Notice is hereby given that the
Snyderville Basin Planning Commission
will meet in regular session via zoom
on Tuesday, May 9, 2023

Anchor Location:
Summit County Courthouse, Executive Conference Room
(60 North Main Street, Coalville, Utah 84017).

To participate in Planning Commission meeting: Join Zoom webinar:
https://summitcountyut.zoom.us/j/98189226475

OR

To listen by phone only: Dial 1-669-900-9128 or 1-253-215-8782, Webinar ID: 981 8922 6475

AGENDA
Agenda items may or may not be discussed in the order listed

6:00 P.M. Regular Session

1. Public input for items not on the agenda or pending applications.


   Jennifer Strader, Senior Planner. See below for staff report

3. Approval of Minutes: April 25, 2023

Commission Items
Director Items
Adjourn

To view staff reports available at the end of the Friday before the meeting please visit: www.summitcounty.org

Individuals needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Vicki Geary, Summit County Community Development Department, at (435) 336-3123.

Posted: May 5, 2023
Published: May 6, 2023 – The Park Record
STAFF REPORT

To: Snyderville Basin Planning Commission
From: Jennifer Strader, Senior Planner
Date of Meeting: May 9, 2023
Subject: Silver Creek Village Center Pocket Park, Parcel ESSCVC-OS-8
Type of Item: Public Hearing / Possible Action
Process: Administrative Review

Recommendation
Staff recommends the Snyderville Basin Planning Commission (SBPC) review the Conditional Use Permit for a Pocket Park (Park) located on Open Space Lot 8, Elk Springs Subdivision (Parcel ESSCVC-OS-8) in the Silver Creek Village Center, conduct a public hearing, and vote to approve the Conditional Use Permit pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval found in this report.

Project Description
Project Number: 23-019
Project Name: ESSCVC-OS-8 Pocket Park
Applicant(s): Matt Lowe, Village Development Group
Property Owner(s): Liberty Capital Lending, LLC
Parcel # and Size: ESSCVC-OS-8, 0.31 acres
Zone District: SPA/RR
Final Land Use Authority: SBPC

Proposal
The applicant requests approval of a Conditional Use Permit for a Park on Parcel ESSCVC-OS-8 in the Silver Creek Village Center (Exhibit A). The Park is allowed subject to approval of a Conditional Use Permit.

Vicinity Map
Background
The Silver Creek Village Center Development Agreement (Agreement) was recorded on June 22, 2015, effective August 4, 2015. The development is approved for 1,290 residential units and 50,000 SF of commercial. Per Exhibit C1 of the Agreement, when Parcel 32.2 is subdivided, the subject Park is required to be completed within 24 months of recordation. Parcel 32.2 is part of the Elk Springs Subdivision, which was recorded on September 7, 2021. The Park is to be completed by September 7, 2023. If the Park is not completed within the allotted time frame, the applicant would be in default of the Development Agreement.

Section 6.1.2 of the Agreement requires approval of the Silver Creek Village Design Review Committee (DRC) prior to submittal of any development permits to the County. The DRC met on January 12, 2023 and voted to approve the Park (Exhibit B).

The Silver Creek Village Center Development Agreement (Agreement) identifies specific design standards for the Park, including:

- Passive lawn
- Bench seating
- Shade trees
- Dog waste station
- Trash and recycling containers

The Park includes:

- Passive lawn
- Bench seating
- Trees/Landscaping
- Dog waste stations
- Trash and recycling containers

The Park will be maintained by the Owners Association.

V. Identification and Analysis of Issues
The SBPC may recommend approval, approval with conditions, or denial of the proposed Conditional Use Permit based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance:

Standard 1: The use is in accordance with the general plan; COMPLIES

Analysis: The Silver Creek Village Center was approved under the 1997 General Plan which designated the property as a Village Center. The use is allowed and required per Exhibit C1 of the Agreement.

Standard 2: The use conforms to all applicable provisions of [the Code], including, but not limited to, any applicable provisions of this section and chapter 4 of [the Code], the general plan, and state and federal regulations; COMPLIES
**Analysis:** Chapter 4 of the Code addresses environmental standards, critical lands, open space, water supply, sewer, fire protection, loading and unloading, parking, utilities, mail delivery, solid waste and recycling, snow removal, architecture, landscaping, and lighting. All of these items were addressed as part of the Development Agreement. There are no outstanding items that are found in Chapter 4 of the Code that are applicable to this Conditional Use Permit.

**Standard 3:** The use is not detrimental to public health, safety and welfare; **COMPLIES**

**Analysis:** Staff has found no evidence to conclude that the Park, as proposed, is detrimental to the public health, safety, and welfare.

**Standard 4:** The use is appropriately located with respect to public facilities; **COMPLIES**

**Analysis:** The location of the Park is consistent with the approved Agreement and does not require the use of, nor generate a need for additional public facilities.

**Standard 5:** The use is compatible with the existing neighborhood character and with the character and purpose provision of the applicable zoning district, and will not adversely affect surrounding land uses; **COMPLIES**

**Analysis:** The proposed Park is intended to serve the existing and future residents of the Silver Creek Village Center. There are no existing surrounding land uses that this Park would adversely affect.

In addition to the standards established in Section 10-3-5.B and chapter 4 of the Code, all conditional uses within a zoning district shall conform to specific standards that include: bonding for infrastructure, ensuring development does not

**Special Standard 1:** The commission may require the applicant or the owner of the property subject to an application for development approval for a conditional use permit to establish an escrow account, post a bond or provide other financial security, in such form and sum as the commission shall determine, with sufficient surety running to the county to offset any extraordinary costs or expenses associated with the following: a) construction of any highways, roads, water or sewer mains, drainage facilities, or other public infrastructure; b) landscaping; c) compliance with the requirements of this section, any applicable special requirements set forth in this section and chapter 4 of [the Code], and the conditions attached to the development permit; and d) any expense requirements set forth in this section and chapter 4 of [the Code], and the conditions attached to the development permit, including the provision of facilities or structures, maintenance or construction work, or the execution or fulfillment of conditions of a continuing nature. **COMPLIES**

**Analysis:** Per Section 6.6 of the Development Agreement and Chapter 6 of the Snyderville Basin Development Code, the applicant will be required to submit a
completion and warranty bond for the Park in conjunction with a Development Improvement Agreement before construction may commence.

**Special Standard 2:** The proposed development shall not cause a reduction in the adopted level of service for any public facility. **COMPLIES**

**Analysis:** The location of the Park is consistent with the approved Agreement and does not require the use of, nor generate a need for additional public facilities.

**Special Standard 3:** Lighting shall not be directed or reflected upon adjoining land and shall meet all other related requirements of section 10-4-21 of [the Code] with respect to exterior lighting. **COMPLIES**

**Analysis:** There is no lighting proposed for the Park.

**Special Standard 4:** The natural topography, soils, critical areas, watercourses and vegetation shall be preserved and used, where possible, through careful location and design of circulation ways, buildings and other structures, parking areas, recreation areas, open space, utilities and drainage facilities. **COMPLIES**

**Analysis:** There are no critical lands on the lot where the Park will be constructed. The location and design of the Park is in compliance with the Agreement.

**Special Standard 5:** All roads shall provide free movement for safe and efficient use within the development. Local roads shall provide access to the site in a manner that discourages unsafe and congested conditions, and which provides convenient accessibility to parking areas, arterial and collector roads that shall be free of backing movement from adjoining parking areas and free from congestion and public safety problems. **COMPLIES**

**Analysis:** The primary roads for the development have been or are currently being constructed. The Park will not affect existing or proposed roadways.

**Special Standard 6:** Vehicular and pedestrian passageways shall be separated from public rights of way. Where appropriate, a system of walkways and bicycle paths connecting buildings, open spaces, recreation areas, public facilities, and parking areas shall be provided and appropriately lighted for night use. **COMPLIES**

**Analysis:** The roads around the Park will be dedicated to the County as public roads upon their completion; the road right of way includes a sidewalk adjacent to the Park. The Park is intended for pedestrian use.

**Special Standard 7:** Buildings and other structures shall provide a human scale consistent with adjacent development and appropriate to residential uses in the RR, HS, MR, CC, SC, and NC zoning districts, and consistent with adjacent conforming development in the zoning districts. The massing, scale and architectural design shall
be consistent with the design guidelines established in section 10-4-19 of [the Code].

**COMPLIES**

**Analysis:** There are no buildings proposed in the Park.

**Special Standard 8:** The volume rate of post development runoff shall not exceed predevelopment runoff. Runoff calculations shall be submitted with the application for site plan approval and shall be based upon: a) the 25-year, twenty four (24) hour design storm event; b) a fully developed contributing drainage area; c) the specific location of the proposed development; d) the proposed land use and use density or intensity; and e) the specific location and amount of impervious surfaces, in square feet. **COMPLIES**

**Analysis:** The Engineering Department has reviewed the runoff for the Park in conjunction with the proposed grading of the site. Prior to approval of the construction plans and Development Improvement Agreement, they will ensure that any runoff complies with their requirements.

**Special Standard 9:** The site shall be landscaped in accordance with the requirements of section 10-4-20 of [the Code]. **COMPLIES**

**Analysis:** A landscape plan has been submitted, reviewed by Staff, and found to be in compliance with Section 10-4-20(C) of the Code.

**Recommendation**

Staff recommends the SBPC review the Conditional Use Permit, conduct a public hearing, and vote to approve the Conditional Use Permit pursuant to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

**Findings of Fact**

1. On February 10, 2023, a Conditional Use Permit was submitted to the Community Development Department for the construction of the Pocket Park.
2. The Pocket Park is proposed on Parcel ESSCVC-OS-8.
3. Lot ESSCVC-OS-8 is owned by Liberty Capital Lending, LLC.
4. Lot ESSCVC-OS-8 contains 0.31 acres.
5. The Silver Creek Village Development Agreement was recorded on June 22, 2015, effective August 4, 2015.
6. The development is approved for 1,290 residential units and 50,000 SF of commercial.
7. Per Exhibit C1 of the Agreement, when Parcel 32.2 is subdivided, the subject Park is required to be completed within 24 months of recordation.
8. Parcel 32.2 is part of the Elk Springs Subdivision, which was recorded on September 7, 2021.
9. The Park is to be completed by September 7, 2023.
10. The Park is allowed subject to approval of a Conditional Use Permit
11. Section 6.1.2 of the Agreement requires approval of the Silver Creek Village Design Review Committee (DRC) prior to submittal of any development permits to the County.
12. The DRC met on January 12, 2023 and voted to approve the Pocket Park.
13. The Park includes the following elements:
○ Passive lawn
○ Bench seating
○ Trees/Landscaping
○ Dog waste stations
○ Trash and recycling containers

14. Service providers reviewed the proposed Pocket Park.
15. There is no lighting proposed in the Pocket Park.
16. There are no critical lands on the Lot where the Pocket Park will be constructed.
17. The roads around the Park will be dedicated to the County as public roads upon their completion; the road right of way includes a sidewalk adjacent to the Park.
18. The Park is intended for pedestrian use.
19. There are no buildings proposed in the Park.
20. The Engineering Department has reviewed the runoff for the Park in conjunction with the proposed grading of the site. Prior to approval of the construction plans and Development Improvement Agreement, they will ensure that any runoff complies with their requirements.
21. A landscape plan has been submitted and reviewed by Staff.

Conclusions of Law
1. The use in accordance with the General Plan.
2. The use conforms to all applicable provisions of the Code and Development Agreement.
3. The use is not detrimental to the public health, safety, or welfare.
4. The use is appropriately located with respect to public facilities.
5. The use is compatible with the existing neighborhood character and will not adversely affect surrounding land uses.

Conditions of Approval
1. Prior to commencement of construction on any portion of the Park, a Development Improvement Agreement shall be submitted, approved, and recorded.
2. All service provider requirements shall be met.

Attachments
Exhibit A: Proposed Plans
Exhibit B: DRC Approval
1. All existing utilities and utility poles are existing and shown on the site plans. However, actual locations may vary.
2. Locate and verify all existing utility lines prior to beginning construction.

UTILITY NOTES:

1. The Contractor is responsible for providing water for all areas not shown on the Site Plans. Water shall be used for all construction purposes.
2. The Contractor is responsible for providing all power, energy, fuels and energy fuels for all construction purposes.
3. The Contractor shall provide all necessary equipment and materials necessary to perform all work described in the Plans and Specifications. Therefore, the Owner is relying on the Contractor's skill and regular engagement in the general class and type of work described in the Plans and Specifications.
STABILIZED CONSTRUCTION ENTRANCE

TYPICAL ASSESS SLOPE

STRAW WATTLE INSTALLATION DETAIL

January 23, 2023
Silver Creek Village
Design Review Committee

January 23, 2023

RE: Approval of Conditional Use Permit for the Pocket Park at the Elk Springs Subdivision

Adam Castor

Dear Adam Castor:

The Silver Creek Village Design Review Committee (the “Committee”) has reviewed and recommends approval for your application for Conditional Use Permit for the Pocket Park at the Elk Springs Subdivision (the “Project”), submitted to the Committee for Final Design Review on January 12, 2023. Please include this recommendation letter in your application materials to Summit County for all applicable building and use permits. We wanted to indicate that the DRC panel voted unanimously to approve your application. Please make sure that the plans meet the NGBS standards as called out on the plat and in the Development Agreement.

Subsequent Adjustments. Any subsequent adjustments to Committee-approved final design documents, sample boards, etc., whether or not required by the County, must be submitted to the Committee for review and approval prior to commencing construction.

Pre-Construction Conference. No materials, temporary offices, portable toilets, excavation or construction equipment, or similar materials or equipment may be delivered to the site before the issuance of all building permit(s) from Summit County and completion of the Pre-Construction Conference. Submit a request for a Pre-Construction Conference at least seven (7) working days before the desired meeting date.

Validity of Approval. Final design approval is valid for eight (8) months from the date of this letter. If final design approval expires, all approvals related to the Project are revoked and you must repeat the Final Design Review process, unless waived in writing by the Committee.

Construction. Construction must commence within one (1) year of receiving Summit County final approval. If construction is not commenced within this time period, the Committee may revoke its recommendation. Construction must be completed within eighteen (18) months of commencement and all landscape Improvements must be installed within one (1) summer season of occupancy. Prior written approval from the Committee is required for all time extensions.

4831-6558-8294.1
Compliance Certificate. Occupancy of any improvement is prohibited until after the Committee has issued final construction approval. Upon completion of construction and prior to a request for a Certificate of Occupancy, you must provide written notice to the Committee requesting a final inspection. If the Committee determines that construction is complete and in compliance with Committee-approved plans and the governing design guidelines, the Committee will issue a Compliance Certificate (subject to completion of landscape installation).

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Please note that the issuance of this or any other approval recommendation by the Committee does not imply corresponding compliance with legally required demands of other agencies. In addition to the Committee’s review and approval recommendation, all construction must conform to all applicable design standards and ordinance requirements of Summit County and any other applicable governing agency.

If you disagree with the Committee’s conclusions, you may appeal the decision in accordance with the procedures set forth in the Master Declaration of Covenants, Restrictions, and Easements for Silver Creek Village.

Should you have questions, please feel free to contact the Committee at the address above.

Sincerely,

Silver Creek Village
Design Review Committee