



MINUTES

SUMMIT COUNTY

Snyderville Basin Planning Commission Meeting

SHELDON RICHINS BUILDING

1885 WEST UTE BOULEVARD, PARK CITY, UT, 84098

TUESDAY, AUGUST 13, 2024

Meeting also conducted via Zoom.

DRAFT

Welcome/Attendance

Makena Hawley
Bruce Carmichael
Christopher Conabee
Thomas Cooke
Matthew Nagie

Peter Barnes
Lynda Viti
Jennifer Leslie
Madlyn McDonough
Ray Milliner
Amy Price
Brian Craven
Ryan McMullen
Sylvie Boulva
Sam Nielson
Josh Kirkham
Cyrus DeVere
James Copeland
Richard Piggot

Regular Session (6:00 PM)

- 1) ***Public input for items not on the agenda or pending applications.***
(6:00 PM)

Commission Chair Conabee opened the meeting for public input at 6:00 p.m.
No members of the public came forward.

Commission Chair Conabee closed the meeting for public input at 6:00 p.m.

- 2) ***Public hearing and action regarding a Conditional Use Permit to enlarge a legal nonconforming structure located at 5627 North Yorkton Lane, Silver Summit, Summit County, UT; Parcel SMT-A-68 (0.15 acres). Applicant: Ryan McMullen. Owner: Sylvie and Annik Boulva. Administrative review. Project #24-094.*** Madlyn McDonough, County Planner. (6:01 PM)

Attachment: 24.094_Staff Report and Exhibits.pdf

Attachment: Boulva Presentation

Madlyn McDonough, *Planner*, presented a CUP for a legal nonconforming structure for public hearing and action.

Sylvie Boulva, *Owner*, and Ryan McMullen, *Applicant*, introduced themselves.

Commissioners asked brief clarifying questions to which Planner McDonough responded.

Commission Chair Conabee opened the meeting for public hearing at 6:09 pm

No public comment was given.

Commission Chair Conabee closed the meeting for public hearing at 6:10 p.m.

Commissioner Cooke made a comment regarding a typo in the report.

Bruce Carmichael made a motion to approve the application based on the findings of fact, conclusions of law, and conditions of approval as found staff report with the correction as mentioned by Commissioner Cooke. Thomas Cooke seconded, and all voted in favor, (5-0).

- 3) ***Public hearing and action regarding a Conditional Use Permit for a Major Accessory Building and Private Recreation Facility located at 7474 Bitner Ranch Road, Summit County, UT; Parcel SS-33-B-3 (10.0 acres). Applicant: Sam Nielson, Evergreene Construction. Owner: Josh and Ashley Kirkham. Administrative review. Project #24-095.*** Jennifer Leslie, County Planner. (6:12 PM)

Attachment: 24-095 Staff Report.pdf

Attachment: Kirkham Presentation

Jennifer Leslie, *Planner*, presented a CUP for a Major Accessory Building and Private Recreation Facility for public hearing and possible action.

Commission Chair Conabee asked a brief clarifying question.

Commission Chair Conabee opened the meeting for public hearing at 6:18 p.m.

No public comment was given.

Commission Chair Conabee closed the meeting for public hearing at 6:19 p.m.

Commissioners asked questions and provided comments for discussion.

Applicant, Sam Nielsen, and owner, Josh Kirkham, addressed the commission and asked a clarifying question about lighting.

Thomas Cooke made a motion to approve the item with an amendment to condition of approval number 4; the major accessory building and sport court is for the private use of the property owners and no commercial uses are allowed. And number 7; all lighting on the accessory building and accompanying sport court shall be done in accordance with the lighting plan submitted with this application and shown in Exhibit D. Any modifications to lighting on the accessory building, sport court, or the primary dwelling on the property shall comply with all lighting requirements in the Snyderville Basin Development Code subject to the approval CDD. The motion did not receive a second and was lost.

Discussion was held on the motion.

Thomas Cooke made a motion to approve the Kirkham garage and sport court conditional use permit for 7474 Bitner Ranch Road based on the findings of fact, conclusions of law, and conditions of approval with amendment to condition (4); the major accessory building and sport court are for the private use of the property owners and shall not be used for commercial purposes. And the amendment to number (7); all lighting on the accessory major accessory building and accompanying sport court shall be done in accordance with the lighting plans submitted with this application and shown in Exhibit D. Any modifications to lighting on the accessory building, sport court, or the primary dwelling on the property shall comply with all lighting requirements in the Snyderville Basin Development Code subject to be approved by the Community Development Director. Makena Hawley seconded.

Discussion was held on the motion to change tennis court to sport court. Commissioner Cooke amended his motion.

Thomas Cooke made a motion to approve the Kirkham garage and sport court conditional use permit for 7474 Bitner Ranch Road based on the findings of fact, conclusions of law, and conditions of approval with amendment to condition (4); the major accessory building and sport court are for the private use of the property owners and shall not be used for commercial purposes. And the amendment to number (7); all lighting on the accessory major accessory building and accompanying sport court shall be done in accordance with the lighting plans submitted with this application and shown in Exhibit D. Any modifications to lighting on the

accessory building, sport court, or the primary dwelling on the property shall comply with all lighting requirements in the Snyderville Basin Development Code subject to be approved by the Community Development Director. All reference to tennis court in the conditions of approval be changed to sport court. Makena Hawley seconded, and all voted in favor, (5-0).

- 4) ***Discussion and action regarding a Major Amendment to a Conditional Use Permit for a Major Accessory Building located at 7914 N Greenfield Dr, Silver Creek, Summit County, UT; Parcel SL-F-350 (2.57 acres). Applicant: Tressa Roberts, Beehive Buildings. Owner: Cyrus DeVere. Administrative review. Project #24-085.*** Jennifer Leslie, County Planner. (7:06 PM)

Attachment: Staff Report

Jennifer Leslie, *Planner*, reminded the Commission of the recent events on the proposed amendment application.

Commissioners provided feedback and comments and asked clarifying questions on the application for a major amendment to a Conditional Use Permit. Planner Leslie, Director Barnes, and Attorney Viti responded to the questions that were raised during the discussion.

Planner Leslie asked a question of the owner, Cyrus DeVere, to which Mr. DeVere responded.

Makena Hawley made a motion to deny the Conditional Use Permit for a Major Accessory Building located at 7914 North Greenfield Drive. Matthew Nagie seconded.

Discussion was held on the motion for the need to have findings of fact to deny the motion.

The motion was amended.

Makena Hawley made a motion to deny the Conditional Use Permit for a Major Accessory Building located at 7914 North Greenfield Drive adding the commission finds it is not compatible with the existing neighborhood character and with the character and purpose provision of the zoning district and will adversely affect surrounding land uses. Matthew Nagie seconded, and all voted in favor, (5-0).

- 5) ***Public hearing and possible action on a Conditional Use Permit for a Gas Station with an attached convenience store at the corner of Old HWY 40 and Atkinson Road. Parcel #SS-65-A-3. Maverik Corporation, Applicant. Administrative review. Project #24-056.*** Ray Milliner, Principal Planner. (7:31 PM)

Attachment: Staff Report August 13, 2024.pdf

Attachment: 2024-05-20 Mav Summit County TIS.pdf

Attachment: 61237408_Maverik Phase I ESA FINAL.pdf

Ray Milliner, *Principal Planner*, presented a conditional use permit application for a gas station on Old HWY 40 and Atkinson Road for public hearing and action.

Planner Milliner addressed a concern that had been raised about traffic as well as concerns about soil contamination and an agreement with the EPA for testing.

Richard Piggot and James Copeland, *Applicants*, addressed the Commission.

Commissioners asked brief clarifying questions.

Commission Chair Conabee opened the meeting for public hearing at 7:52 p.m.

No public comment was given.

Commission Chair Conabee closed the meeting for public hearing at 7:52 p.m.

Commissioners provided comments for discussion and asked additional questions to which the applicants, Planner Milliner and Director Barnes responded.

Thomas Cooke made a motion to continue the item to a date certain of September 10, 2024. Makena Hawley seconded, and all voted in favor, (5-0).

6) ***Approval of Minutes: February 13, 2024, March 26, 2024, and July 23, 2024.*** (8:26 PM)

Attachment: Draft SBPC Minutes 02.13.24.pdf

Thomas Cooke made a motion to approve the February 13, 2024, minutes as written. Bruce Carmichael seconded, and all voted in favor, (4-0).

Attachment: Draft SBPC Minutes 03.26.24.pdf

Makena Hawley made a motion to approve the minutes from March 26, 2024. Bruce Carmichael seconded, and all voted in favor, (3-0).

Attachment: Draft SBPC Minutes 07.23.24.pdf

Matthew Nagie made a motion to approve the July 23, 2024, minutes with edits. Makena Hawley seconded, and all voted in favor, (4-0).

Commission Items (8:30 PM)

Commission Chair Conabee provided information on his upcoming activities and events on behalf of the Commission.

Director Items (8:33 PM)

Director Barnes provided a preview of upcoming activities and future meeting agenda items.

Adjournment (8:43 PM)

Makena Hawley made a motion to adjourn. Thomas Cooke seconded, and all voted in favor, (5-0).