

RESOLUTION NO. -22

**A RESOLUTION
APPROVING THE ISSUANCE OF A SITE PLAN / CONDITIONAL USE PERMIT
FOR WATERWAY WINES AND SETTING FORTH FINDINGS OF FACT AND
CONCLUSIONS, IN ACCORDANCE WITH REQUIREMENTS
OF ARTICLE 3 OF ZONING ORDINANCE NO. 1584
(ZA22-000027)**

WHEREAS, applicant seeks Site Plan/CUP approval for a mixed use development consisting of a retail wine store, wine tasting room and limited restaurant, and 4 multifamily dwelling units; and

WHEREAS, in accordance with Article 10-2 B., of the Zoning Ordinance, the applicant seeks a modification from the strict compliance with the overlay zoning district standards, therefore a CUP is required; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JUNE 13, 2022 as follows:

Section 1. That the decision of the City Council to approve the Site Plan / CUP for Waterway Wines with express conditions set out below is in the public interest, based on the Standards for Approval in Article 3-4 C. of the Zoning Ordinance.

If, and only if, the express conditions set out below are materially complied with:

1. The plan is in accordance with applicable requirements of this Ordinance, including that the proposed use is designated as a Conditional Use within the Applicable District.
2. The development plan shall receive all applicable state and federal approvals and permits.
3. The proposed site development plan is compatible with the goals and stated plans of the City and other governmental agencies for the area, as applicable
4. The proposed use provides economic benefits and enhances the economic vitality of the surrounding area.
5. The proposed use, if granted, will not burden the infrastructure and street system of the City.
6. The proposed use will not diminish environmental quality of natural resources.
7. The proposed use and Site Plan is compatible with surrounding uses and buildings by virtue of its massing, height, relationship to the street, and architectural character.
8. The use will not cause any injury to the value of other property in the vicinity.
9. The use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected from any noise, vibration, odor, glare, traffic, or other impact that may be caused by the use.
10. The proposed building meet the architectural standards of the City and design guidelines, as applicable.

11. Adequacy of landscaping and screening is provided to protect neighboring properties from any visual intrusions, activities or structures that would detract from the enjoyment of neighboring property.
12. Adequacy of parking and loading arrangement, including whether ingress and egress is so designed as to cause minimum interference with traffic on abutting streets, and that heavy traffic is not introduced on residential streets.

Section 2: Therefore, in accordance with the Zoning Ordinance, the City Council hereby approves the issuance of a Site Plan / Conditional Use Permit for ZA22-000027 for Waterway Wines, located at 2301 E. 2nd Street in Gulf Shores, Alabama, to create a mixed use development consisting of a retail wine store, wine tasting room and limited restaurant, and 4 multifamily dwelling units with the following express condition:

1. Grant a modification from Article 13-5, Alteration of Nonconforming Structures, to allow the applicant to adaptively reuse the existing building and premises.

Section 3. That this Resolution shall become effective upon its adoption.

ADOPTED this 13th day of June, 2022.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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 Resolution No. -22 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on June 13, 2022.

City Clerk