

**CITY OF MOAB
PLANNING RESOLUTION #02-2015**

**A RESOLUTION RECOMMENDING APPROVAL OF A ZONING MAP AMENDMENT FOR PROPERTY
LOCATED AT 889 N. MAIN STREET, AND OWNED BY THE WANG ORGANIZATION FROM R-2,
SINGLE FAMILY AND TWO FAMILY RESIDENTIAL ZONE, TO C-4, GENERAL COMMERCIAL ZONE
AND AMENDING THE CITY OF MOAB OFFICIAL ZONING MAP**

WHEREAS, Ms. Christina Sloan, Esq., with offices at 76 South Main Street, Moab, Utah 84532, as the representative for the Wang Organization, Ltd., the Owner of Record, with offices at 168 East Center Street, Moab, Utah 84532, has applied to rezone property owned by the Wang Organization, Ltd, and located at 889 North Main Street, Moab, Utah, and more particularly described as follows:

BEGINNING AT A POINT 39.95 FT. EAST OF THE W1/4 CORNER OF SECTION 36, T25S, R21E, SLB&M; RUNNING THENCE N 0 DEG. 43' E 184.74 FT.; THENCE N 89 DEG. 57' E 563.40 FT. TO THE HIGHWAY RIGHT-OF-WAY; THENCE ALONG SAID HIGHWAY RIGHT-OF-WAY S 46 DEG. 07'16" E 390.14 FT. TO THE NE CORNER OF LOT 8, BLOCK B, UTEX SUBDIVISION, PLAT "A", (BEFORE AMENDMENT), THENCE S 89 DEG. 56' 30" W 848.0 FT. TO A POINT WHICH IS ALSO THE NW CORNER OF LOT 1, BLOCK B, UTEX SUBDIVISION, PLAT "A", (BEFORE AMENDMENT); THENCE N 0 DEG. 43' E 86.07 FT. TO THE POINT OF BEGINNING.

WHEREAS, through no action of the Wang Corporation, the property was split zoned with the commercial zoning extending south into the parcel a distance of approximately twenty-five feet; and

WHEREAS, the Owner wishes to change the zoning of the 4.4-acre property from R-2, Single Family and Two Family Residential Zone, to C-4, General Commercial Zone; and

WHEREAS, Applicant has submitted to the Planning Commission ("the Commission") an application for a zone change with the necessary documents and exhibits; and

WHEREAS, the Commission reviewed the application in a duly advertised public hearing held on February 12, 2015, to review said application regarding the proposed zone change; and

WHEREAS, the Commission reviewed the character and objectives of the two zones, the changes in growth and development in the area, and the appropriateness of the C-4 Zone application for the proposed development of the subject property; and

WHEREAS, the Commission also reviewed the Use Regulations for the R-2 and C-4 zones to determine the impacts that may affect adjacent properties through approval of the request; and

WHEREAS, having evaluated the evidence from the public, the Commission concluded that the change in the zoning for this property was an acceptable amendment to the Official Zoning Map; and

WHEREAS, the applicant or future property owner(s) will be required to provide the City with a site plan for approval by the Planning Commission in the course of initiating a building permit application; and

WHEREAS, the Commission adopted Resolution #02-2015, at said public hearing citing the changes to surrounding properties and in the area with construction of the Raven's Rim Zip Line and other commercial improvements; and

WHEREAS, the Commission has found that the applicant has satisfactorily met two of the three elements of Code section 17.04.050, *Map amendment policy declaration*, in that the property was zoned in error and, as presently zoned, is inconsistent with the policies and goals of the city's general plan, and

the area for which a map amendment is requested has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area.

WHEREAS, the Commission has determined that the review standards in Moab Municipal Code chapter 17.04.060, *Map amendment approval criteria*, have been met as follows:

- A. The existing zone for the property was adopted in error,
- B. Changes in the area have occurred including new growth trends and a need for development transitions,
- C. The proposed zoning classification is compatible with the majority of surrounding uses and any impacts from development can be mitigated,
- D. Adequate facilities are available to serve the type and scope of development suggested by the proposed zoning classification, and
- E. The application conforms to provisions of the Moab general plan and the Land Use Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MOAB, UTAH having considered public comment, Staff recommendations, and discussion of the pertinent aspects of the proposed development, by adoption of Resolution #02-2015, does hereby find, determine, and declare, that the applicable provisions of the Moab Municipal Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, the Planning Commission hereby favorably recommends Ordinance #2015-02 and the application to rezone the 4.4 acre Wang Organization, Ltd. Property located at 889 North Main Street, Moab, Utah, from R-2 to C-4 to the Moab City Council.



Kelly Thornton
Chair