Moab Planning Commission Agenda Item
Kane Creek Condominiums Plat
Meeting Date: March 11, 2021

Title: Consideration and Possible Approval of Planning Resolution #03-2021, A Planning Resolution Approving the New Condominium Plat Application for the Kane Creek Condominiums, property located at 443 Kane Creek Blvd, Moab UT 84532.

Disposition: Discussion and Possible Action

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):
- Exhibit 1: Draft Planning Resolution #03-2021
- Exhibit 2: Vicinity Map
- Exhibit 3: Recorded County Plat
- Exhibit 4: Draft Survey Plat Phase 1
- Exhibit 5: Draft Survey Plat Phase 1 Layout
- Exhibit 6: Draft Survey Plat Phase 2
- Exhibit 7: Draft Survey Plat Phase 2 Layout

Options:
1. Approve with or without modifications;
2. Continue action on the item and give specific direction to the applicant and staff as to additional information needed;
3. Deny the Application.

Motion for Recommendation: I move to approve Planning Resolution #03-2021, A Planning Resolution Approving the New Condominium Plat Application for the Kane Creek Condominiums, property located at 443 Kane Creek Blvd, Moab UT 84532.

Applicant: Matt Niesen, Owner and Developer

Background:
Matt Niesen, applicant, submitted the City of Moab New Condominium Development Application with associated materials on February 8, 2021. This application was reviewed by the City of Moab Development Review Team on March 3, 2021. The original Site Plan Application #19-0128, for the Kane Creek Condominiums 2019, was approved by Planning Resolution #02-2020. Following the Site Plan Application approval, the Building Permit Application for the Kane Creek Condominiums was submitted to the Building Department for construction permit review. Nearing project construction, the applicant has submitted the New Condominium Plat Application to record the Condominium Plat ownership division of the 47 unit multi-household dwelling.

Project Summary:
Location: 443 Kane Creek Blvd, Moab UT
Property Owner: Kane Devco LLC
Applicant: Matt Niesen
Parcel Size: 2.07 Acres
Current Zone: R-3 Multi-Household Residential Zone
Proposed Use: 47 unit Condominium Residential; Multi-Household

**Narrative Summary:**
The applicant has provided the following summary of the project:

I. Request

Kane Devco, LLC ("Applicant") is requesting approval for a Condo application on the approximately 2.16-acre site located at the southwest corner of Kane Creek blvd. and S. Mountain View dr., comprising parcel01-0001-0207 ("Site").

II. Background

Project Developer

The Project is being developed by Kane Devco, LLC with one of its owners ("Mathew Niesen") as the Developer. Mathew is a long time resident of Moab. With past low-income housing development experience he is aware of the need for affordable housing.

Site

The 2.16-acre site is rectangular in shape, being narrower in the south where it abuts the department of Workforce services and private residences and wider towards the North. It is bordered by the Department of Workforce Services on the west, Kane Creek Blvd. on the north, S. Mountain View dr. on the east and private residences to the south. It is directly across the street from the UDOT and City Road Yards. The Site is vacant undeveloped land.

The entire Site was approved for the 47 unit development in February of 2020 with stipulations. The stipulations were related to Engineering and clerical matters. Those comments have been addressed or are currently ongoing as final building plans are finishing up.

Kane Devco selected the Site due to its immediate proximity to the downtown corridor, BLM land, Matheson wetlands, hiking and biking trails and chiefly for its underlying zoning designation.

III. Conformance with Plans and Zoning

The Site is within the Multi-Family Residential Zone ("R-3"). The proposed Project is in conformance with this zone.
The purpose of the Condo development is to enhance the health, safety, and welfare of persons residing within and visiting the property and to protect the long-term housing goals of the city. The Condo declarations achieves this by regulating the allowed uses, enacting Rental restrictions, and providing an opportunity for ownership.

If approved the Project will allow current rental residents of Grand County to transition to home ownership for a price that is drastically lower than the median home sales price within Grand County. The project will provide 47 units of housing on land where there was previously none.

“The objective in establishing the R-3 residential zone is to provide appropriate locations within the City for high density residential development.” - Moab Municipal code 17.48.010

The proposed Project is entirely compatible with the existing and planned residential uses in the area.

“Owners and developers of property should bear in mind that primacy is given to multiple household dwellings, boarding houses, rest homes and other high density residential uses, and should develop and maintain their property in recognition thereof.” - Moab Municipal code 17.48.010

Approving the proposed Project will promote the responsible development of a long vacant site. Additionally, the proposed Project will utilize full use of the density given within the zoning code.

IV. Proposal

The proposed Project is a previously approved multi-family residential 3 and 2 story Condominium association.

Lighting

The only lighting on the Site will be permanent security lighting mounted on building and poles within the parking lot. The lighting will be directed downward and limited to only what is needed for security purposes. Full cutoff lighting will be used that is dark skies compliant.

Landscaping

Landscaping will be provided within the project open spaces and as required by the City Ordinance and stipulations of approval.

Refuse

There will be dumpsters on site within a screened area adjacent to the parking stalls.

Parking
One and a half parking spaces will be provided for each residence, as shown on the Site Plan.

**Process: Condominium Plat**

Section 17.79.060 of the Moab Municipal Code allows the Planning Commission to approve the Condominium Plat complying with the provisions of the Utah Condominium Ownership Act, having been reviewed and recommended by Planning Staff, as it is defined by below:

**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 applicable decision by the body having land use authority. The final plat for all condominium conversions shall include a signature block for the Planning Commission, City Planner, City Engineer, and City Attorney which must be executed prior to recording. Except where the applicant posts a performance guarantee under Section 16.20.060 (subdivisions) or Section 17.66.180(C) (planned unit developments), the condominium plat and declaration shall not be recorded until all approvals required under by city code have been obtained and all required improvements have been completed. (Ord. 06-10 (part), 2006)