

**MOAB CITY PLANNING COMMISSION MEETING
MINUTES
JANUARY 23, 2020**

The Moab Planning Commission held a workshop and a regular meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street. An audio recording of the evening meeting is archived at: <https://www.utah.gov/pmn/index.html> and a video recording is archived at: https://www.youtube.com/watch?v=x_6ooLnzWAE.

Planning Commission Chair Pro-Tem Kya Marienfeld called the regular meeting to order at 6:00 PM. Commission members Kya Marienfeld, Marianne Becnel, Brian Ballard, Luke Wojciechowski and Jessica O'Leary were present. Commission member Becky Wells was absent. Staff in attendance were City Planning Director Nora Shepard, Assistant Planner Cory Shurtleff, and Deputy Recorder Joey Allred. Four members of the public and media were present.

Election of Chair and Vice Chair:

Discussion: There was no discussion.

Motion and vote: Commission member Ballard moved to approve Kya Marienfeld as Planning Commission Chair for 2020. Commission member O'Leary seconded the motion. The motion passed 5-0 with commission members Becnel, Ballard, Wojciechowski, Marienfeld and O'Leary voting aye. Commission member Ballard moved to approve Marianne Becnel as Planning Commission Vice-Chair. Commission member O'Leary seconded the motion. The motion passed 5-0 with Commission members Becnel, Ballard, Wojciechowski, Marienfeld and O'Leary voting aye.

February Planning Commission Meeting Dates:

City Planning Director Shepard explained that she had wanted to adjust the meeting dates for February, but that due to various conflicts, the meeting dates would remain on February 13th and 27th of 2020.

Shepard announced that there would be a Utah Chapter of the American Planning Association Conference at the Hoodoo in Moab on February 26-28, 2019 if any of them would like to attend. She explained what such an event entailed.

The Commission made introductions around the table.

Approval of the June 27, 2019, July 3, 2019, August 22, 2019, September 12, 2019, September 26, 2019, October 10, 2019, November 7, 2019, November 21, 2019, and December 12, 2019 meeting minutes:

Discussion: There was no discussion.

Motion and vote: Commission member Becnel moved to approve the minutes from June 27, 2019, July 3, 2019, August 22, 2019, September 12, 2019, September 26, 2019, October 10, 2019, November 21, 2019, and December 12, 2019. Commission member Ballard seconded the motion. The motion passed 5-0 with Commission members Becnel, Ballard, Wojciechowski, Marienfeld and O'Leary voting aye. Commission member Ballard moved to approve the minutes from November 7, 2019. Commission member O'Leary seconded the motion. The motion passed 5-0 with Commission members Becnel, Ballard, Wojciechowski, Marienfeld and O'Leary voting aye.

Citizens to Be Heard:

There were no citizens to be heard.

Public Hearing:

Shepard explained to the Commission and the public that as the last meeting had been cancelled due to the lack of a quorum, the public hearing would need to be re-noticed and a new public hearing scheduled. However, the Commission would still hear from the members of the public that were present.

Public Hearing and Possible Recommendation to The City Council-An Ordinance Amending the City of Moab Municipal Code Section 17.69.050(E) To Modify the Minimum Square Footage for Construction of Workforce Housing Units From 1,000 Square Feet to A Minimum Of 400 Square Feet:

Discussion: Shepard said, “I’m going to ask you to open the public hearing, listen to the presentation and take public input and then I’m going to ask you to continue the public hearing because by the time we cancelled the last meeting due to lack of a quorum, it was too late to notice this meeting, because of when she would have needed to get the notices to the newspaper. So, it has been officially re-noticed for the next meeting. She said, “So, we will, we’ll ask you to continue the public hearing and then take action at that time. And I apologized to the applicant for that. It’s just one of those timing issues that we run into.”

Shepard then gave a brief history of the Assured Workforce Housing Ordinance that required not less than 1,000 square feet per unit and the fee in lieu option. The Henry Shaw Hotel wants to build smaller Assured Workforce Housing units on site. Commission Chair Marienfeld asked where Council was on this issue because the increase was made at that level and Shepard told her that the subject was brought up at a Council meeting and they would be willing to entertain it.

Commission Chair Marienfeld opened the unofficial public hearing at 6:17 PM. On the Ordinance Amending the City of Moab Municipal Code Section 17.69.050(E) To Modify the Minimum Square Footage for Construction of Workforce Housing Units From 1,000 Square Feet to A Minimum Of 400 Square Feet.

It was noted that one letter had been sent in on this issue.

Elizabeth Boone- Provided a presentation and said, “I’m Elizabeth Boone the architect of the Reynolds Ash and Associates and I’m the architect that’s working on the Henry Shaw Hotel and we’ve been working on the Henry Shaw Hotel since 2015. So, this has been a project in our office for a while and during this process we encountered the Workforce Housing Ordinance which passed, and we have been working to adopt it in a way that still pencils for the project. So, my critique of the 1,000 square foot units and the reason why it has not been executed to date, and everyone is paying the fee in lieu of, is because it does not pencil. So, the cost of building these units, it is cheaper for the developers to just pay the fee in lieu and move on than to actually provide you guys with the units. And so, one critique is that, you know, now all the units are concentrated into one location that the City controls versus sort of a variety of units throughout town on the same site as, say, people that are working and could be living there to their benefit. So with that being said, I also wanted to share with you some typical apartment size samples from some projects that we’ve been involved with over the last few years and I would also like to note that there has been a downward trend in apartment sizes in the last ten years and we’re seeing a decrease of up to 12% in some cities and so people are accommodating smaller lifestyles with the benefit of being, you know, in a more walkable area, or having proximity to other amenities. So, this is actually a project that I am working on in Gilbert and I wanted to point out the studio unit at 423 net square feet on the left side of that drawing. You go to the next one. This is a project that was just completed in Durango. This building is 100% sold. Very high demand for these types of units in Durango. This was not an affordable project by any means and sort of just market rate sales and the studio unit there is 392 net square feet. This one is actually under construction in Durango right now and this is a series of studio units only and

these are each at 442 net square feet. We had such success with the previous project that really saw a position in the market for these 400 net square foot units and that was sort of the driver on this project. And then I wanted to also show the proposed design for the units at the Henry Shaw Hotel. So, these are 394 net square feet, 437 gross square feet, so that includes all the perimeter walls and there's a couple little 3-D's of, you know, a little kitchenette, a dining area, a bed. This could potentially be a Murphy bed and then a closet with a full bath. So, very livable. And then, if you go to the final slide, this is actually the apartment that I lived in for five years in Manhattan and it's 278 square feet, and I think one of the critiques that we saw in this letter was that, how do people entertain and have enough space in these small units and, certainly after living in this unit, I didn't and my neighbors didn't have any issues entertaining and still living a full life in 278 square feet. And so, while we are not in a major city like New York who is setting small unit trends. They recently built a micro apartment for similar types of workforce housing and veteran's housing and their apartment ranges were 150 to 400 square feet. So, we are not quite that extreme, but we do want to be reasonable about what is the baseline? And 1,000 feet feels very generous and I think that there's room to reduce that to make it work for the development. I'll take any questions." Commission Chair Marienfeld said, "all right, thank you. Does anyone have any questions?" Commission Member Ballard said, "I have a question. And so, your purpose of being here is to share all of this because you're proposing?" Shepard said, "they're proposing to do that." Boone asked, "can we go back three slides, I believe? This is what we are proposing. I think what I wanted to do was show a palette of successful apartments in the 400 square foot range. Also share our 400 square foot workforce housing proposal. The cost of building this to us is about the same as the fee in lieu of." Commission Member Ballard said, "that's good." Boone said, "we prefer to build campus availability on our site, but unless we have this reduction, we can't do that." Commission Member Ballard said, "so, that's where we're at here. So, you're in favor of all this?" Shepard said, "Yes." Commission member Ballard said, "That's great." Commission Chair Marienfeld said, "thank you, Elizabeth."

Commission Chair Marienfeld asked, "Okay, do we have anyone else for the public hearing tonight on this issue tonight, and it will be continued." Shepard said, "Yeah." Commission Chair Marienfeld said, "To our February 13th meeting." Shepard said, "Absolutely. And certainly, you can discuss it, but people will have the opportunity and I did receive a public comment which is forwarded to you. Commission Chair Marienfeld said, "Thank you. Okay, so I will continue the public hearing if anyone would like to discuss things now just to kind of get a general temperature before we do more public comment potentially in three weeks. If that works on our schedule tonight? Maybe take just a few minutes."

Commission Member Becnel said, "sure, let us just crunch some numbers. How many square feet is the Henry Shaw Hotel?" Boone answered, "we're at 113,000." Commission Member Becnel asked, "15.57 per square foot is your fee in lieu, is that right?" Shepard answered, "Yeah." Commission Chair Becnel asked, "so, you're at \$1,759,410.00?" Boone answered, "Yep." Commission Member Becnel asked, "what's the cost per square footage for you to build affordable housing?" Boone answered, "\$250.00 per square foot." Commission Member Becnel said, "Bull shit." Commission Chair Marienfeld said, "Whoa." Commission Member Becnel said, "pardon my French, but that's not true." Commission Member Ballard said, "now wait a second, say that again? Commission Member Marienfeld said, "alright, pause. I think we need to. Everybody just, like take a minute because we, we don't need cursing to the public on the record." Commission Member Ballard said, "no, no, no, you might be right if you're talking about land use, all that kind of stuff. Okay, so she is probably right, okay? So, I think the question was asking is per square foot for a building that size, and we are thinking what, you have got 30 units in there or something, I don't know." Boone answered, "11." Commission Member Ballard said, "okay, 11. So that square footage is going to go down, right? Do you have, does she have to build on the site to do this, or can she build them anywhere?" Shepard answered, "They can build them anywhere, but they have chosen to go this route." Commission Member Ballard said, "Yeah, okay. That is good, I am just, just curious about that. So, I have

another leading question on that, as well. For us. Okay, and that is that since this proposal is in front of us at 400 square feet, can I, if I owned a motel, could I build that unit anywhere in town?" Shepard and Commission Chair Marienfeld answered, "Yes." Commission Member Ballard said, "okay, on a 1,000 square foot piece of ground?" Shepard answered, "Yes, you would have to build it, and this is another thing we have to fix in the code, and probably deed it the City or a public entity." Commission Member Ballard said, "well, that's kind of where I'm going with this. So, that needs to be addressed. Although, I like the idea of 400 square feet though, because that makes total sense. You know what I mean? To have that, the small square footage, because if they are required to provide housing, they do not have to be required to build something huge to have a huge family. They're meeting that requirement, but if they want to build two of them, do they have to have 2,000 square feet if they're connected?" Shepard said, "I hadn't thought about that. They could make them 2,000 square feet if they wish." Commission member Ballard asked, "but, could they do it on less?" Shepard answered, "yes." Commission Member Ballard asked, "okay, so she's putting 11 units in there, does she have to have 11,000 square feet to put that in or can she do it on their much smaller base?" Shepard said, "the way this is proposed, they could be smaller units." Commission Member Ballard said, "Smaller units, smaller property and that's kind of where she was heading." Shepard said, "yes. And you are absolutely right, Maryanne, it is sort of, it is kind of cutting them a bread, but it is also getting them built on site. So, I think from our point of view, if somebody wants to come in and do a motel and they want to put him on site, then cool. And we're trying to encourage." Commission Member Marienfeld said, "and we were. I remember the discussion when we were writing and tweaking and passing this ordinance along to City Council last year, was, you know, obviously the, the easy way out is going to be fee in lieu. It is simple, it does not require any future involvement on the part of the developer once everything is done and how are we going to incentivize some of the things that are going to get us housing faster? Right now, we do have Walnut Lane, so we actually do have a place where the fee is in lieu is going directly, but we might not have that in a few years. We might not have a project that is actively happening and if someone owns land already, or if you have a spot to be able to provide that. I mean, this is something we were talking about when we wrote the ordinance in the first place." Commission Chair Becnel said, "so, pardon my shock factor, but..." Commission Chair Marienfeld said, "We don't have to go with 400, we don't have to make that our recommendation. We can tie it to something as Nora was saying." Commission Member Becnel said, "I'm still talking. Pardon my shock factor with this, but our whole purpose here to be helping our community. How does this project, 200 plus units actually help our community and how many jobs is that creating? According to our housing research, that is going to create maybe, like 100 more jobs like housekeepers and maintenance people. Is that really worth 11 units of housing? We are already behind 1,000 units. So, what I am saying here is, like let us look at the bigger picture. We spent three years on affordable workforce housing for a reason and now we finally came to an agreement and we are talking about this again? And, they can pay the fee in lieu. Fine, they are not asking for a 60% reduction in a fee in lieu, they are asking for a price cut on the project where they are going to save \$500,000.00 + per square footage. I mean. Just do what we asked for. Pay the fee in lieu, but do not change something that we have been working on for three years that we have put thousands of hours of eyes and lawyers into. That's my stance."

Commission Chair Marienfeld asked, "anyone else have any questions or things to weigh in on? We'll have a continuation of the public hearing in three weeks and maybe we could get more information by then, too." Shepard said, "if you need specific information, we'd be happy to generate that for you. Just let me know. Commission Chair Marienfeld said, "I think I would like, maybe for other Commissions to, to think about if there's a way we could. My inclination at least right now is 1,000 is too big to require. My house, my entire house is 1,000 square feet and I have a three-bedroom, two-bathroom house, so it is. That is big. And I think the way things are going, we do want to incentivize actually providing housing as a mix. We're always going to want a mix, we're always going to get the fee in lieu in some way probably

continuing with most developments, but if you know you do have a sizable project that's willing to provide something on site, in particular, I think that's good. 400 square feet does seem small. I will be honest, looking at the mock-up of what is proposed, it seems small as well. So, if there is some sort of happy medium we could come to where it would still be more of an incentive to provide that immediate housing to the community, but not quite that little if we're not requiring more units. That, again being a caveat. Potentially we could require more units for a reduction in size too, and this might be something for the architect in the immediate stance to maybe have a sort of frank open conversation with the Planning staff about, say, you know realizing we're not going to, you know, hold you to that necessarily, but any input we have because you're going through this right would be really useful, about what would be feasible? What would tip you back over to fee in lieu? How big would be too big? How many units at how many 450 square foot units would be too many units that would tip you back into fee in lieu. I think because we have a real situation in front of us for the first time with this was really good information, we should take advantage of." Commission Member O'Leary said, "well, I think it's also important to recognize some of the big differences between Moab and a city. People are coming to Moab. You know, I first moved here to climb and to ride my bike and you are going to have all this gear. People that are coming to live here are going to have bikes and boats and this and that. So, is there an additional area they have access to store all their stuff? I mean, we do have a bike theft problem in this town, and we don't want it to increase." Shepard said, "Right. So, there are lots of different kinds of people looking for housing in the community and I think most people that work the hotels and motels probably will not have bikes. They probably will not have cars. Some of them may have bikes as their only means of transportation. So, if we are trying to hit very low income, which we are trying to do, and nobody else is really proposing that, then they probably are not here to climb and they are not here to ride their bikes. They are here to work and make money. So, this kind of unit is oriented toward that kind of person and not the kind of person like you and me, who, yeah, we have lots of stuff." Commission Member O'Leary said, "well I lived in my car when I first came here too, so." Commission Chair Marienfeld said, "Nora, there, there is a bit more of an overlap that I think you're maybe recognizing. I do. I do think that, because when we're looking at like our, all of our other affordable housing ordinances or things we've discussed have had on site storage for things like that, and I think if that's something that can be provided, it would certainly kick that up, because on site secure bike storage would be a huge boon having some sort of dedicated 4x4 storage unit for each housing unit, as well. It does not even. It could be on the other side of the building, but as long as it is there. Like, there's actually a storage unit shortage in Moab as much as there is housing." Commission Member Becnel said, "but I think there's a big difference between where a person will live and where they deserve to live, and this town is all about setting the bar high. Just because you're a Mexican immigrant family and you're forced to live in 300-400 square feet doesn't mean that that's the right thing for us to make these people do." Shepard said, "Certainly." Commission Chair Marienfeld said, "Alright, if anybody else has any initial thoughts you will have this discussion again in a few weeks.

Commission Member Ballard said, "well, I have a lot of concerns about it, but rather than discuss it now, should we wait for that?" Shepard said, "if you have crucial information that can provide or that you want us to provide to help you make a decision." Commission Member Ballard said, "okay, well first of all, I think the 400 square feet is not unreasonable. Okay, we were talking about this PAD system that we had going, and we were going much less than that, okay? So, 400 feet, 400 square feet is quite a bit more than that and I think she pointed out that there are some nice places for people. I do not think they are required to give them the Taj Mahal, you know. I mean, they are, their employers. They are almost getting their rent, I do not know if it is free, but at least it is getting provided. My concern is that if they are going to put in, say 11 units behind their motel. Yeah, that is good, because they can walk to work, and they are there. I did not. Never liked the idea that the employer is also the owner of where they live. I've, I've kind of been against that, but I do like the other side of it where they were living right on site there. It

is easy for them to get to and from, but if they happen to build more. Let us say they hire “x” amount of people, say they have 30 employees, but 10 do not live, do not want to live there because they live in town, right? That is going to happen that is all. I think that is obviously going to happen. Then what do they do with the other half of them? Can they rent them out?” Shepard said, “Yes.” Commission Member Ballard said, “Okay, so they can take them, and they don’t have to have them for employee housing.” Shepard said, “they have to have them for workforce housing and they have to be restricted as to the amount of rent they can charge based upon the income levels that they’re trying to hit and one of the advantages of the smaller units is that it’s a much lower rent. So, people who are really very low income can actually afford something. Commission member Ballard said, “okay, so maybe there’s not something about that, because, because I think what’s going to take place here is if they build those buildings on their site and they only have half of them rented to employees that they provided, the other half are empty.” Commission Chair Marienfeld said, “well no, you could rent them.” Commission member Ballard clarified, “so, you can rent them, and you’re stipulating what that rent is?” Shepard said, “yeah, they all have to be deed restricted and they have to, there’s a really strict formula s to the amount of rent you can charge and how much that can appreciate per year, so they are subject to 50 year deed restrictions.” Commission Chair Marienfeld said, “on those units and if they are not filled by employees they will be offered to other qualifying low, qualifying low income renters.” Shepard said, “Yeah.” Commission member O’Leary asked, “and if their employment changes but they’re still living in town?” Shepard said, “well that’s, I mean it would be the tenant’s choice. I do not know. I mean I do not know; we have not gotten to the details. They have not even come to the Planning Commission for site plan approval yet, because they don’t know exactly what they’re designing because they’re actually talking about incorporating the units into the main structure okay, and having separate entrances and things, but. So, they would not be a separate building out back like the Hoodoo. It would actually be incorporated into the primary structure is what they’re proposing, but it would allow that.” Commission member Ballard said, “I would think that would be an issue, but I noticed down here that you’ve to the 17.69.050 the area of affordable housing they’re discussion affordable housing here for 1,000 square feet, are, they’re just going to reduce that, are they suggesting to reduce that affordable housing as well as this, the workforce housing, I mean?” Shepard said, “same thing.” Commission member Ballard asked, “Is it really the same thing?” Shepard answered, “Well, I’m probably using the terms interchangeably, but they are subject to the assured workforce housing.” Commission member Ballard asked, “Okay, okay, so they just kind of fall into that group?” Shepard answered, “Yes. They have to build or do something per that ordinance.” Commission member Ballard asked, “So, is affordable housing right now, down to. Have we got that down to 400 square feet?” Shepard said, “Well, you can build in the PAD, you can build 275 square feet. You can also build a 500 square foot unit in the R-3, so it’s, you know, and it probably goes back to, should it have been a thousand square feet to begin with when we’re not seeing the units getting built? So, maybe we are considering whether the original requirement should be adjusted. That is exactly what we are doing and if you think some numbers change, like if they make them smaller, they have to do more of them, that is an option. I do not know whether we will actually get them built. So, maybe we are considering whether the original requirement should be adjusted. That is exactly what we are doing. And if you think some numbers change, like if they make them smaller, they have to do more of them, that is an option. I do not know whether they will actually get them built. I mean we are trying to kind of, trying to deal with reality. I mean we’re trying to, kind of trying to deal with reality.” Commission Chair Marienfeld said, “Yeah, that’s why I just, I want to make sure we’re use, whether or not we end up, I don’t mean this as a cut. Whether or not we end up recommending this to City Council or what we recommend. I want to. We have a real-world situation in front of us, which we haven’t had yet and a chance to really use this to get something that is actually feasible.” Shepard said, “Right. Which is what happens when you adopt an ordinance and people are trying to figure out how to make it work, right? And there is, well, and we, we have to enter into with the, the developer or whoever, we will enter into what is called ALURA, so it is Land Use Regulation Agreement. It is a deed restriction. It is very restrictive. We were

looking at another one. We were actually negotiating like a first right of refusal if somebody defaults, I mean there is all kinds of. It is very complicated from a legal standpoint but that we have not even begun some of those negotiations. However, the very low or extremely low-income price point is defined by the County. HUD defines it, and so if you are trying to hit the very low, then it is a lot, lot lower rents than a moderate or just 100% of AMI. So, your, you know you're talking about hitting those lower income brackets." Commission Chair Marienfeld said, "And another thing we could think about would be having variation in unit sizes. Say you can have a minimum of just 400, but all a certain percentage of whatever units you're providing could be that small, if that would be something feasible to, so you don't end up with all 400 square foot units, you end up with a mix, which was kind of what we did with the PAD where it intending a mix. Like you need to have some very low, but they don't all have to be very low and I think it does make sense if you're asking for very low-income housing to have it be less than 1,000 square feet. I mean, just thinking about it." Shepard said, "It would be very difficult to provide a \$300 per month rent for a 1,000 square foot unit." Commission member Ballard asked, "So, is there a fee that's being set there then, for if somebody has a mote, they're providing this workforce housing, can they say this is what we're charging our employee for rent? Shepard answered, "they have to agree to maximum rents." Commission member Ballard asked, "What, and that maximum rent is set by?" Shepard answered, "It's based on. There are formulas that are based on the level of median income in the County." Commission Chair Marienfeld said, "Yeah, it's the USDA formula. It's the same one they use for the Rural Development Loans." Commission member Ballard asked, "Okay, but, but I'm wondering if an employer in lieu of that rent is going to be able to say that a minimum wage that we're paying you or, or you know. Let us say they are getting \$12 per hour for cleaning rooms or something. Are they going to be able to put that down at nine?" Councilmember Marienfeld said, "They always could as long as it's the legal minimum wage." Shepard said, "We would try to work something into an agreement so that wouldn't necessarily happen, and again they could rent these to anybody that works in Moab." Commission member Ballard said, "Well, I'm just saying that it gets into a big bag of worms." Shepard said, "This whole thing gets into a big back of worms. This is extremely complicated code that was adopted and it's almost, with this exception, it's almost impossible for people to actually build the units because of the land costs associated with it, and you know, and so we want to try to get something. We do not want to give people a free ride. We understand that there is a huge impact. On the other hand, what is going to get units built? Commission member Ballard said, "Because if they can't afford it, how can the City?" Shepard said, "Well, that's the problem we're having." Commission member Ballard said, "I mean, if you're going to pay in lieu, in lieu of and then if it's not enough for them to be able to afford it, the City's going to be in the red, and I'm not sure they can afford that." Commission Chair Marienfeld said, "Yeah, the idea, I think, is providing housing. Pretend. I think as far as code writing we should pretend that these units are anywhere that they are providing. We have to. You know if an employer is going to pay poorly, I do not agree with this, but the argument would be that the free market will make it so they cannot hire employees. I don't think that's true, but you that's the, you know, if, if you're, if you have, you know if you get first-come first-serve on housing units at your employer and then they're opened up to other members of the community you can take them. You know if I do not how. I don't know that we can talk about wages all?" Shepard answered, "It's not, no. It's crossing too many." Commission member Ballard said, "It is, but, but I would just like to make one more comment and that is I think the 400 square feet is not unreasonable." Commission Chair Marienfeld said, "Yeah, I agree." Shepard said, "I have lived in a lot." Commission member Marienfeld said, "Yes. Size. I don't think it's unreasonable as a living space whether or not we want to allow it as the minimum in all instances is a different story." Shepard said, "Yeah, I agree with that. So, maybe I will try to set up, sort of alternatives to talk about." Commission Chair Marienfeld said, "And if, you're available to continue discussions with the planning staff, it'd be really great to kind of get those outward parameters, because you're sort of mired in it right now, just understanding if you give us, here's your high-end square footage number, we're not going to be like, okay we're going to do that . So, be forthright as you can, I think with staff." Shepard said, "Okay,

great.”

At 6:46 PM Commission Chair Marienfeld continued the public hearing.

Review and Possible Recommendation to City Council on Resolution 01 -2020 The Two-Mac Minor Subdivision Located At 1053 Mill Creek Dr. Moab, UT 84532 Deed restriction:

Discussion: Shurtleff provided a brief presentation explaining that this item involves subdividing the 1.49-acre parcel located at 1053 Mill Creek Drive into three lots. With lot one becoming .62 acres, lot two becoming .36 acres and lot 3 becoming 2.22 acres. The property is vacant and situated immediately west of the Gravel Pit Lanes Bowling Alley and has street frontage access to Mill Creek Drive. This property and the bowling alley are zoned C-4 general commercial zones. Directly across from this property are the Cinema Court Apartments and a section of County property zoned small lot residential and general business access. The property has a cliff, or hill, on the northern boundary. No removal or contouring is being requested during the processing of this application. The reason for requesting that this parcel be divided into smaller lots was, hopefully, for local developers to build small commercial projects to serve the local community. Landowners Doug and Jeremy McElhaney were present to answer any questions the Commission had. Doug McElhaney explained that lot 1 is larger, but much of it is unusable because of the cliff located there. Commission member Ballard clarified their intent is to build commercial buildings. Doug McElhaney explained that that was not what they were proposing. They were proposing that as the property stands it cannot be developed by a small developer. The issues caused by the terrain are insurmountable as one parcel. Therefore, they were proposing to split it into three manageable sized lots so that a small commercial development could be built on it without a 30-space parking lot. Hopefully, a local developer or person would want to buy one and build a small building on it. Shepard noted that there would be no change in zoning. The C-4 zone allows buildings to be built right next to each other just like Main Street. There was discussion regarding easements and the City right-of-way, and the potential uses that could be put there.

Motion and vote: Commission Chair Marienfeld moved to forward a positive recommendation to the City Council for the approval of the Two-Mac Minor Subdivision Resolution 01-2020. Commission member Ballard seconded the motion. The motion passed 5-0 with Commission members Becnel, Ballard, Wojciechowski, Marienfeld and O’Leary voting aye.

Review and Possible Recommendation to The City Council on Ordinance 2019-30, An Ordinance Amending the City of Moab Municipal Code, Section 17.31 RC Resort Commercial Zone to Allow Hotels and Motels, Subject to Revised Development Standards:

Discussion: Shepard explained that she would go over the additional information that she had created based upon the City Council’s request. There was not a very clear direction given by Council. Shepard proposed stepping back and possibly having some joint work sessions with the Planning Commission and City Council to try to get to the core of what it is they are trying to achieve and how they want to achieve it. There are two Councilmembers that feel very strongly about some kind of restriction on the numbers until everyone is caught up. There have been a lot of numbers floating around about numbers of units and how many existing rooms there are and how many proposed and somehow the community ended up with a unit calculation that the number of overnight accommodations units that are in the queue are 38% of what the City currently has. She did not know where that number came from. Just for the City, it is 20% that are in the queue at this time that are moving forward. Shepard wanted to give people real numbers to work with. The only hotel in the queue that has not been approved by the Planning Commission is the Henry Shaw. Most of them have their building approval. She displayed the parcels that are left in the RC zone and discussed what may be placed on those parcels. There had been some discussion with one of the landowners regarding the standards being proposed. They thought that

requiring a certain amount of commercial space and incentivizing that was a good idea and their vision was a small boutique hotel with a separate retail business that could serve either the people staying out there or the Moab residents. Commission Chair Marienfeld asked if there was anything that Council wanted from the Commission at this point. All of the Council had very individual comments and she would really like for at least three of them to give staff some directions so that they are not spinning their wheels. Commission Chair Marienfeld felt that the best thing to do would be to get the joint meeting scheduled. Commission member Ballard felt that they needed to have more meetings to accomplish anything. The recommendation was to continue to look at the emails that Shepard had been sending and try to schedule a joint meeting as soon as possible.

Motion and vote:

Future Agenda Items: Possibly Four Corners Behavioral Health

Adjournment: The meeting was adjourned at 7:11 PM.