

Having previously been introduced at the **March 13, 2023**, council meeting, Council Member \_\_\_\_\_ moved the adoption of the following Ordinance, which was seconded by Council Member \_\_\_\_\_:



**ORDINANCE 23-174**

**AN ORDINANCE TO REZONE PROPERTY OF API HIGHWAY 31, LLC (DISTRICT 31) FROM B-3 (BUSINESS COMMUNITY DISTRICT) AND R-8 (MANUFACTURED AND MOBILE HOME RESIDENTIAL DISTRICT TO MXD (MIXED USE DISTRICT)**

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

**WHEREAS**, API Highway 31, LLC and George Washington, as Owners of land located at or close to 725 1<sup>st</sup> St S, Alabaster, Alabama, (PID: 23 1 01 3 001 015.00; 23 1 01 3 001 015.001; 23 1 01 3 001 016.000; 23 1 01 3 001 017.000; 23 1 01 3 001 020.000; 23 1 01 3 001 020.002; & 23 1 01 3 001 021.000) petitioned the City to rezone said property from B-3 (Business Community District) and R-8 (Manufactured and Mobile Home Residential District) to MXD (Mixed Use District), and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on this matter on February 28, 2023 and found the petition in conformity with the Comprehensive Plan and did recommend to the Council that said property be rezoned to MXD (Mixed Use District) and approved the development plan that goes with this zoning, and

**WHEREAS**, required by law this proposed Ordinance was advertised for two (2) weeks in the Shelby County Reporter, a newspaper of general circulation within the City's limits, and that the City Council of the City of Alabaster, at its Public Hearing on the April 10, 2023 at 7:00 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.

**NOW, THEREFORE, 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:

Legal Description-District 31 Phase IV (Shoppes at District 31)

**SURVEYOR'S DESCRIPTION**

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1 , TOWNSHIP 21 SOUTH, RANGE 3 WEST SHELBY COUNTY,ALABAMA AND DESCRIBED AS FOLLOWS:

BEGIN AT FOUND 1" PIPE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1 , TOWNSHIP 21 SOUTH, RANGE 3 WEST SHELBY COUNTY, ALABAMA ; THENCE RUN SOUTH 00 DEGREES 32 MINUTES 39 SECONDS EAST FOR 409.74 FEET TO A FOUND IRON (1/2" PIPE); THENCE RUN SOUTH 89 DEGREES 56 MINUTES 25 SECONDS WEST FOR 421.82 FEET TO A FOUND IRON (1" CRIMP) ;THENCE RUN SOUTH 00 DEGREES 13 MINUTES 41 SECONDS EAST FOR 210.00 FEET ; THENCE RUN NORTH 89 DEGREES 57 MINUTES 38 SECONDS EAST FOR 399.41 FEET ;THENCE RUN SOUTH 00 DEGREES 10 MINUTES 54 SECONDS WEST FOR 37.64 FEET; THENCE RUN NORTH 88 DEGREES 54 MINUTES 53 SECONDS WEST FOR 178.11 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 53 SECONDS EAST FOR 328.34 FEET TO A FOUND IRON (CAPPED WEYGAND);THENCE RUN NORTH 88 DEGREES 27 MINUTES

27 SECONDS WEST FOR 287.84 FEET TO A SET (IRON CAPPED 18664) ON THE NORTHEASTERLY RIGHT OF WAY LINE OF US HWY 31;THENCE RUN NORTH 45 DEGREES 02 MINUTES 41 SECONDS WEST ALONG SAID RIGHT OF WAY LINE FOR 567.48 FEET TO A FOUND IRON (3/8" REBAR) ;THENCE RUN NORTH 44 DEGREES 22 MINUTES 35 SECONDS WEST AND ALONG SAID RIGHT OF WAY LINE FOR 390.77 FEET TO A FOUND IRON (3/8" REBAR) ;THENCE RUN NORTH 01 DEGREES 14 MINUTES 57 SECONDS EAST FOR 108.40 FEET TO A SET IRON (CAPPED # 18664);THENCE RUN SOUTH 88 DEGREES 45 MINUTES 03 SECONDS EAST FOR 270.17 FEET TO A FOUND IRON (1/2" REBAR) ; THENCE RUN SOUTH 00 DEGREES 15 MINUTES 49 SECONDS EAST FOR 151.41 FEET TO A FOUND IRON (CAPPED SCS) ;THENCE RUN NORTH 89 DEGREES 52 MINUTES 13 SECONDS EAST FOR 73.31 FEET TO A SET IRON (CAPPED #18664);THENCE RUN NORTH 00 DEGREES 22 MINUTES 18 SECONDS EAST FOR 149.44 FEET TO A FOUND IRON (3/8" REBAR; THENCE RUN SOUTH 88 DEGREES 57 MINUTES 49 SECONDS EAST FOR 531.69 FEET TO A FOUND IRON (2" CRIMP)THENCE RUN NORTH 00 DEGREES 03 MINUTES 27 SECONDS WEST FOR 211.79 FEET TO A SET IRON 2" CRIMP ;THENCE RUN SOUTH 88 DEGREES 16 MINUTES 19 SECONDS EAST FOR 277.79 FEET TO A TO THE POINT OF BEGINNING. LESS AND EXCEPT AND PORTION LYING IN ANY PUBLIC ROAD RIGHT OF WAYS SAID TRACT OF LAND CONTAINING 568796.50S.F. OR 13.06 ACRES MORE OR LESS INCLUDING ANY PUBLIC ROAD RIGHT OF WAYS.

to MXD (Mixed Use District) subject to the Development Plan adopted by the Planning Commission on February 28, 2023 as may be amended from time to time.

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, execution and publication as provided by law.

**ADOPTED AND APPROVED THIS 10TH DAY OF APRIL 2023.**

ATTEST:

CITY OF ALABASTER

\_\_\_\_\_  
J. Mark Frey, City Clerk

\_\_\_\_\_  
Sophie Martin, Council President

APPROVED:

\_\_\_\_\_  
Scott Brakefield, Mayor