

Grand County Planning Commission Minutes

August 12, 2009

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Grand County Courthouse, Council Chambers.

Members Present: Chair Jean Binyon, Ed Bridges, D.L. Taylor, Mike Duncan, Dave Stolfa, and Kalen Jones. D.L. Taylor and Dave Cozzens were absent.
Council liaison – Gene Ciarus.

Others Present: County staff Krissie Killoy, Mary Hofhine, and Mark Wright and other concerned citizens.

The Chair called the meeting to order at 6:00 PM and requested that all cell phones be turned off.

The Chair asked the Commission if there were any conflicts of interest or ex parte communication that needed to be disclosed in regards to the agenda; Ms. Binyon stated that while on a site visit to Angel Watch Mr. Binyon (husband of the Chair) had a conversation with Mrs. Walston owner of Angel Watch.

The Chair explained the process for the public hearings; staff will give their presentation, applicants will get 5 minutes to make a presentation and the public will have 3 minutes to speak on the subject.

WORKSHOP – Draft Resolution, General Plan Amendment incorporating the Grand County/City of Moab Affordable Housing Plan. Staff explained the process that the plan has gone through in the last year and the public hearing for adoption of the plan by resolution has been scheduled for Planning Commission meeting on September 9th. The Commission made minor changes to the resolution and discussed implementation of the plan. The Chair suggested that if the Commission had concerns with the plan or the resolution that they stop in and discuss them with staff.

Public Hearing – Overlook Commercial Condominiums Preliminary Plat –

Staff read into the record the General Plan as amended to date, the Land Use Code as amended to date and staff report and all the supporting material.

This application is submitted by Ben Byrd. The Applicant proposes division of one acre into three condominium units for commercial warehouse use. A condominium is a specific type of property ownership where a unit of property (air space) is owned by an individual, while common parts of the property, such as the grounds and building, are owned jointly by all unit owners. A condominium owner's association will be formed to be responsible for the maintenance of all common areas.

The property is located on Overlook Road and is zoned Highway Commercial (HC). Surrounding properties to the north (K-Sue) and east (Mega Blue) are zoned HC; properties to the west and south are zoned Rural Residential.

The parking, building lot set-backs, access, easements, water/sewer, and lighting meet the requirements of the Land Use Code. No plan for signage has been provided at this time.

The final plans for the street improvements, drainage, and retaining walls will need to be approved by the County Engineer.

Fire hydrants are depicted on the plat. Final approval by the Fire Department will be required prior to final plat review by the Commission.

The Chair asked the applicant if they had a presentation of comment. Mr. Ben Byrd explained to the Commission the problems he perceives regarding the drainage (curb and gutter requirements) on Overlook Road.

The County Engineer, Mark Wright, stated that the County is obligated to fulfill the requirements of the Land Use Code, which necessitates the road improvements and the drainage facilities.

The Commission discussed the additional problem of once the drainage facility is built by the applicant if it doesn't cause problems off site and on to the adjacent properties. The County Engineer explained that there will be a need to review the situation and will work with the road department and adjacent property owners.

The Chair opened the public hearing; with no comments from the public the Chair closed the public hearing.

The Chair called for a motion.

Ed Bridges moved to recommend to forward to the County Council subject to the following items to be provided to County Planning Staff prior to going to the County Council:

1. Fire Department approval.
2. Submission of letter from Rocky Mountain Power, Questar, and Frontier phone indicating adequacy of proposed easements. All utilities must be installed underground.
3. CC&Rs and HOA draft documents to be reviewed by the County Attorney.
4. Provision of a drainage report acceptable to the County Engineer.
5. Continued approval and compliance with the recommendations of the Building Official.
6. Street improvements to be reviewed by the County Engineer and Road Supervisor.

Seconded by Dave Stolfa and all voted in favor.

Sketch Plan – Angel Watch Commercial Condominium

Staff gave a presentation regarding the application, which is submitted by Bryan Walston. The Applicant proposes condominium units, specifically first floor commercial (office/ warehouse) and second story residential (efficiency dwelling units). A condominium is a specific type of property ownership where a unit of property (air space) is owned by an individual, while common parts of the property, such as the grounds and building, are owned jointly by all unit owners. A condominium owners' association will be formed to be responsible for the maintenance of all common areas.

The property is located on Highway 191 and Arroyo Road and consists of 2.7 acres zoned Highway Commercial (HC). Surrounding properties to the north, south, and east are zoned HC; properties to the west are zoned Rural Residential.

The site plan includes;

Parking – 39 stalls will be required for the use of the property

Building lots – Currently, the lot includes three commercial storage buildings (a total of 85 storage compartments) and RV storage space. The commercial storage buildings are permitted in the HC zone district and the RV storage space was approved by conditional use permit in June 2006.

The lot meets the following nonresidential dimensional standards for the HC zoning district: (1) minimum front and street side yard setbacks of 50 feet, (2) minimum interior side yard setbacks of 10 feet, (3) minimum rear yard setbacks of 20 feet, and (4) a maximum building height of 35 feet.

Access – Access is proposed from Highway 191 and Arroyo Road. A UDOT permit will be required for Highway 191 and a County Encroachment permit for Arroyo Road.

Sidewalks – Sidewalks are required in the HC zone district and will be required for Preliminary Plat review.

Easements – Utility easements are required along all property lines, unless otherwise approved by the Planning Commission. The Commission may waive this requirement where other provisions are found to be acceptable. Current layout proposes a building within the power line easement. This will need to be resolved prior to Preliminary Plat review.

Prior to Preliminary Plat review the County will need approval letters by GWSSA, Fire Department, and utility approval letters.

Mr. Walston was given the floor by the Chair to make a presentation – Mr. Walston stated that staff's report was very thorough and will work with staff on the information requested.

The Commission discussed the construction of the new building and the needed fire separations; this will need to be reviewed by the building department.

Ed Bridges moved to have the applicant proceed to preliminary with the following items addressed:

1. Submission of letters from utility providers indicating adequacy of proposed easements and commitment to serve;
2. Submission of a current title report;
3. Review by the Building Official and Fire Department for compliance with applicable building and fire code requirements;
4. UDOT permit;
5. County Road Department encroachment permit for access from Arroyo Road;
6. County Engineer review of the drainage facility;
7. Commercial site plan (see LUC Sec. 9.17, including: building height, parking, lighting, sidewalks, utility, landscaping, and compatibility requirements);

The Commission asked about the required parking, the power easement, separation of the warehouse from the condos, setbacks needed from the existing uses and the roadways.

Ed Bridges withdrew his motion and suggested that the applicant work with staff and provide the required information needed for preliminary plat review.

The Chair agreed and consensus of the Commission was to have the applicant work with staff on outstanding issues for a preliminary plat review.

Approval of Minutes - The Commission accepted the June 24, minutes as corrected. July 8th minutes were reviewed and changes suggested. Staff recommended that the July 8 minutes be brought back for reconsideration after the changes are made, the Commission agreed.

Community Development Updates – The rezone of the Cisco property to Heavy Industrial is scheduled for the Council meeting.

County Council Update – Gene Ciarus explained that the DOE has given the County \$110,000.00 this year and is anticipated to be ongoing, but the may vary from year to year to help with the County with administration of the UMTRA site. The County and City officials attended Rural Summit where a plaque was presented to Dave Sakrison, Mayor of Moab in support for the removal of the tailings pile. The Council approved the Whitehorse Subdivision, and the Thayne CUP at their last meeting. The bonding for the new hospital was approved and construction will start soon.

Ed Bridges asked if the Planning Commission should provide the Council, in the Commission recommendation, their vote on applications as they are forwarded on to the Council.

Dave Stolfa stated that the Commission decision is based on the vote and forwarded as a recommendation of the body – not individual votes. This was discussed by the Commission and no decision was made as to the appropriateness of the Commission's vote as a part of the recommendation to the Council.

With no other items on the Agenda the Vice Chair called for adjournment.

Adjournment: The meeting was adjourned at 8:30 P.M.