

MOAB CITY PLANNING COMMISSION MINUTES
October 13, 2022

The Moab City Planning Commission held its regularly scheduled meeting on the above date in City Council chambers. Audio is archived at www.utah.gov/pmn and video is archived at www.youtube.com/watch?v=WvwdjINxivw.

Call to Order:

Planning Commission Chair Kya Marienfeld called the meeting to order at 6:03 p.m. Commission Members Ruben Villalpando-Salas and Jill Tatton attended, and Commission Member Jeremy Lynch joined the meeting at 6:33 p.m. City Planning Director Cory Shurtleff, Assistant Planner Jessica Thacker, Planning and Zoning Administrator Anna Anglin, City Council liaison Luke Wojciechowski, City Engineer Chuck Williams and Recorder Sommar Johnson also attended. Four members of the public were present.

Citizens to be Heard:

Commission Chair Marienfeld acknowledged written comments received.

Approval of Minutes:

Commission Member Villalpando-Salas moved to approve the minutes of the September 8 and 22, 2022, Regular Meetings. Commission Member Tatton seconded the motion. The motion passed 3-0 with Commission Members Marienfeld, Tatton and Villalpando-Salas voting aye.

Public Hearing:

Commission Chair Marienfeld introduced Planning Administrator Anglin, who presented background on proposed **Ordinance 2022-16**: an ordinance approving the vacation of the abandoned right-of-way known as Rim Rock Road on property located at 1492 S (Aggie Blvd.) and Highway 191, Moab, UT 84532 (Parcel #01-0018-0002). Anglin answered questions regarding Right-of-Way vacation and it was explained the proposed townhomes would be sold privately. Marienfeld opened the public hearing at 6:14 p.m. There were no public comments and she closed the public hearing at 6:14 p.m.

Rim Rock Road Right-of-Way Vacation—Positive Recommendation

Motion and Vote: Commission Member Tatton moved that the City of Moab Planning Commission Recommend to City Council proposed **Ordinance 2022-16**, an ordinance approving the vacation of right-of-way, known as Rim Rock Road on property located 1492 S (Aggie Blvd.) and Highway 191 Moab, Utah. Commission Member Villalpando-Salas seconded the motion. The motion passed 3-0 with Commission Members Marienfeld, Tatton and Villalpando-Salas voting aye.

Aggie Apartments Phase I, Level II Site Plan—Conditionally Approved

Presentation and Discussion: Planning staff and Engineer Williams presented the proposal for a 15-acre development consisting of 14 buildings containing 288 apartments. Dark skies compliance, fencing and warning signs for a detention pond were discussed.

Motion and Vote: Commission Chair Marienfeld moved that the City of Moab Planning Commission Conditionally Approve **Planning Resolution 11-2022**, a planning resolution conditionally approving the Level II Site Plan for the Aggie Apartments Phase I project located at 1492 S Highway 191 (Aggie Blvd) Moab, Utah, with the following conditions: All outstanding comments shall be addressed to the satisfaction of the Moab City Engineer and Planning Director prior to Building Permit Application Approval, including: a) a lighting plan which complies with the requirements of Sections 17.09.060 through 17.09.069. b) the proposed

detention pond will require a 6-ft fence and install a warning sign along with submitting a mitigation plan for the basin hazard. Commission Member Tatton seconded the motion. The motion passed 3-0 with Commission Members Marienfeld, Tatton and Villalpando-Salas voting aye.

Aggie Townhomes Phase II, Level II Site Plan—Conditionally Approved

Presentation and Discussion: Staff presented Proposed **Planning Resolution 12-2022**: a planning resolution conditionally approving the Aggie Townhomes Phase II, Level II Site Plan on property located at 1492 S (Aggie Blvd.) and Highway 191, Moab, UT 84532.

Motion and Vote: Commission Chair Marienfeld moved that the City of Moab Planning Commission Conditionally Approve **Planning Resolution 12-2022**, a planning resolution conditionally approving the Level II Site Plan for the Aggie Townhomes Phase II project located at 1492 S Highway 191 (Aggie Blvd) Moab, Utah with the following conditions: All outstanding comments shall be addressed to the satisfaction of the Moab City Planning Director prior to building permit application approval. Comments include: a) A lighting plan that complies with the requirements of Sections 17.09.060 through 17.09.069; b) City Council approve **Ordinance 2022-14**, Aggie Rezone; c) City Council approve **Resolution 22-2022**, Aggie Townhomes Phase II Townhome Plat; d) City Council approve **Ordinance 2022-16**, Rim Rock Road Right-of-Way Vacation. Commission Member Villalpando-Salas seconded the motion. The motion passed 4-0 with Commission Members Marienfeld, Lynch, Tatton and Villalpando-Salas voting aye.

Jailhouse Café Parking Exception—Approved

Presentation and Discussion: Engineer Williams described the proposed development of the Jailhouse Café and the consideration of a parking exception, known as Proposed **Planning Resolution 10-2022**: a planning resolution conditionally approving the parking exception for the Jailhouse Cafe Expansion Level II Site Plan on property located at 101 N Main Street, Moab UT. Williams explained the Main Street C-3 zone and acknowledgement in the City's General Plan that redevelopment of Main Street properties would trigger the need for parking exceptions. Planning Director Shurtleff explained the existing process for obtaining an exception to the code-required off-street parking spaces, which capped a fee-in-lieu contribution at 30 percent of the overall requirement. Shurtleff shared the applicant's proposal, which requested an exception for 44 required parking spaces plus a waiver of the fee-in-lieu.

Applicant Will Petty described the project for the thirty-year-old Jailhouse Café business, which is currently contained in a small iconic building that served as the area's first courthouse. He noted the proposed expansion would include a brick Western-style storefront. Commission Chair Marienfeld noted parking in the area is already an issue. Planner Shurtleff explained parking requirements are usually based upon occupancy as proposed, although Moab's code uses total square footage as the basis for parking requirements. The walkability of the area and proximity to hotels and restaurants was discussed, as well as the City's ongoing plan to develop more dispersed parking in the area. It was noted the applicant agreed to pay a fee-in-lieu for 14 spaces. Commission Member Tatton expressed her appreciation for the re-use of the old building. Commission Chair Marienfeld stated that it is in the best interests of the community to maximize utility of the Main Street area and noted the need to revise the C-3 parking requirements to make the downtown area more walkable. She said she was wary of piecemeal exceptions and considerations for existing businesses. She said the pace of code change is slow and this proposal provides a test case. Shurtleff explained there is an error in the formula and a need for a test case to develop parameters to advance a code change proposal. Commission Chair Marienfeld stated her aspiration for City Council to review the proposal. She said the

neighboring laundromat owner does not support the parking exception and added she is interested in revising the code. Shurtleff stated the staff was unable to move the project forward and recommended a public hearing regarding the fee-in-lieu request. Engineer Williams stated that the top concern for downtown is either parking or the lack of a bypass. He clarified there is no mechanism to designate parking for the laundry. Marienfeld suggested other neighboring businesses should engage with the planners or Commission. She read from a letter regarding potential drainage issues that would be caused by the proposed expansion of the café. Commission Member Tatton noted the evident walkability of the area, said she appreciates both sides, and noted the subject parking is all on public streets. Commission Member Lynch concurred with Tatton, also mentioned citizen concerns, and stated the concerns pre-dated the proposed project. He mentioned the ability to pursue change with the consideration of this project. Marienfeld stated her appreciation that the proposed test case was with a long-term local business, and Planner Shurtleff explained the proposed parking exception is for the current project and owner and would be moot if the business were to be sold in the short term. Commission Member Villalpando-Salas stated the proposed change to the 30 percent fee-in-lieu cap to 70 percent was a game-changer for him. He said a larger conversation regarding downtown parking is needed. Engineer Williams said the fee-in-lieu could be used for downtown parking maintenance and he said the City was working separately to address stormwater issues. Marienfeld praised the proposed mixed-use commercial and long-term housing model.

Motion and Vote: Commission Member Lynch moved that the City of Moab Planning Commission conditionally approve **Planning Resolution 10-2022**, a planning resolution conditionally approving the parking exception for the Jailhouse Café Expansion Level II Site Plan on property located at 101 N Main Street, Moab, UT, with the following condition: all outstanding comments shall be addressed to the satisfaction of the Moab City Engineer and Planning Director prior to building permit application approval, including: a) the Planning Commission grant exception for 30 spaces; given i) of the total 60 spaces required, three spaces shall be provided in the proposed development, 13 spaces shall be credited due to the existing commercial floor area; and ii) the applicants submit and apply an approved request for the maximum available Parking Payment-in-Lieu at 30% of the proposed required parking spaces; such that 2 (1) 14 spaces make Payment-in-Lieu, 30 spaces excepted, three spaces provided, and 13 spaces credited, sufficiently covering the total 60 spaces required; contingent that (a) the Parking Exception granted by the Planning Commission shall only apply if the submitted request for the Parking Payment-in-Lieu is approved following appropriate approval procedures; and shall only be applied upon approval of the proposed Level II Site Plan. Commission Member Tatton seconded the motion. The motion passed 4-0 with Commission Members Marienfeld, Lynch, Tatton and Villalpando-Salas voting aye. It was clarified that the Land Use Authority is the Planning Commission. Commission Chair Marienfeld explained the next steps would include a public hearing regarding the fee-in-lieu request.

Future Agenda Items:

Planning Director Shurtleff noted the dark skies and landscape ordinance progress would be forthcoming, as well as City and County coordination regarding Dark Skies. He added that landscape screening and buffering would be discussed.

Adjournment: Commission Chair Marienfeld adjourned the meeting at 8:47 p.m.