

MOAB CITY PLANNING COMMISSION MINUTES
REGULAR MEETING
March 13, 2025

Call to Order and Attendance: Moab City Planning Commission held its regular meeting on the above date in City Council chambers. Audio and video are archived at www.utah.gov/pmn. Commission Member Miles Loftin called the meeting to order at 6:26p.m. Commission Members Jill Tatton and Carolyn Conant, Community Development Director Cory Shurtleff, Planning Technician Kelsi Garcia, Associate Planner Johanna Blanco and three members of the public also attended.

Citizens to be Heard: None.

Approval of Minutes: Commission Member Conant moved to approve the draft minutes of the February 27, 2025, Regular Planning Commission meeting. Commission Member Tatton seconded the motion. The motion passed unanimously.

Parking Special Exception Request for The Press—Denied

Presentation and Discussion: Community Development Director Shurtleff presented for consideration and approval **Planning Resolution 05-2025:** a planning resolution approving the Parking Special Exception Request, for (11) eleven parking spaces, for The Press Eating and Retail Establishment change of use on property located at 35 E Center Street, Moab, UT 84532. Associate Planner Blanco presented the application. She explained the paperwork was submitted in October, 2024 for a restaurant, retail and meeting space. She explained the code regarding required parking spaces for the proposed uses and noted 11 parking spaces required either a special exception from the Planning Commission or some other resolution. Applicant Rebecca McAlister presented history of the venture, which involves the former newspaper headquarters that has been in the Taylor family for over 100 years, and the family's desire to keep the local character of the area. McAlister explained the intention of reopening a local artist gallery in the location, and said the existing tenant of the building will be accommodated with a smaller space so that downtown rent prices do not force the tenant out of downtown or out of business. She also noted another local downtown eatery would open a second location with sit-down service at this location. She added another facet of the business was opening a food establishment that was unique in the downtown area. She added that the reason for the request for a parking exception is that the upfront cost of paying a fee-in-lieu for the added spaces was prohibitive. She stated her hope that the unique project would be favorable to an exception. She added there are five parking spaces beside the building that are technically owned by the adjacent bank; she said she had written permission in an email to utilize the spaces but noted a City code requirement that prohibited blocking the privately-owned alleyway. She said she would like to use those spaces toward the required 11 spaces. McAlister explained she had obtained a map from the City engineering office showing adjacent parking availability before and after the downtown dispersed parking project. She observed that at least six spaces have been added with the parking revisions and expressed her hope that those six spaces can be counted toward the project. She also stated her intention of adding 28 bicycle parking spaces at the rear and front of the property and promoting the walkability of the business for residents and tourists. Community Development Director Shurtleff explained that the request differs from the proposed motion before. He mentioned recent similar requests in the downtown area related to changes of use. He said the usual remedy involved payment-in-lieu for additional required parking. He said staff recommends a payment-in-lieu resolution, which necessitates a public hearing. He said the maximum allowable discount is to pay 30 percent of the six remaining required spots if the five existing spaces are allowed in the tally. He clarified the applicants are requesting total exemption. Commission Member Conant brought up the onus of providing fair treatment of all recent parking exceptions in the downtown area. She asked staff about the upcoming code revision regarding parking requirements, in view of the applicant's stated intention of providing non-vehicular access. She said she had been unable to find accommodation for bicycle parking in the existing code and wondered about that option. Shurtleff said there has not been a proposal for bicycle parking. He said it was too complex for the ongoing code

revision process but fits into a future Complete Streets ordinance. Conant also asked if parking requirements would also be revised in the code revision. She asked if the requirement would be retired. Loftin brought up the newly established downtown dispersed parking and the additional spaces provided and noted that, beyond that, there is no opportunity to expand parking spaces. He stated his support for counting the five proposed parking spaces in the toward the requirement, and basing the fee-in-lieu calculation on 30 percent of the six spaces still required for the change of use. Commission Member Tatton concurred with Loftin and Conant. She brought up the prior exceptions granted for recent requests. She stated her support for the applicant's project. Conant restated her question about future revisions to the parking calculation in the built-out downtown area. Shurtleff brought up the Downtown Master Plan and the Transportation Plan. He said the City was not yet revising code that would, for example, allow for 20 bicycle spaces for one automobile space. He said current code required a maximum payment-in-lieu of 30 percent. He brought up a previous parking exception request for the Jailhouse Café, which resulted in the Planner to recognize an untenable code requirement that left applicants beholden to a discretionary process. He said he found that a 70 percent payment-in-lieu was his preference. He said the current code was working well to address the changing nature of parking needs downtown. Shurtleff stated that, as the code currently exists, he feels the code serves its purpose, until such time that multi-modal transportation models are adopted. He said revisiting the parking requirements is the next step. He said current code is not advantageous to eating establishments and is quite advantageous to overnight accommodations. Usable space for occupancy of restaurants needs to be addressed in the code, he added. He argued for making businesses accountable for off-street parking to avoid parking in residential areas. He mentioned the free market could dictate which businesses fail. He said the fee-in-lieu can only be used for parking infrastructure or parking mitigation. Shurtleff noted some communities had abandoned their parking requirements and suggested following the success of those communities. Loftin acknowledged the need to become more sophisticated about downtown parking requirements and stated the request before the Commission was too large of an exception to make outright. He cited existing recent precedents. He added that he personally supported allowing the five spaces toward the total. Shurtleff said there is clearly a prescriptive use for the alley, including utilities and public travel. He said a judge would need to determine whether the alley is an acceptable right of way. Discussion ensued regarding the basis for the proposed exception, whether six, nine or 11 spaces. Shurtleff pointed out that six spaces gained by the downtown dispersed parking improvements were potentially claimed by other businesses in the area. Loftin reiterated that fee-in-lieu revenues can only be used for parking and transit improvements. Shurtleff reminded the Commission that the question before them was whether to grant a complete exception, rather than a question of permitting a fee-in-lieu process. Tracking of funds was discussed. Applicant McAlister compared her venture with existing restaurants on the same block of East Center Street as compared to similar businesses on Main Street. She said she had approached a neighboring business with ample off-street parking with a request to lease spaces but was denied. She wanted to raise awareness of the other existing restaurants with similar off-street parking restrictions. Loftin recognized the financial difficulty for new businesses involved in a change of use for an existing property. He acknowledged the constraints put on the Commission in view of the existing code. Conant requested guidance from staff regarding a motion.

Motion and Vote: Commission Member Loftin moved to deny City of Moab Planning **Resolution 05-2025**, a planning resolution approving the Parking Special Exception Request, for (11) eleven parking spaces, for The Press Eating and Retail Establishment change of use on property located at 35 E Center Street, Moab, UT 84532. Loftin stated he supports the project yet is constrained by precedent. He requested the applicants to return with a revised plan. Commission Member Conant seconded the motion. She concurred with Loftin and stated her enthusiasm for the project. Tatton agreed. The motion to deny the request passed unanimously.

Future Agenda Items: Community Development Director Shurtleff expected the Press applicants to return for a public hearing at the next meeting. He stated he was still waiting to hear from the Lions Back developer for their Phase Two site plan approval. He said several other items were in preparation.

Adjournment: Commission Member Loftin adjourned the meeting at 7:34 p.m.