

Having previously been introduced at the **May 12, 2025**, council meeting, Council Member _____ moved the adoption of the following Ordinance, which was seconded by Council Member _____:



ORDINANCE 25-233

AN ORDINANCE TO REZONE PROPERTY OF 1520 SIMMSVILLE RD OWNED BY ROBERT C BARNETT ½ INT & CHARLES G KESSLER, JR TRUSTEE OF THE NINA J. KESSLER FAMILY TRUST FROM B-3 (COMMUNITY BUSINESS DISTRICT) TO B-4 (GENERAL BUSINESS DISTRICT)

THE PUBLIC GOOD REQUIRING IT, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALABASTER, ALABAMA AS FOLLOWS:

WHEREAS Stoic Equity Partners, LLC, as Applicant as representative of Rober C Barnett ½ Int & Charles G. Kessler, JR. Trustee of the Nina J. Kessler Family Trust, as Owner of land located 1520 Simmsville Rd with property being Parcel(s) 13 7 36 1 001 027.001, petitioned the City to rezone said property to B-4 (General Business District) with the Condition that the following items be removed from the permitted uses; Major automobile repair, Self-service storage facility, Recycling collection point for household items, and Theater and drive-in theater.

WHEREAS the Planning and Zoning Commission held a public hearing on this matter on April 22, 2025 and did recommend to the Council that property be zoned B-4 (General Business District) with the Condition that the following items be removed from the permitted uses; Major automobile repair, Self-service storage facility, Recycling collection point for household items, and Theater and drive-in theater.

That this proposed Ordinance was advertised for two (2) weeks in the Shelby County Reporter, a newspaper of general circulation within the City Limits of the City of Alabaster, and that the City Council of the City of Alabaster, at its Public Hearing on June 9, 2025 at 6:30 p.m., considered said proposed Ordinance and that at such time and place all persons who desired had an opportunity to be heard in favor of or in opposition to such Ordinance.

Be it Ordained that the Zoning Ordinance of the City of Alabaster, Alabama and the zoning map adopted therewith, is hereby amended to rezone the property described as:

A Parcel of land to being more particularly described as follows:

1520 Simmsville Rd
PID 13 7 36 1 001 027.001

A 50% undivided interest in:

A parcel of land situated in the North Half of the Northeast Quarter of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama, described as follows:

Commence at the southwest corner of the Northeast Quarter of the Northeast Quarter of Section 36, Township 20 South, Range 3 West and run north along the west line of the Quarter – Quarter Section for a distance of 447. 26 feet to a point; then left 90 degrees and run west for a distance of 101.26 feet to a point on the southeasterly right-of-way of Shelby County Road #11; then right 110 degrees 58 minutes 30 seconds for a distance of 255.43 feet to a point on the right-of-way; then left 90 degrees and run northwesterly 10.00 feet to a point of the right-of-way; the right 90 degrees and run northeasterly 122.94 feet to a point on the right-of way and also being a point on a curve to the right, having a radius of 1,607.04 feet and a central angle of 00 degrees 46 minutes 02 seconds; then run northeasterly for an arc distance of 21.06 feet to a point on the right-of-way; then right 90 degrees from tangent southeasterly for 10.00 feet to a point on the right-of-way having a radius of 1,597.04 feet and a central angle of 3 degrees 49 minutes 02 seconds; then turn left 90 degrees to the tangent of that point on curve and run northeasterly and along arc of the right-of-way for an arc distance of 106.40 feet to a point on the right-of-way also being the southwest corner of Shelby County tax parcel 13 -7-36-1-001-027.002 and also being the point of beginning of said parcel; then run South 64 degrees 27 minutes 25 seconds East for a distance of 90.46 feet; then run North 89 degrees 29 minutes 04 seconds East for a distance of 280.20 feet to a point on a curve having a radius of 11,334.30 feet and a delta of 02 degrees 51 minutes 00 seconds; then run along the curve for a distance of 563.79 feet; then run North 56 degrees 17 minutes 34 seconds West for a distance of 350.31 feet; then run North 60 degrees 56 minutes 33 second West for a distance 223.60 feet to a point on the southeasterly right-of-way of Shelby County Road #11; then run North 20 degrees 58 minutes 30 seconds East for ta distance of 70.00 feet; then North 69 degrees 01 minutes 30 seconds West for a distance of 10.00 feet; Then North 20 degrees 58 minutes 30 seconds East for a distance of 122.94 feet to a point on a curve having a radius of 1,607.04 feet and a delta of 00 degrees 45 minutes 02 seconds; then run along the curve for a distance of 21.05 feet; then run South 69 degrees 01 minutes 30 seconds East for a distance of 10.00 feet to a point on a curve having a radius of 1,597.04 feet and a delta of 03 degrees 49 minutes 02 seconds; then run along the curve for a distance of 106.40 feet to the point of beginning.

Being the same property conveyed to Nina J. Kessler by W&C, LLC, by deed recorded on February 7, 2007 as Instrument Number 20070207000057090 in the office of the Judge of Probate of Shelby County, Alabama.

to B-4 (General Business District) with the Condition that the following items be removed from the permitted uses; Major automobile repair, Self-service storage facility, Recycling collection point for household items, and Theater and drive-in theater.

All other items and provisions of the Zoning Ordinance of the City of Alabaster not herein specifically amended shall remain in full force and effect.

This Ordinance shall become effective upon its passage and execution as provided by law.

ADOPTED AND APPROVED THIS 9TH DAY OF JUNE 2025.

ATTEST:

CITY OF ALABASTER

J. Mark Frey, City Clerk

Sophie Martin, Council President

APPROVED:

Scott Brakefield, Mayor