



Item:

6

Date:

1/13/22

Applicant:

Mapleton Preserve LLC

Location:

Approx. 2000 S 1000 E

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Zone:

PRC-4

Attachments

1. Application information.
2. 2006 Concept Plan.
3. Correspondence.

REQUEST

Consideration of a request to amend Mapleton City Code section 18.82D.110 to increase the density in the Preserve project by 19 lots.

BACKGROUND & DESCRIPTION

In 2006 the City approved a project known as The Preserve at Mapleton consisting of 92 lots divided into 7 phases (see attachment "2"). The approval included a Planned Residential Community (PRC-4) zone for the property. Plats A, D, E, F and G consisting of 65 lots have been platted and are at various stages of completion. The area referred to as plats B and C on the original concept plan, consisting of approximately 128 acres, is currently undeveloped.

In 2017 the City Council approved the application of a Transferable Development Right (TDR-R) Receiving Site Overlay to the undeveloped portion of the project, and a concept plan that would have expanded the density from 92 lots to 169 lots. However, a group of concerned citizens filed a referendum and the decision was placed on a ballot. The residents of Mapleton subsequently voted to overturn the Council's decision, which rescinded the TDR overlay and increase in density.

In 2021 most of plat A and all of plats B, C, D and E were purchased by the applicants. The applicants are now requesting approval of amendments to the PRC-4 zoning text that would include:

- Increasing the total density from 92 lots to 111 lots. The increased density would all occur in the 128 acres that is currently undeveloped (see attached concept plan).
- Other minor changes to the PRC-4 zoning text.

EVALUATION

City Discretion: Text amendment 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 would promote the general welfare of the community.

Mapleton City Code (MCC) 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 General Plan designates the subject property as "Rural Residential". This designation allows for average densities of two acres per lot. At 92 lots on 223 acres (project area minus right-of-way dedications), the existing density is one lot per 2.4 acres. The applicant's proposal of 111 lots would increase the density to one lot per two acres, which is still consistent with the Rural Residential designation.

Some addition goals from the General Plan to consider include:

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

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.

It appears that even with the increase in density that the project would be consistent with these goals.

Transferable Development Rights (TDRs): Much of the concern regarding the previous proposal was the use of TDRs to increase density to 169 lots (one lot per 1.3 acres). TDRs would only be required if the applicants were requesting to increase density beyond the average of two acres per lot. Since the applicant's proposal would not increase density beyond the base density allowed by the General Plan, no TDRs would be required.

PRC-4 Zone: PRC zones are meant to allow for flexibility in lot sizes and to encourage imaginative designs. One of the key components of the original design that qualified it for a PRC-4 zone was the trail connection from the development to the Bonneville Shoreline trail on the bench above the project. The original plans included a trail connection within the area that is currently undeveloped. The applicant is proposing to relocate the trail to just north of the project on 1600 South, where the City owns property that leads up to the bench.

Much of the proposed trail alignment exceeds 30% slope. The applicant is proposing to construct stairs through the steepest portions to make access more feasible. Staff is supportive of the proposed trail relocation.

Density Comparisons: The average lot size of the original plats B and C was 4.1 acres per lot. With the revised concept plan the average lot size is still 2.6 acres per lot. While the density is increasing, and average lot size of 2.6 acres is still consistent with the goal of focusing on large lot development. All of the proposed lots that are adjacent to the existing developed lots along Perry Hollow Drive (Preserve Plat “F”) are at least two acres in size, which is consistent with the goal of ensuring compatibility between developments. It is also important to note that the last subdivision of more than two lots in the Rural Residential area that did not use TDRs to increase density was in 2000 (Horizon Heights Plat “B”).

Stub Road: MCC Section 17.12.020 states the following:

“C. Access To Adjacent Properties: In order to facilitate the development of an adequate and convenient circulation system within the city and to provide access for the logical development of adjacent vacant properties, the city may, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the subdivision. All such stub streets shall be fully developed to the boundary of the subdivision. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street.”

The original concept plan included a stub road that extended to the southern boundary to connect with the Joyner property. None of the lots within the Preserve needed the proposed stub road for access, it was meant to provide access to the Joyner property and circulation for the area. The applicants have indicated that they do not want to provide the stub road as it provides no benefit to their project and it comes with a significant cost.

The Joyner property is approximately 40 acres in size. The Twin Hollow subdivision recently constructed a stub street near the southwest corner of the property. Since the subdivision ordinance allows for up to 30 homes on a single access road, it does not appear that a stub road from the Preserve would be necessary for the Joyner's property to develop. However, a stub road may still be desirable to provide a “convenient circulation system” and to avoid a dead-end street where one is not necessary.

One option that staff has discussed with both the applicant and the Joyners would be to require the applicant to grant an easement that would allow the Joyners, or future owners, to construction the stub road if it is needed in the future. The applicants are supportive of granting a permanent easement for the utilities but would like to have a sunset date on the roadway easement. If the stub road was not constructed within a specific time, say 10 to 15 years, the easement would expire. That would provide some finality to the owners of the lots that would be impacted by the easement, rather than having an open-ended potential of a road being constructed on their property. Staff would be supportive of this option.

RECOMMENDATION

Determine whether the Commission is supportive of the proposed amendments to the PRC-4 zone. If the Commission is supportive, staff would recommend the attached conditions be included in the Commission's recommendation to the City Council.

SPECIAL CONDITIONS

1. The preliminary plat(s) submitted for the project shall be generally consistent with the layout

and configuration of the submitted concept plan.

2. The preliminary plat(s) shall include an easement to the Joyner property for future utilities and a possible street connection.
3. The proposed trail at the east end of 1600 South shall be constructed as part of the construction of the first plat recorded for this project.

An aerial photograph of a land preserve, outlined by a thick yellow boundary. The map shows various geographical features and roads. Roads labeled include 1200 SOUTH, 600 WEST, 1400 SOUTH, 1600 SOUTH, 1800 SOUTH, 2000 SOUTH, 2200 SOUTH, 2400 SOUTH, 2600 SOUTH, 2800 SOUTH, 3000 SOUTH, 3200 SOUTH, 3400 SOUTH, 3600 SOUTH, 3800 SOUTH, 4000 SOUTH, 4200 SOUTH, 4400 SOUTH, 4600 SOUTH, 4800 SOUTH, 5000 SOUTH, 5200 SOUTH, 5400 SOUTH, 5600 SOUTH, 5800 SOUTH, 6000 SOUTH, 6200 SOUTH, 6400 SOUTH, 6600 SOUTH, 6800 SOUTH, 7000 SOUTH, 7200 SOUTH, 7400 SOUTH, 7600 SOUTH, 7800 SOUTH, 8000 SOUTH, 8200 SOUTH, 8400 SOUTH, 8600 SOUTH, 8800 SOUTH, 9000 SOUTH, 9200 SOUTH, 9400 SOUTH, 9600 SOUTH, 9800 SOUTH, 10000 SOUTH, 10200 SOUTH, 10400 SOUTH, 10600 SOUTH, 10800 SOUTH, 11000 SOUTH, 11200 SOUTH, 11400 SOUTH, 11600 SOUTH, 11800 SOUTH, 12000 SOUTH, 12200 SOUTH, 12400 SOUTH, 12600 SOUTH, 12800 SOUTH, 13000 SOUTH, 13200 SOUTH, 13400 SOUTH, 13600 SOUTH, 13800 SOUTH, 14000 SOUTH, 14200 SOUTH, 14400 SOUTH, 14600 SOUTH, 14800 SOUTH, 15000 SOUTH, 15200 SOUTH, 15400 SOUTH, 15600 SOUTH, 15800 SOUTH, 16000 SOUTH, 16200 SOUTH, 16400 SOUTH, 16600 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Proposed Concept Plan

SITE DATA

TOTAL AREA: 5,574,728 SF (127.98 ACRES)

DESIGNATED R.O.W. AREA: 271,857.92 SF (6.24 ACRES)

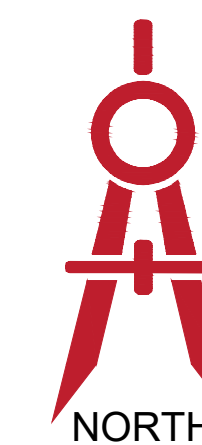
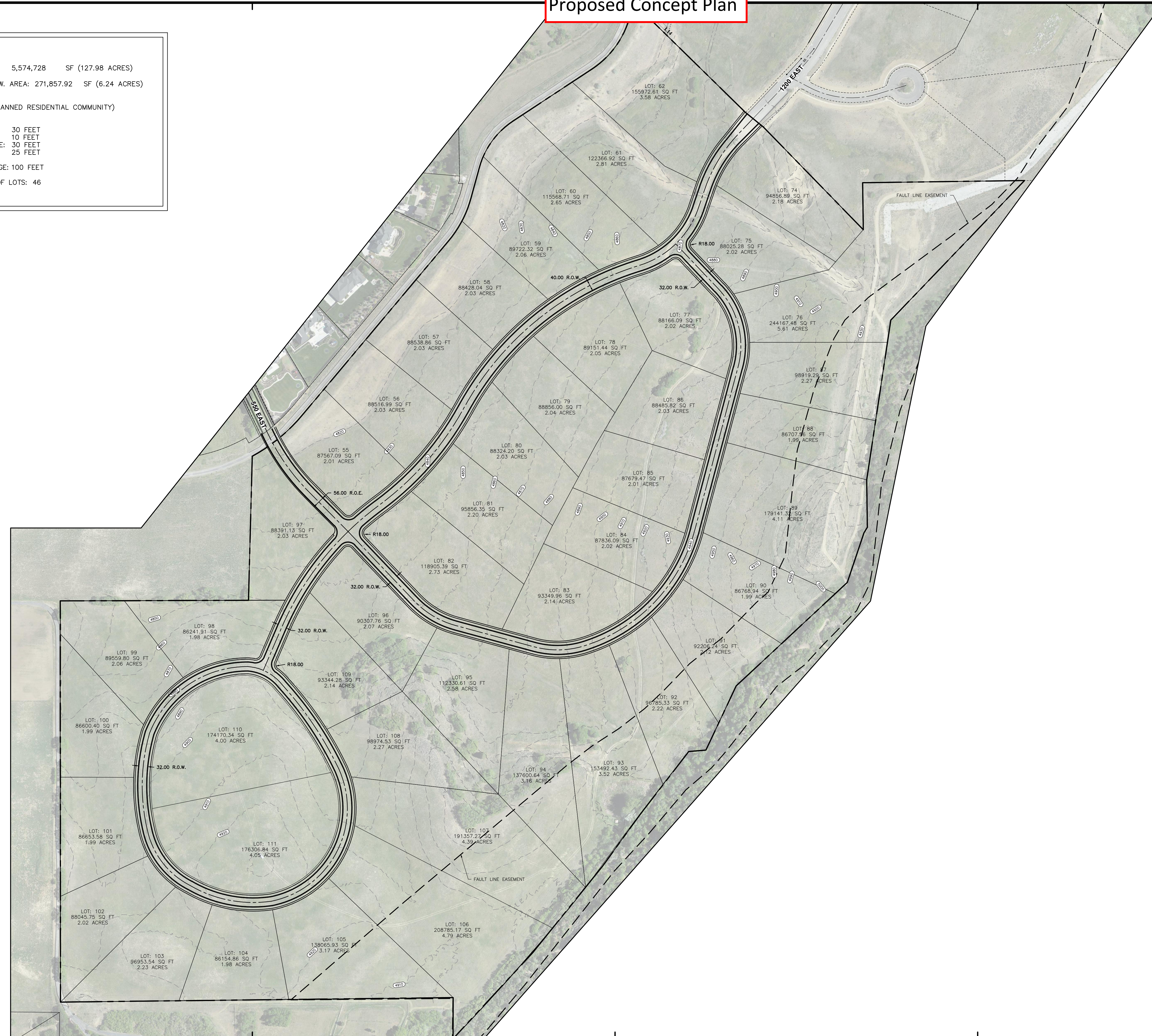
ZONING: PRC (PLANNED RESIDENTIAL COMMUNITY)

SETBACKS:

FRONT:	30 FEET
SIDE:	10 FEET
CORNER SIDE:	30 FEET
REAR:	25 FEET

MINIMUM FRONTAGE: 100 FEET

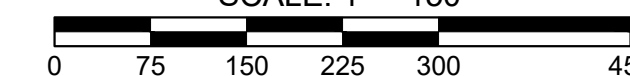
TOTAL NUMBER OF LOTS: 46



NORTH



SCALE: 1" = 150'



THE PRESERVE AT MAPLETON PLAT

SITE PLAN

1200 EAST, MAPLETON, UT 84664

ELEVATE ENGINEERING

2208 WEST 700 SOUTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvin@elevateng.com

ELEVATE

NOT FOR CONSTRUCTION

SHEET: _____

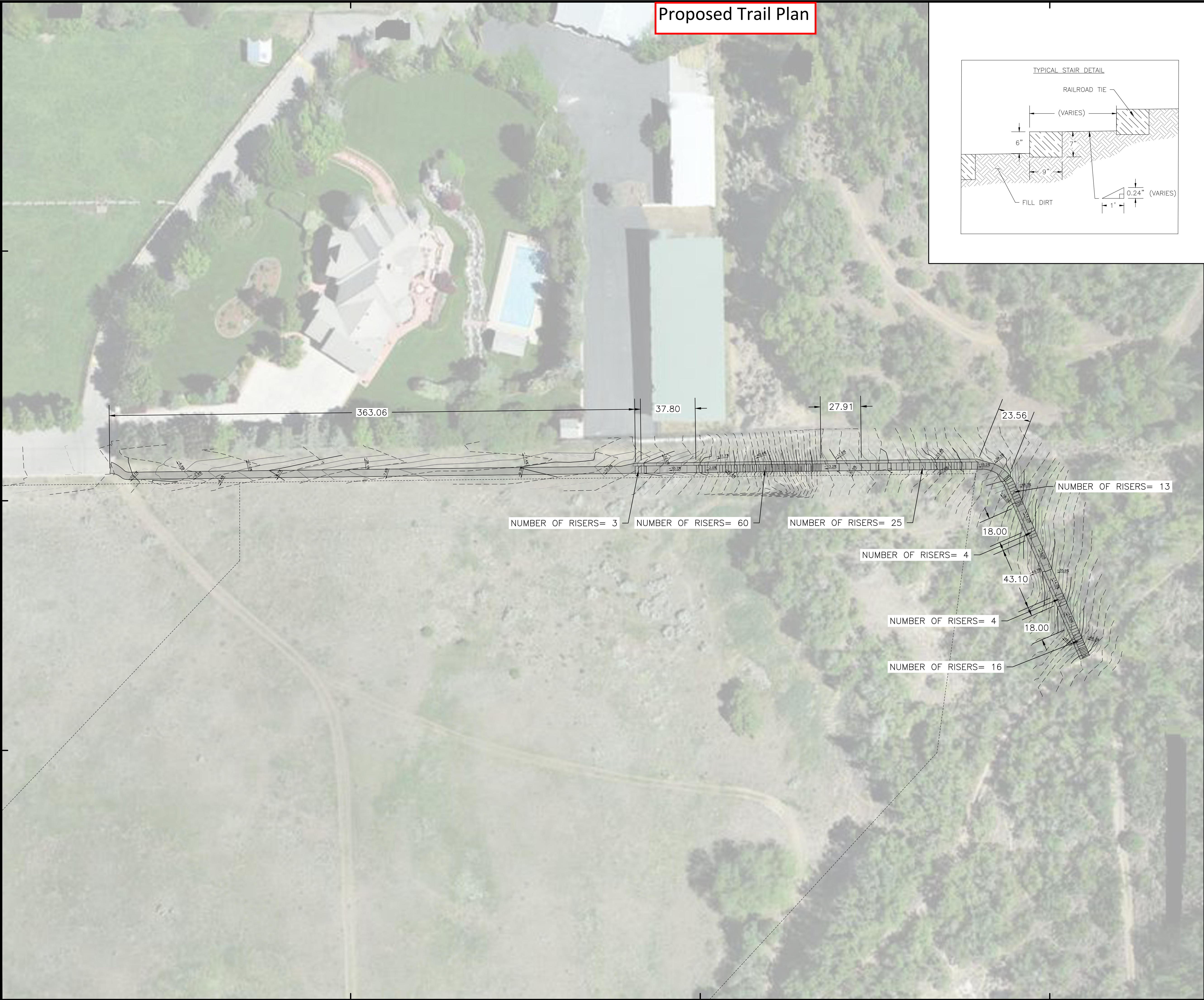
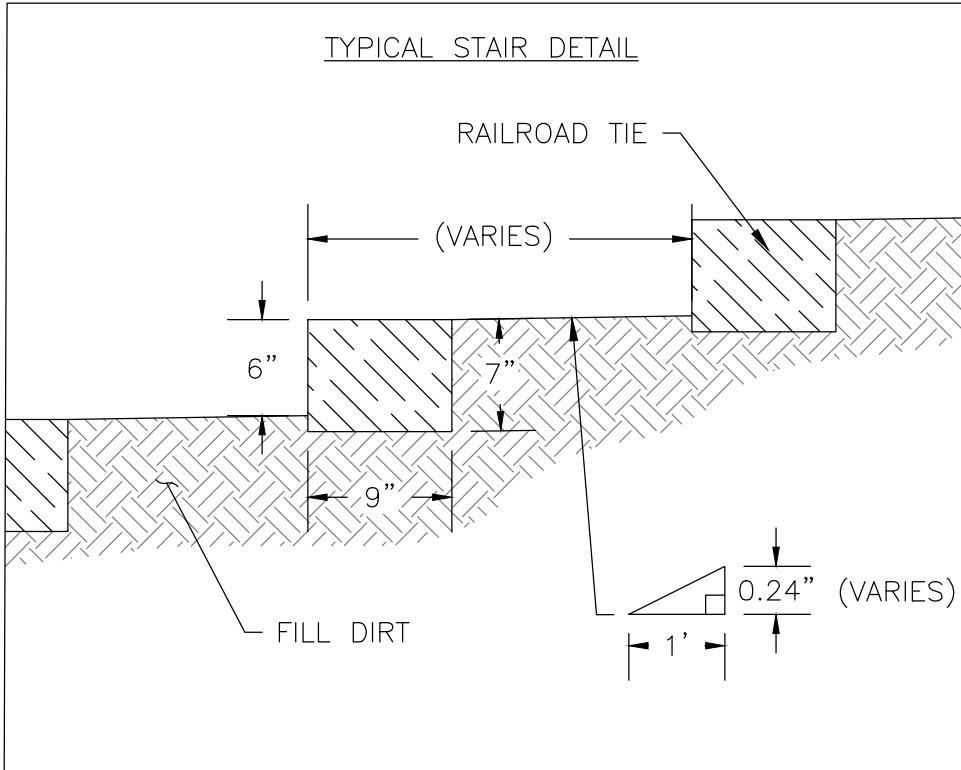
C1-0

DATE: Jan 04, 2022

[illegible]

Proposed Trail Plan

TRAIL DATA		
TOTAL LENGTH= 743 FEET		
BOTTOM ELEVATION= 4867.79		
TOP ELEVATION= 4975.98		
TOTAL NUMBER OF STAIRS= 125		
STAIR MATERIALS= RAILROAD TIES AND FILL DIRT		





NORTH



SCALE: 1" = 30'



CALL BEFORE YOU DIG!
800 832 5173

THE PRESERVE AT MAPLETON PLAT
TRAIL EXHIBIT

1200 EAST, MAPLETON, UT 84664

NOT FOR
CONSTRUCTION

SHEET:
TE-1

DATE:
Jan 05, 2022

ELEVATE ENGINEERING

2208 WEST 700 SOUTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
for@elevateeng.com

PROJECT ENGINEER: LP

DESIGNER: DR

NO.	REVISIONS	BY	DATE

Proposed Text Amendments
Changes shown in strikeout and underline
Only those sections proposed for amendments have been included

CHAPTER 18.82D
PRESERVE AT MAPLETON SUBDIVISION, PLANNED RESIDENTIAL COMMUNITY (PRC-4) ZONE

SECTION:

18.82D.005: Theme

18.82D.010: Name And Purpose

18.82D.020: Permitted Uses

18.82D.030: Permitted Accessory Uses

18.82D.040: Land Use Standards

18.82D.050: Building Setbacks For Ranch Lots 556 Through 962 and 74 Through 111

18.82D.060: Building Setbacks For Lots 1 Through 545

18.82D.070: Building Height Standards

18.82D.080: Garage And Parking Standards

18.82D.090: Design Review Committee Approval And Stamp

18.82D.100: Common Areas And Buildings

18.82D.110: Density

18.82D.120: Emergency Access

18.82D.130: Transfer Of Common Areas To Mapleton City In The Event Of Default By The Homeowners' Association

18.82D.030: PERMITTED ACCESSORY USES:

Accessory uses are permitted in the Preserve at Mapleton residential community zone, provided that they are incidental to the main residential dwelling unit, they do not alter the character of the permitted principal use, and are subject to any required approvals or requirements. Such permitted accessory uses and structures include the following:

Animal rights; estate lots (lots 1 through 7 and 17 through 48): The raising, care and keeping of livestock and fowl will be limited to one animal unit and their seasonal offspring for each twenty thousand (20,000) square feet; and barns, corrals, pens, coops and other structures associated with animals as approved by section 18.82D.090 of this chapter.

Animal rights; ranch lots (lots 556 through 962 and 74 through 111): The raising, care and keeping of livestock, fowl, feed and produce, barns, corrals, pens, coops and other structures associated with animals approved by section 18.82D.090 of this chapter. One animal unit and their seasonal offspring for each thirty thousand (30,000) square feet shall be allowed.

Customary residential household pets as defined in section 18.08.010 of this title.
Fences, walls subject to section 18.82D.090 of this chapter.
Home occupations are subject to section 18.84.380 of this title.
Noncommercial plant nurseries and private greenhouses subject to section 18.82D.090 of this chapter.

Owner occupied accessory apartments, subject to approvals outlined in section 18.82D.090 of this chapter and section 18.84.410 of this title.
Pools, tennis courts and other recreational site amenities shall be permitted subject to section 18.82D.090 of this chapter.

Up to one common clubhouse/community facility may be constructed on a private, commonly held parcel. Such facility shall be limited to the same restrictions and standards as a ranch lot ([556 through 962 and 74 Through 111](#)) described herein and in accordance with section

18.82D.040: LAND USE STANDARDS:

~~There shall be no land use standards except as set forth in section 18.82D.090 of this chapter.~~

~~The minimum lot size for the ranch lots (Lots 56 through 92) shall be 2.4 acres (104,544 square feet).~~

~~The minimum lot size for the estate lots (Lots 1 through 55) shall be 0.7 acres (30,492 square feet). (Ord. 2007-18, 8-7-2007, eff. 12-11-2007)~~

[The minimum lot size for the ranch lots \(Lots 55 through 62 and Lots 74 through 111\) shall be 1.75 acres \(76,230 square feet\).](#)

[The minimum lot size for the estate lots \(Lots 1 through 54\) shall be 0.7 acres \(30,492 square feet\).](#)

18.82D.050: BUILDING SETBACKS FOR RANCH LOTS ([556 through 962 and 74 Through 111](#)):

A. Main Buildings: Building setbacks are governed by established building envelopes that far exceed requirements for PRC Zones. These envelopes are set forth by the homeowners' association and are approved under section 18.82D.090 of this chapter. In the case of conflict with setback requirements for a PRC Zone, the greater setback will govern.

B. Accessory Buildings: Accessory building setbacks are governed by established accessory building envelopes that far exceed requirements for PRC Zones. These envelopes are set forth by the homeowners' association and are approved under section 18.82D.090

of this chapter. In the case of conflict with setback requirements for a PRC Zone, the greater setback will govern. (Ord. 2007-18, 8-7-2007, eff. 12-11-2007)

18.82D.060: BUILDING SETBACKS FOR LOTS 1 THROUGH 54:

A. Main Buildings: Main buildings shall have the following setback requirements. In the case of conflict with setback requirements for a PRC Zone, the greater setback will govern. All setbacks are measured from property line. These setback requirements may be reduced under section 18.82D.090 of this chapter, provided no setbacks are reduced to less than requirements for a PRC Zone.

Front yard setback: Thirty feet (30').

Side yard setback: Ten feet (10') on one side and twenty feet (20') on the other. A twenty foot (20') side yard is required at an existing adjacent ten foot (10') side yard resulting in a minimum of thirty feet (30') from adjacent structure, unless the lots on either side of the subject lot have begun construction and used their ten foot (10') setback on the subject lot's sides. In this case the subject lot shall choose which side they shall use their ten foot (10') setback and which side they shall use their twenty foot (20') setback. In this case a lot must still meet the requirement of a ten foot (10') setback on one side and a twenty foot (20') setback on the other side totaling a minimum of twenty feet (20') between structures on one side and thirty feet (30') on the other side. However, lots 50 through 53 may have a ten foot (10') side yard setback on both sides.

Corner side yard setback: Thirty feet (30').

Rear yard setback: Forty feet (40'). However, lots 8 through 16 and 49 through 55 have a twenty five foot (25') rear yard setback.

B. Accessory Buildings: See section 18.82D.070 of this chapter for setback increases for accessory buildings over twelve feet (12') in height.

Accessory buildings shall be located thirty feet (30') behind the nearest front portion of a main building.

Accessory building side yard setback: Three feet (3') but no less than thirteen feet (13') from an existing accessory building on the adjacent property and forty feet (40') from an existing residence on the adjacent property.

Accessory building rear yard setback: Three feet (3') but no less than thirteen feet (13') from an existing accessory building on the adjacent property and forty feet (40') from an existing residence on the adjacent property. (Ord. 2007-18, 8-7-2007, eff. 12-11-2007)

18.82D.100: COMMON AREAS AND BUILDINGS:

Up to two (2) welcome houses may be constructed on common right of way areas. One located at the intersection of 1600 S and Preserve Drive and one located at the intersection of Maple Canyon Drive and Preserve Drive. Such structures shall be limited to four hundred (400) square feet of area (excluding basements) and one story/sixteen feet (16') in height measured from finished grade of the lot to the highest point of the roof. The welcome house structures shall not be located closer than six feet (6') from a roadway curb and eighteen feet (18') from the boundary of the PRC-4 zone.

Bridge structures and water features may be constructed in a common right of way area or other easement. Such structures shall allow for minimum road widths and construction requirements and shall not exceed eight feet (8') in height.

Up to one common clubhouse/community facility may be constructed on a private, commonly held parcel. Such facility shall be limited to the same restrictions and standards as a ranch lot ([556 through 962 and 74 Through 111](#)) described herein and in accordance with section 18.82D.090 of this chapter.

18.82D.110: DENSITY:

The total density allowed in the Preserve at Mapleton PRC-4 zone is [one hundred and eleven \(111\)](#) ~~ninety two (92)~~ individual building lots and common area buildings. No new subdivision lots shall be permitted beyond those originally approved for the purpose of increasing this density.

THE PRESERVE AT MAPLETON
MAPLETON, UTAH

[illegible]

McBROWN
INCORPORATED

31 SOUTH 400 WEST
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DESIGNED BY: J. BURNS
 DRAWN BY: B. ANDREASON
 CHECKED BY: 1" = 250'
 SCALE: HORIZ. 1" =
 DATE: JUNE 12, 2006

2005-124
 JOB NO.

SHEET PHASE

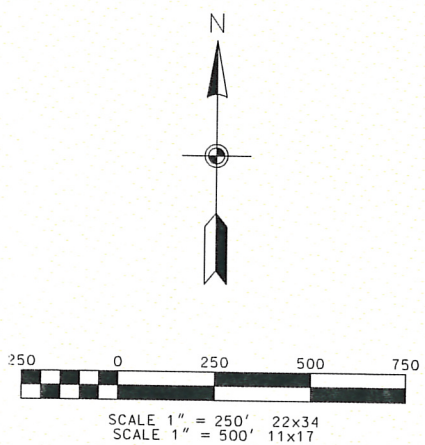
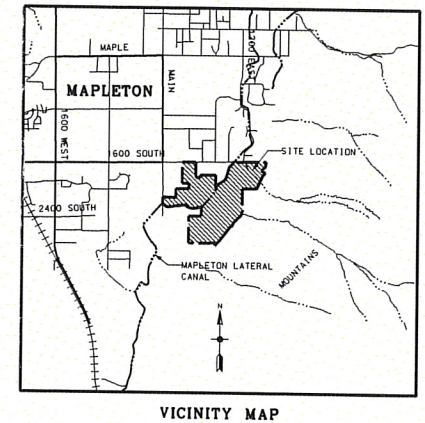
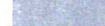


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Attachment "3" - Correspondence

Hi Sean This is LesleyJoyner. I was just writing in response to the zoom meeting last week. It seemed in the meeting that it was stated that we would like the stub road but it wasn't necessary because we could develop up to 30 homes without it. The potential buyers responded that these will be million dollar lots and they were not interested in a road there. Yikes! I also have a million dollar property! But more importantly as a city I think it is your responsibility to value and protect every Mapleton citizens property no matter what the monetary value. I am asking the city to please keep the stub road which was already approved with the previous plan as I think it will create better connectivity through these subdivisions , help to protect the value of my property but most important protect the homes and people with in the community. The second access would decrease the burden of delivering public services, firefighters, police and ambulances could save precious moments reaching the scene of an emergency. I hope you will consider these issues and help us keep the secondary access to our property. Thank you Lesley Joyner

Sent from my iPhone

Sean,

In regards to the planning mtg this coming Thur, 13 Jan 2022 at 6:00 pm where the development along the upper bench area south of 1600 south, I am a property owner on 1600 south.

I am adamantly opposed to any change to the current density for the project. My neighbors are also adamantly opposed to any change to the current density of the project. We voted and tried to make this abundantly clear in the referendum. We think this should be absolutely and firmly denied and rejected once and for all.

For a multitude of reasons, we believe it is absolutely intolerable that this higher density housing issue keeps coming up in the most sensitive and pristine environment that Mapleton City has.

Why is this issue keep coming up after the referendum where the citizens and tax payers of Mapleton firmly rejected any higher density to this project? We do not understand that. Could you explain why this keeps coming up?

Tw Taylor