

ORDINANCE NO. 19-477

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Article II, Unlawful Acts and Offenses of Chapter 3, Alcoholic Beverages of the Code of Ordinances, City of Huntsville, Alabama, is hereby amended to read as follows:

Section 1. The title of Section 3-27 is hereby amended to read “Arts and Entertainment District.”

Section 2. The title of Section 3-27 (c) is hereby amended to read “Quigley Arts and Entertainment District Established.”

Section 3. Section 3-27 (C) (1) is hereby amended to read as follows:

(c) Quigley Arts and Entertainment District Established.

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

A tract of land located in Sections 35 and 36, both of which are in Township 3 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama, and also lying in Sections 01 and 02, both of which are in Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the intersection of the East bank of Pinhook Creek and the North right of way (ROW) of Clinton Avenue; thence from the Point of Beginning, Northwest along the East bank of Pinhook Creek to a point located on the Southern edge of pavement of Holmes Avenue; thence East along the Southern edge of pavement of Holmes Avenue to a point located on the Southern edge of pavement of Holmes Avenue and the Western edge of pavement of Monroe Street; thence Southeast along the Western edge of pavement a distance of 493 feet to a point located on the North ROW of Clinton Avenue; thence Northeast along the North ROW of Clinton Avenue to a point on the West ROW of Spragins Street; thence Northwest along the West ROW of Spragins Street to a point on the North ROW of Holmes Avenue; thence continue Northwest along the West ROW of Spragins Street a distance of 440 feet; thence North 63 Degrees East a distance of 51 feet to a point on the East ROW of Spragins St; thence North 58 Degrees East a distance of 270 feet to the Western edge of pavement of Jefferson Street; thence Southeast along the Western edge of pavement of Jefferson Street a distance of 445 feet to the intersection of the said Western edge of pavement of Jefferson Street and the North ROW of Holmes Avenue; thence Northeast along the North ROW of Holmes Avenue to a point located on the West ROW of Greene Street; thence North along the West ROW of Greene Street to a point located on the South ROW of Monroe Street; thence North 45 Degrees West a distance of 181 feet to a point located on the West ROW of Meridian Street; thence Northeasterly along the West ROW of Meridian Street to a point located on the South ROW of Cleveland Avenue; thence Northwest along the South ROW of Cleveland Avenue to a point located on East ROW of the Norfolk Southern Railroad;

thence Northeasterly along the East ROW of the Norfolk Southern Railroad to a point located on the Southern edge of pavement of Pratt Avenue; thence East along the Southern edge of pavement of Pratt Avenue a distance of 197 feet to a point at the beginning of a curve to the right; thence Southeasterly around said curve to the right a chord distance of 57 feet; said point being located on the Western edge of pavement of Meridian Street; thence Southwesterly along the Western edge of pavement of Meridian Street a distance of 614 feet; thence South 55 Degrees East a distance of 73 feet to a point located on the East ROW of Meridian Street; thence Southwesterly along the East ROW of Meridian Street to a point at the beginning of a curve to the left located on the South ROW of Walker Avenue; thence Southeasterly around said curve to the left a chord distance of 374 feet; thence South 21 Degrees East a distance of 97 feet to a point located on the East ROW of Greene Street; thence continue South along the East ROW of Greene Street a distance of 386 feet; thence North 57 Degrees East a distance of 129 feet; thence South 31 Degrees East a distance of 49 feet; thence South 58 Degrees West a distance of 5 feet; thence South 31 Degrees East a distance of 134 feet; thence South 58 Degrees West a distance of 109 feet to a point located on the East ROW of Greene Street; thence Southeast along the East ROW of Greene Street a distance of 81 feet to the Southwest corner of Parking Lot "D"; thence South 58 Degrees West a distance of 56 feet to a point on the West ROW of Greene Street; thence South 58 Degrees West a distance of 164 feet; thence South 32 Degrees East a distance of 565 feet to a point located on the South ROW of Randolph Avenue; thence Southwest along the South ROW of Randolph Avenue a distance of 30 feet to the western most property line of the Church of Christ; thence South 32 Degrees East along said property line and through Parking Lot "E" to a point on the North ROW of Eustis Avenue; thence Northeast along the North ROW of Eustis Avenue a distance of 378 feet to a point; thence South 32 Degrees East a distance of 229 feet to a point; thence South 57 Degrees West a distance of 499 feet to a point on the East ROW of Franklin Street; thence Southeast along the East ROW of Franklin Street to a point located on the South ROW of Gates Avenue; thence Southwest along the South ROW of Gates Avenue to a point located on the East ROW of Madison Street; thence Southeast along the East ROW of Madison Street to a point located on the South ROW of Williams Avenue; thence Southwest along the South ROW of Williams Avenue to a point on the South ROW of Williams Avenue and the East ROW of Gallatin Street; thence Southeast along the East ROW of Gallatin Street to a point located on the South ROW of Lowe Avenue; thence West crossing over Gallatin Street to a point on the Western edge of pavement of Gallatin Street and the South ROW of Lowe Avenue; thence Southeast along the Western edge of pavement of Gallatin Street to a point on the Western edge of pavement of Gallatin Street and the Northern edge of pavement of Saint Clair Avenue; thence West along the Northern edge of pavement of Saint Clair Avenue to a point located on the West ROW of Dr. Joseph L Lowery Boulevard; thence Northerly along the West ROW of Dr. Joseph L Lowery Boulevard to the beginning of a curve to the left located on the North ROW of Pelham Avenue; thence Northwest along said curve to the left a chord distance of 346 feet to a point located on the South boundary of Peter Fagan Creek; thence West along the South boundary of Peter Fagan Creek a distance of 714 feet; thence South 29 Degrees West a distance of 178 feet; thence South 82 Degrees West a distance of 7 feet; thence South 27 Degrees West a distance of 286 feet to the point of beginning of a curve to the right located on the South ROW of Davis

Circle; thence Northwesterly around said curve to the right a chord distance of 236 feet to a point of curvature to the Left; thence Southwesterly along said curve to the left a chord distance of 99 feet to a point located on the South ROW of a traffic circle; thence North 61 Degrees West a distance of 133 feet to a point on the South ROW of Heart of Huntsville Drive; thence Northwest along the South ROW of Heart of Huntsville Drive a distance of 708 feet to a point; thence South 15 Degrees West a distance of 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 a distance of 608 feet; thence South 68 Degrees West a distance of 53 feet; thence North 73 Degrees West a distance of 29 feet; thence North 21 Degrees West a distance of 71 feet to a point on the East ROW of a private access road; thence Northwest along the East ROW of said private access road to a point on the Southern edge of pavement of Constellation Place Drive; thence Northeast along the Southern edge of pavement of Constellation Place Drive to a point on the South ROW of Heart of Huntsville Drive; thence N 44 Degrees East a distance of 65 feet to a point on the North ROW of Heart of Huntsville Drive; thence Southeast along the North ROW of Heart of Huntsville Drive a distance of 672 feet to a point on the Eastern margin of Pinhook Creek; thence Northwest along the Eastern margin of Pinhook Creek a distance of 1,500 feet to the Point of Beginning.

Also included is a portion of a bike lane and part of Monroe Street, more particularly described as beginning at a point located at the intersection of the Southern edge of pavement of Monroe Street and the Western edge of pavement of Spragins Street; thence from the Point of Beginning, South along the Western edge of pavement of Spragins Street a distance of 247 feet; thence North 61 Degrees East 18 feet to a point located on the East margin of said bike lane; thence Northerly along the East margin of said bike lane a distance of 240 feet; thence North 25 Degrees West a distance of 69 feet to the Northern edge of pavement of Monroe Street; thence Southwest along the Northern edge of pavement of Monroe Street a distance of 19 feet; thence South 25 Degrees East 63 feet to the Southern edge of pavement of Monroe Street and the Point of Beginning.

Also included is the Depot Greenway and the portion of the Gateway Greenway that is West of Meridian Street; containing 158 acres more or less.

Less and except the following tracts of land:

Parking Garage A;

Parking Garage O;

Parking Garage T (EXCEPT for the NW corner of said parking garage that measures 73 feet by 62 feet)

Blocks 9, 17 and 25 of the Quigley Map;

Huntsville Utilities Property;

The Madison County Courthouse building;

Big Spring Lagoon that lies between Monroe Street, Williams Avenue and Church Street;

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;

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 200 feet; thence North 55 Degrees West 77 feet; thence South 58 Degrees West 97 feet; thence North 31 Degrees West 168 feet; thence South 58 Degrees West 72 feet to a point on the East Margin of Monroe Street; thence Northwest along the East margin of Monroe Street 171 feet to a point; thence North 57 Degrees East 320 feet along the South boundary of a tract of land deeded to the Broadway Center LLC; thence North 31 Degrees West 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;

and

A tract of land described as being bounded by Williams Avenue to the North, Gallatin Street to the East, Lowe Avenue to the South and Dr Joseph L Lowery Boulevard to the West

Section 4. Sec. 3-27(c)(5) is hereby deleted in its entirety.

Section 5. Sec. 3-27 (d) (1) is hereby amended to read as follows:

(d) Opening of the district.

(1) *Regular hours of district.* The regular hours of operation for the arts and entertainment district shall be between the hours of 12:00 noon to 11:00 p.m.

Section 6. The phrase “districts” in Sec. 3-27 (a) shall be amended to read “district.”

Section 7. The phrase “an arts and entertainment district” shall be amended to read “the arts and entertainment district” in Sect. 3-27 (a) (2), Sect. 3-27 (c) (3), Sect. 3-27 (c) (4), Sect. 3-27 (d) (2) (a), Sect. 3-27 (d) (3), and Sect. 3-27 (g) (1).

Section 8. The phrase “that particular arts and entertainment district” shall be amended to read “the arts and entertainment district” in Sect. 3-27 (c) (3).

Section 9. Chapter 3. Article II, Subsection (c) of Section 3-29 of the Code of Ordinances of the City of Huntsville, Alabama is hereby amended to read as follows:

(c) Butler Green Arts and Entertainment District established.

(1) Subject to subsections (2) and (3) of this subsection (c), there is hereby established the following named and generally described district, the Butler Green Arts and

Entertainment District, which is also shown on the appended map incorporated herein by reference, which district shall constitute an entertainment district pursuant to 28-3A-17.1, Code of Ala 1975:

A tract of land located in the North half of Sections 02 and 03, both of which are in Township 4 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama, more particularly described as commencing at a point in the center of Clinton Ave W; said point is further described as being located at the intersection of the road centerlines of Hicks Pl NW and Clinton Ave W; thence Southwesterly along the centerline of Clinton Ave W a distance of 587 feet; thence Northwesterly and parallel to Hicks Pl NW a distance of 20 feet to the Northern edge of pavement of Clinton Ave W and also the Point of Beginning.

Thence from the Point of Beginning, continue Northwesterly and parallel to Hicks Pl NW a distance of 221 feet to a point on the Southern edge of pavement of Hicks Ave NW; thence Southwesterly and parallel to Clinton Ave W a distance of 502 feet to a point on the Western edge of pavement of Lowry St NW; thence Northwesterly along the Western edge of pavement of Lowry St NW a distance of 205 feet to a point at the beginning of a curve to the left; thence Northwesterly around said curve to the left having a chord distance of 34 feet to a point on the Southern edge of pavement of Hall Ave NW; thence Southwesterly along the Southern edge of pavement of Hall Ave NW a distance of 1,270 feet to a point on the Eastern edge of pavement of Triana Blv NW; thence West a distance of 75 feet to a point located on the Western edge of pavement of Triana Blv NW and on the North right of way (ROW) of 4th Ave NW; thence continue West along the North ROW of 4th Ave NW a distance of 696 feet; thence North and parallel to Triana Blv NW a distance of 320 feet to a point located on the South ROW of 3rd Ave NW; thence West along the South ROW of 3rd Ave NW a distance of 641 feet; thence South and parallel to Triana Blv NW a distance of 354 feet; thence West and parallel to 3rd Ave NW a distance of 364 feet; thence South and parallel to Triana Blv NW a distance of 277 feet to a point at the beginning of a curve to the left; thence Southeasterly around said curve to the left having a chord distance of 91 feet to a point located on the North ROW of Governors Dr SW; thence East along the North ROW of Governors Dr SW a distance of 300 feet; thence North and parallel to Triana Blv NW a distance of 17 feet; thence East and parallel to Governors Dr SW a distance of 430 feet to a point located on the West ROW of 9th St NW; thence North along the West ROW of 9th St NW a distance of 292 feet; thence East and parallel to Governors Dr SW a distance of 32 feet to a point on the Eastern edge of pavement of 9th St NW and also on the South ROW of 4th Ave NW; thence East along the South ROW of 4th Ave NW a distance of 941 feet to a point on the Eastern edge of pavement of Triana Blv NW; thence South along the Eastern edge of pavement of Triana Blv NW a distance of 281 feet to a point at the beginning of a curve to the left; thence Southeasterly around said curve to the left having a chord distance of 50 feet to a point located on the Northern edge of pavement of Governors Dr SW; thence East along the Northern edge of pavement of Governors Dr SW a distance of 322 feet to a point on the Northern edge of pavement of Clinton Ave W; thence Northeasterly along the Northern edge of pavement of Clinton Ave W a distance of 1,678 feet to the Point of Beginning. Said tract of land contains 29.70 Acres more or less.

Section 10. With the exception of amendments made herein, all other portions of Article II, *Unlawful Acts and Offenses* of Chapter 3, *Alcoholic Beverages* of the Code of Ordinances, City of Huntsville, Alabama shall remain in full force and effect.

Section 11. 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 12. This Ordinance shall become effective upon its adoption and publication.

ADOPTED this the 27th day of June, 2019.

/s/ Devyn Keith
President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 27th day of June, 2019.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama