



SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Zoning Administrator

SUBJECT: Vacation of a Portion of West 1st Street Right-of-Way

DATE: July 15, 2019

ISSUE: Vacation and conveyance of a portion of West 1st Street Avenue to the City of Gulf Shores. In the future the City will convey this property to Embassy Suites to be used for the construction of the Embassy Suites mixed use development.

RECOMMENDATION: Staff recommends the City Council approve the vacation and quitclaim conveyance of 7,201 square feet of a portion of the West 1st Street right-of-way.

BACKGROUND: The City of Gulf Shores requests the vacation, in accordance with Ala. Code § 23-4-1, and quitclaim conveyance of 7,201 square feet of a portion of the West 1st Street public right-of-way located between West Beach Boulevard and West 1st Avenue to the City of Gulf Shores. West 1st Street is a 100' right-of-way and the vacation of thirty feet will not affect the travel ways of the street, it will remain open for vehicular traffic. Embassy Suites mixed use development will utilize the thirty feet for vehicular stacking, valet and hotel check-in services.

In 2015 the City sent out a request for proposals and entered into a project development agreement for a mixed use development consisting of an Embassy Suites Hotel, conference space, a restaurant, and street front pedestrian accessible retail space. A requirement of the development agreement is the City shall vacate and convey fee simple title to the eastern 30 feet of the West 1st Street right-of-way prior to the property closing.

The fair market value vacation of right-of-way fee under Ala. Code § 11-49-6, is \$421,258 based on the Baldwin County Revenue Commissioner's most recent appraisal of the adjacent land at \$58.50 per square foot. No vacation fee is required because the City is vacating property to itself. There are two (2) steps to the vacation process:

1. The City Council shall schedule a public hearing and publish notice for four weeks and mail notice to abutting owners at least 30 days prior to the hearing.
2. After 30 days public notice and a public hearing, by resolution the City Council shall vote to vacate a portion of the West 1st Street public right-of-way in accordance with Ala. Code § 23-4-1. Upon vacation the right-of-way title passes to the City of Gulf Shores as the abutting property owner.

PREVIOUS COUNCIL ACTION: On July 24, 2018 the City entered into a development agreement between the City of Gulf Shores and DD Partners LLC for the construction of an Embassy Suites Hotel, conference room space, restaurant, and retail areas to be located at 112 West Beach Boulevard.

ATTACHMENTS: Survey of West 1st Street right-of-way, Embassy Suites Site Plan and Building Elevation