CITY OF MOAB PLANNING RESOLUTION NO. 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.

WHEREAS, the following describes the intent and purpose of this planning resolution:

a. Applicant, Matt Niesen, on behalf of Kane Devco LLC (Owner), has submitted the New Condominium Plat Application, for the forty seven (47) unit multi-household dwelling Condominium Plat property, located at 443 Kane Creek Blvd, Moab UT 84532; and

b. The Applicant submitted to the City of Moab the appropriate application and documents for review and approval of the proposed Kane Creek Condominiums as required in the Moab Municipal Code (MMC) Chapter 17.79.060; and

c. The Condominiums are located on a 2.07 acre property in the R-3 Multi-Household Residential Zone and the proposed use is allowed as a permitted use in this zone; and

d. As required in MMC Chapter 17.79.060, 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)

e. The purpose for this New Condominium Plat Application is to establish the designation of the proposed units, as defined in MMC chapter 17.06.020, for the purpose of allowing individual ownership of the dwelling units in the condominium development; and

f. Following the consideration of the technical aspects of the pertinent code sections, the City of Moab Planning Commission, pursuant to Planning Resolution #03-2021, hereby finds that the application to record the Kane Creek Condominium Plat can meet or exceed the pertinent code requirements.

NOW, THEREFORE, having considered public comment, staff comments, and discussion of the pertinent aspects of the proposed condominium plat application, by adoption of Planning Resolution #03-2021, does herby find, determine, and declare, that the applicable provisions of the Moab Municipal Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, BE IT RESOLVED BY THE CITY OF MOAB PLANNING COMMISSION, the Kane Creek Condominium Plat, on the property located at 443 Kane Creek Blvd, Moab UT 84532, is hereby APPROVED.

PASSED AND APPROVED in open meeting by a majority vote of the Governing Body of the City of Moab Planning Commission on March 11, 2021.

SIGNED: ________________________________
Emily Niehaus, Mayor

ATTEST: ________________________________

            Sommar Johnson, Recorder