Moab City Council Agenda Item
Brinnon/ Bentley Estates Minor Subdivision
Meeting Date: September 8, 2020

Title: Consideration and Possible Approval of Moab City Resolution #35-2020, A Resolution Approving the Brinnon/ Bentley Estates Minor Subdivision of Property Located at 1040 Pear Tree Lane, Moab, Utah 84532.

Disposition: Discussion and Possible Action

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):
- Exhibit 1: Draft Moab City Resolution #35-2020
- Exhibit 2: Vicinity Map
- Exhibit 3: Draft Plat

Options:
1. Approve with or without modifications; or
2. Continue or table item and give specific direction to the applicant and staff as to additional information needed; or
3. Deny the minor subdivision with specific findings supporting decision

Recommended Motion: I move to approve Moab City Resolution #35-2020, A Resolution Approving the Brinnon/ Bentley Estates Minor Subdivision of property located at 1040 Pear Tree Lane, Moab, UT.

Applicant: Colby Brinnon and Tracy Bentley, (Agent for Owners: Mike Scherer) 20 Orchard Way, Moab, UT

Background:
Applicants and property owners, Colby Brinnon and Tracy Bentley, submitted the City of Moab Minor Subdivision Application on August 5, 2020, for the two-lot subdivision of property located at 1040 Pear Tree Lane, Moab UT. On August 19, 2020, the Development Review Team reviewed and supplied comments on the submitted information, sent to the applicants on August 20, 2020. The application was submitted for review and recommendation by the Moab Planning Commission during their meeting on August 27, 2020, where the item was approved for positive recommendation 5-0. During that time, the applicants submitted the updated draft plat that addressed the outstanding engineering comments and sufficiently met the directive of the condition of approval outlined in the previous materials. Having met the conditions of approval, it has been removed from the item.

Project Summary:
Location: 1040 Pear Tree Lane, Moab UT 84532
Property Owner: Colby Brinnon and Tracy Bentley
Applicant: Mike Scherer
Parcel Size: 2.38 acres (103,672.8 sf)
Proposed Lot 2A: 1.05 acres (45,605 sf)
Proposed Lot 2B: 1.00 acre (43,771 sf)
Zoning: RA-1 Residential – Agricultural Zone
Proposed Use: Residential

Narrative Summary:
The property owner is proposing to subdivide the existing property, currently vacant land, to allow for residential development of Lot 2A and potential future sale or residential development of Lot 2B.

Process:
MMC Section 16.08.020 allows for exceptions to the final plat hearing process for minor subdivisions of five lots or less. These applications must be reviewed by the Planning Commission and referred to Council with a recommendation, as noted below.

“MMC Section 16.08.020, Exceptions--Final plat, discusses the process and required documents
In subdivisions of less than five lots, land may be sold after recording of a plat, if all the following conditions are met:
   A. The subdivision plan shall have been approved by the planning commission, the planning coordinator, the city engineer, the city attorney, other agencies the zoning administrator deems necessary, and the city council;
   B. The subdivision is not traversed by lines of a proposed street, and does not require the dedication of any land for street or other purposes;
   C. Each lot within the subdivision meets the frontage width and area requirements of the zoning title or has been granted a variance from such requirements by the appeal authority;
   D. All final plat requirements shall be complied with;
   E. All provisions of Chapter 16.20 of this title shall be complied with; and
   F. The water supply and sewage disposal shall have been approved by the utility supervisor