

CITY OF MOAB

**PUBLIC HEARING
PROPOSED ORDINANCE 2021-01**

The City of Moab will hold a Public Hearing on **Tuesday, February 9, 2021, at approximately 7:30 p.m.** The purpose of this hearing is to solicit public input on Proposed Ordinance #2021-01– An Ordinance Approving a Zoning Map Amendment for Property located at 478 Mill Creek Drive, Moab UT 84532, Amending the subject parcel zone from R-2 Single-Household and Two-Household Residential Zone, to C-5 Neighborhood Commercial Zone.

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), the Moab City Council Chair has issued written determinations supporting the decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, the Moab City Council will continue to hold meetings by electronic means. The public is invited and encouraged to view and participate in the Council's electronic meetings by viewing the City's YouTube channel: <https://www.youtube.com/MoabCityGovernment>.

To submit written comments prior to the meeting, please fill out the form found here: <http://bit.ly/publiccommentform>. Call-in information to make comments during the meeting can be found on the agenda at: <https://moabcity.org/AgendaCenter/City-Council-1>.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

/s/ Sommar Johnson
City Recorder

Published in the Times Independent, February 4, 2021.

CITY OF MOAB ORDINANCE NO. 2021-01

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR PROPERTY LOCATED AT 478 MILL CREEK DRIVE, MOAB UT, AMENDING THE SUBJECT PARCEL ZONE FROM R-2 SINGLE-HOUSEHOLD AND TWO-HOUSEHOLD RESIDENTIAL ZONE, TO C-5 NEIGHBORHOOD COMMERCIAL ZONE.

WHEREAS, the following describes the intent and purpose of this ordinance:

- a. Applicant, Ashley Korenblat, and property owner, Cycling Resources Inc. has applied to rezone parcel #01-0MBO-0055 located at 478 Mill Creek Drive, Moab UT 84532. Taxing description of parcel: BEG N 691.4 FT & E 434.2 FT FROM SW COR SEC 6 T26S R22E; N 27°10'E 86 FT; S 60°49'E 30 FT; S 75°20'E 13.5 FT; S 70°21'E 135.4 FT; S 3°47'W 144.3 FT; NW'LY WITH 5° CURVE AT N R/W MILLCREEK DR. THE CHORD OF WHICH BEARS N 56°18'W 236.2 FT TO BEG 0.53 AC --(THIS IS PART OF LOT 69; BOWEN PLAT; NICHOLS-BOWEN SUBD.) ; and
- b. To amend the subject parcel zone from R-2 Single-Household and Two-Household Residential Zone, to C-5 Neighborhood Commercial Zone; and
- c. The subject parcel zoned R-2 is approximately 0.53 acres; and
- d. The property is currently operating as a legal non-conforming use, as the Western Spirit Cycling commercial business, with proposed continued use for the immediate future; and
- e. The adjacent zones include the C-5 Neighborhood Commercial, the R-2 Single-Household and Two-Household Residential Zone, and the R-4 Manufactured Housing Residential Zone. The adjacent properties include land use of residential and commercial; and
- f. The applicant provided the Planning Commission with an application and the appropriate documents as required in MMC Section 17.04. The Planning Commission reviewed the application in a duly advertised public hearing held on December 10, 2020, where the item was positively recommend for approval to City Council; and
- g. The Planning Commission determined that the amendment to the zoning maps is in accordance with the General Plan and development trends of the community. Having evaluated the staff report, statements from the applicant and the public, the Planning Commission concluded that the proposed change in zoning for this property was an acceptable amendment to the Official Zoning Map; and
- h. The Planning 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 proposed zoning classification for commercial use is compatible with the majority of surrounding uses and impacts to the existing development can be mitigated,
 - B. Adequate facilities are available to serve the type and scope of redevelopment suggested by the proposed zoning classification,
 - C. The surrounding uses will be buffered from other residential and commercial development in the area; and
 - D. The application conforms to the provisions of the Moab General Plan.

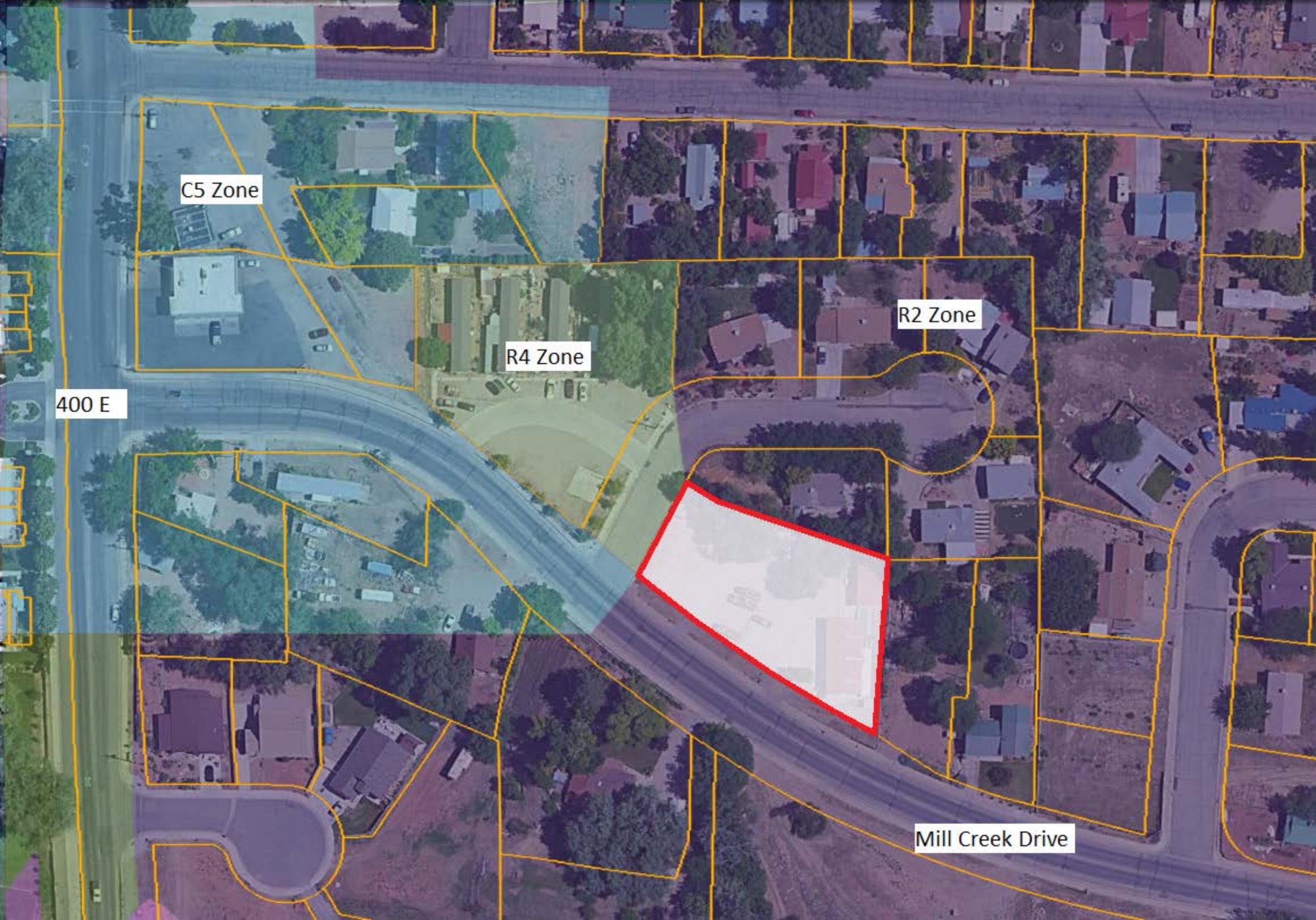
NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, having considered public comment, staff comments, and discussion of the pertinent aspects of the proposed zone change, by adoption of Ordinance #2021-01, does hereby find, determine, and declare, that the applicable provisions of the Moab Municipal Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, the City Council approves the application to rezone the property located at 478 Mill Creek Drive, Moab UT 84532, to C-5 Neighborhood Commercial Zone, amending the Official Zoning Map, is hereby APPROVED.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on January 12, 2021.

SIGNED: _____
Emily Niehaus, Mayor

ATTEST: _____
Sommar Johnson, Recorder



C5 Zone

R4 Zone

R2 Zone

400 E

Mill Creek Drive

Zone Change Request: 478 Mill Creek Drive

1. Justification for the Zone Change

The Western Spirit Cycling building at 478 Mill Creek Drive is in need of a full replacement. The current zone is R-1, (single household residential). The current and historic use of the property is mixed use: office and residential, and for this reason we are requesting a zone change to C-5 to match the nearby zone on the other side of Oliver Street.

In considering options, we explored the idea of developing the property as a residence to fit the R-1 zoning requirements and moving our business into Spanish Valley or some other out of town location. However, the Mill Creek corridor has become so busy over the years that the property does not really seem attractive or appropriate for a home. And with the development of Lions Back and the possibility of designated OHV routes in town, the corridor from 400 East to the Sandflats Road is destined to become even busier, and louder.

As we thought more about the existing mixed use, we realized that a new building with proper landscaping designed for the mixed use of office and residential, could provide a buffer for the nearby homes from the noise of Mill Creek Drive.

Our proposal is for a building with office space, storage, and employee housing which includes a staging courtyard and outdoor space. This more casual office setting with easy access to the outdoors, will provide affordable employee housing and meet the needs of our growing year-round staff.

2. Impacts and Required Mitigation

The use of the property will be the same as the current use, creating no new impacts or the need for mitigation. The new building will meet all current codes and requirements.

3. Conformance with Surrounding Uses and Compliance with the Land Use Code and General Plan

A. Vision for Moab

Some of the key points in the Vision for Moab language included the general plan that apply to this project include:

- **Maintain and enhance Moab's small-town character, including safe and quiet neighborhoods, with commercial hubs offering a range of products and services.**

The neighborhood around the Western Spirit property could be considered a small commercial hub, with the nearby offices on 400 East, Dave's Corner Market, Milt's and another possible neighborhood restaurant. If the Western Spirit property was rezoned as C-5, the new and greatly improved building, would better contribute to this small commercial hub.

- **Encourage community-wide multi-modal(walking/biking/pathway) connectivity, between schools, neighborhoods, workplaces, downtown, and popular amenities.**

Offices in this region of town are convenient to many homes and allow for easy multi-modal transportation, without the need to travel across town.

- **Encourage a resilient economy, with a mix of year-round jobs offering competitive salaries, a skilled and educated workforce, and an entrepreneurial culture.**

The Western Spirit team includes 35% year-round professionals. Western Spirit guides, the remainder of the work force, have gone on to become health care professionals and entrepreneurs in Moab after they retire from guiding. The building and courtyard we hope to construct will be a recruiting tool for our company and any future occupant, to attract and retain the skilled workforce needed to improve the resiliency of Moab's economy.

- **Recognize the value of Moab's surrounding landscape, including dark skies, solar access, and other natural resources to enhance the quality of life for community residents and to ensure the longevity of Moab's tourism industry.**

Western Spirit's entire business model depends upon maintaining the beauty of the Moab landscape. Our purpose is to share our beautiful backcountry and National Parks while employing leave no trace principles and inspiring our guests to support our public lands.

In addition, in the Future Land Use chapter of the Moab General Plan, the need for infill to prevent increased sprawl is mentioned. Current economic trends include the increased desirability of small town living and the growing number of 'foot loose' businesses and professionals of all types, who can live wherever they choose. A less formal office building at the western end of Mill Creek Drive will be attractive in the long run and will avoid the need for our business, or a future business like ours, to move to San Juan County and ultimately increase sprawl.

B. Moab City General Plan 9 Elements

Changing the zoning of the Western Spirit property relates to the following elements of the Moab General plan:

Element 1: Economic Development

GOAL 1: GENERAL

Policy 3: Encourage local businesses and industries to grow and thrive. While Western Spirit is a seasonal business, that season now stretches from February to November and includes a growing number of well-paid year-round jobs. In addition, Western Spirit is a founding member of Public Land Solutions a non-profit also hiring year-round staff, which will be housed in the new building. Both organizations will be much improved by a new facility.

Policy 4: Facilitate the growth of local businesses and industries in a context appropriate to Moab. (size, scale, etc.) While Western Spirit is growing, our operations extend to over 17 states at this time, so our management staff will grow in Moab, but the size and scope will remain appropriate for the property.

Policy 7: Support well-planned festivals and events that appeal to a wide array of residents and visitors and provide a net benefit to the community, without undue impact on residential neighborhoods. Western Spirit is the promoter of Outerbike, a consumer bike demo event that is important to both the state of Utah and Moab's reputation as a must-experience mountain bike destination. Outerbike is held at the BAR M Trailhead and has no effect on residential neighborhoods.

Element 2: Environmental Sustainability

GOAL 1: GENERAL

Policy 1: Collaborate with local businesses and residents to expand opportunities for environmental sustainability. Our non-profit, Public Land Solutions does just this—we work with local businesses to support environmentally sustainable economic development.

GOAL 3: AIR QUALITY

Policy 2: Promote the use of alternative transportation that is non-polluting or reduces fossil fuel consumption. By adding neighborhood office space like this proposal, walking and biking to work is greatly facilitated.

Policy 3: Encourage and promote energy conservation and the use of clean alternative energy sources such as solar, wind, etc. The new building will include solar panels.

Element 3: Land Use and Growth

GOAL 1: GENERAL

Encourage a diverse, compact, and efficient land use pattern that promotes resident quality of life and is aligned with the city's character, economy, and vision. *Policy 1: Encourage development to consider the appearance, design, financial impact, and amenities of the community.* Instead of a larger compound outside of town, we are choosing to work in a more compact efficient space that can be accessed easily by residential areas by bike or walking.

GOAL 5: STREET TREES AND LANDSCAPING

Improve the overall visual, recreational and environmental quality of the community through the use of trees and vegetation.

Policy 1: Utilize climate-appropriate vegetation to beautify and provide shade in and around paved areas. *Action Steps:* We are very excited to landscape this property to meet these goals with shade and natural vegetation.

GOAL 7: COMMERCIAL

Promote appropriate commercial development while maintaining quality of life for residents.

Policy 1: Consider zone changes and adjustments that balance property rights and community benefits.

Policy 2: Work with property owners and businesses to create more appealing commercial areas for residents.

These policies define exactly what we hope to do—provide the community with an office area that is appealing for current uses and future residents.

GOAL 8: RESIDENTIAL

Promote a variety of housing types and neighborhoods for primary residences. Policy 1: Work with developers and neighborhoods to promote different, densities and forms. The design we hope to build will provide a unique housing opportunity for a key component of the Moab population. Western Spirit guides are our companies most important resources we work to help them 'graduate from the Western Spirit program' with a down payment saved and the skill set to move forward in their careers. Providing housing to them while they are guiding allows them to do just that.

Element 4: Housing

GOAL 1: GENERAL

Implement a housing strategy that meets the needs of current residents, anticipates growth in housing demand, promotes a cohesive small-town environment and supports a high quality of life.

Policy 1: Encourage housing opportunities for a variety of needs and income levels. Our guides are generally at the beginning of their careers and meeting their housing needs efficiently allows them to save for their futures and our facilities really do meet their needs.

Community Nodes Master Plan – Draft Oct 1, 2019

From this planning document the area along 400 East and around the corner on the Mill Creek is described as mixed use:

Node 4: 400 East

From Center Street to 400 South, 400 East is transformed into a unified mixed-use walking and biking district. The concept maintains the low-density, single-family character while targeting specific sites with supportive mixed-use development. The result is a unified street lined with a wide range of low-intensity and eclectic uses that can be explored on foot or bike. The character changes from distinctly residential in the north to a more commercial feel to the south, which is aligned with the general structure of the area at present.

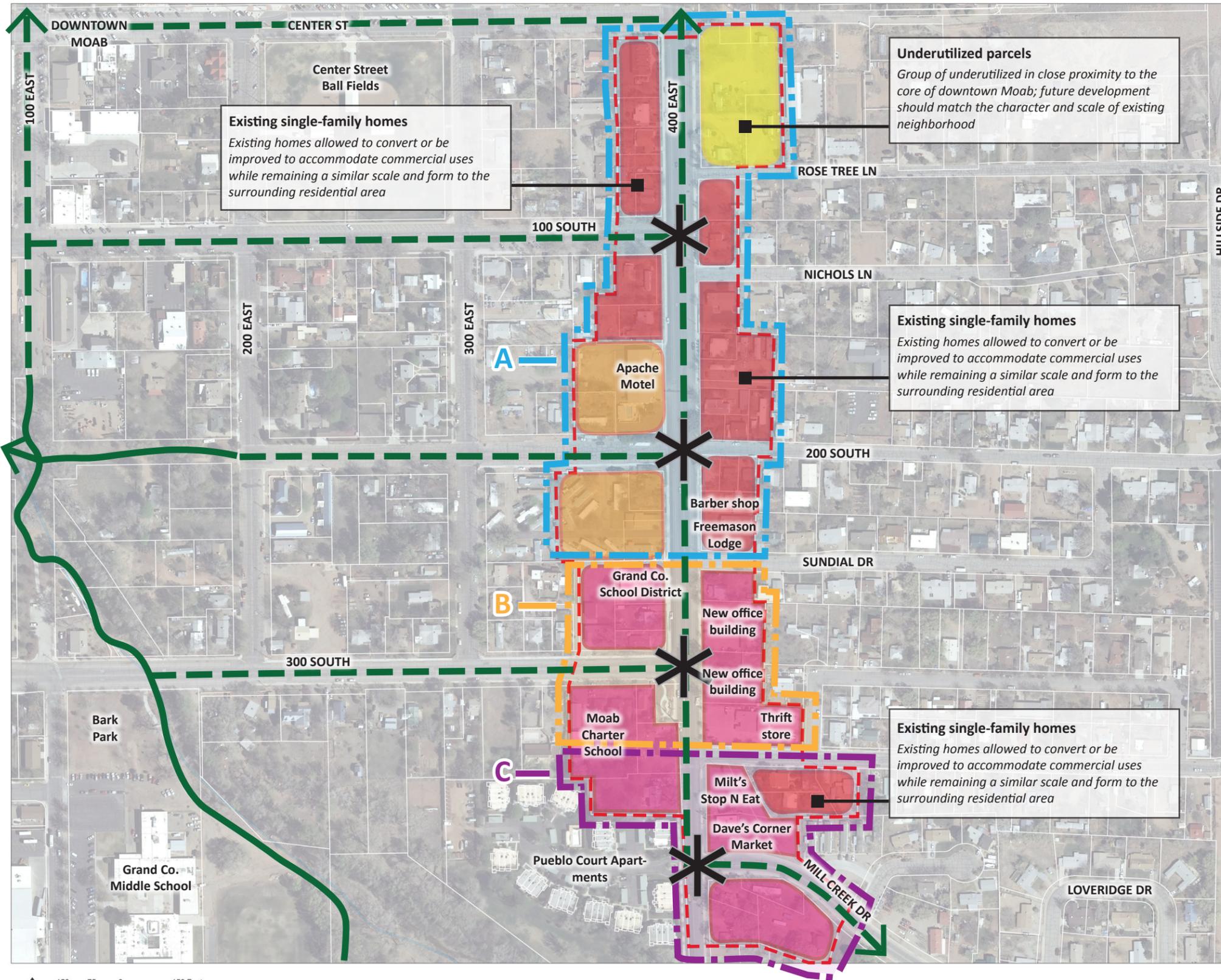
The mixed-use building with housing and office space seems to fit well into this vision of the area.

* * *

Thank-you for your consideration of this proposal. We appreciate all. the time and work of the staff and the planning commission.

Ashley Korenblat ashley@westernspirit.com 801-910-3205

NODE 4: 400 EAST



Overview

From Center Street to 400 South, 400 East is transformed into a unified mixed-use walking and biking district. The concept maintains the low-density, single-family character while targeting specific sites with supportive mixed use development. The result is a unified street lined with a wide range of low-intensity and eclectic uses that can be explored on foot or bike. The character changes from distinctly residential in the north to a more commercial feel to the south, which is aligned with the general structure of the area at present.

Legend

- Mixed Use**
Buildings should be small in scale and stature to match the established character and tone of the area.
- Multifamily Residential**
New townhouses and/or bungalow courts are carefully integrated, enhancing the established small-scale, residential character.
- Residential / Cottage Commercial**
Existing residential buildings are encouraged to remain with targeted cottage commercial infill permitted, maintaining the small-scale/low-intensity tenor of the area. Building improvements, expansions and new construction should be carefully implemented to ensure the scale and character of the surrounding neighborhood is maintained.
- Small Single-Family Residential**
New residential development should match the established small-scale character.
- Enhanced Connection to Moab Trail & Bike System**
- Existing Moab Trail & Bike System**
- ✱ **Key Intersection**
Each intersection should be distinguished with special paving, art, crossings and similar enhancements, unified through a common district design approach.
- A **Residential Focus**
- B **Residential-Commercial Transition**
- C **Community Commercial Focus**

Precedents

