



City Council Staff Report

Date:

11/15/2023

Applicant:

Patterson Construction

Location:

800 N 2000 E

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

No

Attachments:

1. Application information.

REQUEST

Consideration of a discussion item to review revised concepts for the Maple Hills Subdivision.

BACKGROUND & DESCRIPTION

In 2018, the City Council approved the preliminary plat for the Maple Hills subdivision consisting of 26 lots on 38 acres of property zone A-2, TDR-R. A portion of the site was in the 100-year flood plane according to FEMA. The project included 25 lots of roughly one acre in size and one 11 acre parcel. After approval, the owner sold 29 acres to Patterson Construction and the 11 acre parcel to another party. Patterson Construction later bought the two acre Kriser parcel that had already been approved as a TDR-R.

Since the original approval, the applicant has recorded two phases of the project and installed much of the road improvements. The applicant has also worked with FEMA and determined that the project site is no longer within the 100 year flood zone.

The initial geotechnical report that was prepared for the project by the previous owner indicated that some additional investigations were recommended. As the applicant has done these additional investigations, it has been determined that much of the eastern section of the site is within a fault area that is not conducive to development. Based on this new information, staff and the applicant have been looking at alternative development plans for the site.

The applicant would like to apply to rezone the property to a Planned Residential Community (PRC) zone, which would allow for more flexibility in lot sizes and to cluster the lots out of the geologically sensitive areas. The applicant is requesting feedback on the following two concept plans, both of which would result in fewer total lots than previously approved:

Option 1: This option includes 25 total lots. There would be nine lots of roughly ½ an acre and 16 lots of between one to two acres. A trail head would be constructed with a trail accessing the bench and dedicated to the City.

Option 2: This option includes 25 total lots. There would be 12 lots of approximately ½ an acre and 13 of lots of between one to two acres in size. In this option, the applicant would consider donating a larger parcel to the City as well as install trail head parking.

In both options, the portions of the lots within the fault area could not have habitable structures.

EVALUATION

Trails Master Plan: Currently there is no direct trail access to the bench north of Maple Canyon. The City Council recently adopted the Trails Master Plan that included recommended locations for trail heads within the City and identified the subject property as the only trail head located north of Maple Canyon. With the applicant looking for assistance to redesign the project based on unanticipated constraints, staff sees this as an opportunity to work together to get a trail amenity that will benefit the community that otherwise would not have been provided.

General Plan: The Future Land Use Map designates the site as “*Rural Residential*”. This designation corresponds to the A-2 or PRC zones and allows densities of one lot per two acres, or one lot per acre with TDRs. All of the abutting properties have the same Rural Residential designation. Staff has included some of the goals and policies of the Land Use Element of the General Plan below followed by a brief response:

- *Goal 1: Preserve and enhance Mapleton’s rural atmosphere and agricultural history through careful planning and the preservation of open space.*

Response: The original approval included 26 lots. The City anticipated two additional lots would be built on the two acre Krisher parcel that was purchased later by the applicant, for a total of 28 lots. Both proposed concept plans reduce the density to 25 lots, including the 11 acre parcel owned by another party. In both concepts, some property would be dedicated to the City. Either concept results in fewer lots and more open space than was previously proposed.

- *Policy 1.1: Encourage conservation subdivisions on vacant land and undeveloped parcels.*

Response: If the current General Plan had been in place when this project was originally proposed, staff would have advocated for a conservation type subdivision. The rezone to PRC would allow more flexibility in lot sizes and a more conservation minded development plan. Staff believes the changes are an improvement from the original design.

- *Goal 2: Continue the established focus on large-lot, single-family residential uses as the primary means for preserving Mapleton’s rural character.*

Response: Both concepts combine the conservation (clustering) approach with a mix of larger lots. The original approval included 25 one-acre lots and one 11-acre lot. The revised plans include a mix of lot sizes ranging from just under ½ an acre to over two acres. The overall average lot size of the original plan was 1.4 acres per lot. The overall average lot size of the new concepts is approximately 1.5 acres per lot.

The proposed variety in lot sizes is generally consistent with the variety that exists in the area. Surrounding lots located between 1200 North and 400 North and east of 1600 East range in size from under ½ of an acre to 6.5 acres with an average lot size of 1.6 acres.

- *Goal 9: Continue to implement the Transferable Development Rights (TDR) program by ensuring that there are sufficient areas that can qualify as TDR-Receiving sites.*

Response: The project site, including the two acre Kiser parcel that was added since the original approval, have already been approved as a TDR-R. The applicant has already surrendered the 11 TDR certificates required for the project.

Neighborhood Opposition: Anytime approved plans are changed and lot sizes reduced, there is potential for neighborhood opposition. A few of the lots from the first phase that have been sold, and the applicant has been discussing the revised concept plans with these owners. If the applicant proceeds with a rezone request, public hearings would be required with both the Planning Commission and City Council.

Some of the questions the Council may want to discuss include:

- Is the Council supportive of a trail head on this site?
- Is the Council supportive of the applicant proceeding with an application to rezone to PRC to allow for more flexibility in lot sizes and configuration?
- Are there any concerns with the general layout of any of the lots in the proposed concepts?
- Is there any other direction the Council would like to provide?

RECOMMENDATION

Discuss the applicant's concept plans and provide direction.

Attachment "1" Application Information

Area of original
subdivision
approval

11 acre parcel no
longer part of
application

Kriser parcel
added later



Maple Hills Subdivision

Background:

In November, 2018, the City Council approved the 26 lot Maple Hills subdivision at approximately 900 North 2000 East (see Exhibit 1). The applicant, Kent Stephens, subsequently sold the property to Patterson Construction, Inc. (PCI).

After closing on the property, PCI realized it could minimize impact on Rob Reed's property and more adequately handle storm water by acquiring the Tim Kriser property on the west side of 2000 East. The additional property also allowed PCI to pursue release from FEMA of the 100-year flood designation that impacted some of the lots in Maple Hills. During this time, the City notified PCI that it became aware of a fault line running through the property. After excavating test pits, PCI was able to determine the actual location of the fault line, which was much more impactful on Maple Hills than originally thought (see Exhibit 2 – eight unbuildable lots).

Action:

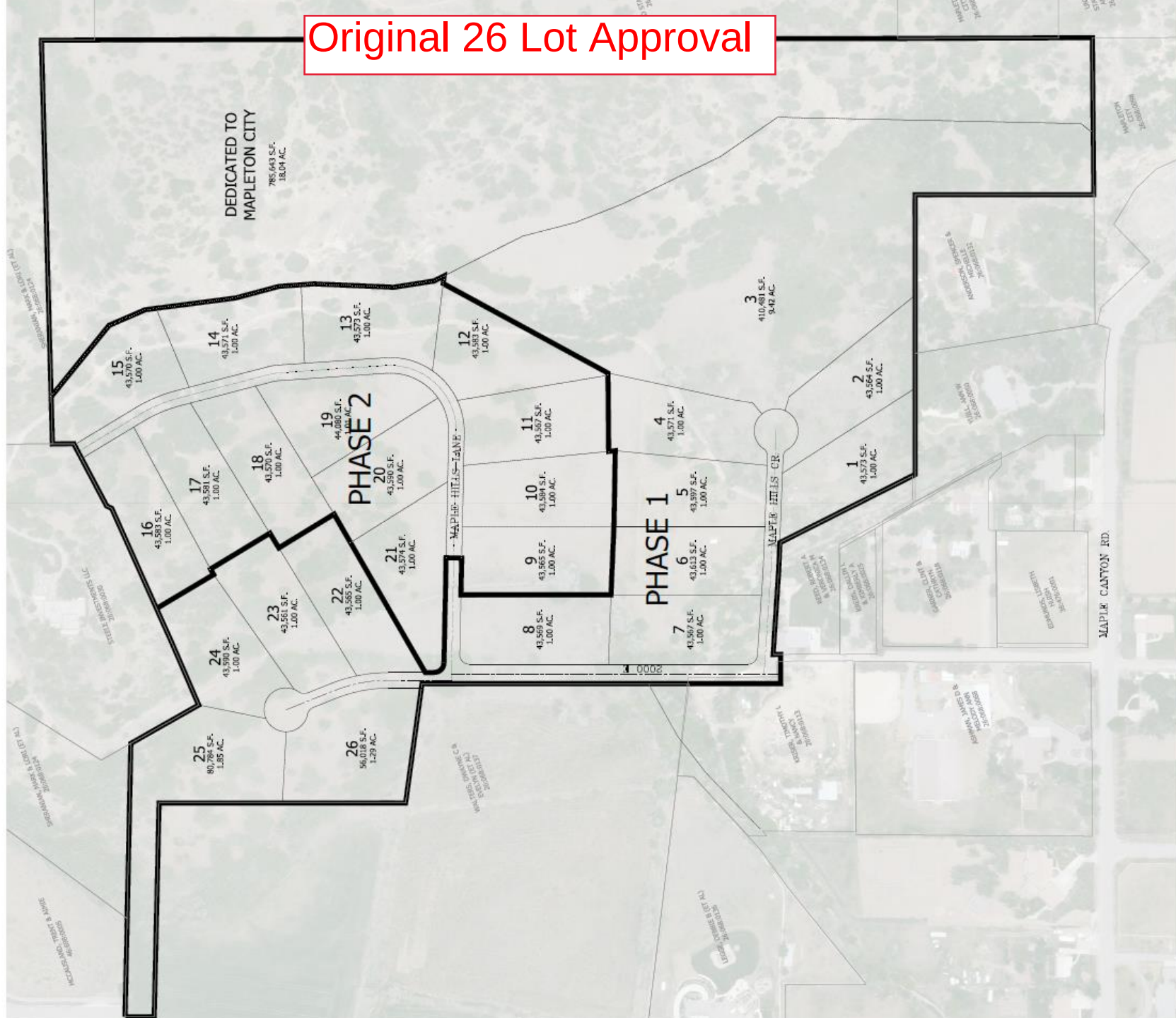
To mitigate some of the negative financial impact from the fault line, PCI is seeking input from the City Council on which alternate plan would be acceptable to the City.

Exhibit 3: This plan requires two existing lot owners to participate in the new design of their lots (proposed lots 401 and 402). It has 23 lots on what originally (Exhibit 1) had 26 lots. By incorporating the former Kriser property, the total development will have 25 lots. There are nine ½-acre lots and seven lots that are significantly larger than 1 acre. This plan also provides parking and access to the City open space and trails.

Exhibit 4: This plan is a last resort in case the two existing lot owners are unwilling to adjust the dimensions of their lots. This plan has a total of 25 lots and 12 are ½-acre. It does provide an additional 3.5 acres of open space to the City.

Maple Hills Estates

Original 26 Lot Approval



Original Approval with fault line found after approval overlayed

LEGEND

-  PROPERTY LINE
 LOT LINE
 EASEMENT LINE
 EXISTING CURB
 PROPOSED CURB
 5 FOOT CONTOUR
 1 FOOT CONTOUR
 CULINARY WATER
 PRESSURIZED IRRIG.
 SANITARY SEWER
 STORM DRAIN
 FIRE HYDRANT

MAPLETON IRRIGATION NOTES

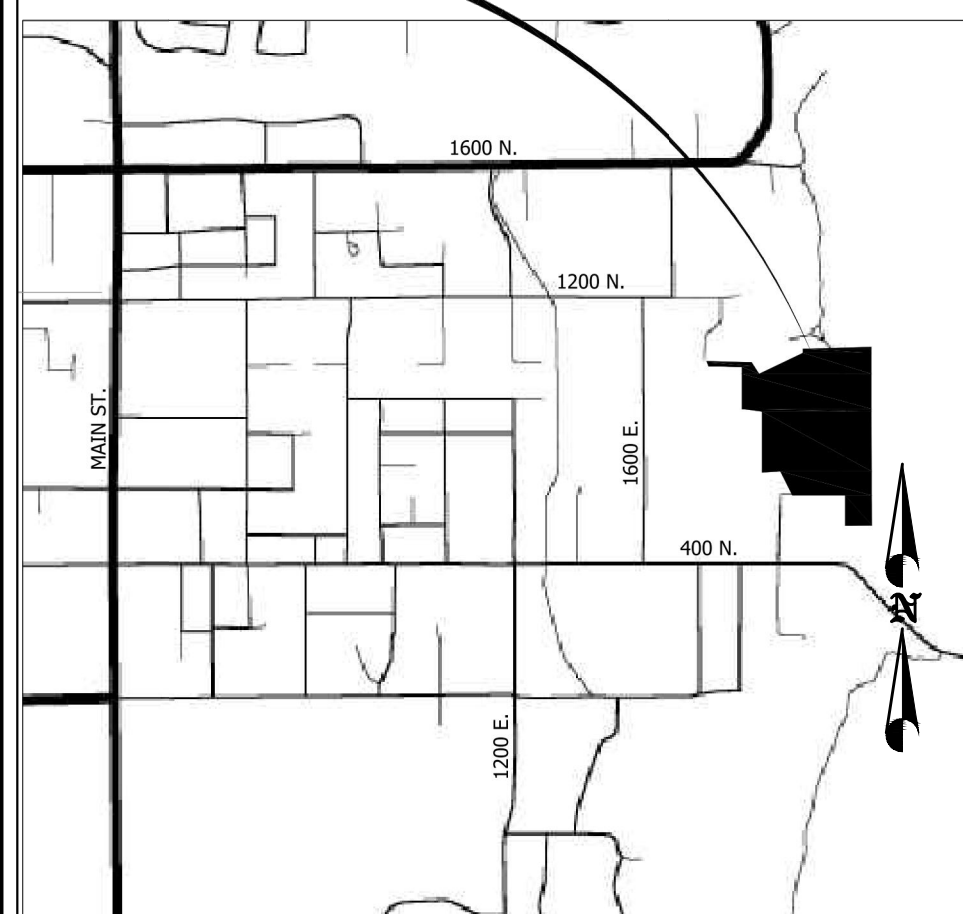
1. APPLICANT MUST NOTIFY FRANSON CIVIL ENGINEERS (FRANSON CIVIL) AT LEAST 24 HOURS BEFORE CONSTRUCTION ON MIDC FACILITIES. CALL KYLE DEVANEY WITH FRANSON CIVIL AT 801-756-0309. FAILURE TO DO SO MAY RESULT IN A \$5,000 FINE.
2. ALL CONSTRUCTION MUST BE DONE TO MIDC STANDARDS
3. MIDC CONTACT DURING CONSTRUCTION: MIKE MINER, PRESIDENT 801-376-1454
4. BOXES SHALL HAVE METAL SIGN ATTACHED TO GRATE THAT READS:

PROPERTY OF MAPLETON IRRIGATION DISTRICT & COMPANY
IRRIGATION BOX MAY NOT BE FENCED WITH PROPERTY
COMPANY MUST HAVE ACCESS FROM CITY STREET
5. ALL BACKFILL MATERIALS WITHIN THE MIDC EASEMENT SHALL BE COMPACTED TO A MINIMUM OF 95% STANDARD PROCTOR DENSITY. IF COMPACTION OF THE BACKFILL MATERIALS AROUND THE MIDC PIPELINE CANNOT MEET THIS REQUIREMENTS THEN FLOWABLE FILL IS AN ACCEPTABLE ALTERNATIVE.
6. PIPES OR OTHER UTILITIES RUNNING PARALLEL TO THE IRRIGATION PIPE IN A SHARED EASEMENT SHALL BE PLACED A MINIMUM OF 5 FEET HORIZONTALLY FROM THE IRRIGATION PIPE.
7. PIPES CROSSING PERPENDICULARLY OVER OR UNDER THE IRRIGATION PIPE SHALL HAVE A MINIMUM 1-FOOT VERTICAL CLEARANCE.
8. PIPES ENTERING BOXES SHALL BE CONCRETED ON THE OUTSIDE AND GROUTED ON THE INSIDE.

SHEET INDEX

C0	COVER
C1	SUBDIVISION PLAT
C2	OVERALL UTILITY PLAN
C3	OVERALL GRADING PLAN
C4-C5	SEWER OUTFALL PLAN & PROFILE
C6-C8	2000 EAST PLAN & PROFILE
C9	MAPLE HILLS LANE PLAN & PROFILE
C10	MAPLE HILLS CIRCLE PLAN & PROFILE
C11	BOX CULVERT PLAN & PROFILE
C12	SWPPP
D1-D3	CONSTRUCTION DETAILS

LOCATION OF PROJECT



VICINITY SKETCH



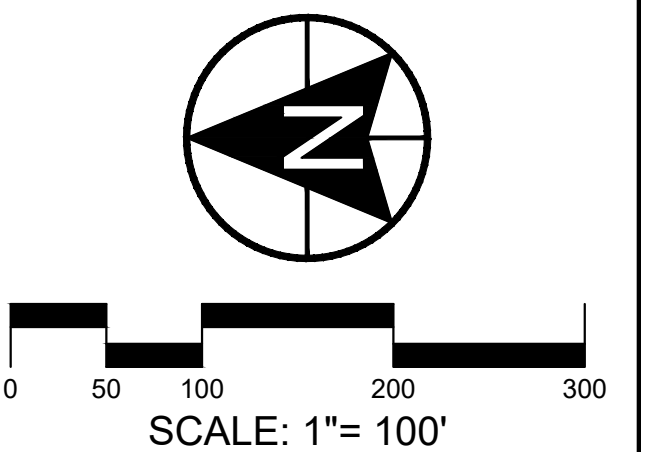
DEVELOPMENT

MAPLE
HILLS
ESTATES
PLAT A

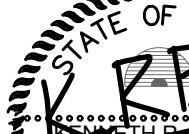
DEVELOPER



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REVISIONS			SEAL
NO	DATE	DESCRIPTION	
1	8/20/21	REVISED 2006 E	
2	9/20/21	MISC REVISIONS	
3			
4			
5			
6			
7			
ACTION			DATE
FINAL CONSTRUCTION PLANS			6/1/2021

PROJECT

MAPLE HILLS ESTATES

DESCRIPTION

*PLAT A
FINAL
CONSTRUCTION
PLANS*

SHEET NAME

COVER

SHEET NUMBER

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Option 1 Alternative Plan - Applicant's Preferred Plan

LEGEND

-  PROPERTY LINE
 LOT LINE
 EASEMENT LINE
 EXISTING CURB
 PROPOSED CURB
 5 FOOT CONTOUR
 1 FOOT CONTOUR
 CULINARY WATER
 PRESSURIZED IRRIGATION
 SANITARY SEWER
 STORM DRAIN
 FIRE HYDRANT

MAPLETON IRRIGATION NOTES

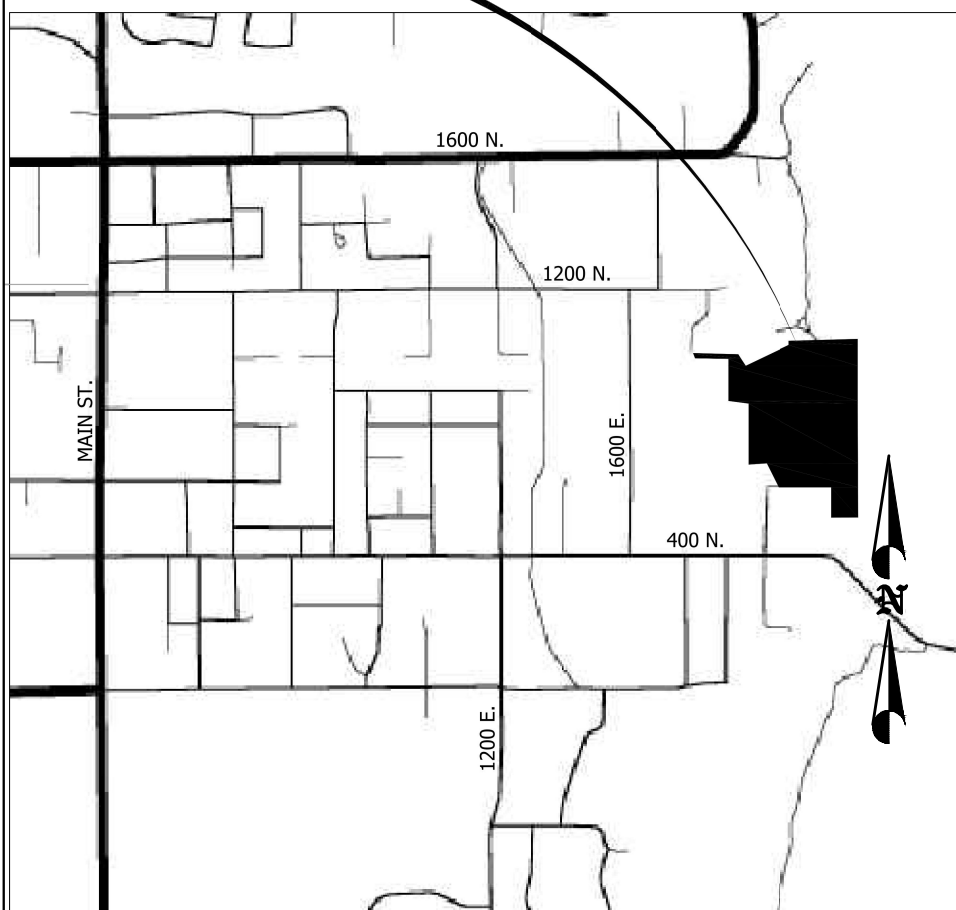
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|-------|--------------------------------|
| C0 | COVER |
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| C2 | OVERALL UTILITY PLAN |
| C3 | OVERALL GRADING PLAN |
| D1-D3 | CONSTRUCTION DETAILS |

LOCATION OF PROJECT



VICINITY SKETCH
SCALE 1:1000

TABULATIONS

PLAT	# LOT
A-1	1
A-2	2
A-3	2
B	9
C	8
D	2
TOTAL	24

Trail Head and Trail Access

~~PLAT A-2~~

PLAT C

~~PLAT B~~

PLAT A-1

PLAT A

PLAT D

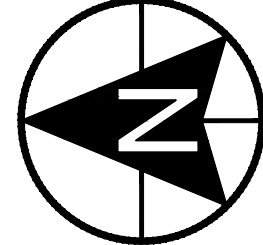
DEVELOPMENT

MAPLE HILLS ESTATES

DEVELOPER



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SCALE: 1"= 100'



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REVISIONS			SEAL
NO	DATE	DESCRIPTION	
1			
2			
3			
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5			
6			
ACTION			DATE
PRELIM			8/11/2023

PROJECT

MAPLE HILLS ESTATES

DESCRIPTION

*REVISED
PRELIMINARY
PLANS*

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SHEET NUMBER

COVER

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Option 2 Alternative Plan

LEGEND

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|--|------------------------|
| | PROPERTY LINE |
| | LOT LINE |
| | EASEMENT LINE |
| | EXISTING CURB |
| | PROPOSED CURB |
| | 5 FOOT CONTOUR |
| | 1 FOOT CONTOUR |
| | CULINARY WATER |
| | PRESSURIZED IRRIGATION |
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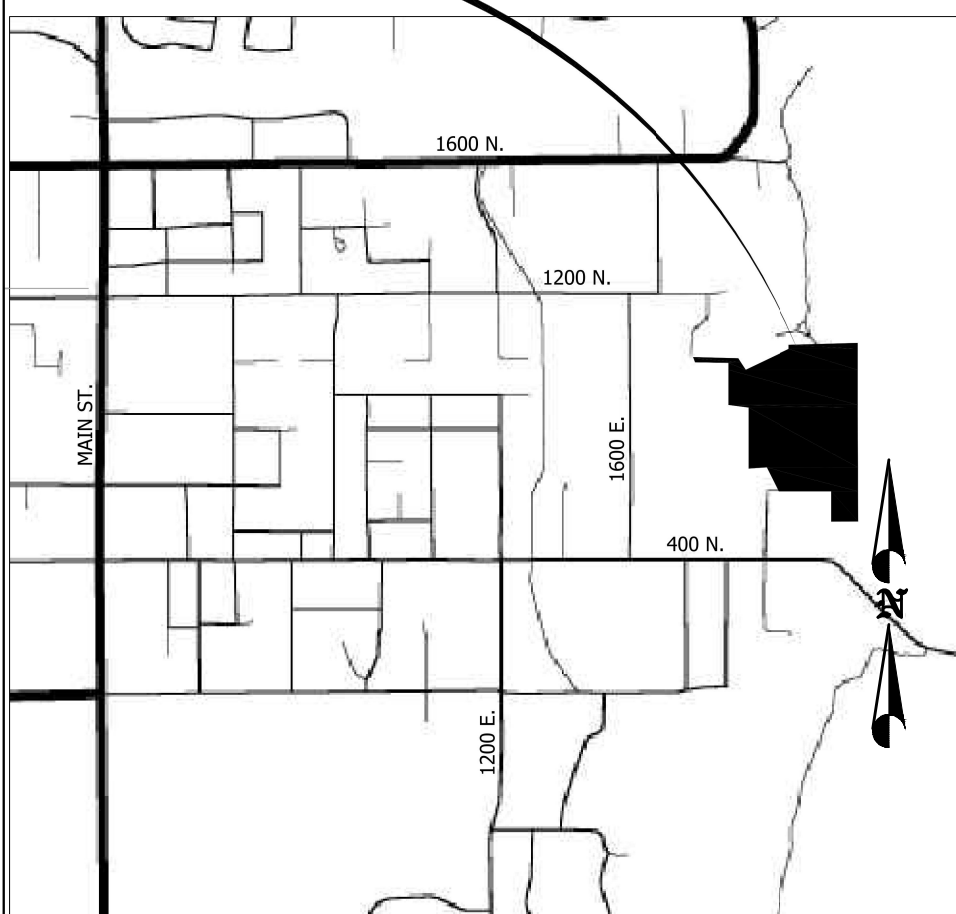
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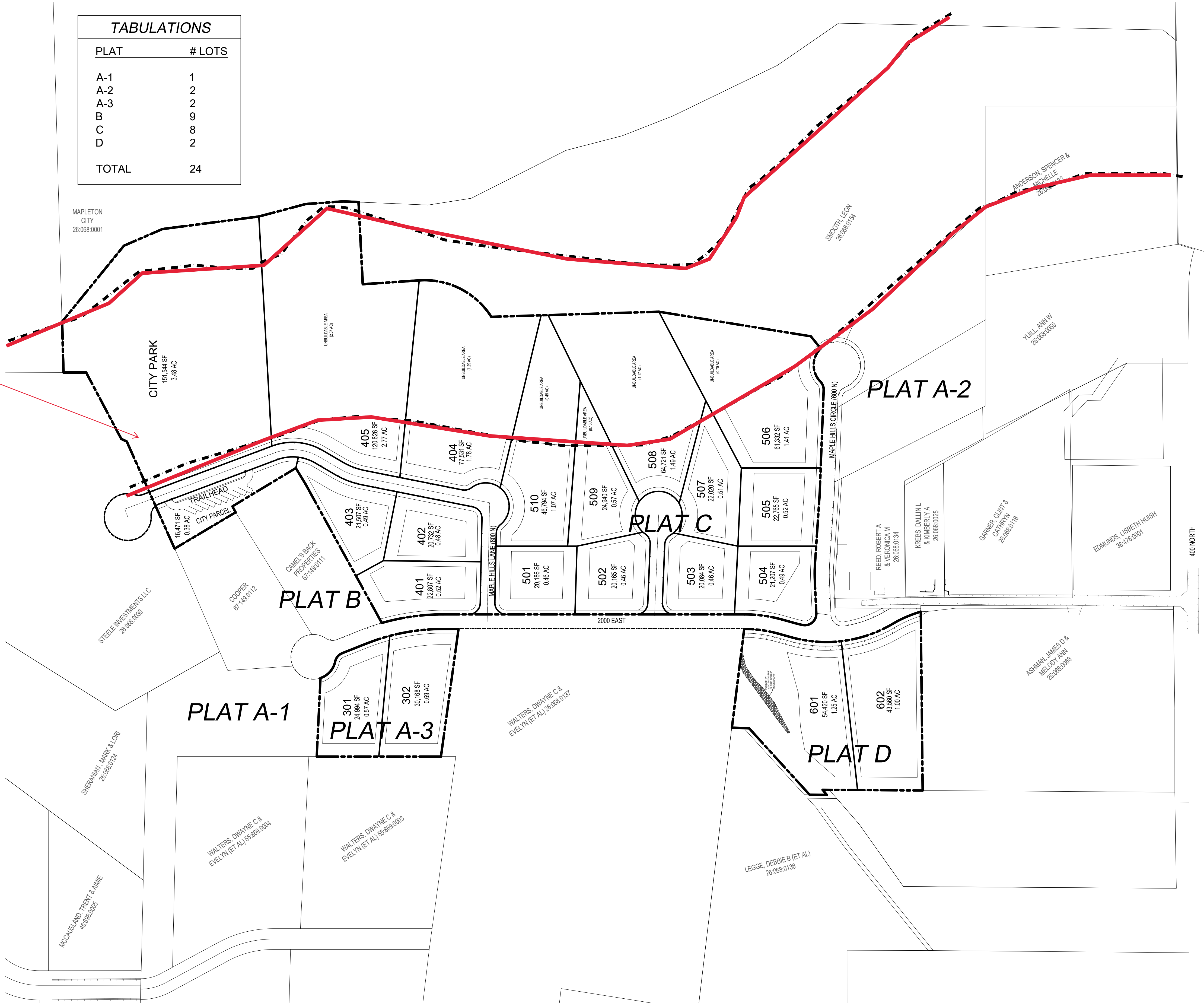
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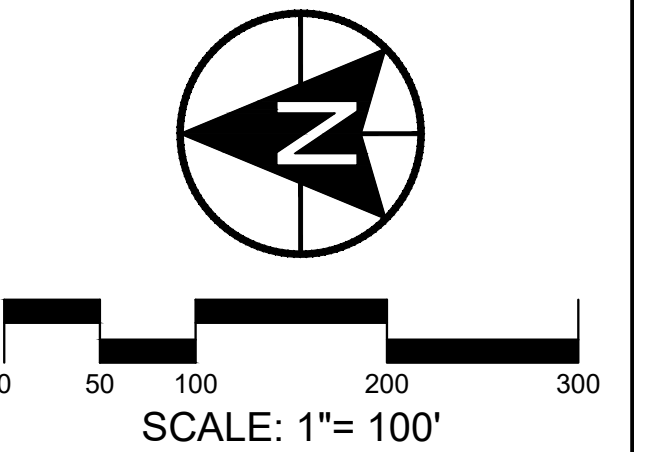
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*REVISED
PRELIMINARY
PLANS*

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