

**ORDINANCE NO. 3698**

Clerk: CSBESS

**AN ORDINANCE TO FURTHER AMEND ORDINANCE NO. 3391 OF THE CITY OF BESSEMER ENTITLED "CITY OF BESSEMER ZONING ORDINANCE" PROVIDING FOR THE ZONING PLAN OF THE CITY OF BESSEMER," AND TO AMEND THE ZONING MAP OF THE CITY OF BESSEMER AS DESCRIBED IN SECTION 1.5 OF ORDINANCE NO. 3391, AS HERETOFORE ADOPTED ON THE 16<sup>TH</sup> DAY OF SEPTEMBER 2008, AND AS HERETOFORE AMENDED**

**WHEREAS**, AL Bessemer Land, LLC c/o Martin Evans, Agent for (Owner) pursuant to Section 2.11 of Ordinance No. 3391, filed an application to re-zone the property described hereinafter in Section 1 of this Ordinance from A-1 vacant Agricultural to I-1 Light Industrial for the entire property for construction and operation of a multi-phased data center; and

**WHEREAS**, a public hearing was scheduled and held before the Planning and Zoning Commission of the City of Bessemer, Alabama in accordance with the requirements of Ordinance No. 3391 and state law; and

**WHEREAS**, at said hearing, the Planning and Zoning Commission of the City of Bessemer, Alabama, considered the application for rezoning and the preliminary plan and issued a report to the City Council of the City of Bessemer, Alabama, in favor of re-zoning the property from A-1 vacant Agricultural to I-1 Light Industrial for the entire property for the purpose described herein; and

**WHEREAS**, the City Council of the City of Bessemer has found it necessary and desirable that the zoning of the hereinafter described parcel of property, as described in Section 1 below, be considered and has set a public hearing on said Ordinance for the April 21, 2026 at 9:00 a.m. at the Bessemer City Hall, 1700 3<sup>rd</sup> Avenue N., Bessemer, Alabama and has directed the City Clerk to give notice thereof, as provided by law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BESSEMER, ALABAMA**, that Ordinance No. 3391 of the City of Bessemer, as heretofore adopted, as amended, and the Zoning Map of said City of Bessemer be and the same hereby are amended as follows:

**Section 1.** That the following described property is the subject of the re-zoning application, to-wit: Address: 5515 Freeman Ave. Bessemer 35022, 5400 Polara Lane Bessemer, AL 35022, 6380, 6042, and 6030 Old Lawstontown Road Bessemer, AL 35022.

**Tax Parcels**

Part of 3700270000001000, 3700263000001000, 3700262000001000, 3700261000001000, 3700264000002000

**Legal Description**

Section 26 – Township 19S – Range 5 West

A tract of land in the South-East quarter of the South-West quarter described as follows: commence at the Southeast corner of the South-East quarter of the South-West ; thence North along the East boundary of said quarter-quarter a distance of 630 feet to the center line of the Lawstontown-Bessemer Road said point also being the point of beginning of the following described tract: A strip of land 100 feet wide, 50 feet on each side of the center line of said road; thence westerly along said road center line 800.00 feet to the terminus.

Section 26 – Township 19S – Range 5 West

the South-West quarter of the North-East quarter; the South half of the North-West quarter; the South half of the North half of the South-East quarter; the South-West quarter except a tract in the South-East quarter of the South-West Quarter described as follows: commence at the Southeast corner of the South-East quarter of the South-West quarter, thence North along the East boundary of said quarter-quarter a distance of 630 feet to the centerline of the Lawsontown-Bessemer Road, said point also being the Point of Beginning of the following described tract: a strip of land 100 feet wide, 50 feet on each side of the centerline of said road, thence Westerly along said road centerline 800.0 feet to the terminus.

Section 27 – Township 19S – Range 5 West

The entire Section Less and except:

Part of N ½ of the NW ¼ of NW ¼ lying west of the APCO power line

SW ¼ of NW ¼ of NW ¼

NW diagonal ½ of SE ¼ of NW ¼ of NW ¼


NW diagonal ½ of NW ¼ of SW ¼ of NW ¼

**Section 2.** That from and after the enactment of this Ordinance by the City Council of the City of Bessemer, Alabama and its approval by the Mayor, or its otherwise becoming law, the uses and restrictions applicable to I-1 Light Industrial, as set forth in Ordinance No. 3391 of the City of Bessemer previously adopted and as heretofore amended, and as further restricted by the provisions of paragraph 1 above, shall govern and control the uses made of and permitted on the property described in Section 1 hereof.

**Section 3.** That if any part, provision, or section of this ordinance is declared to be unconstitutional or invalid by any court of competent jurisdiction, all other parts, provisions, or sections of this ordinance shall remain in full force and effect.

**Section 4.** This Ordinance shall become effective immediately upon its adoption and publication as required by law.

**ADOPTED** this the 21<sup>st</sup> day of April 2026.

  
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**JARVIS COLLIER**  
President, Bessemer City Council

**ATTEST:**

  
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**WANDA D. TAYLOR**  
City Clerk

**APPROVED** this the 21<sup>st</sup> day of April 2026.

A handwritten signature in black ink, appearing to read 'KENNETH E. GULLEY', written over a horizontal line.

**KENNETH E. GULLEY**  
Mayor, City of Bessemer