

A RESOLUTION
APPROVING THE ISSUANCE OF A SITE PLAN/CONDITIONAL USE PERMIT FOR ISLAND VILLAS AND
SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS, IN ACCORDANCE WITH REQUIREMENTS
OF ARTICLE 3 OF ZONING ORDINANCE NO. 1584 (ZA21-000062)

WHEREAS, the applicant seeks Site Plan/ Conditional Use Permit (CUP) approval to allow dwelling units licensed for vacation rental within an existing 16-unit multifamily complex in accordance with Article 6-18, Dwelling Units Licensed for Vacation Rental regulations; and

WHEREAS, Island Villas is a 16-unit multifamily complex constructed in 1974 and located at 325 East 22nd Avenue in Gulf Shores, Alabama. The complex is currently zoned R-4 Residential/High Density Multiple- Family District, and is within the Waterway Village Overlay District; and

WHEREAS, dwelling units licensed for vacation rental require a Conditional Use Permit within the R-4 Zoning District. Island Villas is located within the Waterway Village Overlay District, which is envisioned to become a secondary tourist district. Island Villas, if approved, will be the first development allowed to rent short-term in Waterway Village and can become a catalyst for the redevelopment of similar properties in this area of the City.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 24, 2022, as follows:

Section 1. That the decision of the City Council to approve the Site Plan/CUP for Island Villas 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 at all times materially complied with:

1. The plan is in accordance with applicable requirements of the Zoning 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 existing building meets 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 ZA21-000062 for Island Villas, located at 325 East 22nd Avenue in Gulf Shores, Alabama, to allow dwelling units licensed for vacation rental with the following ***express*** conditions:

1. The applicant shall construct 5 on-street parallel parking spaces along East 22nd Avenue.

2. In lieu of the \$9,600 sidewalk fee, the applicant shall construct a sidewalk from the Foam Coffee entrance to the Island Villas entrance within the East 22nd Avenue right-of-way, including curb, gutter, and subsurface drainage.

3. The applicant's proposed Parking Plan, shall be implemented ***and continuously maintained and complied with*** and shall include, but not be limited to, parking passes, parking management, and any agreements for shared parking with surrounding property owners.

4. The existing dumpster shall be screened as required by the Zoning Ordinance.

5. At no time shall the use or occupancy of the property in whole or in part for vacation rentals be allowed to have a materially adverse impact on neighboring property in terms of noise or other activity of any kind that is disruptive of the reasonable enjoyment of such neighboring property for residential use.

6. In the event of any material violation of any of the foregoing conditions as determined by the City Council after public hearing, the City Council shall have the right in its sole and absolute discretion to revoke the Conditional Use Permit hereby approved. Such revocation shall be effective upon thirty (30) days notice sent to the current owners of the property as reflected on the tax assessment records of the Baldwin County Revenue Department.

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

ADOPTED this 24th day of January, 2022.

Robert Craft, Mayor