

**Moab Planning Commission Agenda Item**  
**Lost Springs Apartments Site Plan Application**  
Meeting Date: March 10, 2022

**Title:** Consideration and Possible Conditional Approval of Planning Resolution #01-2022, A Planning Resolution Conditionally Approving the Level II Site Plan for the Lost Springs Apartments on Property Located at 238 S 400 E, Moab UT 84532

**Disposition:** Discussion and Possible Action

**Staff Presenter:** Cory P. Shurtleff, Planning Director

**Attachment(s):**

Exhibit 1: Draft Planning Resolution #01-2022  
Exhibit 2: Vicinity Map  
Exhibit 3: Recorded County Plat  
Exhibit 4: Project Narrative  
Exhibit 5: Civil Site Plan  
Exhibit 6: Landscaping Site Plan  
Exhibit 7: Floor Plans & Elevations  
Exhibit 8: Renderings  
Exhibit 9: Resolution 33-2021

**Options:**

1. Conditionally Approve Moab Planning Resolution #01-2022, with or without modifications; or
2. Continue or table action to a later meeting with specific direction to City Staff and Applicant as to additional information needed to make a decision; or
3. Deny the Site Plan Application, giving specific findings for decision.

**Recommended Motion:** I move that the City of Moab Planning Commission Conditionally Approve Planning Resolution #01-2022, A Planning Resolution Conditionally Approving the Level II Site Plan for The Lost Springs Apartments on Property Located at 238 S 400 E, Moab UT 84532, with the following condition:

1. All comments shall be addressed to the satisfaction of the Moab City Planning Director prior to Building Permit Application Approval. Comments include:
  - a. The Authorized Agent for the Lost Springs Apartment Site Plan Application #21-0039, conditionally approved through Planning Resolution #01-2022, shall sign an acknowledgement agreement declaring that the proposed site plan shall comply with the approved Ordinance #2022-05 upon City Council Approval, as is required for projects submitted during the active resolution period of Resolution #33-2021.

**Background:**

The applicant, Josh Godfrey, submitted on behalf of the property ownership, Hampton Roads LLC, the appropriate applications and submittal materials for the Level II Site Plan on November 29, 2021. The Site Plan Application was reviewed by the

Development Review Team (DRT) on December 15, 2021. Following the response to DRT comments in the Resubmittal materials, submitted February 3, 2022, the DRT found the outstanding comments were sufficiently addresses. At this time the Site Plan Application has been submitted for review by the Moab City Planning Commission, on March 10, 2022; proposed as a conditional approval based out the outstanding requirements resulting from Moab City Resolution #33-2021.

**Project Description:**

Location: 238 S 400 E, Moab UT 84532

Property Owner: Hampton Roads LLC

Applicant: Josh Godfrey

Parcel: 01-0B01-0011 (97474.14 sf) (2.24 acres)

Zoning: R-3 Multi-Household Residential Zone & C-5 Neighborhood Commercial Zone

Proposed Use: Residential Multi-Household Apartments

Project Size: 80-unit Multi-Household Apartment Development, Pool/ Clubhouse

Parking: 120 spaces

**Narrative Summary:**

Provided by Applicant:

“2nd Story Capital proposes to construct a multifamily development located at 238 South 400 East to replace the existing mobile home park. The parcel is 2.24 acres, all of which will be disturbed with the project. The new multifamily buildings and office building will comprise of about 25,000 square feet of footprint area. Access will be provided from 300 East, 200 South and 400 East. Parking will be provided in two components: outdoor parking and garage parking. A total of 120 parking spaces will be provided with 104 of those spaces being outside and 16 being garage parking spaces.

The proposed project has been designed per the Land Use Code and in alignment with the City General Plan. All building setbacks and parking requirements have been met. Interior parking lot landscaping percentages meet the Land Use Code requirement.

Thank you for the opportunity to submit this application. We look forward to working with the City of Moab on this development.” – Cal Johnson, Legend Engineering

The proposed Site Plan Application was officially submitted on November 29, 2021, falling with the timeframe identified by Moab City Resolution #33-2021, between October 12, 2021 and April 10, 2022. This Resolution enacted the Pending Ordinance Doctrine, which allows to City to deny any applications pertaining to the identified amendment or process applications under the condition that they will comply with the resulting ordinance. The applicant has confirmed that they will continue the application in compliance with the approved Resolution, and pursue the Conditional Site Plan Approval to comply with the resulting Ordinance #2022-05. This Ordinance will require that a percentage of the proposed units in the R-3 Multi-Household Residential Zone portion of the property be designated as Active Employment Units, to be occupied by qualified Active Employment Households. The specific process, review, approval, and enforcement of this condition will be outlined in the resulting Ordinance #2022-05.

**Process: Site Plan Review**

Section 17.67.050 of the Moab Municipal Code (MMC) regulates the Review Procedures for a Level II Site Plan Application. The Planning Commission acting as the Land Use Authority shall provide the approval of the submitted Lost Springs Apartments Site Plan Application, Planning Resolution #01-2022, based on the Approval Criteria identified in MMC Section 17.67.060.

*17.67.050*

*D. Level II Applications. Level II applications shall first be reviewed by the DRT, which shall issue a staff report identifying recommendations for the project. The land use authority for Level II applications shall be the Planning Commission, which may approve, approve subject to conditions, or deny the application.*

*17.67.060*

*Approval criteria.*

*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.*