

ORDINANCE NO.

**AN ORDINANCE
AMENDING ORDINANCE NO. 1584
(ZONING ORDINANCE), ADOPTED JANUARY 1, 2010,
TO AMEND THE MIDTOWN GULF SHORES PUD BY ADDING 1.4 ACRES, ALLOW A
HOTEL USE AND MAKE MODIFICATIONS TO THE OVERALL DESIGN OF THE PUD
MASTER PLAN
(ZA22-000068)**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 23, 2023, as follows:

Section 1. That Chad Watkins on behalf of Midtown Gulf Shores LLC, has submitted to the City documentation which satisfies the requirements of Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010, Article 15. *Planned Unit Development*. Section 15-6. H. *Amendments* for an amendment to allow a hotel use, make modifications to the overall design of the PUD Master Plan and add 1.4 acres to the PUD, being more particularly described as follows:

Lots 2, 3, and 4, West Second Subdivision, a redivision of Lot 1B of Resubdivision of Lot 1 Hunters Heights Subdivision Slide 2799-B; Slide 1686-B; Slide 1564-B City of Gulf Shores; Section 17-T9S-R4E (VLD)

Section 2. That the Master Plan of the Planned Unit Development known as Midtown Gulf Shores (Attached to this Ordinance as “Exhibit A”) be and the same is hereby amended in accordance with Section 15-6. H. of the Zoning Ordinance with the following conditions:

1. Construction plans for the 22 parking spaces (indicated as “B” on the proposed Master Plan, dated 11.04.22) shall be submitted with the Site Plan application for the Hotel (indicated as “G” on the proposed Master Plan, dated 11.04.22).
2. The shared parking on the west side of West 2nd Street (indicated as “L” on the proposed Master Plan, dated 11.04.22) shall be submitted with the Site Plan(s) for Buildings “M” and “N,” as depicted on the proposed Master Plan, dated 11.04.22, and shall be constructed in conjunction with Buildings “M” and “N.”
3. Construction plans for required parking for Buildings “H” and “I,” as depicted on the proposed Master Plan, dated 11.04.22, shall be submitted with the Site Plan applications for those buildings. If parking for Buildings “H” and “I” is constructed prior to Site Plan application(s), that parking shall be identified and allocated to those buildings at the time of Site Plan application.
4. Additional recesses in the Hotel building beyond the required 20 feet rear setback may be required to preserve Protected Trees along the rear property line at the time of Site Plan review and approval.

- 5.A TIS assessing the impacts of the overall development and recommendations for mitigating impacts of the development shall be submitted at the time of Site Plan application for the Hotel use.
6. Updated covenants and restrictions shall be submitted for review and approval at the time of Site Plan application for the Hotel use. The covenants and restrictions shall address any changes in the PUD Master Plan Overlay that is adopted by City Council.
7. An updated shared parking agreement shall be submitted for review and approval at the time of Site Plan application for the Hotel use. The shared parking agreement shall address any changes in the PUD Master Plan Overlay that is adopted by City Council. In particular, the Hotel use will require a change in the agreement to permit overnight parking.

Section 3. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 23rd day of JANUARY, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC

City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 23, 2023 and the same was duly published as required by law.

City Clerk