I. Recommendation

Staff recommends the Snyderville Basin Planning Commission (SBPC) review the Neighborhood Village Green Park, 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.

II. Project Description

Project Name: Silver Creek Village Center Neighborhood Village Green
Applicant(s): Liberty Capital Lending LLC
Property Owner(s): Liberty Capital Lending LLC
Location: 6611 Old Forest Drive
Parcel: SCVC-2-B, 2.26 acres
Zone District: SPA/RR
Final Land Use Authority: SBPC

III. Vicinity Map
IV. Background & Proposal

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. In exchange for the allotted density, the developer was required to provide community benefits; the construction of the Neighborhood Village Green Park (Park) was one of those benefits (Exhibit A). The Park is allowed subject to approval of a Conditional Use Permit.

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 August 27, 2019 and voted to approve the Park (Exhibit B).

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

“Developer to construct an approximately 2.5 acre neighborhood park on Parcel 17.1 with these program elements:

- Amphitheater (Seating for 300 minimum, sloped for viewing with 40’ x 60’ flat lawn with a permanent or temporary stage, electrical infrastructure for neighborhood/music events)
- Splash Pad (minimum 1,200 sq. ft. of water feature surface with bench seating)
- Passive Lawn
- Shade Pavilion with table
- Bench seating
- Dog waste station
- Trash and recycling containers
- Shade/ornamental trees

The Village Green to be maintained by the Owners Association. Completed within twenty-four months from recordation of any plat within the adjacent residential development Parcels depicted in Exhibit B1.”

Due to the recordation of the Lot 2 and 5 Subdivisions, located adjacent to the Park, the required completion date is September 4, 2020.

The Park includes:

- An amphitheater
- A splash pad
- Passive lawn
- Shade pavilion with table
- Bench seating
- Dog waste stations
- Trash and recycling containers
• Trees/Landscaping

The layout and amenities proposed for the Park are consistent with the conceptual plan contained in the Agreement (Exhibit C).

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 per Exhibit D1 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:** Service Providers have reviewed the proposed Park. The applicant has satisfied their concerns.

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

**Analysis:** The Park, as proposed, is not detrimental to the public health, safety, and welfare.

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

**Analysis:** The Park location is consistent with the approved Agreement and is appropriately located with respect to 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 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 the following standards and criteria:
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 proposed Park will not cause a reduction in the level of service for any public facility.

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 applicant is proposing improvements to existing roads in association
with the Park, such as pedestrian crossings, which have been reviewed and approved by the Summit County Engineering Department.

**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 around the perimeter of the Park. The entirety of 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**: The Park includes a restroom facility and covered pavilion. These structures are the same design as those previously approved in the Neighborhood Park located in the Village Center.

**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 AS CONDITIONED

**Analysis**: A landscape plan has been submitted and has been preliminarily reviewed by Staff. Prior to final Conditional Use Permit approval, Staff will provide final approval of the plan per Section 10-4-20(C) of the Code.

**VI. 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 August 28, 2019, a Conditional Use Permit was submitted to the Community Development Department for the construction of the Neighborhood Village Green.
2. The Neighborhood Village Green is proposed on Parcel B in the Silver Creek Village Center, Lot 2 Subdivision (SCVC-2-B), located at 6028 South Ridgeline Drive.
3. Lot SCVC-2-B is owned by Liberty Capital Lending LLC.
4. Lot SCVC-2-B contains 2.26 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. In exchange for the allotted density, the developer was required to provide community benefits; the construction of the Neighborhood Village Green was one of those benefits.
8. The Agreement identifies specific design standards for the Neighborhood Village Green, including the timing for construction.
9. Exhibit D1 of the Agreement identifies the allowed land uses; the Neighborhood Village Green is allowed subject to approval of a Conditional Use Permit.
10. 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.
11. The DRC met on August 27, 2019 and voted to approve the Neighborhood Village Green.
12. The Agreement identifies specific design standards for the Neighborhood Village Green, including the timing for construction. The Agreement states, “Developer to construct an approximately 2.5 acre neighborhood park on Parcel 17.1 with these program elements:
   - Amphitheater (Seating for 300 minimum, sloped for viewing with 40’ x 60’ flat lawn with a permanent or temporary stage, electrical infrastructure for neighborhood/music events)
   - Splash Pad (minimum 1,200 sq. ft. of water feature surface with bench seating)
   - Passive Lawn
   - Shade Pavilion with table
   - Bench seating
   - Dog waste station
   - Trash and recycling containers
   - Shade/ornamental trees

The Village Green to be maintained by the Owners Association. Completed within twenty-four months from recordation of any plat within the adjacent residential development Parcels depicted in Exhibit B1.”
13. Due to the approval of the Lot 2 and 5 Subdivisions, located adjacent to the Park, the required completion date is September 4, 2020.
14. The Park includes:
   - An amphitheater
   - A splash pad
   - Passive lawn
   - Shade pavilion with table
   - Bench seating
   - Dog waste stations
   - Trash and recycling containers
• Trees/Landscaping
15. Service providers reviewed the proposed Neighborhood Village Green.
16. There is no lighting proposed in the Neighborhood Village Green.
17. There are no critical lands on the Lot where the Neighborhood Village Green will be constructed.
18. 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 around the perimeter of the Park.
19. The entirety of the Park is intended for pedestrian use.
20. There is a bike share station located in the Neighborhood Village Green.
21. The Neighborhood Village Green includes a restroom facility and covered pavilion. These structures are the same design as those previously approved in the Neighborhood Park located in the Village Center.
22. 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.
23. 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. Prior to commencement of construction of any structures located in the Park, Summit County Building Permits shall be obtained.
3. All service provider requirements shall be met.

Attachments
Exhibit A: Proposed Site Plan
Exhibit B: DRC Letter
Exhibit C: Development Agreement Conceptual Plan
Tree Planter Against Landscape

Trash Receptacle - Surface Mount (Typical)

Backed Bench - Surface Mount (Typical)

Drain Basin Inlet (Typical)

Backless Bench - Surface Mount (Typical)

Decomposed Granite Pathway

Notes:
1. Installation shall be completed according to manufacturer's specifications
2. Surface mount option
3. Model: RB-36 STEELSITES SERIES, color: GREEN
4. Finish: manufacturer's standard powder-coat
5. Do not scale drawings

NOTES:
1. Installation shall be completed according to manufacturer's specifications
2. Surface mount option
4. Finish: manufacturer's standard powder-coat
5. Do not scale drawings

NOTES:
1. Installation shall be completed according to manufacturer's specifications
2. Surface mount option
4. Finish: manufacturer's standard powder-coat
5. Do not scale drawings

NOTES:
1. Installation shall be completed according to manufacturer's specifications
2. Surface mount option
3. Model: NYLOPLAST LIGHT DUTY DRAIN BASIN INLET 8" DRAIN BASIN INLET
4. Installation shall be completed according to manufacturer's specifications

NOTES:
1. Tree Root Ball
2. Adjacent concrete paving
3. Aggregate base course
4. Decomposed Granite/Crusher Fines (1/2" minus, 3" depth), install 1" below concrete elevation
5. Subgrade
6. Planting soil backfill material (see landscape plans)
7. Deciduous tree (see landscape plans)
8. Planting soil backfill material (6" depth)
9. Turfgrass sod or planter bed area
10. 6" metal landscape edge, 4' length (see landscape plans)
11. Adjacent turfgrass sod or planter bed area
12. Expansion joint, weakened plane joint, or tooled scoreline (typ)
13. Adjacent turfgrass sod or planter bed area
14. 4'-0" expansion joint, 6"-1 3/4" x 2'-4 1/8" x 2'-9 3/4"
NOTES:
1. DETAIL IS FOR DESIGN ILLUSTRATION ONLY. ACTUAL CONSTRUCTION DRAWINGS SHALL BE PROVIDED BY THE MANUFACTURER.
2. MODEL: CRS, INC. DENVER MODEL WITH STEEL COLUMNS.
3. FINISH: MANUFACTURER'S STANDARD COLOR AND FINISH AS APPROVED BY OWNER.

Vehicle Access Bulb-Out With ADA Accessible Flare Ramp and Mountable Curb

![Diagram of vehicle access bulb-out with ADA accessible flare ramp and mountable curb.](image-url)
GENERAL LANDSCAPE NOTES

1. The Contractor shall submit a soil test to determine the soil type and composition. All soil conditions prior to beginning construction, the Contractor shall coordinate with the Project Manager and all other contractors working on the site.

2. The fresh grade of all Plants Area shall be inspected and approved by the Project Manager. The fresh grade of all landscape areas shall be graded consistently 3/8 below the top of all surrounding mulch, curbs, etc.

3. The Contractor shall stake the location of all Plants for approval prior to planting. Trees, shrubs, grasses, and perennials shall be laid out according to the Planting Plan.

4. The Planting Materials list is provided as an indication of the specific requirements of the plants specified. Amendments or changes to the planting plan shall be made by agreement of the Project Manager and the Contractor.

5. The Contractor shall provide all materials, labor, and equipment required for the proper completion of all landscape work as specified and shown on the drawings.

6. All Planting Materials shall be approved prior to planting. The Project Manager/Architect has the right to reject any Plant Material not conforming to the specifications. The Contractor/Architect shall be responsible for rejection.

7. The Contractor shall provide the appropriate yard areas and parking areas neat and orderly at all times. Any trash, equipment, or debris shall be removed.

8. The Contractor shall plant all Plants for the Planting Details shown herein. The top of all Stakes shall be level with the top of the planting plan.

9. The Contractor shall not provide drainage swales in any area. The Contractor shall always maintain positive drainage away from buildings, structures, etc.

10. The Contractor shall maintain all Plants and work until all work is complete and accepted by the Project Manager/Architect. The Contractor shall have all materials on site and ready for installation no later than the date specified on the Contract Date and Time.

11. The Contractor shall maintain and guarantee all work for a period of one year from the date of final acceptance by the Project Manager/Architect. Replacement Plants shall be guaranteed for an additional 90 days. Maintenance shall include mowing, trimming, cultural services, irrigation, etc.

12. Nutrient areas will be maintained and irrigated with the vegetation established. Irrigation of the designated zone will be maintained for the entire period established in the site management plan.

13. All landscape areas shall be covered with a 3" depth of #5 shredded bark mulch. Successive samples for approval.

IRRIGATION NOTE:

1. All Pre-Planting Irrigation shall be accomplished with an Automatic, Underdrainage Irrigation system. All Turf Grass and Accent Trees shall be equipped with Corrugated drip irrigation system. All Turf Grass Areas shall be irrigated with Pop-up spray heads, and risers.

2. The Contractor shall supply a complete irrigation system designed to the specifications. The irrigation system shall be designed to provide 100% coverage of the landscape areas. The system shall be designed to provide a minimum of two zones per zone, for the establishment of landscape.

3. The Contractor shall supply a complete irrigation system designed to provide 100% coverage of the landscape areas. The irrigation system shall be designed to provide a minimum of two zones per zone, for the establishment of landscape.

4. The landscape contractor shall be responsible for the coordination and installation of all irrigation systems and consist prior to installation of landscape surfaces. Coordinate with the general contractor.

5. The utility contractor is to provide an irrigation system connection to the utility. A utility contractor is to provide a utility connection to the utility. The utility connection shall be in accordance with the utilities. The utility connection shall be in accordance with the utilities. The utility connection shall be in accordance with the utilities. The utility connection shall be in accordance with the utilities.

6. The irrigation control box shall be located at the direction of the Project Manager/Architect.

7. The Contractor shall provide an irrigation schedule for the establishment of all landscape areas.

8. The irrigation schedule shall be provided to the Project Manager/Architect for approval. The irrigation schedule shall be designed to provide 100% coverage of the landscape areas. The irrigation schedule shall be designed to provide 100% coverage of the landscape areas. The irrigation schedule shall be designed to provide 100% coverage of the landscape areas.

9. The irrigation schedule shall be provided to the Project Manager/Architect for approval. The irrigation schedule shall be designed to provide 100% coverage of the landscape areas. The irrigation schedule shall be designed to provide 100% coverage of the landscape areas. The irrigation schedule shall be designed to provide 100% coverage of the landscape areas.
GENERAL NOTES

A. REFER TO STRUCTURAL DRAWINGS FOR FOOTING AND FOUNDATION SIZES.

B. PROVIDE FLASHING AND COUNTERFLASHING FOR ALL WINDOWS, DOORS, AND PENETRATIONS TO ROOF AND WALLS.

C. REFER TO OPENSCH SCHEDULE FOR SOIL AND DRAINAGE REQUIREMENTS.

D. PROVIDE HOLES UP OF ALL INTERIOR TOILET LOCATIONS IN THE BATHROOM FOR THE EASE OF INSTALLATION.

E. REFER TO OPENING SCHEDULE FOR DOOR AND WINDOW REQUIREMENTS.

F. REFER TO GRADING PLAN FOR FINISH GRADE ELEVATION.

G. PROVIDE MOCK-UP OF ALL EXTERIOR FINISHES PRIOR TO INSTALLATIONS FOR ARCHITECT'S APPROVAL. FINISHES ARE NOT TO BE INSTALLED WITHOUT APPROVAL.
August 28, 2019

RE: Silver Creek Village – Village Green Park

Silver Creek Village
6026 S Ridgeline Drive, Suite 203
Ogden, UT

Dear Silver Creek Village:

The Silver Creek Village Design Review Committee (the “Committee”) has reviewed and recommends approval of your application for Silver Creek Village Conditional Use Permit that is located in the Silver Creek Village Subdivision (the “Project”), submitted to the Committee for Final Design Review on August 27, 2019. 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.

Conditions of Approval. DRC approval is conditional on all construction adhering to the National Green Building Standards, and all associated plat notes.

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.
The Village Park should provide for varied passive and active play throughout with only limited structured activities such as an outdoor amphitheater and splash pad. The majority of the park should include large expanses of turf fields that allow for uses ranging from playing catch to picnicing. Landscaping should provide for shade and cover as well as to define the usable spaces but should also tie the park into the rest of the village thru the use of consistent tree, shrub and ornamental plantings.

Pedestrian connectivity to and thru the park is essential as the Village Park is the centerpiece of the village and should serve as the major gathering point for all residents within the Village.

Fields should be simple to allow for multiple and creative uses. These large turf areas are the "front yards" of many residents within the village.

Landscaping should provide for shade and cover as well as to define the usable spaces but should also tie the park into the rest of the village thru the use of consistent tree, shrub and ornamental plantings.

Pedestrian access to park thru development parcels should be priority linking the park to the rest of the trail system.