

Moab City Planning Commission Agenda Item
Meeting Date: November 18, 2021

Title PROPOSED PLANNING RESOLUTION 06-2021
A RESOLUTION APPROVING THE CREEKSIDE TOWNHOMES, A NINE UNIT
TOWNHOME SITE PLAN AND PRELIMINARY PLAT

Applicant: Alicia Davis and Brandon Johnson
Owner: Robert and Kelly Ward
Staff Presenter: Nora Shepard, Planning Director
Attachments:

- Exhibit A: Proposed Site Plan
- Exhibit B: Proposed Elevations
- Exhibit C: Draft Plan
- Exhibit D: Location Map
- Exhibit E: Resolution 06-2021

Project Status: This item was noticed as a public hearing and notices were sent to adjacent property owners. The public hearing was held on August 12, 2021 but no action was requested of the Planning Commission at that time. The City Engineer has been working with the applicants since that time. There was concern as to the scour potential for the footings since the project is immediately adjacent to Pack Creek. The City Engineer is comfortable that there has been adequate analysis to allow the application to go to Planning Commission for conditional approval.

Background:

The Creekside Townhomes was an approved Preliminary and Final Plat in late 2018. The Final Plan was never recorded and all approvals have since expired. This is a request for the same project that received approval in 2018.

Project Summary:

The applicants are requesting approval of a nine-unit townhome development to be developed on a 2.35 acre parcel located at 545 Kane Creek Blvd. Only a small portion 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-family Zone and FW-1, Floodway Zone.

There are public improvements required as a part of the development of the including Right-of-Way; Curb, gutter and sidewalk; a crosswalk with pedestrian crossing lighting.

Attachments include the proposed Site Plan, proposed elevations.and a draft plat .

Planning Commission Action:

The Planning Commission may:

Approve Resolution 06-2021 A Resolution approving the Site Plan and Preliminary Plat with the following condition:

1. Prior to building permit issuance, the applicant must receive approval of the Floodplain permit by the City Engineer; or

Continue the item with specific direction to the Staff and Applicant as to what additional information is necessary to make a decision; or

Deny the Site Plan and Preliminary Plat for the Creekside Townhomes with specific findings.

Motion to Approve: I move to conditionally approve Resolution 06-2021 approving the Site Plan and Preliminary Plat for the Creekside Townhomes.

In making your determination, please refer to the Site Plan and Preliminary Plat approval criteria as follows:

17.67.060 Approval criteria. (Site Plan Review)

A. The following criteria govern site plan approval:

- 1. Compliance with applicable Moab ordinances and building codes;*
- 2. Availability of necessary utilities, including culinary water, sewer, electricity, natural gas, and the like;*
- 3. Consistency of the design with Moab advisory documents; and*
- 4. Accuracy and truthfulness of submittals or representations in the application.*

B. Discretion to Grant Conditional Approval. The applicable land use authority has discretion to impose conditions during the review process that address: (1) deficiencies in the application; (2) performance of the design in providing efficient access, vehicle circulation, connectivity, pedestrian/nonmotorized vehicle access; (3) buffering of off-site impacts; (4) storm water management and flood damage prevention; (5) landscaping and architectural design; (6) utility design issues; and/or (7) other provisions of Moab ordinances or advisory documents.

C. Statement of Reasons in the Event of Denial. Where an application is denied, the land use authority shall provide a statement of reasons explaining the basis for its denial.

D. Code Violations. The City may properly decline to review or approve any application where the property that is the location of the application has outstanding municipal code or building code violations. Where such violations exist, the City may decline further review of the application until such time as all violations are abated and applicable fines, fees, or taxes applicable to the property are paid.

16.12.050 Preliminary plat approval.

Following a review of the preliminary plat by the Planning Commission, the planning coordinator, the City Engineer, the utility supervisor, the utility companies and other agencies as required by the zoning administrator, the Planning Commission shall hold a public hearing before acting on the plat as submitted or modified. If the plat is approved, the Planning Commission shall express its written approval with whatever conditions are attached, by returning one copy of the preliminary plat, signed by the zoning administrator to the subdivider. One signed copy shall be given to the City Engineer and one copy retained by the zoning administrator; other copies to be distributed as determined by the zoning administrator. If the preliminary plat is disapproved, the Planning Commission shall indicate its disapproval in writing and give reason for such disapproval by means of signed copies. The Planning Commission action can be appealed to the appeal authority within thirty days of written notice to the subdivider. The receipt of a signed copy of the approved preliminary plat shall be authorization for the subdivider to proceed with the preparation of the final plat. No construction of the subdivision shall commence until final approval has been given and the plat recorded.