

## **Moab City Council Agenda Item**

Meeting Date: February 26, 2019

**Title:** Resolution #14-2019: A Resolution Approving the Final Plat of the Creekside Townhomes Subdivision on Property Located at 545 Kane Creek Boulevard in the R-3, Multi-Household Residential Zone and Approving a Subdivision Improvements Agreement for Public Improvements, as Favorably Referred to Council by the Planning Commission

**Disposition:** Discussion and possible action

**Staff Presenter:** Sommar Johnson, Development Services Coordinator

**Attachment(s):**

- Attachment 1: Proposed Resolution #14-2019
- Attachment 2: Creekside Townhomes Subdivision Improvements Agreement
- Attachment 3: Creekside Townhomes Subdivision Final Plat
- Attachment 4: Aerial(s)

**Recommended Motion:**

I move to adopt Resolution #14-2019 approving the Final Plat and Subdivision Improvements Agreement for the Creekside Townhomes Subdivision

**Background/Summary:**

The applicants are requesting approval of a nine-unit townhome development to be developed on a 2.35 acre parcel. Only one quarter to one third of the property can be developed because of the floodway that affects most of the property. Because of the presence of the floodway, the property is split zoned with the buildable area designated as R-3, Multi-household Residential Zone and FW-1, Floodway Zone as an overlay. The FW-1 does not allow any development unless a ‘No-rise Certificate’ and required engineering documents are submitted and approved.

A portion of the property is required to be dedicated as part of the Kane Creek Boulevard right-of-way to ensure that the full street width is available. The developer will construct approximately 293 linear feet of curb, gutter, and sidewalk from the north. A crosswalk with pedestrian crossing lighting and signage will be placed at the cross street, Birch Avenue, to direct pedestrians to the west side of Kane Creek Boulevard. Pedestrian access to the north on the sidewalk adjacent to Burger King will not be allowed (refer to aerial).

The remaining required improvements of approximately 134 linear feet of curb, gutter and sidewalk paid in to a fund for future Kane Creek Boulevard road construction. The City plans to completely reconstruct Kane Creek Boulevard at some point in the next several years and rather than demolish the improvements to allow for the street widening/rebuild, it is prudent to use the money from the developer when the

reconstruction of Kane Creek Boulevard is initiated. The Improvements Agreement details the amount of the payment for the development requirements, the types of required improvements and the assurance amount.

The preliminary plat for this 9-unit townhome development was reviewed and approved by the Planning Commission on October 11, 2018. The Commission identified three conditions in Planning Resolution 13-2018, and included:

1. A legal description and labels denoting the formal right-of-way dedication for the part of the parcel that is in Kane Creek Blvd. shall be shown on the final plat.
2. An Improvements Agreement shall be approved by the City Council prior to approval of the final plat.
3. The construction of street improvements shall be completed in accordance with the requirements of the engineering department.

The final plat for Creekside Townhomes Subdivision was reviewed by Planning Commission on December 13, 2018. The Commission favorably recommended approval of the final plat subject to the following conditions:

1. A Development Improvements Agreement between the developers and the City shall be submitted with the final plat to the City Council for review and approval.
2. Engineering Department comments must be addressed to the satisfaction of the City Engineer prior to review by the City Council.

All Engineering Department comments were addressed and the approved construction plans are attached to the Subdivision Improvements Agreement as “Exhibit 2”

### **Applicable Code**

Moab Municipal Code (MMC) Title 16.00, *Subdivisions*, applies to this application. Chapter 16.16, Final Plats lists the items required for review and approval of the subdivision. A Subdivision Improvements Agreement (SIA) is included with the final plat for review and approval by City Council. In part, this document will discuss salient features of the project, the necessary improvements and costs associated with their construction, and the amount of a warranty that must be submitted. The applicants will begin construction on the necessary public improvements prior to recording the Final Plat. All public improvements are subject to inspection and approval by the City and require written acceptance by the City Engineer prior to recording the Final Plat with the Grand County Recorder.