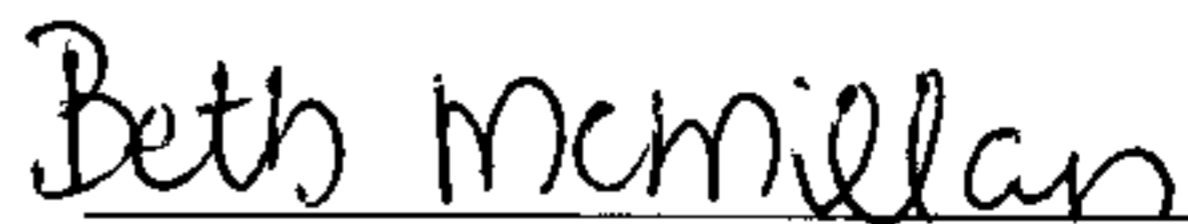
ADOPTED this 1st day of July 2019.



Rick Hayes, Council President



Ron Scott, Councilmember

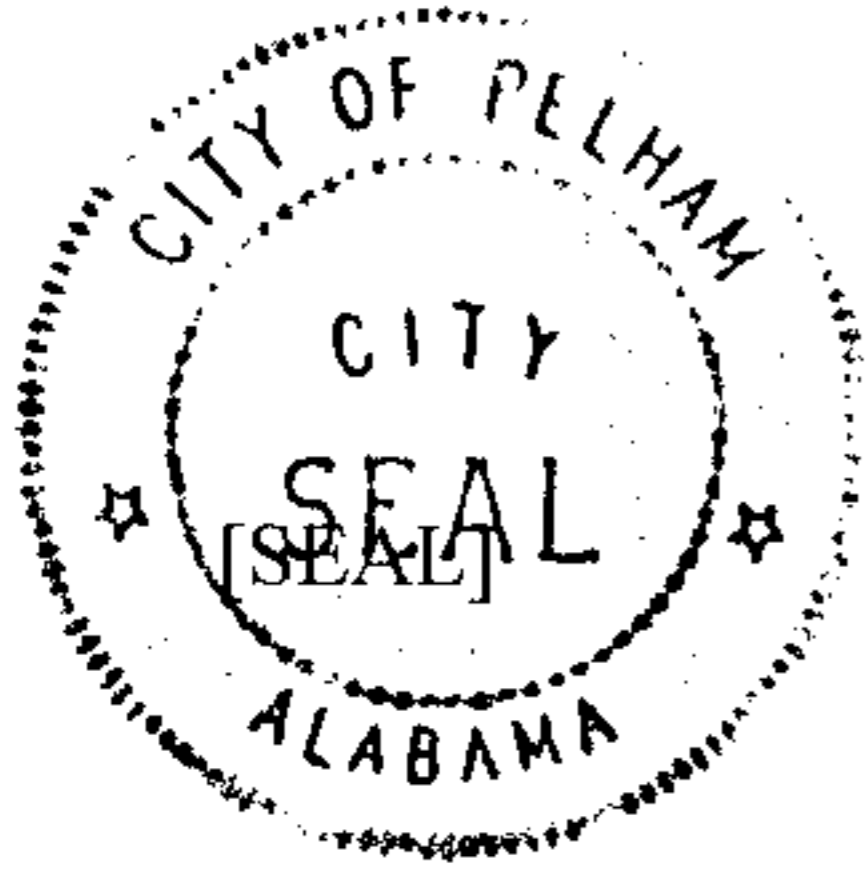


Beth McMillan, Councilmember

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Maurice Mercer
Maurice Mercer, Councilmember

Mildred Lanier
Mildred Lanier, Councilmember



ATTEST

Tom Seale
Tom Seale, MMC, City Clerk/Treasurer

APPROVED:

Gary W. Waters 7/1/2019
Gary W. Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 135-223 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a special meeting of such Council held on the 1st day of July 2019 and duly published by posting an exact copy thereof on the 6th day of July 2019 at four public places within the city, including the Mayor's Office at City Hall, Recreation Center, Water Works and Library, and at www.pelhamalabama.gov. I further certify that said ordinance is on file in the Office of the City Clerk/Treasurer and a copy of the full ordinance may be obtained from the Office of the City Clerk/Treasurer during normal business hours.

Tom Seale
Tom Seale, MMC, City Clerk/Treasurer



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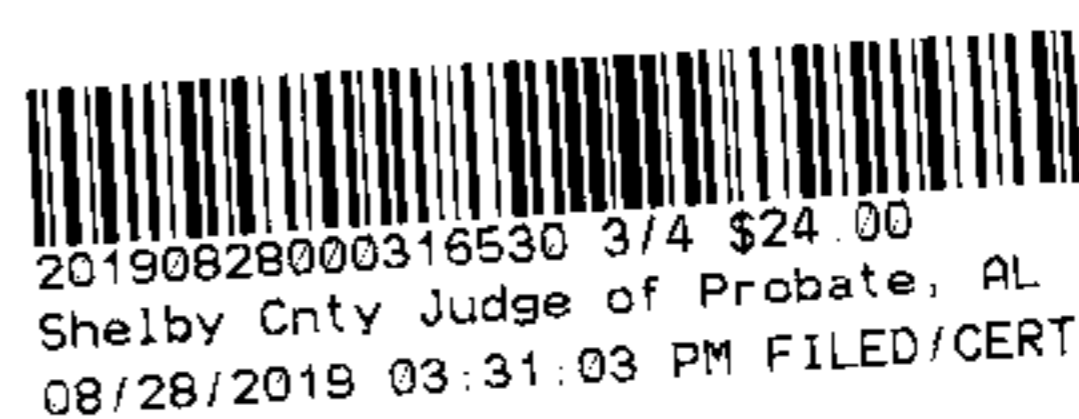
EXHIBIT A

RA ZONING DESCRIPTION

COMMENCE AT NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 2 WEST, SHELBY COUNTY ALABAMA; THENCE RUN SOUTH 00 DEGREES 17 MINUTES 39 SECONDS EAST ALONG THE WEST LINE OF SAID QUARTER-QUARTER SECTION FOR 347.77 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AMPHITHEATER ROAD, AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 93.16 FEET; THENCE RUN NORTH 52 DEGREES 57 MINUTES 58 SECONDS EAST FOR 42.92 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 194.92 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 99.94 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 31.37 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 159.96 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 42.04 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 147.37 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 169.76 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 466.68 FEET; THENCE RUN NORTH 37 DEGREES 09 MINUTES 44 SECONDS WEST FOR 162.12 FEET; THENCE RUN SOUTH 48 DEGREES 38 MINUTES 54 SECONDS WEST FOR 45.66 FEET; TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 1885.86 FEET, A CHORD BEARING OF SOUTH 51 DEGREES 21 MINUTES 12 SECONDS WEST, AND A CHORD LENGTH OF 178.00 FEET; THENCE RUN ALONG SAID ARC FOR 178.07 FEET ; THENCE RUN SOUTH 55 DEGREES 42 MINUTES 51 SECONDS WEST FOR 108.64 FEET; TO A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1885.86 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 36 MINUTES 57 SECONDS WEST, AND A CHORD LENGTH OF 17.46 FEET; THENCE RUN ALONG SAID ARC FOR 17.46 FEET ; THENCE RUN SOUTH 57 DEGREES 52 MINUTES 52 SECONDS WEST FOR 252.49 FEET; THENCE RUN SOUTH 33 DEGREES 07 MINUTES 06 SECONDS EAST FOR 338.17 FEET; THENCE RUN NORTH 77 DEGREES 57 MINUTES 26 SECONDS EAST FOR 342.03 FEET; THENCE RUN NORTH 53 DEGREES 38 MINUTES 49 SECONDS EAST FOR 60.00 FEET; THENCE RUN NORTH 38 DEGREES 33 MINUTES 15 SECONDS EAST FOR 985.67 FEET; THENCE RUN NORTH 61 DEGREES 13 MINUTES 14 SECONDS EAST FOR 156.71 FEET; THENCE RUN SOUTH 87 DEGREES 36 MINUTES 23 SECONDS EAST FOR 284.92 FEET; THENCE RUN SOUTH 88 DEGREES 50 MINUTES 02 SECONDS EAST FOR 276.10 FEET; THENCE RUN NORTH 01 DEGREES 09 MINUTES 59 SECONDS EAST FOR 276.12 FEET; THENCE RUN SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST FOR 438.62 FEET; THENCE RUN NORTH 00 DEGREES 11 MINUTES 30 SECONDS WEST FOR 547.40 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 20 SOUTH RANGE 2 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 88 DEGREES 10 MINUTES 52 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID QUARTER-QUARTER SECTION FOR 350.39 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AMPHITHEATER ROAD ; THENCE RUN ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES; THENCE RUN SOUTH 42 DEGREES 19 MINUTES 08 SECONDS WEST FOR 50.69 FEET; TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 527.00 FEET, A CHORD BEARING OF SOUTH 66 DEGREES 44 MINUTES 29 SECONDS WEST, AND A CHORD LENGTH OF 435.79 FEET; THENCE RUN ALONG SAID ARC FOR 449.27 FEET ; THENCE RUN NORTH 88 DEGREES 50 MINUTES 10 SECONDS WEST FOR 187.88 FEET; TO A CURVE TO THE LEFT, HAVING A RADIUS OF 545.25 FEET, A CHORD BEARING OF SOUTH 80 DEGREES 46 MINUTES 32 SECONDS WEST, AND A CHORD LENGTH OF 196.68 FEET; THENCE RUN ALONG SAID ARC FOR 197.76 FEET ; THENCE RUN SOUTH 70 DEGREES 23 MINUTES 06 SECONDS WEST FOR 106.58 FEET; THENCE RUN SOUTH 70 DEGREES 21 MINUTES 19 SECONDS WEST FOR 17.75 FEET; THENCE RUN SOUTH 52 DEGREES 06 MINUTES 49 SECONDS WEST FOR 63.16 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 1150410.88S.F. OR 26.41 ACRES MORE OR LESS.

END OF RA LEGAL DESCRIPTION




B2 ZONING DESCRIPTION

COMMENCE AT NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 2 WEST, SHELBY COUNTY ALABAMA; THENCE RUN SOUTH 00 DEGREES 17 MINUTES 39 SECONDS EAST ALONG THE WEST LINE OF SAID QUARTER-QUARTER SECTION FOR 347.77 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AMPHITHEATER ROAD ; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 93.16 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED THENCE RUN NORTH 52 DEGREES 57 MINUTES 58 SECONDS EAST FOR 42.92 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 194.92 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 99.94 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 31.37 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 159.96 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 42.04 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 147.37 FEET; THENCE RUN SOUTH 37 DEGREES 02 MINUTES 02 SECONDS EAST FOR 169.76 FEET; THENCE RUN SOUTH 52 DEGREES 57 MINUTES 58 SECONDS WEST FOR 466.68 FEET; THENCE RUN NORTH 37 DEGREES 09 MINUTES 44 SECONDS WEST FOR 162.12 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF OAK MOUNTAIN DRIVE; THENCE CONTINUE NORTH 37 DEGREES 09 MINUTES 44 SECONDS WEST FOR 274.12 FEET; THENCE RUN NORTH 52 DEGREES 50 MINUTES 22 SECONDS EAST FOR 832.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 299108.53S.F. OR 6.87 ACRES MORE OR LESS.

END OF B2 LEGAL DESCRIPTION


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