Moab City Council Agenda Item
Two-Mac Lot Consolidation Petition
Meeting Date: April 13, 2021

Title: Consideration and Possible Approval of Moab City Resolution #15-2021 – A Resolution Approving the Lot Consolidation of properties located at 1043 S and 1053 S and 1063 S Mill Creek Drive, Moab, Utah 84532

Disposition: Discussion and Possible Action

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):
- Exhibit 1: Moab City Resolution #15-2021
- Exhibit 2: Vicinity Map
- Exhibit 3: Recorded County Plat
- Exhibit 4: Draft Survey Lot Consolidation Plat
- Exhibit 5: State Code 10-9A-608

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 petition

Recommended Motion: I move that the Moab City Council approve Moab City Resolution #15-2021 – A Resolution Approving the Lot Consolidation of properties located at 1043 S and 1053 S and 1063 S Mill Creek Drive, Moab, UT.

Applicant: Douglas and Carma McElhaney, Owners

Background:
Applicants and property owners, Douglas and Carma McElhaney, submitted the City of Moab Petition to Vacate, Alter, or Amend a Subdivision Plat, Utah State Code 10-9A-608(2)(a), on March 8, 2021, for the three properties located at 1043 S and 1053 S and 1063 S Mill Creek Drive, Moab UT. On March 15, 2021, sufficient materials, in the form of a draft plat survey generated to show the Lot Consolidation Plat, were submitted to City Staff, Reviewed by the City’s Development Review Team. On April 8, 2021, the petition application was officially submitted for review at the City Council Meeting held on April 13, 2021.

Project Summary:
Location: 1043 S and 1053 S and 1063 S Mill Creek Drive, Moab UT
Property Owner: Douglas and Carma McElhaney
Lot 1 - 1043: 26,216.7 sf
Lot 2 - 1053: 15,849.7 sf
Lot 3 – 1063: 10,056.8 sf
Proposed Lot: 52,165 sf, 1.20 acres
Zoning: C-4 General Commercial Zone
Existing Use: Vacant
Planned Use: Residential
Narrative Summary:
Narrative supplied by Applicants – “Vacate the two interior lot lines in Two Macs Subdivision turning the three lot subdivision into a one lot subdivision with a total acreage of 1.20 acres. This is the next step in the process of River Rocks Condo Development a proposed 14 unit condo project.”

Applicant and Property Owner, Douglas McElhaney, originally submitted the Minor Subdivision Application for the Two-Mac Minor Subdivision Resolution #01-2020, approved by City Council on February 11, 2020. The intention of that minor subdivision, was to allow the property owner to develop and sell individual lots for mixed-use residential and commercial development. Following the minor subdivision approval, the applicant pursued development and sale options for the lots. After exhausting potential options, the applicant is now proposing a phased Site Plan Application residential development of 14 condominium units over the whole original parcel area. In order to achieve the proposed site plan development, the applicant needs to re-consolidate the three lots that were generated during the original Two-Mac Minor Subdivision. The Lot Consolidation is what is being proposed through Resolution #15-202, the future residential development will be processed separately through the River Rock Condo Site Plan Application #21-0003.

Process:
Utah State Code Section 10-9A-608 (Attachment 4) addresses this situation:
10-9a-608-14 Unless a local ordinance provides otherwise, the public hearing requirement of Subsection (1)(c) does not apply and a land use authority may consider at a public meeting an owner’s petition to vacate or amend a subdivision plat if:
   a) The petition seeks to
   b) Join two or more of the petitioner fee owner’s contiguous lots;…

Moab Municipal Code (16.08.050) includes a public hearing exemption for an amended plat if owners of both parcels sign the plat. The City Council has the authority to approve the plat amendment (lot consolidation) at a public meeting without a public hearing.