Title: Planning Resolution 01-2020: A RESOLUTION APPROVING THE HIGH DESERT CONDOMINIUM PLAT (formerly known as World Mark)

Disposition: Discussion and possible action

Staff Presenter: Nora Shepard, AICP, Planning Director

Attachment(s):
- Attachment 1: Proposed Planning Resolution 01-2020
- Attachment 2: Application
- Attachment 3: Condominium Plat
- Attachment 4: Associated Condominium Documents
- Attachment 5: Resolution approving the World Mark (Wyndam/High Desert) Timeshare Development

Recommended Motion:
I move to approve Planning Resolution 01-2020 conditionally approving the High Desert Condominium Plat, subject to the corrections and clarifications as required by the City Engineer.

Background/Summary:
The World Mark (aka Wyndam) Timeshare Project was approved by the Planning Commission on February 22, 2018 (Attachment 4). The project is under construction and nearing completion of some of the units. The name of the project is now “High Desert Condominiums.”

Utah State Law has very specific requirements for Condominium Plats for Timeshare Projects. The applicant has submitted a Condominium Plat and required associated documents consistent with State Law.

State Law does not specifically require local approval of condominium plats. The Moab Municipal Code is somewhat unclear on the local approval process for Condominium Plats. The applicable section of the Code is as follows (highlight added):

17.79.060 Plat and declaration approval.
- All condominium developments shall include a condominium plat and condominium declaration complying with the provisions of the Utah Condominium Ownership Act. The proposed plat and declaration shall be submitted with the application for staff review prior to any
The City's role for this type of plat is purely administrative. The project itself was debated and approved by the City in 2017 and 2018. This plat simply reflects what was approved by the City and allows recordation of the required Condominium Plat and associated documents. The Plat will be recorded by Grand County once this approval is given, conditions met, and assuming the plat meets all of the requirements of the County Recorder.

I have attached the documents that have been submitted as a part of this application for the Condominium Plat. They are very detailed as required by State Condominium Law.

Once the plat is recorded, the developer would be able sell their product. Occupancy would not be allowed until Certificates of Occupancy have been issued.

**City Engineer's Comments**
The City Engineer has reviewed the plat and the following items must be addressed prior to plat recordation:

1. A portion of the property is in FEMA Flood Zone A. Please show the flood zone on the plat.
2. The southern boundary, although it appears based on the proposed parcels of the 10/24/2017 lot line adjustment, is about 4.5' south of that line of the original parcel 1 of that lot line adjustment. The City sewer easements for this project were written apparently based on the south boundary of original parcel 1 and thus contain the 4.5' error. However, the metes of the easement description do call out the south parcel line, so there is no real legal error. However, why the 4.5' discrepancy? The section corner of the section tie appears the same (Sheet 2).
3. All sheets - on all units adjacent to a unit with a different front or side setback distance. - Dimension jog distance between exterior walls - It is not possible to determine unit’s position in 3d space with limited current dimensioning.
4. Building C-2 is not shown as a perfect rectangle but as a trapezoid. Is that an error? All the others have been rectangles (Sheet 9).
5. There is no callout for the exterior and interior wall thicknesses, as well as the jog distances between adjacent units with different setbacks, so the exact 3d space positions of the units remains indeterminate. All sheets - Specify exterior & interior wall thicknesses with a note like that of "Floor to Ceiling.
6. 7.41' distance's bearing is missing (North-east corner of Building E, Sheet 13).
7. North of Building E's bearing and distance are N76°28'59"E 375.67'. The distance does not match with the south side (S76°28'59"W 62.92'). Please review it (Sheet 13).