

City Council Staff Report

**Date:**

10/7/20

Applicant:

Michael & Melanie
Nemelka

Location:

2100 E 400 N

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Attachments:

1. Ordinance and PRC-8 Text.
2. Application Information.
3. PC Minutes.

REQUEST

Consideration of an application to rezone approximately 31 acres located at approximately 2100 E 400 N from Agricultural-Residential (A-2) and Critical Environmental (CE-1) to Planned Residential Community (PRC-8) with a Transferable Development Right Receiving Site (TDR-R) Overlay and the review of a development concept plan for the property.

BACKGROUND & DESCRIPTION

The project site consists of approximately 31 acres of land and includes two dwellings, one that was built in approximately 1967 and an old farm house that was built in approximately 1903. The site also includes a spring-fed pond. The western 17 acres is relatively flat below the Mapleton bench and is zoned A-2. The eastern 14 acres includes the bench and an area above the bench. A trail easement exists near the southeast corner of the site that connects to the Forest Service trail head to the east and to another trail easement to the south.

The applicant is requesting approval of the following:

- Rezone the entire property to PRC-8 with a TDR-R for the lower section;
- Review of a concept plan that includes 18 lots ranging in size from just over ½ of an acre to over 8 acres.

The Planning Commission reviewed this application on August 27, 2020 and recommended approval to the City Council with the findings and conditions included in this report. If the rezone application is ultimately approved by the City Council, the applicant would then need to submit a preliminary subdivision plat application that would include a more detailed subdivision plan for the Planning Commission and Council's review.

EVALUATION

Rezone requests are considered legislative in nature. The Planning Commission and City Council generally have broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken (to approve or deny) will promote or protect the general welfare of the community.

Mapleton City Code Section 18.12.010.B provides the following list of guidelines to be used in reviewing amendment requests:

1. *Public purpose for the amendment in question.*
2. *Confirmation that the public purpose is best served by the amendment in question.*
3. *Compatibility of the proposed amendment with general plan policies, goals, and objectives.*
4. *Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.*
5. *Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.*
6. *Adverse impacts on adjacent landowners.*
7. *Verification of correctness in the original zoning or general plan for the area in question.*
8. *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.*

General Plan: The Future Land Use Map of the Land Use Element of the General Plan designates this site as Rural Residential (RR) and Critical Environmental (CE). The General Plan states the following regarding these designations:

RR

"The Rural Residential land use category is maintained along the east and south edges of the City, permitting single-family residential development on lots that are a minimum of two-acres in extent. One acre lots are allowed with the use of TDRs. Smaller lots may also be proposed as part of a conservation subdivision provided the overall densities are not increased. Larger vacant and undeveloped properties are encouraged to develop as Conservation Subdivisions, helping to preserve the rural, open feel of the City."

CE

"Natural open space, including the Wasatch foothills and canyons, small drainages, canals, and streams and similar uses are maintained and preserved as legacy uses for future generations"

The Future Land Use Map also identifies specific larger vacant parcels, including the subject property, as appropriate for conservation subdivisions. This designation is intended to *"...encourage or require development to be clustered onto a portion of the site. The remaining property is preserved as open space through a conservation easement."*

Some other applicable goals and policies include the following:

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

Policy 1.1: Encourage Conservation Subdivisions on vacant and undeveloped residential parcels identified in the Future Land Use Map.

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

Goal 3: Ensure that land uses are compatible and/or utilize adequate buffers to enhance compatibility.

Goal 7: Improve Mapleton View corridors and viewsheds.

Goal 8: Protect and conserve critical agricultural land, sensitive lands and sensitive features in the community.

Goal 9: Continue to implement the TDR program.

As the Council reviews the rezone request and the proposed concept plan, it should determine whether the application is consistent with the goals and policies cited above.

Zoning & Concept Plan: The applicant is requesting approval of a PRC-8 zone and a TDR-R receiving site. The TDR ordinance identifies the A-2 zone as a potential TDR receiving site. The CE-1 zone is not a potential receiving site so the TDR-R would only apply to the existing A-2 portion of the site.

Mapleton City Code (MCC) section 18.82.010 states the following regarding the purpose of the PRC zone:

"The purpose of the planned residential community zone is to encourage imaginative and efficient utilization of land, develop a sense of community, and to ensure compatibility with the surrounding neighborhoods and environment. This is accomplished by providing greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of some or all dwelling units. These provisions are intended to create more attractive and desirable environments within the residential areas of Mapleton City."

The applicant is proposing the following features to create an imaginative and attractive development as intended by the PRC code:

- The protection of approximately 26% of the total site area as open space. The open space will protect sensitive areas including the hillside and much of the upper bench. It will also include the existing spring-fed pond that will be improved to include a trail, benches and some additional landscaping. The concept also reduces the number of lots that could have been built on the upper bench from two to one.
- A pedestrian trail along 400 North and Maple Canyon Road. Many Mapleton residents currently walk up and down Maple Canyon Road to access Forest Service property. The proposed trail will create a dedicated walking/biking area that will be safer and more user friendly for the community.
- Split rail fencing is proposed along the frontage of 400 N and Maple Canyon Road to assist in creating a more rural appearance.
- The applicant intends to use materials from the existing 1903 farmhouse to create a monument sign at the entrance.
- A narrow street cross section with low-back curb and no sidewalks is proposed for the interior of the development. This approach has been used in other areas of the City including the nearby Eagle Rock development to the south, to create a more rural and less

formal appearance. Staff is comfortable with the request for no interior sidewalks as the roadway only serves the future residents of the development and has no need for connectivity with adjacent developments. However, the Council could consider requiring a sidewalk on at least on side of the road.

- 400 North will be widened, but no curb and gutter are proposed. Rather, a swale is proposed for storm water retention.

As mentioned previously, one of the goals in the General Plan is to ensure adequate buffers and to ensure that new development is compatible with existing development. The existing lots to the west are all over two acres in size, with the exception of a .29 acre lot adjacent to the northwest corner of the site. The concept plan proposes lots along the western border that range in size from .84 of an acre to 2.65 acres, but more importantly the lot lines align with the existing property lines to the west. So while the lots will be smaller on average, none of the existing two acre lots will share a common lot line with more than one of the proposed new lots. This design is consistent with the General Plan goal of compatibility and buffering.

The zoning standards (height, setbacks, lot size, density, etc.) for each PRC project is written specifically for each development. The proposed PRC-8 text (see attachment “2”) has been written for this development. The maximum density for the PRC-8 zone is 18 lots with the use of seven TDR certificates. The table below describes how the density is determined.

Existing Zoning	Net Acres*	Base Density**	Proposed Density / w TDRs
A-2	18	9 lots	17 lots
CE-1	8	2 lots	1 lot
Total	26	11 lots	18 lots***
*Net acres = total acres – ROW dedication and areas of 30% slope or greater **Base density is 1 lot per 2 acres in A-2 and 1 lot per 3 acres in CE-1 ***TDR requirement of 7 TDRs is obtained by subtracting proposed density from base density			

The PRC-8 text also addresses limitations for the dedicated open space, required rural design features and other typical zoning standards for use, setbacks, height, etc.

RECOMMENDATION

Adopt the attached ordinance with the following findings and conditions:

Findings:

1. The application is consistent with the Rural Residential and Critical Environmental designations of the Future Land Use Map of the General Plan.
2. The proposed development will conserve 26% of the site area as dedicated open space including sensitive areas as well as recreational areas. The open space will also maintain existing view sheds, as encouraged in the General Plan.
3. The concept plan and rural design features will create an attractive and desirable environment as envisioned for the PRC zones.
4. The project is consistent with the General Plan goal to further implement the TDR program.
5. The project is consistent with General Plan goal to create adequate buffers with adjacent developments.

Conditions:

1. The subdivision application that is submitted shall be generally consistent with the concept plan as presented to the City.
2. The applicant shall work with the City and the Forest Service to relocate or modify the existing gate on Maple Canyon Road to ensure adequate access to lot 18 and will provide the necessary emergency turnaround as required by the Fire Marshall.

ORDINANCE NO. 2020-

AN ORDINANCE TO REZONE APPROXIMATELY 31 ACRES LOCATED AT APPROXIMATELY 2100 E 400 N FROM AGRICULTURAL-RESIDENTIAL (A-2) AND CRITICAL ENVIRONMENTAL (CE-1) TO PLANNED RESIDENTIAL COMMUNITY (PRC-8) WITH A TRANSFERABLE DEVELOPMENT RIGHT RECEIVING SITE (TDR-R) OVERLAY AND THE REVIEW OF A DEVELOPMENT CONCEPT PLAN FOR THE PROPERTY.

WHEREAS, the project site is currently zoned A-2 and CE-1; and

WHEREAS, the Land Use Element of the General Plan designates the project site as “Rural Residential”, “Critical Environmental” and as a candidate for a conservation subdivision; and

WHEREAS, the goals and policies of the Land Use Element encourage the preservation of Mapleton’s rural atmosphere, the creation of buffers between land uses and the implementation of the TDR ordinance; and

WHEREAS, The PRC zone is intended to provide flexibility and to encourage imaginative and efficient utilization of land. It is also an appropriate tool to create a conservation subdivision; and

WHEREAS, the Planning Commission determined that the project was consistent with the General Plan and zoning ordinance and recommended approval to the City Council on August 27, 2020.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to rezone approximately 31 acres Planned Residential Community (PRC-8) with a Transferable Development Right Overlay (TDR-R) and adoption of the PRC-8 zoning text as described in exhibit “A” with the findings and conditions included in the City Council staff report dated October 7, 2020.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH,
This 7th Day of October, 2020.

Dallas Hakes
Mayor

ATTEST:

Camille Brown
City Recorder
Publication Date:
Effective Date:

Exhibit "A"
Chapter 18.82I

**CLEGG CANYON SUBDIVISION, PLANNED RESIDENTIAL COMMUNITY (PRC-8)
ZONE**

18.82I.010: NAME AND PURPOSE:

18.82I.020: PERMITTED USES:

18.82I.030: PERMITTED ACCESSORY USES:

18.82I.040: CONDITIONAL USES:

18.82I.050: DENSITY:

18.82I.060: LOT STANDARDS:

18.82I.070: BUILDING SETBACKS:

18.82I.080: BUILDING HEIGHT:

18.82I.090: PARKING AND DRIVEWAY REQUIREMENTS:

18.82I.100: OPEN SPACE PROTECTION:

18.82I.110: RURAL DESIGN FEATURES:

18.82I.010: NAME AND PURPOSE:

The name of this zone shall be the Clegg Canyon subdivision PRC-8 zone. The purpose of this zone is to create an attractive residential subdivision that respects Mapleton's rural heritage and protects the Mapleton Bench by providing a mix of lot sizes, open spaces and recreational amenities.

18.82I.020: PERMITTED USES:

One single-family dwelling per lot.

Parks and/or open space.

Temporary structures necessary for sales and/or construction activities, subject to subsection [18.84.200B](#) of this title.

18.82I.030: PERMITTED ACCESSORY USES:

Permitted accessory uses include:

The raising, care and keeping of limited numbers of livestock and fowl, excluding swine, for family food production or recreation. Also barns, corrals, pens and coops and other structures for the care and keeping of domestic livestock and fowl, subject to the following:

A. The number of animals kept shall not exceed one animal unit for each twenty thousand (20,000) square feet of lot area.

B. No structure for the housing of livestock or fowl or corrals for the close confinement of livestock shall be located closer than one hundred feet (100') to an existing dwelling on an adjacent lot or fifty feet (50') to such a dwelling on the same lot.

Home occupations subject to section [18.84.380](#) of this title.

Owner occupied accessory apartments subject to section [18.84.410](#) of this title.

Private parks, playgrounds.

18.82I.040: CONDITIONAL USES:

None

18.82I.050: DENSITY:

The base density for the zone is eleven (11) residential lots. With the use of seven (7) Transferable Development Right (TDR) certificates, the density may be increased to a maximum of eighteen (18) lots. The TDR certificates shall be required prior to recording a final subdivision plat. If the project is developed in phases, the number of TDR certificates required with each phase shall be prorated based on the number of lots in the phase.

18.82I.060: LOT STANDARDS:

There shall be no minimum lot size standard. However, the layout and configuration of the lots shall be consistent with the concept plan approved by the City Council at the same time as this PRC-8 zone and on file with the City Recorder.

18.82I.070: BUILDING SETBACKS:

A. Primary dwelling on lots 1-17:

1. Front yard/garage setback: No less than thirty feet (30') measured from the property line to the foundation of the dwelling.
2. Corner lot side yards: Measured the same as the front yard.
3. Rear yard setback: No less than twenty-five feet (25') measured from the rear property line to the foundation of the dwelling.
4. Side yard setback: No less than ten feet (10') measured from the property line to the foundation of the dwelling.

B. Primary dwelling on lot 18:

1. Bench setback: All structures shall be setback a minimum of fifty (50) feet from the crest of the Mapleton Bench. The final subdivision plat shall identify this setback line on the recorded plat.
2. Front yard/garage setback (Maple Canyon Road): No less than thirty feet (30') measured from the property line to the foundation of the dwelling.

3. Rear yard setback (south property line): No less than twenty-five feet (25') measured from the rear property line to the foundation of the home.

4. Side yard setback (east property line): No less than ten feet (10') measured from the property line to the foundation of the dwelling.

C. Accessory Building: Accessory buildings shall be allowed subject to section [18.26.020](#) of this title. Accessory structures on lot 18 shall comply with the Bench setback established in subsection B.1.

D. Projections Into Yards: The following structures may be erected on or projected into any required yard:

1. Necessary appurtenances for utility service.

2. The structures listed below may project into a minimum front or rear yard not more than four feet (4'), and into a minimum side yard not more than two feet (2'):

a. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

b. Fireplace structures and bays, provided that they are not wider than eight feet (8') measured generally parallel to the wall of which they are a part.

c. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty four inches (24") in height.

18.82I.080: BUILDING HEIGHT:

All buildings and structures shall not exceed two (2) stories with a maximum height of forty feet (40') as defined in section [18.08.170](#) of this title.

18.82I.090: PARKING AND DRIVEWAY REQUIREMENTS:

A single-family dwelling shall provide at least four (4) off street parking spaces. At least two (2) of the spaces shall be located in an attached or detached garage that is fully enclosed. All dwelling units shall have a driveway made of hard surface material no less than twelve feet (12') in width.

18.82I.100: OPEN SPACE PROTECTION:

The project shall include twenty-six percent (26%) of the total site area, or eight (8) acres as protected open space. The open space shall include the following features:

A. Parcel "A" shall be a privately owned park for the benefit of the residents of the subdivision that shall include at least the existing pond, a recreation trail and landscaping. The park shall be at least 1.6 acres in size and shall be identified on the final recorded plat as non-buildable open space.

B. Non-buildable open space areas shall be identified on the final recorded plat and shall include all areas as shown on the concept plan approved by the City Council at the same time as this PRC-8 zone and on file with the City Recorder. An additional fifty-seven thousand two hundred and sixty (57,260) square feet of protected open space will be determined after the final building pad for lot 18 has been identified. These non-buildable areas shall remain in their natural state and shall not include buildings, billboards or other structures of any kind, either temporary or permanent with the following exceptions:

- 1) A covered seating area not to exceed four hundred (400) square feet.
- 2) Hard or soft surface walking trails.
- 3) Non sight-obscuring fencing or animal corrals.

18.82I.110: RURAL DESIGN FEATURES

A. Fencing: Lots abutting 400 North shall install a split rail fence on the property line abutting the street right-of-way as part of a building permit for a new dwelling. The style, color and height of the fence shall be consistent for each lot.

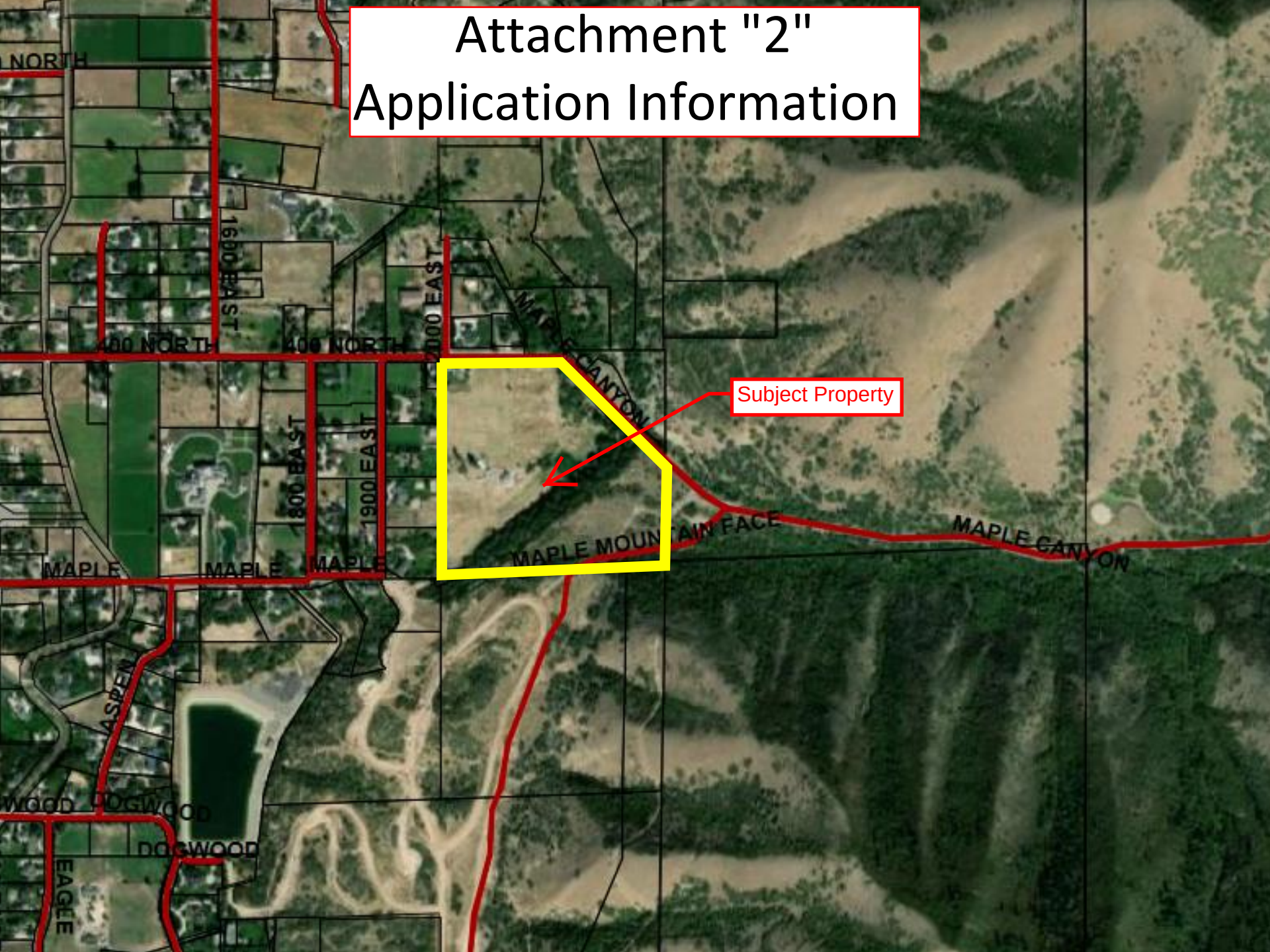
B. Interior Road Cross Section: The interior roadway shall match the City's cross section for a minor local road, with the exception of sidewalks, which will not be required.

C. Trails: An eight foot (8') wide asphalt public trail shall be installed along the entire frontage of 400 North and Maple Canyon Road and private trail at least five feet (5') in width shall be installed around Parcel "A".

D. Entry Feature: The subdivision shall include a decorative monument sign identifying the development. The sign shall not exceed six (6) feet in height and thirty-two (32) square feet in size.

Attachment "2"

Application Information

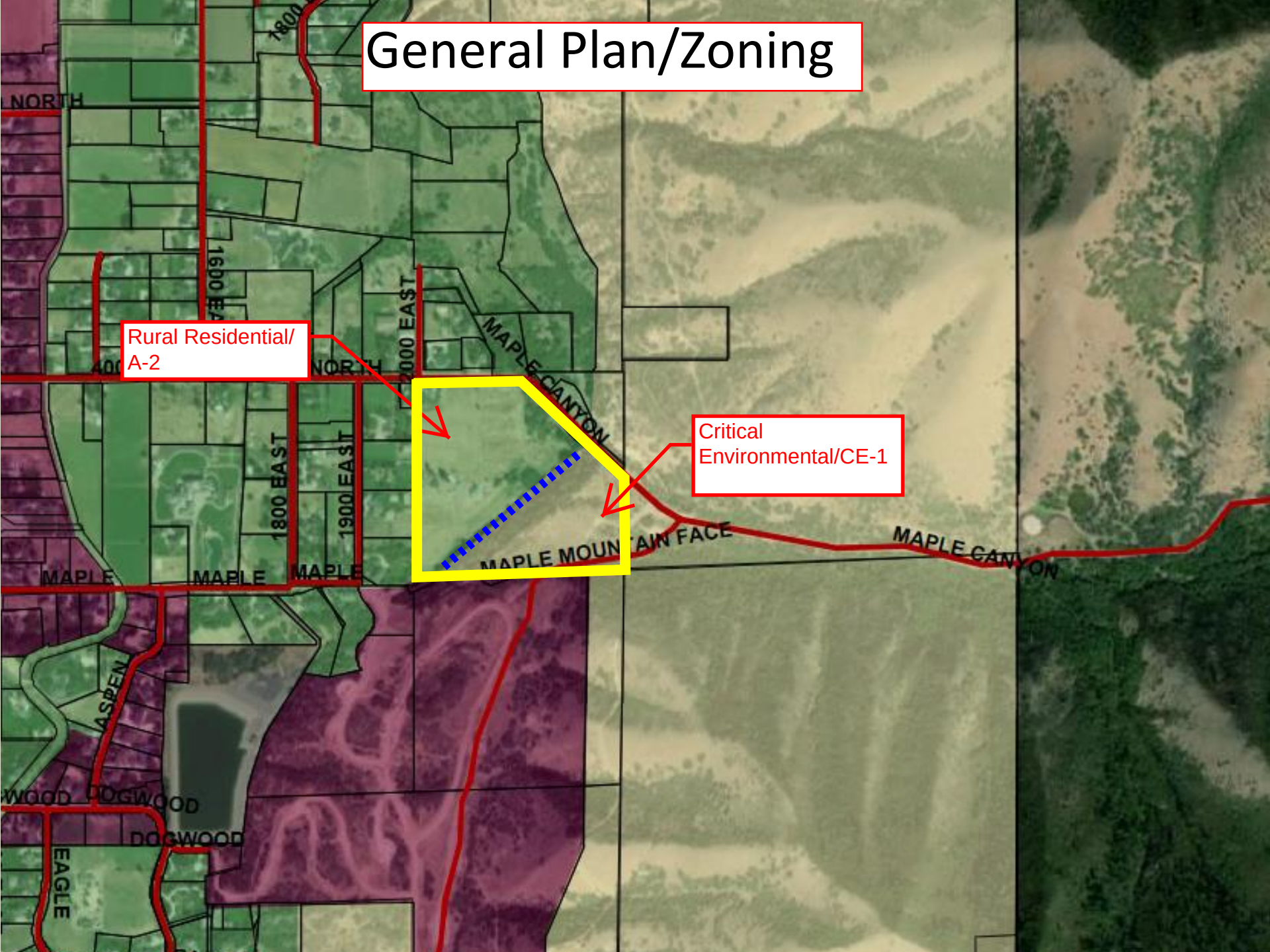


Subject Property

General Plan/Zoning

Rural Residential/
A-2

Critical
Environmental/CE-1





Looking southeast from 400 North

July 23, 2020

Sean Conroy
Community Development Director
Mapleton City
125 West 400 North
Mapleton, Utah 84664

Re: Clegg Canyon Planned Residential Community Application

Dear Sean:

I am writing this letter in response to a request to describe my vision for the Clegg Canyon property. Thank you for this opportunity, which I welcome.

As you know, although I currently live in Washington, D.C., I am from Mapleton. I lived in Mapleton my entire life before leaving for college, and members of my family still live there, including my mother, Ingrid Nemelka. Mapleton will always be my home. It is a beautiful and special place. My primary goal with Clegg Canyon is to create something that will add to, rather than detract from, the specialness of Mapleton. I want Clegg Canyon to be an asset to the community that everyone can be proud of. I have worked hard with my designer and engineer Mark Greenwood of ALM & Associates to design a Planned Residential Community that achieves those goals.

Importantly, we solicited and received the input of all the neighbors around the Clegg Canyon property. I met with them in person, and have shared iterative plans of the designs with them throughout the process. I have taken their input and implemented it. For example, I moved lot lines to match the property borders of those on the west side of the property. I made lots bigger. I combined lots and eliminated three proposed lots from the plans we originally designed. They did not want sidewalks -- to help maintain a country feel, which I agree with -- and so we eliminated them from our plans. It has been a collaborative process, and based on their communications to me, I believe that they support the plans. In fact, some of the neighbors want to buy lots within the Clegg Canyon development, and I have worked with them on their preferred specifications.

I have worked hard to get neighborhood support not only because it is the right thing to do, but also because I intend to actually be their neighbor. My wife Melanie and I wish to build a home and eventually relocate within Clegg Canyon. My in-laws -- Alan and Barbara Miner, of Springville -- wish to downsize and build a home there. My wife's aunt and uncle -- Gary and Sharlene Miner, of Draper -- also wish to build their retirement home there. As you can see, I desire to make this development special not just for the community, but also for me and my family. This is the appropriate place to explain how we came up with the name Clegg Canyon. There is a "C" made out of rocks on a hillside in Maple Canyon. My wife's grandma was Helen Clegg, and her brother used to take my wife on drives around Mapleton, and every time they drove up Maple Canyon, he would say: "You see that 'C' up there? That stands for Clegg." Thus, my wife grew up thinking the "C" on the mountain stood for the name of her ancestors.

To make a special development that fits within the requirements for the Planned Residential Community, I would like to point out the following features of the design we have created:

1. **Variable lot sizes, curving roads, no sidewalks.** Instead of cookie-cutter lots, we have laid out the development with variable lot sizes, and have put in gently curving roads with sloped curbs for a more natural feel. The variable lot sizes will also help attract those who want to build their dream home, but also those who want to downsize, like my in-laws. I think it's important to create a community that can attract different family types at different stages of life.
2. **Pond with trails.** There is a spring-fed pond on the property, which I propose to keep and beautify. We will put in a path around the pond, plant willow trees, keep the old walnut and maple trees currently there, and build benches.
3. **Pioneer brick entry monuments and benches.** There is an old pioneer brick home on the property that is no longer structurally sound. But we are going to take the sandy colored pioneer brick from the home and use it throughout the development. The entrance monuments will be made from the brick. The benches around the pond will incorporate the brick. We will look for other creative ways to honor the pioneer legacy by using the old pioneer brick, and I welcome any ideas.
4. **Open space.** We have set aside areas of permanent open space. That includes the pond and the land around it, but also the hillside, and sensitive areas on the bench, such as the land near the edge and the southeast hillside.
5. **Protecting the bench.** As for the 8.5 acres on the bench, instead of seeking to put as many lots on there as possible (unlike other developments in the area) we propose to put only one lot on there. I hope you can see by this fact my goodwill. In fact, I am willing to give Mapleton City the first right of refusal on the 8.5 acres on the bench. The City could create the most beautiful park in all of Utah County there – a real legacy project. Or it could keep it open; install trails; add trailhead access to the canyon; or all of the above.
6. **Split-rail fence.** We propose to build a split-rail fence along the perimeter of the property on 400 North and Maple Canyon Road. This will add to the beauty of the area, and enhance its country feel.
7. **Canyon Trail.** I also propose building a trail along 400 North and Maple Canyon Road to facilitate access to the canyon for the entire community. Currently, people have to walk on the road. I would build a trail along the perimeter of the property – between the split-rail fence and the road – to not only make it more beautiful, but also safer.
8. **Bonneville Shoreline Trail.** The Bonneville Shoreline Trail goes across my property on the bench, and we would propose protecting the area around the trail as permanent open space. We also would respect the easement across our property, unlike other neighboring property owners.

9. **CCRs.** I will have Covenants, Conditions, and Restrictions apply to the PRC. These CCRs will be designed to enhance the beauty and country-feel of the development. For example, we will not allow closed vinyl fencing or concrete walls. The separations between lots must be split rail, landscaped vegetation, or some other similar boundary.
10. **Conservation of Irrigation Water.** Aging irrigation water pipes and ditches go across my property currently. These aging structures are used by neighbors with Strawberry water shares appurtenant to their land. But instead of Strawberry water, we use water coming from Maple Canyon. With my water engineer, I commit to designing a system that is not only more reliable, but is also much more conservation-minded. The current ditches lose a lot of water. The new system would be a vast improvement.

First and foremost, the above list shows how we intend to make Clegg Canyon a special community. But in addition, I hope you recognize that these principles also satisfy the considerations for a Planned Residential Community.

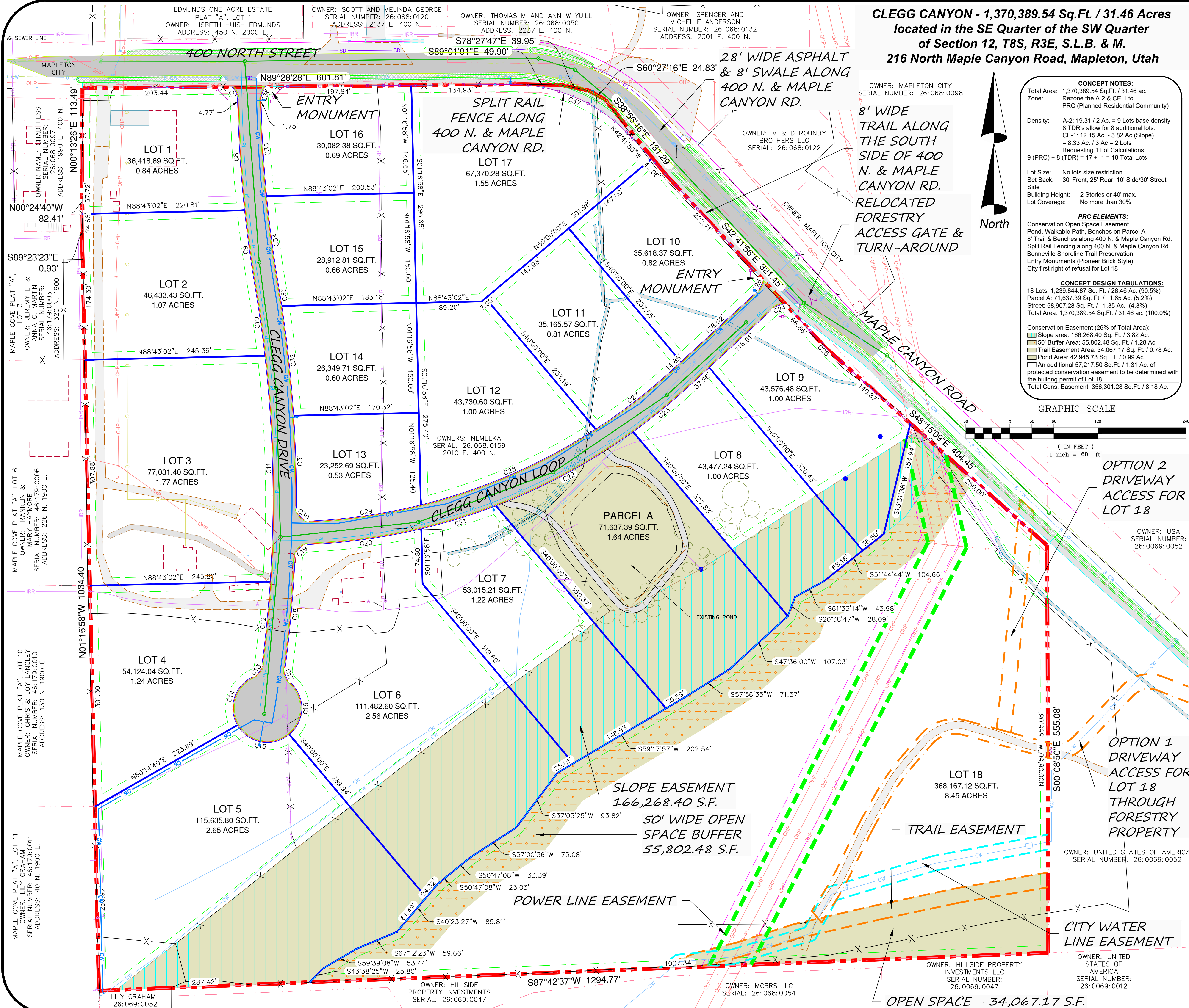
Thank you again for this opportunity to describe my vision for Clegg Canyon. I commit to making it a special asset to the community, one that everyone in the community can be proud of and will benefit from. As a person who loves Mapleton and plans to return to live there, I hope that you would expect nothing less from me.

Sincerely Yours,



Michael N. Nemelka

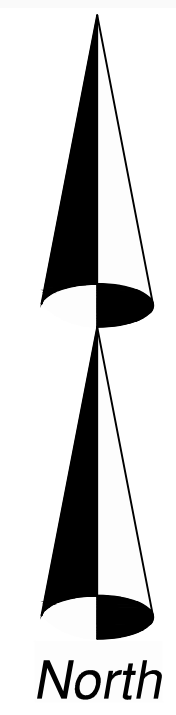
3164 Upland Terrace, NW
Washington, D.C. 20015
mike.nemelka@gmail.com
Cell: 434.284.0102



CLEGG CANYON - 1,370,389.54 Sq.Ft. / 31.46 Acres
located in the SE Quarter of the SW Quarter
of Section 12, T8S, R3E, S.L.B. & M.
216 North Maple Canyon Road, Mapleton, Utah

OWNER: MAPLETON CITY
SERIAL NUMBER: 26:068:0098

8' WIDE
TRAIL ALONG
THE SOUTH
SIDE OF 400
N. & MAPLE
CANYON RD.
RELOCATED
FORESTRY
ACCESS GATE &
TURN-AROUND



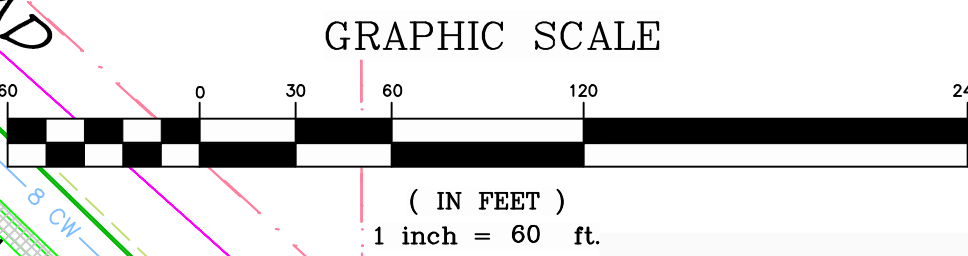
CONCEPT NOTES:
Total Area: 1,370,389.54 Sq.Ft. / 31.46 ac.
Zone: Rezone the A-2 & CE-1 to PRC (Planned Residential Community)
Density: A-2: 19.31 / 2 Ac. = 9 Lots base density
8 TDR's allow for 8 additional lots.
CE-1: 12.15 Ac. = 3.82 Ac (Slope)
= 8.33 Ac. / 3 Ac = 2 Lots
Requesting 1 Lot Calculations:
9 (PRC) + 8 (TDR) = 17 + 1 = 18 Total Lots

Lot Size: No lots size restriction
Set Back: 30' Front, 25' Rear, 10' Side/30' Street Side
Building Height: 2 Stories or 40' max.
Lot Coverage: No more than 30%

PRC ELEMENTS:
Conservation Open Space Easement
Pond, Walkable Path, Benches on Parcel A
8' Trail & Benches along 400 N. & Maple Canyon Rd.
Split Rail Fencing along 400 N. & Maple Canyon Rd.
Bonneville Shoreline Trail Preservation
Entry Monuments (Pioneer Brick Style)
City first right of refusal for Lot 18

CONCEPT DESIGN TABULATIONS:
18 Lots: 1,239,944.87 Sq. Ft. / 28.46 Ac. (90.5%)
Parcel A: 71,637.39 Sq. Ft. / 1.65 Ac. (5.2%)
Street: 58,907.28 Sq. Ft. / 1.35 Ac. (4.3%)
Total Area: 1,370,389.54 Sq.Ft. / 31.46 ac. (100.0%)

Conservation Easement (26% of Total Area):
Slope area: 166,268.40 Sq. Ft. / 3.82 Ac.
50' Buffer Area: 55,802.48 Sq. Ft. / 1.28 Ac.
Trail Easement Area: 34,067.17 Sq. Ft. / 0.78 Ac.
Pond Area: 42,945.73 Sq. Ft. / 0.99 Ac.
An additional 57,217.50 Sq. Ft. / 1.31 Ac. of protected conservation easement to be determined with the building permit of Lot 18.
Total Cons. Easement: 356,301.28 Sq.Ft. / 8.18 Ac.



**OPTION 2
DRIVEWAY
ACCESS FOR
LOT 18**

OWNER: USA
SERIAL NUMBER:
26:0069:0052

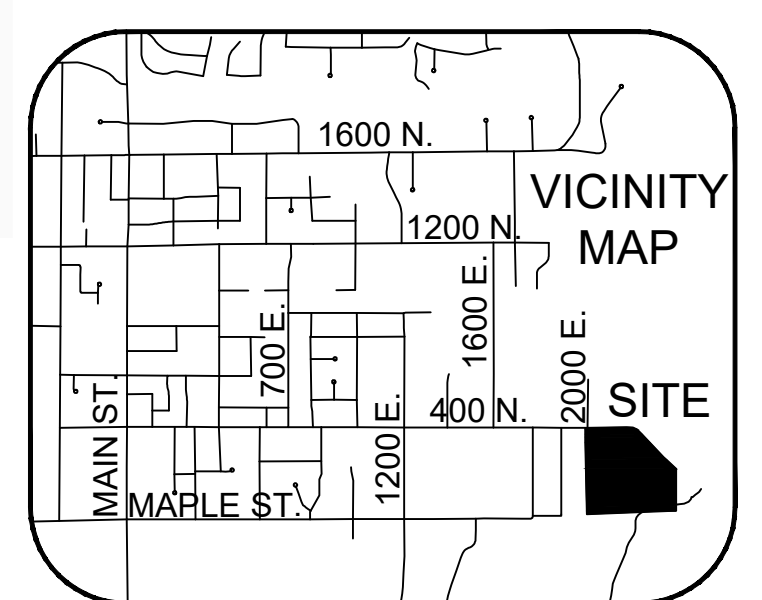
**OPTION 1
DRIVEWAY
ACCESS FOR
LOT 18
THROUGH
FORESTRY
PROPERTY**

OWNER: UNITED STATES OF AMERICA/
SERIAL NUMBER: 26:0069:0052

**CITY WATER
LINE EASEMENT**

OWNER: UNITED
STATES OF
AMERICA
SERIAL NUMBER:
26:0069:0012

OPEN SPACE - 34,067.17 S.F.



SITE INFORMATION:
Parcel Number: 26:068:0157
216 North Maple Canyon Road, Mapleton, UT

OWNER / DEVELOPER:
Mike Nemelka

SURVEYOR, ENGINEER, PLANNER:
A.L.M. & Associates, Inc.
2230 North University Parkway, Suite 6D, Provo, UT 84604
(801) 374-6262 (801) 374-0085 FAX
MGreenwood@ALMOnline.com

BASIS OF BEARING BEING NORTH 00°08'50" WEST FROM THE FOUND BRASS CAP OF THE SOUTH QUARTER CORNER TO THE FOUND BLM CAP OF THE SOUTH 1/16 CORNER. NAD83 COORDINATE SYSTEM.

SYMBOL LEGEND:

- SECTION LINE
- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- SETBACK LINE
- PUBLIC UTILITY EASEMENT
- FENCE
- IRRIGATION PIPE
- GAS PIPE
- OVERHEAD POWER LINE
- SEWER PIPE
- STORM DRAIN PIPE
- WATER PIPE

Curve Table				
Curve #	Radius	Length	Chord Direction	Chord
C1	250.00'	208.68'	S66°36'44"E	202.68'
C2	250.00'	24.23'	S45°28'32"E	24.22'
C3	1730.00'	251.54'	N5°26'53"W	251.32'
C4	1730.00'	337.75'	N4°01'14"W	337.21'
C5	1730.00'	238.09'	N5°33'34"E	237.91'
C6	800.00'	594.12'	N68°34'35"E	580.56'
C7	25.00'	19.76'	N23°55'53"W	19.25'
C8	1746.00'	146.12'	N3°40'49"W	146.07'
C9	1746.00'	107.75'	N7°50'44"W	107.73'
C10	1714.00'	92.58'	N8°03'57"W	92.57'
C11	1714.00'	308.30'	N1°21'56"W	307.88'
C12	1714.00'	114.38'	N5°41'56"E	114.36'
C13	20.00'	20.40'	N36°50'08"E	19.53'
C14	47.00'	78.60'	N18°09'09"E	69.75'
C15	47.00'	82.23'	N79°52'40"W	72.14'
C16	47.00'	81.15'	S0°32'10"W	71.44'
C17	20.00'	19.75'	S20°38'21"E	18.96'
C18	1746.00'	151.35'	S5°09'59"W	151.31'
C19	20.00'	29.60'	S45°04'50"W	26.97'
C20	816.00'	154.69'	S82°02'49"W	154.46'
C21	816.00'	106.67'	S72°52'16"W	106.59'
C22	816.00'	212.99'	S61°38'56"W	212.38'
C23	816.00'	97.85'	S50°44'11"W	97.79'
C24	25.00'	20.10'	S70°19'42"W	19.56'
C25	280.00'	27.14'	N45°28'32"W	27.13'
C26	25.30'	22.11'	N26°22'04"E	21.41'
C27	784.00'	133.40'	N52°10'33"E	133.24'
C28	784.00'	260.85'	N66°34'56"E	259.65'
C29	784.00'	150.28'	N61°36'20"E	150.05'
C30	20.00'	32.55'	S46°16'52"E	29.07'
C31	1746.00'	123.44'	S1°41'06"E	123.42'
C32	1746.00'	150.60'	S6°10'53"E	150.55'
C33	1746.00'	29.29'	S9°07'58"E	29.29'
C34	1714.00'	121.74'	S7°34'43"E	121.72'
C35	1714.00'	127.47'	S3°24'48"E	127.44'
C36	25.28'	21.61'	S19°13'09"W	20.96'
C37	220.00'	183.64'	N66°36'44"W	178.36'

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**CLEGG CANYON
MIKE NEMELKA
CONCEPT PLAN**

No.	Revision	Date

1
OF 1 SHEETS
Proj # 1002 - 1960

8' WIDE ASPHALT TRAIL ALONG 400 N. & MAPLE CANYON RD.

28' WIDE ASPHALT ROAD FOR 400 N. & MAPLE CANYON RD.



8' WIDE LANDSCAPED DRAINAGE SWALES ALONG 400 N. & MAPLE CANYON RD.



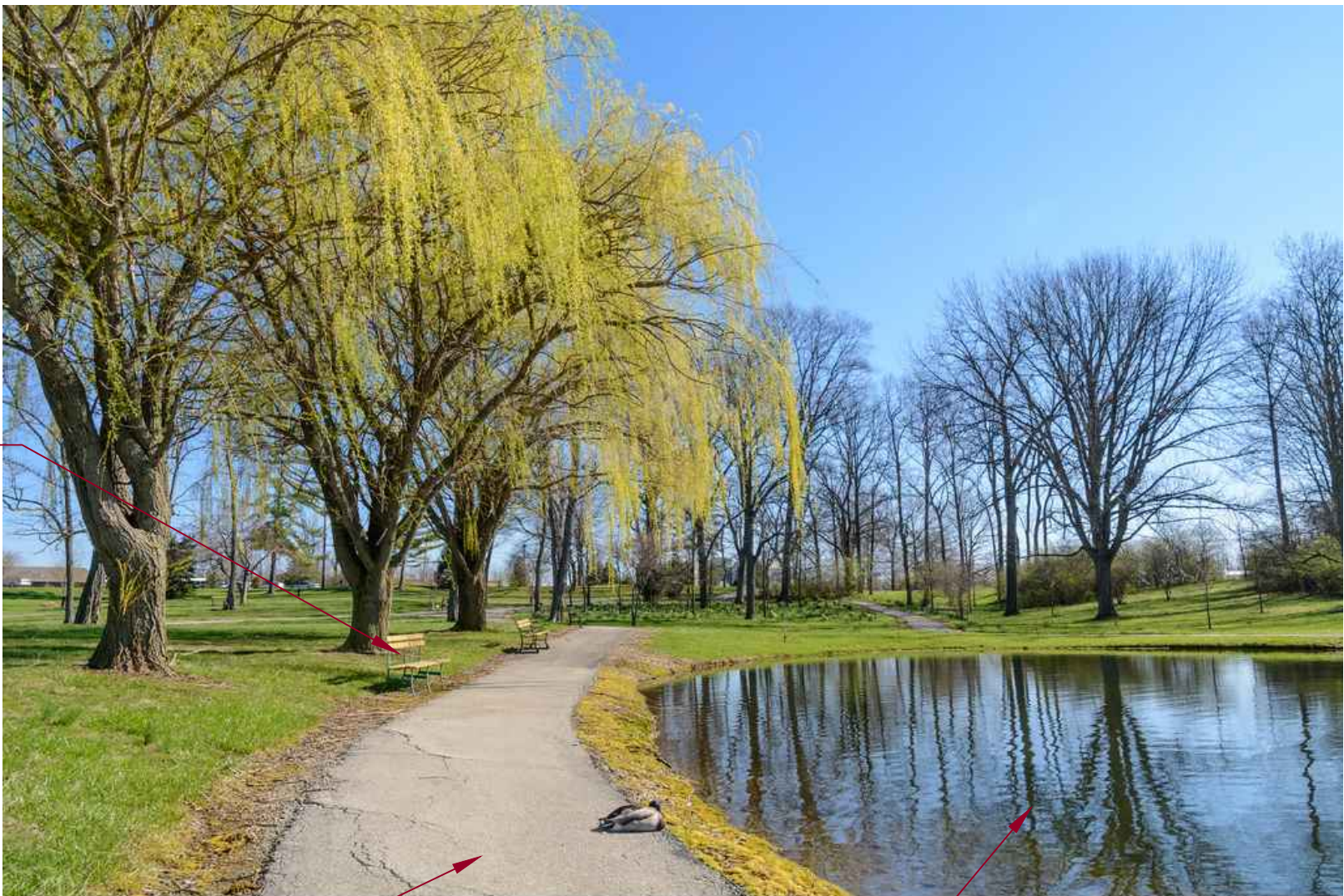
BENCHES ALONG TRAIL

8' WIDE ASPHALT TRAIL ALONG 400 N. & MAPLE CANYON RD.

NOTE:

ALL PHOTOS ARE A REPRESENTATION AND NOT THE ACTUAL FINAL PRODUCT

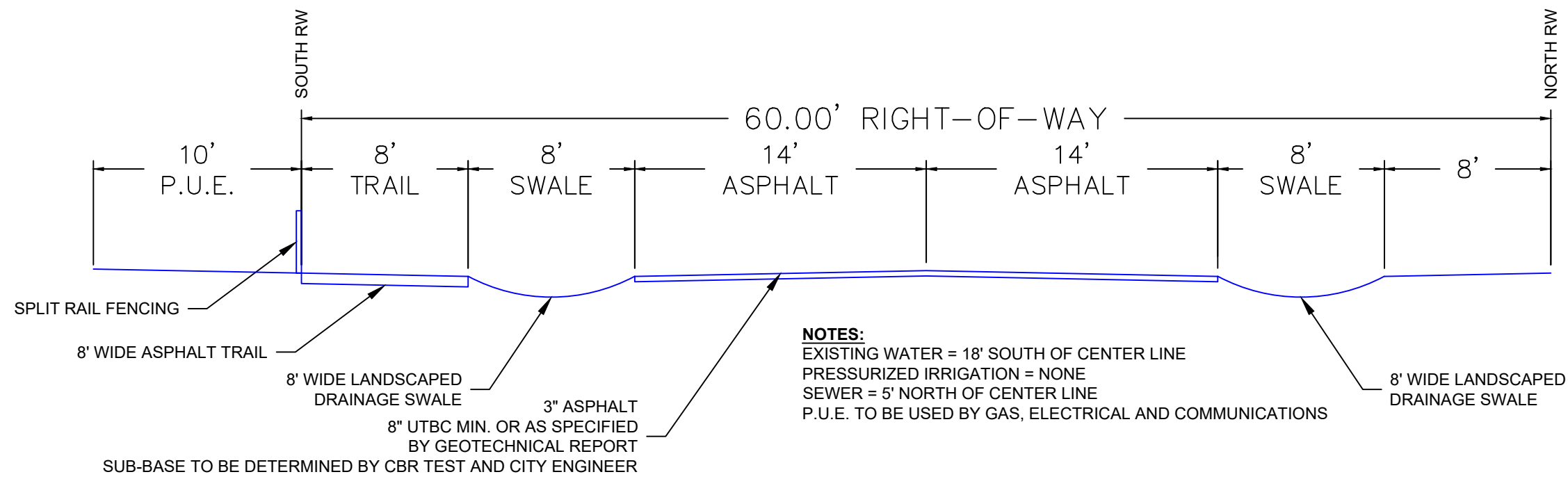
BENCHES



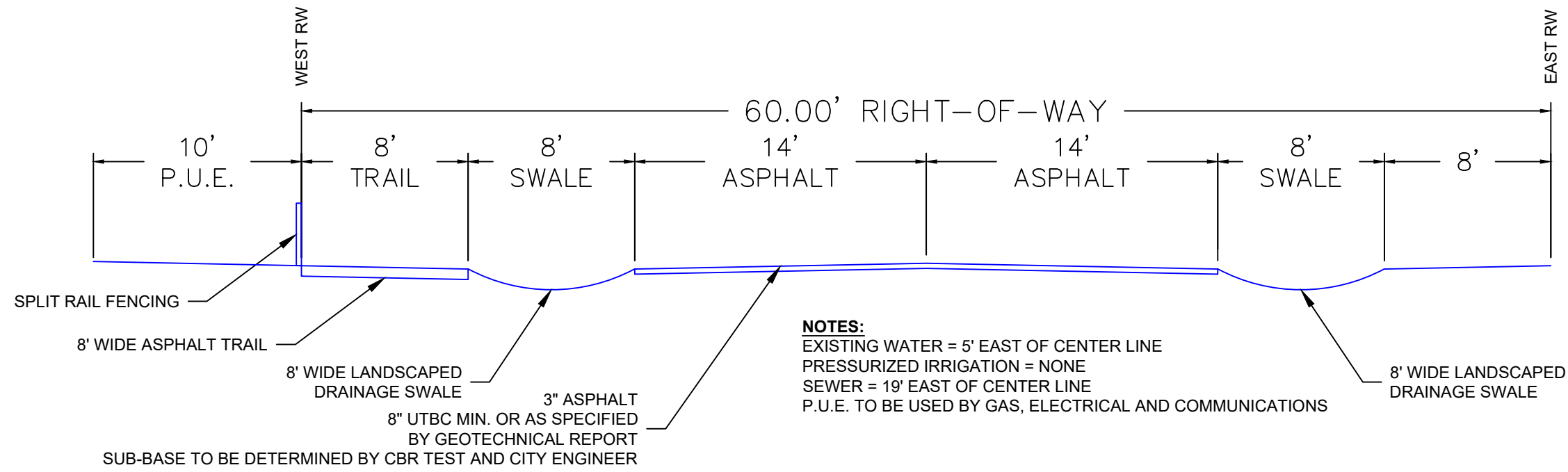
WALKABLE PATH ALONG POND

POND

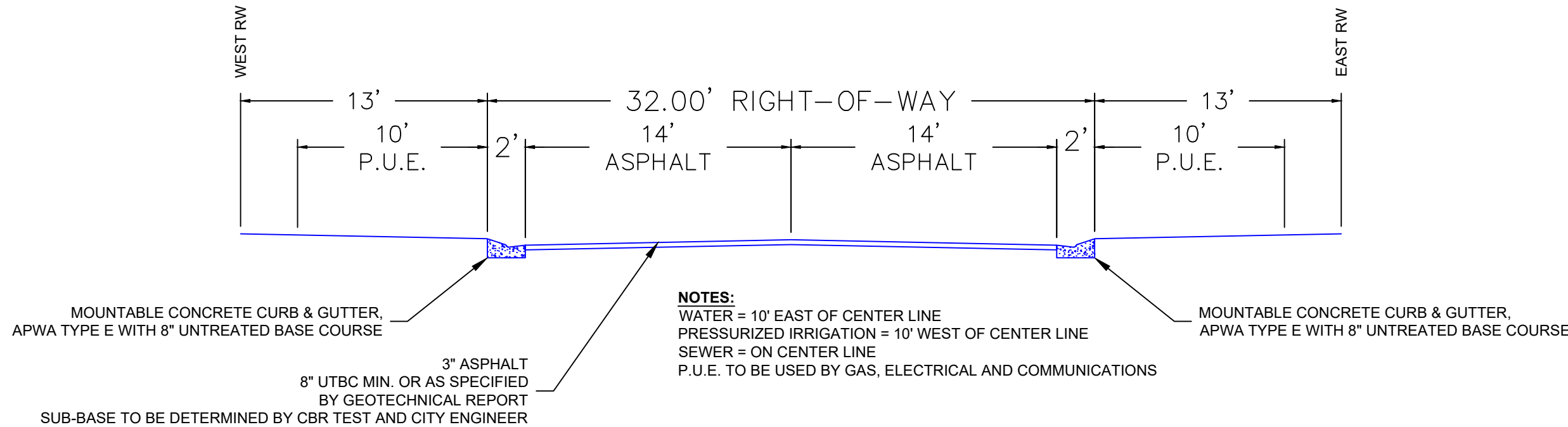
OLD PIONEER BRICK SUBDIVISION ENTRY MONUMENTS



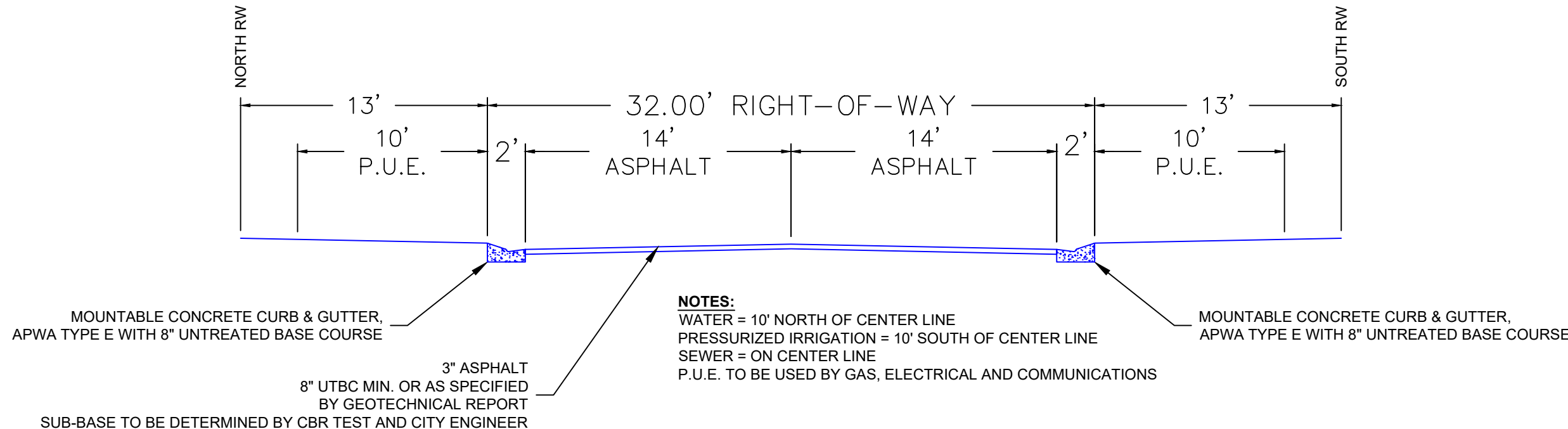
60' SECTION MINOR LOCAL - 400 N.



60' SECTION MINOR LOCAL - MAPLE CANYON ROAD



32' SECTION MINOR LOCAL - CLEGG CANYON DRIVE



32' SECTION MINOR LOCAL - CLEGG CANYON LOOP



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CLEGG CANYON
MIKE NEMELKA
CONCEPT PLAN - DETAILS

No.	Revision	Date

1
OF 1 SHEETS
Proj # 1002 - 1960

MAPLETON CITY

PLANNING COMMISSION MINUTES

August 27, 2020

PRESIDING AND CONDUCTING: Chairman Jesse McLean

Commissioners in Attendance: Sharee Killpack
Jake Lake
Rich Lewis
Lewis Nuttall
TJ Uriona

Staff in Attendance: Sean Conroy, Planning Director

Minutes Transcribed By: April Houser, Executive Secretary

Chairman Jesse McLean called the meeting to order at 6:00pm. Alternate Commissioner TJ Uriona was seated as a voting member this evening.

Item 1. Planning Commission Meeting Minutes – August 13, 2020.

Motion: Commissioner Lewis motioned to approve the August 13, 2020 Planning Commission Meeting Minutes.

Second: Commissioner Uriona

Vote: Unanimous

Item 2. Consideration of an application to rezone approximately 31 acres located at approximately 2100 East 400 North from Agricultural-Residential (A-2) and Critical Environmental (CE-1) to Planned Residential Community (PRC-8) with a Transferable Development Right Receiving Site (TDR-R) Overlay and the review of a Development Concept Plan for the property.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. There are 2 existing dwellings on the site. There is a trail easement on the southeast corner of the site for the Bonneville Shoreline Trail. The concept plan shows a request for 18 lots. The General Plan is shown as A-2 and CE-1 for this property. One lot would be on the bench with the rest down in the lower area. They are proposing a park with a little pond around the existing trail. The lots range from 1/2-acre to the larger 9-acre parcel. The applicants have tried to make the current homes compatible with the lots proposed for this development. The trail would run along the main road on 400 North up to their property. This would be a nice amenity to create a separate path for bikers and walkers in this area. They are proposing to have split rail fencing along the project to stay with the rural look. There will be some conservation easements around the pond and upper lot areas. The proposal is consistent with the General Plan Designation. The PRC Zoning gives the applicants flexibility in the layout of their development. It would not allow

for more density than the General Plan currently designates. The applicant could propose up to 20 lots under the current zoning, so they are not going up to max density for the site. Staff recommends approval of the request. Sean went over how TDR-R site would work. This property, if it was to keep its current zoning, would still be allowed the apply TDR's. **Commissioner Uriona** asked the current status of the Bonneville Shoreline Trail. Sean went over the future plans for the long-range trail plan where the easements are in place. **Chairman McLean** asked for a map of the current zoning in the area. This showed that the surrounding areas are very similar in zoning to this request. **Commissioner Lake** asked what would happen if another developer bought the property. Sean stated that they would be required to stick to the approved PRC-8 Zoning text, which would be the plan approved for the development.

Mark Greenwood, with ALM Engineering, spoke representing the applicant. A lot of time has been spent with staff, neighbors and the applicants to get to this point. They feel most of the residents in the area are happy with what is going on. The owner, Mike Nemelka, has been very upfront with talking to the neighbors in the area. Mr. Nemelka is from Mapleton, and they hope to return here to settle down, along with some of their family members.

Chairman McLean opened the Public Hearing. **Tom Ewell** really appreciates to opportunity they have had to provide input on this proposal. They are happy with this layout. They live directly across from Lot 17 and stated that some individuals riding down the road could potentially cause issues of safety from this new lot. **Michelle Anderson** appreciated having the ability to give their input as well with the applicant. She felt the new Vision Statement of keeping the rural atmosphere is being strayed from. She doesn't necessarily disagree with this plan, but she's concerned overall, along with the property behind them, that the Vision Statement isn't being upheld. Mrs. Anderson doesn't have a vast understanding of Transferable Development Rights (TDR) work so **Commissioner Lewis** asked Sean to give her a brief overview of how they work. The intent was to protect this hillside of Mapleton from being developed with the ability to receive TDR's by agreeing not to develop that area via a Conservation Easement, allowing you to utilize them throughout the City for higher density. **Gary Miner** has fond memories of Mapleton. He would like to convey that the vision of the applicant is to have a sense of community in the area. Mr. Nemelka wants everyone in the area to enjoy this project, and to find it a positive aspect of the community. **Scott George** lives in this area and had a concern about irrigation water. He is somewhat skeptical on vague plans of how to solve problems. Mr. George feels that there is no control over what is going on and wanted to make sure he expressed his concern. Scott also wondered if there would be parking along the swales on the side of the road. He's worried if there is not parking in that area it will cause more people to park in front of his home who are going up the canyon. Sean stated that irrigation is not a City Utility addressed by the Planning Commission but would be something Mapleton Irrigation would need to deal with. All issues and concerns will be addressed prior to the plat being recorded. No additional comments were given, and the Public Hearing was closed.

Mark Greenwood, with ALM Engineering, spoke again representing the applicant. They are well aware of the irrigation pipe and will not disturb the water down below. They will work with Mapleton Irrigation and East Bench Canal to make sure it's solved. Lot 17 will need to face on to 400 North, but they have tried to minimize it as much as possible. He and Mr. Nemelka both love Mapleton and want to keep this development with a feel of rural Mapleton like those in the area

love.

Sean Conroy, Community Development Director, stated that the Open Space area along the bench will remain preserved with a strict Conservation Easement on it to prohibit it from being changed. **Commissioner Killpack** asked if there was more room to expand the current parking lot owned by the City. Sean stated that there is probably not much room for expansion. This area has become more congested due to lack of other activities during the current Covid-19 Pandemic. The Planning Commissioners seemed to feel the mix of lot sizes gives more variety to the area. The applicant is still working to find out if the pond will have the ability to be utilized for irrigation, but they do not believe it would be able to provide enough water to do so.

Motion: Commissioner Killpack moved to recommend approval to the City Council of an application to rezone approximately 31 acres located at approximately 2100 East 400 North from Agricultural-Residential (A-2) and Critical Environmental (CE-1) to Planned Residential Community (PRC-8) with a Transferable Development Right Receiving Site (TDR-R) Overlay and the review of a Development Concept Plan for the property, with the conditions listed below:

1. The subdivision application that is submitted shall be generally consistent with the concept plan as presented to the City.
2. The applicant shall work with the City and the Forest Service to relocate or modify the existing gate on Maple Canyon Road to ensure adequate access to lot 18 and will provide the necessary emergency turnaround as required by the Fire Marshall.
3. Address sufficient parking.

Second: Commissioner Lewis

Vote: Unanimous

Item 3. Adjourn.

April Houser, Executive Secretary

Date