

**MOAB CITY PLANNING COMMISSION MINUTES**  
**May 13, 2021**

The Moab Planning Commission held its regular meeting on May 13, 2021 via a Zoom Meeting. 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=BFdv3j-P4Cg>.

**1. Call to Order**

Planning Commission Chair Kya Marienfeld called the meeting to order at 6:02 PM. In attendance were Commissioners Jessica O’Leary, Ruben Villalpando-Salas, Becky Wells, and Luke Wojciechowski. Commission Member John Knight was absent. Staff in attendance were Planning Director Nora Shepard, City Engineer Chuck Williams, City Recorder Sommar Johnson, and Deputy Recorder Kerri Kirk. City Recorder Johnson left the meeting at 6:05 PM.

**2. Citizens to Be Heard**

Jeanette Kopell joined the meeting and stated that she had submitted written comments for the public hearing and wanted to observe the meeting. Cole Howe joined the meeting and said he was waiting for the public hearing about the rezone.

**3. Approval of Minutes**

**3.1. Minutes:** April 8, 2021

**3.2. Minutes:** April 22, 2021

**Motion:** Commissioner Villalpando-Salas moved to approve the minutes. Commissioner Wojciechowski seconded the motion.

**Vote:** The motion passed 5-0 with Commissioners Wojciechowski, Villalpando-Salas, O’Leary, Marienfeld, and Wells voting aye. Commissioner Knight was not present for the vote.

**4. Public Hearing**

**4.1. Public Hearing and Potential Recommendation to the City Council on Proposed Ordinance #2021-06, An Ordinance Approving a Zoning Map Amendment for Property Located at Parcel #01-0001-0173, Approximately 398 Kane Creek Blvd, Moab, UT 84532, Amending the Subject Parcel Zone from RA-1 Residential-Agricultural Zone, to R-3 Multi-Household Residential Zone**

**Discussion:** Planning Director Shepard shared a presentation about the potential rezone. Commission Chair Marienfeld reviewed the written comments that were received by the Planning Commission. She opened the public hearing at 6:30 PM for comments.

**Jacob Satterfield:** “755 is the developer, I don’t need to make public comments right now.”

**Jeanette Kopell:** “Good afternoon, Commissioners. I have already given you my comments, but my husband also has a comment for you guys to listen to, so I’m going to switch him over to you.”

**Phil Koppel:** “Hi, I’m Phil Koppel. Um, just based on your math of 2,000 square feet per lot under an R-2 zone/R-3 zone, I mean, you could put 210 units on there roughly give or take. That’s way high density, even for Moab. I think with as it stands right now, 70 units could be put there and, if some of them are duplexes, it could be 140 is my understanding of the way it works. So, if 270 were there as a PUD, you could put 540 houses somehow in there, I don’t know how. When I went to develop the piece on the other side of workforce services than what’s currently being developed right now, I was told just to put four houses there I would have to run a sewer line all

myself all the way down fifth west to and across the bridge to the pump station by Tim Keogh's development. I think, if you put 70 houses there or 200 houses there right now, by right he can put 70 houses, but there's no sewer. You have RA-1 zoning and the city actually back-zoned it because at the time they had no intention of putting sewer line in here. And state law requires one acre per house lot for a septic tank. The other thing I want the developer to consider is that the stub of second south that goes to the back of that road is not a public road. It is not maintained by the city; it is not paved by the city. It is a private right-of-way, and they will have no access to that, because the owner of the property or former owner, I'm not sure now, has made it clear that no one has access to his property from that road. That's it for my two minutes, thank you."

**Cole Howe:** "I hope I can be heard right now, as far as the sound goes. My concern has been that from our church we border St. Francis Episcopal Church, I live right next to Moab Baptist Church. So I'm close to the proposed development right there. But from our church all the way down this side of Kane Creek we're all on septic, you know. And again my chief concern is where would the sewer line be coming in from? And if it comes from an opposite direction, am I going to be required to hook up to it? And also, how long would we have to get that and prepare for something like that, because that is a substantial cost to literally everybody. That is a huge huge thing. As far as noise goes, the only entrance right you know we're on Kane Creek; very, very busy area. I am all for housing for locals to live in. I think the local stated entry level, I think that's very important. I deal with church folks here and people coming in who, you know, they're working in service industry jobs. They're doing everything they can to pay rent, to pay house payments, and all of that is definitely something important. One of the other things that, as of right now, the only way into this property, you know, from the Kane Creek side is really through our property. And so my question is what kind of entrance are we looking at, and is it going to be directly off of Kane Creek, that sort of thing. I don't know if we get a written uh you know our concerns, questions, if they're going to be addressed specifically, right? This is kind of where it's at. That's it."

Commission Chair Marienfeld stated that there did not appear to be anyone else waiting for the public hearing. She said the written comments have all been received and reviewed; if a comment was not mentioned as received, please let the Planning Commission know as soon as possible. She closed the public hearing for agenda item 4.1.

Planning Director Shepard clarified the potential sewer connection for the property. City Engineer Williams said the code states that, if you are within 200 feet of a sewer line, then you have to hook up. He said there is an exception for septic. He reviewed the possible sewer connection that would go through Pack Creek with a utility bridge, and the access to the property from Kane Creek Boulevard. He said the South Trunk Sewer Line project is five-eight years out but would eventually provide sewer connections for the people with septic systems on Kane Creek Boulevard. There was discussion about the floodplain and possible bank protection. Commission Chair Marienfeld suggested that a pedestrian easement through the property would be beneficial for the community. Planning Director Shepard said the site plan review criteria requires that trails and accessways be considered.

Commissioner O'Leary expressed concern about approving the rezone. Commissioner Wells said more R-3 and R-4 zones are needed to get more apartments in Moab. Commission Chair Marienfeld said the rezone would not provide for overnight accommodations. Commissioner Wojciechowski expressed concern about the rezone due to no requirement for high density

housing. He said the development could become a bunch of single-family homes that have higher profit margins and will be unaffordable for the local workforce. There was a discussion about the need for more housing and the importance of agricultural land. Commissioner Wojciechowski inquired about the maximum number of units for this development, if the rezone is approved. Planning Director Shepard said 200 units is the maximum, but the other requirements might make that number less.

**Motion:** Commissioner Wojciechowski moved to forward a positive recommendation to the City Council on Ordinance 2021-06, an ordinance approving a zoning map amendment for property located at parcel #01-0001-0173, approximately 398 Kane Creek Blvd, Moab, UT 84532, amending the subject parcel zone from RA-1 Residential-Agricultural Zone to R-3 Multi-Household Residential Zone. Commissioner Villalpando-Salas seconded the motion.

**Discussion:** Commission Chair Marienfeld asked if the applicant would like to speak. The applicant Jake Satterfield said there are no specific plans at this point. He said they are willing to engage and collaborate with the city regarding the most appropriate type of development. He said they are not pushing for any element of overnight accommodations. Commissioner O'Leary said the area has not changed, and the current zone was not an error. She said most of the received comments suggested a negative recommendation. Commissioner Wells said the rezone is very appropriate.

**Vote:** Motion passed 4-1 with Commissioners Wells, Villalpando-Salas, Wojciechowski, and Marienfeld voting aye. Commissioner O'Leary voted nay. Commissioner Knight was not present for the vote.

## 5. Public Hearing

### ***5.1. Public Hearing and Possible Action On: Resolution No. 13-2021 Conditionally Approving the Final Master Planned Development (MPD) for the Lionsback Resort and Final Plat for Phase 1***

**Discussion:** Planning Director Shepard said Jon Dwight will explain the project and some of the upgrades that have been made. Commissioner Wells recused herself from this topic. Planning Director Shepard provided history on the Lionsback development. Jon Dwight said he is a principal with the land ownership group. He provided the history, vision statement, infrastructure, and trails on the Lionsback Resort. He reviewed the Phase 1 development plans. Commission Chair Marienfeld opened the public hearing at 7:46 PM.

There were no public comments. Commission Chair Marienfeld said written comments were received by Joe Kingsley and Christina Sloan. She closed the public hearing at 7:47 PM. She said County Attorney Sloan requested the developer pave the entirety of the 4-foot shoulder along Sand Flats with asphalt and require signage to keep the pathways safe. Planning Director Shepard said that would be between the County and the developer. Mr. Dwight said there have been multiple discussion with City Engineer Williams and Grand County Road Department Supervisor Bill Jackson about the improvements for Sand Flats Road. City Engineer Williams said the improvements will not happen in Phase 1, but it will allow for a bike lane on the uphill side. There was a discussion about the utilities being installed by the developer and then managed by the city. Commissioner Wojciechowski inquired about the lighting standards. Planning Director Shepard said the lighting will be minimized if they stick to Dark Sky standards. There was a discussion about access to the Hell's Revenge Trail. Commissioner O'Leary inquired about the phase for employee housing. Mr. Dwight said the employee housing will be in the phase with the hotel development. Commissioner O'Leary inquired about traffic mitigation. Mr. Dwight said the

plan is to have a shuttle service when the hotel is built. He said the traffic was due to the road construction, and that should decrease since it has been completed.

**Motion:** Commissioner Wojciechowski moved to forward a positive recommendation to the City Council on City of Moab Resolution No. 13-2021: a resolution approving the Lionsback Resort MPD. Commissioner Villalpando-Salas seconded the motion.

**Discussion:** Commissioner Wojciechowski said he works for the local domestic violence organization, and it is difficult to find a hotel room for victims that is less than \$200 a night during tourist season. He requested that hotel developers be mindful of that.

**Vote:** Motion passed 4-0 with Commissioners Marienfeld, Wojciechowski, O’Leary, and Villalpando-Salas voting aye. Commissioner Wells was recused and did not vote. Commissioner Knight was not present for the vote.

## **6. Discussion Item**

### **6.1. Work Session – Proposed Code Text Amendments to Address Outdoor Dining and Parklets**

Planning Director Shepard reviewed the proposed ordinances. She said outdoor dining is not addressed anymore, since conditional uses are no longer an option. She said the parklets have regulations and standards for emergency use due to Covid, but that will expire at the end of June. She said the direction from City Council is to consider outdoor dining and parklets as a land use choice. She reviewed the businesses that could have outdoor dining/parklets, and the parking requirements for whether they are seasonal or permanent. Commissioner O’Leary inquired about creating a more level base for them. There was a discussion about parking needs and the dispersed parking project timeline.

### **6.2. Work Session – Discussion on Allowing Brewpubs, Breweries and Distilleries as Permitted Uses in the Moab Municipal Code**

Planning Director Shepard said a City Councilmember is interested in amending the C-3 code to allow breweries and brewpubs. She reviewed the definitions of brewpubs, breweries and distilleries, and the types of commercial zones they could be permitted in. She said that she is trying to confirm the state liquor laws for these types of establishments, and the plan is to have another work session and a public hearing in the future.

## **7. Future Agenda Items**

Planning Director Shepard said there is one last vested overnight accommodation project that will need reviewed. She said there are continuing discussions with the consultant for the developer for SITLA on the land around the USU campus.

## **8. Adjournment**

Board Chair Marienfeld adjourned the meeting at 8:26 PM.