CITY OF MOAB RESOLUTION NO. 32-2019

A RESOLUTION APPROVING A HILLSIDE DEVELOPMENT PERMIT FOR LEGACY DESIGN GROUP FOR COMMERCIAL DEVELOPMENT ON PROPERTY LOCATED AT 1520 NORTH MAIN STREET IN THE RC, RESORT COMMERCIAL ZONE, AS REFERRED TO CITY COUNCIL BY THE PLANNING COMMISSION

The following describe the intent and purpose of this resolution:

a. My Thirty Five One, LLC, PO Box 1692, Bountiful, Utah, 84011-1692, as the Owner of record ("Owner") of property located at 1520 North Main Street has applied through their agent, Legacy Design Group, Craig Larsen, President, with offices at PO Box 1692, Bountiful, Utah, 84011-1692, for a hillside development permit; and

b. Applicant has furnished the following legal description of the property located at 1520 North Main Street, Moab Utah, 84532, more particularly described as:

BEG AT COR ON N R/W OF US HWY 191 SAID COR BEARS N 38°53′E 803.7 FT FROM S¼ COR SEC 26 T25S R21E SLB&M & PROC WITH SAID R/W N 47°40′W 697.9 FT; N 0°05′E 223.1 FT; S 89°54′E 717.3 FT; S 9°15′E 366.6 FT; S 38°18′W 420.5 FT TO POB LESS BEG AT THE NLY R/W OF US HWY 191 SAID COR BEARS N 38°53′E 803.7 FT FROM THE S¼ COR SEC 26 T25S R21E SLMB AND PROCEEDING THENCE N 16°15′E 720.6 FT; THENCE S 9°15′E 366.6 FT; THENCE S 38°18′W 420.5 FT TO THE POB AND CONT 7.02 ACRES M-O-L

c. The City adopted the Hillside Development regulations in order to promote the health, safety and the general public welfare of the residents of the City by establishing standards for the development and excavation of hillside and slope areas so as to minimize soil and slope instability and erosion and to preserve the visual and aesthetic character of the surrounding hillsides; and,

d. The Moab Planning Commission reviewed the application for a hillside development permit for commercial development on property located at 1520 North Main Street in a regularly scheduled meeting held on February 14, 2019 and April 11, 2019, and subsequently adopted Planning Resolution #04-2019, subsequent to said public meeting, and recommends that Council approve the Hillside Development Permit with certain requirements; and,

e. The Moab City Council reviewed the application and considered the Planning Commission and Staff recommendations in a public meeting held on May 14, 2019; and

f. Following the consideration of the technical aspects of the pertinent code sections, the Moab City Council, pursuant to Resolution #32-2019, hereby finds, that all applicable provisions of the Moab Municipal Code have or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, the Hillside Development Permit for commercial development of the above described parcel is hereby APPROVED with the following conditions:

1. A separate site plan must be reviewed and approved upon approval of a Hillside Development permit.

2. Development is subject to the Assured Workforce Housing Ordinance and must execute a Land Use Restriction Agreement with the City Council prior to the issuance of a building permit.

SIGNED: __________________________
Emily Niehaus, Mayor

ATTEST: __________________________
Sommar Johnson, Recorder