

**CITY OF MOAB
PLANNING RESOLUTION # 06-2015**

**A RESOLUTION APPROVING A SPECIAL EXCEPTION TO THE OFF-STREET PARKING
REGULATIONS FOR THE CONVERSION OF A RETAIL BUSINESS TO A RESTAURANT ON
PROPERTY LOCATED AT 125 NORTH MAIN STREET IN THE C-3, CENTRAL
COMMERCIAL ZONE**

WHEREAS, Mr. James T. Dresslar, Architect, (“Applicant”) of 387 Park Lane, Moab, Utah, 84532, representing Tyson Lesmeister, “Owner”, has applied for approval of a special exception to the off-street parking regulations for property located at 125 North Main Street in the C-3, Central Commercial Zone; and,

WHEREAS, Applicant provided the City of Moab with the necessary documents, plans and study to complete the application for the requested off-street parking exception; and,

WHEREAS, the use of a restaurant is an allowed use in the C-3 Zone as established in Moab Municipal Code (MMC) Chapter 17.24.020; and,

WHEREAS, Moab Municipal Code (MMC) Section 17.09.220 (Q) allows special exceptions to the parking regulations found in MMC 17.09.220; and,

WHEREAS, the Moab Planning Commission (“Commission”), as the Land Use Authority, reviewed the required documents, plans and narrative in a public meeting held on May 28, 2015, to review the application; and,

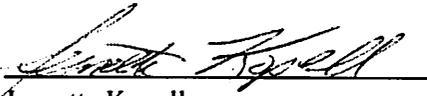
WHEREAS, the Commission, subsequent to a thorough review of the request, adopted Resolution #06-2015, approving the special exception to the off-street parking regulations for the property described above; and,

WHEREAS, having considered the Staff recommendation, and review of the submitted testimony, the Moab Planning Commission does hereby find that:

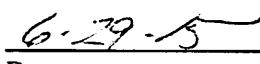
1. A lower than minimum requirement is adequate for the off-street parking needs for the proposed frozen yogurt shop in the structure at 125 North Main Street;
2. The reduction in required parking for the involved properties is agreeable to the Commission;
3. The study and proposal is acceptable evidence for the Commission to grant the requested special exception to the parking spaces; and

WHEREAS, the Commission, has determined and declared, that the intent of the Moab Municipal Code has or can be met.

NOW, THEREFORE, be it resolved by the Moab Planning Commission that the request for an off-street parking exception is for the property located at 125 North Main Street, Moab, Utah, is hereby approved.



Jeanette Kopell
Chair



Date