

**Francis Planning Commission Meeting**  
**Thursday, December 17<sup>th</sup>, 2020 7:00 p.m.**

This meeting will be held as an electronic meeting without allowing the public to enter the Community Center or another anchor location to participate, pursuant to Governor Herbert's Executive Order 2020-5.

Francis City is inviting you to attend by following the link below or by calling 1-301-715-8592

<https://us02web.zoom.us/j/89881755702?pwd=b284OXVPSEk2ZXgzYXd6bXV1QmMyQT09>

Meeting ID: 898 8175 5702 Meeting Password: 323815

**You can also comment by email to [comments@francisutah.org](mailto:comments@francisutah.org)**

**Attending:** Chair Brian Henneuse, Co-Chair Bob Murphy, Commissioners Jan Brussel and Felicia Sotelo, Planner Katie Henneuse, City Engineer Scott Kettle and Treasurer Mandy Crittenden

**Others Attending:** Garrett Crystal, Bill Crystal, Melissa Thompson, Jane Wilford, Brittany Fredrickson, Adam McClusky, Justin Harding, Sherm Smoot, Kit Burton, Rusty Webster, Audy Smoot, SM, Rowdy Thompson, Elaine Robb, Rick Brighton, Julie Keyes, Paul Wynn, John Keyes, Rick Rapp, Karen, David Darcey, Kimberly Lawson, Andrea Crittenden, Amy Yost, Vicky McClusky, Tina Early, Shauna Bushman, Jack Walkenhurst, Jill Leonard, Nick Malone, Beth Hunt, Collette Madsen, Michael Bair, LZB, Father of Five 21, JoAnn Aplanap, Larry Leifson, Crystal iPhone, Nick Berry, ID Bates, Pete Gillwald, McKinley Smoot, James Priebe, Skyler & Ashley Gee, Shauna Demars, Leah Kolb, Levi Thompson, Jodi Thompson, Craig Gawreluk, Jill Gawreluk, Clayton Querry, Carissa Loftus, Carly Frandsen, Brian Betournay, Trent Handsaker, Kathy Crook, Shayla Clegg,

**1. Call Meeting to Order**

Chair Brian called meeting to order at 7:01 P.M. Brian stated that the Planning Commission is an advisory board only. They are volunteers selected and voted on by the City Council, they are made up of registered voters that live in Francis City.

**2. Public Hearings**

Chair Brian explained how the public comment process works. He asked Planning Commissioners to take note of all the comments and they could address them all at the same time after the public comments were made. He also asked for the public to be respectful.

**A. Application for Final Master Plan Approval-Hart Crossing.**

Chair Brian read the staff report.

Engineer Scott gave his updates from his staff report.

Chair Brian opened it up to the Developer, Rusty Webster.

Rusty explained they have checked off everything on their list per the staff report. His goal for the night was to listen and see what additional things the Planning Commission had to add to accomplish. He wants the PC to forward this to the City Council contingent on the changes.

Chair Brian asked if there was a guarantee on the water, he thought the ditch was just excess water runoff.

Rusty said historically yes, they have no intention on changing anything they intend to have the ditch continue to flow.

Chair Brian asked if there was anything in writing guaranteeing that they would keep water flowing for the private ditch.

Rusty stated nothing will change, they plan on irrigating farm parcel one with it. He said the only change he sees possibly happening is if they go to a pressurized secondary water system then there would be no need for it.

Chair Brian asked if he planned on that. His concern is that its something that is an informal agreement now, but down the road it turns into something that should have been documented and end up biting the City somehow.

Rusty replied at that point the City would be taken out of it, it would be an issue with the ditch company. He said there is only one company ditch that runs down the property and nothing will be messed with concerning it. He said as far as the private ditch, it is considered waste water, he is going to continue to do what has always historically been done. When something changes later on it will be addressed then.

Engineer Scott stated that Chris Burton has shares that run through there and that we need to work it out somehow to insure we still get the water running through it. He said before the plat is signed, it is something that will have to be worked out with all parties and documented on the plat.

Chair Brian opened up public comment.

Brittany Fredrickson commented she is worried about the water issues within the City.

Kit Burton commented that the private ditch is not waste water, they pay for the use of that water. He said the pressurization is going to require a lot of negotiation and work with respect to the irrigation company and how that impacts the share holders of Beaver Shingle Creek, he said it will be a mess, not as cut dry and easy as Rusty makes it sound.

Adam McCluskey –is was worried about the water, its expensive and restricted that needs to be resolved before more building.

Rick Brighton- has concerns on double dipping on open space. He said they have a dog park in drainage space and the ditch is part of the trail easement. He also stated that everything needs to be in writing and can't just be agreed upon with a "were just going to continue to do it the way it's always been done." He would also like to see a minimum bar set for a design standard on the homes.

Kimberly Lawson- doesn't want to see townhomes and condos, its too much too soon, slow down.

Amy Yost- will this development expand the sewer ponds, and are any of the units affordable housing?

Shauna Bushman- what about our schools? Francis City is not following our annexation code.

Nick Malone- is worried about water, traffic, and considerations for infrastructure. He also questioned accountability for what developers are promising, thinks everything should be in writing.

JoAnn Aplanalp- there was already an extensive traffic study done with this development through the annexation process.

Craig Gawreluk- shares the same water and traffic concerns as everyone else.

Commissioner Brian closed the public comment portion.

Commissioner Bob addressed the public open space with the dog park and drainage ditch, along with the ditch and trail easement, he questions if that is kosher, he doesn't think it sounds right.

Engineer Scott stated that according to our conservation code they are allowed as far as the dog park and drainage. As for the ditch and trail, originally the trail was supposed to be 15 feet it shows 20 feet because it included the ditch. He said we will need to double check and make sure that the trail is not part of the farm open space. Scott said that it is nice to have dual uses for the open space so when we don't have storms its dry and usable.

Commissioners Jan & Felica are good with all the comments that have been made.

Chair Brian chalked up all comments. He stated as far as water, for every approved lot the developer has to turn in water shares for that unit. He understands that it is paper water but as far as verifying it that is beyond them. As far as infrastructure, the developer is required to pay the impact fees per unit for those costs. Those costs are determined by a census of how many people are in each household. He understands a lot of the concern was over sewage costs, he thinks there was a lot of confusion on the increase utility bills, the increase was actually sewer not water. That was an upgrade to the sewer ponds, that is projected to carry us to 2060.

Engineer Scott corrected, it wasn't extended that far, he said it was a 20 year extension. He said that could be longer or shorter, growth is increasing faster now so it will possibly be a shorter time period.

Chair Brian questioned Engineer Scott, as growth happens we will need to get to a place where we re-evaluate where we are in that projection. If it turns into 10 years at that time, where does that leave us?

Engineer Scott said if it happens sooner, than the impact fees coming in with these developments will pay for it, but that we also need to look into starting some expanding again.

Chair Brian stated, the reality is that is just our best estimate on cost, because to predict what costs are going to be in 20 years is unrealistic.

Engineer Scott agreed you can go further than 20 years, but at that point its just a shot in the dark to get it right.

Chair Brian getting back to Rusty's project, stated he thinks that the open space issues need some resolution.

Commissioners Bob, Jan and Felicia had no further questions or concerns.

Engineer Scott commented, as part of this annexation, he proposed a secondary water system. The water for the park and irrigation will not be coming out of our well and tank. It is going to be its own little system that he will drill a well for to use for outside watering. The culinary will be coming out of Francis's tank.

Chair Brian appreciates that Rusty is doing a secondary water source with this development.

Rusty asked that the Planning Commission note all their concerns and forward them to the City Council contingent those changes.

Chair Brian voiced his concern that there are a lot of open items on the staff report. He does not want to blame Rusty specifically, but in the past some items have come across the agenda and forwarded to Council and then modifications have been made. He feels that since we are holding a public hearing and discussing it from a planning perspective that pertinent details need to be given at the Planning Commission, not later at the City Council because some items maybe contradictory and that is not a good way to do things.

Rusty's rebuttal is that there is still another public hearing with the Council, so everyone will still have another opportunity to bring up the same concerns and to hear that he addressed and resolved all the concerns from this

meeting. He does not feel the open space is a concern but is willing to relook and not “double dip” in places. He said he will have the ditch issues worked out within the next 30 days before Council.

Chair Brian stated they still have the issue of writing up the document of how the open space is going to be managed.

Rusty said that is done and unfortunate it did not make it into the staff report but offered that they add that to the list for Council meeting.

Chair Brian said he does not want to be a stickler, but ultimately per code he needed some of this stuff turned in before going to Council.

Co-Chair Bob would like to see the dedication of conservation lands and open space before sending it forward. He doesn't want this off the Planning Commissions table until those things are resolved.

***Commissioner Felicia made a motion to table Hart Master Plan and Phase 1 & 2, Commissioner Bob seconded the motion. Commissioner Jan agreed he wanted to see all issues resolved before sending forward. All in favor motion passed to table.***

**B. Application for Phase 1 & 2 Preliminary and Final Approval-Hart Crossing.  
*Decision pending agenda item A.***

**C. Application for Zone Change to Multi-Family (M-F)- The Views at Francis Park.**

Planner Katie read her staff report.

Engineer Scott read his staff report. Scott is concerned about the amount of density on the infrastructure in the City. When the projected growth analysis was done it was based off Residential Half and Ag-1 zoning, this amount of density would obviously be a much greater impact. He said if the City decides to go forward with this project, they would need to do a study before approving it to see if the infrastructure can hold it. It is a very expensive cost, so unless the City is considering going forward with the project he wouldn't do the study.

Chair Brian asked if that was specific to this area or in general in the City.

Engineer Scott replied this specific area, we need to insure there will not be any problems with surrounding areas that have already been approved.

Justin stated we need rentals in this valley. He says the general plan states there should be a variety of housing options. He said we need good teachers, and there is no rentals available. He said they have worked for months with the City to get to a point where they agreed on the development and that it complies with City Code.

Pete stated Francis General Plan says the general population is going to increase by 50% every ten years. Whether anyone wants to acknowledge growth is coming or not it is. It also suggests that the RH zone is not an AG zone, so it is appropriate for this kind of development. It also states that these types of developments should exist where adequate utilities exist and where they are located on SR 35 that they fit the plan. Pete said the state of Utah is experiencing a shortage of housing and this density would allow a service to those in need. In 2017 there was zero affordable units in the town of Francis by definition, so that was a big goal to get some here. Since writing the General Plan, they have incorporated a variety of solutions to accomplish that goal. For example all townhomes have to meet 80%AMI in Conservation Subdivision. The Multi-Family Zone and the Moderate Income coincide to get some affordable options here. Pete states that this development meets all the requirements per code. Pete gave an idea of where the development is located, and said that there is no issues with the property to do what they are requesting.

Planner Katie screen shared the drawings of the development purposed.

Pete gave explanation to each drawing. He stated that they have done a wetland study and have met with UDOT for traffic on SR 35, and he understands those concerns, but will show approval before they go forward. He says they are meeting more than what Park City and Summit County do per their code. He says the Moderate-Income housing will come sooner than later in the development, per code they can't push them back to the end of the development. He said they have accommodated parking and will have nice landscaping to have a nice site. There is also a consistent open space buffer between the road and buildings. He said they are trying to be cognizant of what they look like from SR35. He said the cottage lots will be 7,000 sq ft homes and will not take up much water. The Park and Ride lot would be a great benefit to people who live in Francis and Woodland. Pete said they are paying the same amount of impact fees per unit no matter the quantity of units, so the City would receive a greater deal of money to put towards infrastructure. Pete showed a 3D image of what the development will potentially look like. He showed a slide of the existing proposal, and how much they have changed it.

Chair Brian made a few comments before opening the public hearing portion. He stated he knows that water is an issue, we live in a Western state so we will never have enough water. He said he can't answer the question on if we are paying too much for water, he doesn't know that, but thinks that's a valid question and he will try to see if we can find the reasoning for it. He said the City is currently working on the water issues. We have used annexation fees for a new well, and the Council is working with a previous development that is required to provide a tank, to join the two and make one large tank instead of two small ones. Brian stated that he knows that with every development the developer is required to turn in paper water, at some point he said we need to rely on an engineer to see that the paper water is suffice for the physical water. Brian addressed the comment of Byron not attending the meeting stating, Byron was going to attend the meeting, and was advised not to, he will have his say at the Council meeting. It was better to keep the Planning Commission and the City Council separate. Brian went on to say the chat comments are inappropriate, he knows and understands people are upset, but asked that people keep any negative personal attacks to their selves. Chair Brian said it is illegal to stop development, they do not have to do zone changes, but they cannot stop what is already zoned. Brian explained how we would lose property value if we completely shut down development, but shares the same concerns on density.

Chair Brian read a comment from Lisa Flinders, she is in favor of the Multi-Family development, but agrees it should be on an affordable basis for teachers and other essential workers.

Chair Brian read another comment from Wendy Headman, she is against the Multi-Family development. She works in the city and lives here for the open space and small town feel. She understands single family, but does not think we need higher density.

Gracia Iceman- she feels the developments are inevitable and communities need to plan for it. She feels Justin will do a good job and it will benefit the City. Residents need to get involved and help with development process in finding solutions.

Clayton Querry- too much growth too fast. He grew up here and had to move away to build their lives to be able to move back and live here one day. The appeal here is open space and rural atmosphere and it should stay that way.

Kamas Foodtown-Phil Bair, he feels the affordable multi family is a need, we have no place for grocery store workers to live.

Melissa Thompson- we have close to 400 approved building lots as is. The road can not handle this development, we have no traffic light. Our schools are over crowded already. The park and ride is 60 ft from her bedroom window, way too close to residential. She thinks the developer should have to state how much is "affordable" and give an exact cost what they are going to charge for monthly rent and hold them to it. She quoted Byron from last months meeting stating

that “we do not want to turn into a rental slum.” The open space they are proposing is wetlands, they cant do anything with it. They also have 10 acres behind this proposed space that they also want to do the same thing with. The road next to them is a private access to the park, it is public and they cant use it as access. They are not what is benefitting Francis, this directly affects her and her family and Justin and Pete don’t care at all, it doesn’t affect them.

Jane Wilford- her biggest concern is density, not growth. Traffic is a great concern already, adding a park and ride will increase the traffic. When she says transient she is talking about ski season and being a bedroom community for Park City.

Kimberly Lawson- too much. Maybe town houses but its too much growth.

Brittaney Fredrickson- she said they need to do a traffic study year round, the summer compared to winter is crazy. She’s worried about the schools, they already don’t have enough space or teachers. Her husband is a police officer and she knows first hand low income apartments bring a lot of crime, how are we going to handle that with not having our own police department?

Commissioner Brian wanted to let everyone know it is against the law to charge developers impact fees for schools.

Elaine Robb- huge concern with the lack of infrastructure. With all the approvals that haven’t even begun to be developed. We are going to have to raise taxes to afford the upgrades as is. She believes that since Pete was involved with Stewart Ranches that we have allowed him to add enough density to our town. We don’t need to add any of these multi family developments that are just going to cost residents more and affect our quality of life. She is not about stopping development, she is about managing it and leaving something wonderful for our kids and grandkids.

Rowdy Thompson- Francis Town is illiterate when it comes to the open spaces. All the open space they are giving us is wetlands that they can’t do anything with anyway. He can’t understand why we need to rezone all of the RH and Ag land. He is also against the Park and Ride that is 50 feet from his bedroom window, and there will be busses rolling in and out all hours of the night and its wrong. The road that is in between him and this property is not a legal right of way. He said he would like Justin to explain to him how low-income housing is going to raise his property value, no way. He wants to compare how many approved lots Kamas and Oakley have to Francis, he said not even half, why does Francis think they need to add all this density to the Valley. We don’t even have a water tank and its not even in the works of being in place. He said if a right of way is given to this development he will be given the exact same thing.

John Keyes- The road that goes into the park was built for children to go to the park free of traffic, ¼ of that road you put in a gate and lock them out of there. He is disgusted with the way the old timers are treated around here, no one cares what they think. You are going to raise the taxes, because were not getting enough property taxes from multi family to pay for the upgrades. This was a place for families to live and your ruining it, just to get all you can out of your piece of ground.

David Darcey- complimented Brian on moderating this meeting. He says he understands that Francis City does not need to take into account the average 100 kids that this development will acquire, but he is surprised there is not a representative from the school board on the meeting. Given the number of comments tonight about the schools, and the fact that we cant charge developers the cost for these kids going to school, it would be nice if the developers could tell us that they have met with the district and have resolved how they could help with the funding for growth beyond just the property taxes on individual units. Perhaps maybe if the developer were to donate \$100,000 (\$1,000 per kid) to the school district that would acknowledge how much impact they know this development will have on the school district and help illuminate some of the school concerns from the public.

Shauna Bushman- She agrees with all the previous comments. She doesn't understand why developers are attacking Francis or why we cant slow down. She wanted to remind the commission they can only approve something if it gives an overwhelming benefit to Francis, and she doesn't see how this development does that.

Nick Malone- Echoed all previous comments, thinks this is a money grab for developers. Wonders what recourse the residents have to keep this from moving forward.

Colette Madson- thanked the Planning Commission. She agrees with the impact on our schools. She knows traffic studies are done and they say the roads can handle it, but that's not how the roads drive. With all the developments already approved and what is being proposed, we are going to lose the rural nature of our town. She's not opposed development, but it should fit with our community. Keep conservation and clustering, but not the density. This is going to impact our air quality and water. She thinks the developments need to work with the water companies and need to start looking at a secondary water system. Its not the job of the city to help the developer to maximize profit, they should look out for the current residents of the community and what they want.

Carissa Loftus- traffic is already stopped at her house in winter and summer months, our roads cant handle this much. Also, she is not talking anyone down, but its obvious the more houses you bring in the more crime that comes with them. She understands the need for growth, but feels the residents should be heard.

Michael Bair- thinks there is a problem with the affordability here that needs addressed. He thinks people involved on both sides care about their neighbors. He said what he doesn't want to see is the park and ride proposed, he feels the only people that will benefit from this is people who work in Park City and we don't need that. We need to try and provide living for the work force in our valley, not Park City.

Ashley Gee- 100% agree with Rowdy and Melissa Thompson, and people already don't do the speed limit, the traffic will be crazy. We don't have the law enforcement to handle it.

Shauna Demars- agrees with all the previous comments. Can't see how a recommendation can be given either way without a traffic study done first. Likes the small town feel and doesn't want to sit in traffic for 30 minutes. She recalls the mayor posting last summer, the tanks were so low no one could use any outside watering for 3 days. If it is that critical already how will we support this many more people. We need to be more considerate of those who already live here then of those wanting to come. Another water tank needs to be in place before more development comes. She is not opposed development but does not think high density is fitting for our community at all.

Julie Keyes- was once on Planning Commission so she is sympathetic to what they are going through. When she was on the PC, she was told repeatedly that rooftops do not support themselves with taxes. They were told that their responsibility is to the existing residents of the community, so she doesn't understand how it can be justified. We have had problems for so long with water, sewer and traffic. It is also not Francis problem to resolve all the low income issues throughout the valley, we have done our share for now.

Carly Frandsen- she is a Woodland resident and this affects them huge. This is a big impact on traffic and water, that doesn't just affect Francis residents it affects the whole valley. Francis needs to consider everyone. There is not adequate police force for this density.

Garrett Crystal- he agrees, we don't have the police force, how big do we have to get before we have to get our own, how long can we piggy-back on Kamas and Summit County? Public works is an issue, another expense to the residents of the city. He thinks it should stay zoned the way it is and let them build it out that way, we don't need to add the density.

Levi Thompson- echoed what everyone said. Traffic is a huge problem and the park and ride is not needed and cant be supported.

Brian Betournay- he agrees with the water and sewer problems. He said at the time they built the sewer ponds, they didn't do a sewer treatment plant, because they were going to have responsible and reasonable growth, and that is not what is being proposed.

Trent Handsaker- agrees with everyone, he said responsible growth. He believes a mix of some multi family in developments is ok, but 48 apartments to 11 homes is not. Until the 400 already approved lots hit the ground, no one can really say the real impact it will have on the City. They can do studies and estimate it, but they cant predict human behavior. Once the main roads start backing up people start taking another route and that will push traffic on our back roads and impact more residential areas. He thinks there is a lot of factors that can't be seen and thinks we need to see where the 400 approvals leave us before approving more especially at higher density.

Jill Gawreluk- agrees with all the previous comments. The overwhelming impact with the 400 approved lots already is enough to slow down. The overwhelming outcry of the community should be heard, we do not want this here. Residents should come first. There is way too much to consider to approve this right now. She chose to buy a preexisting home to live here so she didn't impact the community. We need to preserve our valley and leave it beautiful as it is.

Craig Gawreluk- echoes concerns of everyone else. The traffic, water and air quality are problems. The school needs to be addressed before any high density is approved. They should keep the zoning what it is currently at.

Tina Early- concerned with traffic impact. There is 200-300 dump trucks a day on these roads which is a lot. The flashing light is going to need to be changed to a traffic light. Also, her question is this going to look like a massive parking lot? It goes against are historical ambiance of the town.

Justin said he sympathizes with the Thompsons. He said they can redesign the park and ride, he thought it was a benefit to the City. It would give a connection from Francis to Kamas, but if people do not agree they can remove it. He said they have done a wetland study, none of it is wetlands. It does have an irrigation low spot, but its not wetlands. He said they can't give a monthly amount right now, they know they have to stay under the Moderate-Income level, but don't have an exact cost right now with not knowing what it will cost to build them. Justin thinks all the other issues that people have brought up are existing even without this development, they are not new issues. The one thing he said everyone failed to mention was there are no rentals. The City did pass a code for rentals and all the other developments that are approved have none.

Pete addressed the comment of Francis being the apartment capital of the valley, he said this Spring they are putting in 900 work force units that will house 1100 people who will work at the ski resorts. Silver Creek, by Home Depot are putting in several hundred affordable housing units. Summit County is building 80 units by the fire station. Park City has been building affordable units for the past 10 years. Kamas and Oakley have recently approved some apartment units. He said this is a county wide problem that everyone is trying to help solve, not just Francis.

Co-chair Bob says although this project is unpopular with the group that is on, it checks all the boxes. He said their job is to make sure that it does check all the boxes and then turn it over to the City Council. Since this is just the preliminary process, they will have more say at the final, so no matter what the decision is tonight there will be more conversation. He said this project fits in with the location it is proposed since it is so close to the City Center Zone. He thinks it is great so many people showed up to the meeting and knows his comments are not popular but thinks it checks all the boxes to move forward.

Commissioner Jan commented the first thing to understand is this is an application for a zone change, and without approval of that this project is dead. The way he looks at is that the Planning Commission needs to see if this fits the idea of the General Plan. If it does then it goes forward if not then no, he said he is struggling because he is not against

development, but he is concerned about the infrastructure, the fees and plans were all planned around a certain amount of growth and we have already surpassed that. We do not have any commercial in Francis, so we don't have the easy revenue that other cities have. He doesn't believe that you can justify this project just by saying we need the moderate income without understanding the impact from the already approved homes. He said there is too much preliminary projects that need to get done before approving more at higher density. He said he is cautiously against this, it is too soon at this time.

Chair Brian commented as they consider things, assume everything will eventually be built out. If is zoned Residential Half, assume it will be built to at least that one day, it will not remain an open field. His point being to look to that as how we wanted to see Francis in the future per the General Plan, which probably needs relooked at in the near future.

Commissioner Felicia echoed what Commissioner Jan said about the infrastructure. She is in favor of some sort of affordable housing here within the City not for the purpose of going to work in Park City or Heber, but for the younger generation graduating and getting married to be able to stay here and live. It will keep things relative in the age spectrum to have some of it here. She said she appreciates everyone coming to this meeting and hears all the concerns, she too lives on a road that people take to escape the traffic. She thinks the public has valid concerns and that they need to be heard.

Chair Brian stated the obvious, density is money to developers. It reduces infrastructure and cost for the project. Brian understands density is all we have to offer developers to build. People don't fund open space. Brian said he looks for more opportunities for the city to trade things for density, particularly in this case they have the park and ride, and the affordable units. With that, with all the approved projects right now and not fully being able to understand the impact on the infrastructure, it doesn't make sense to approve this right now.

***Commissioner Jan made a motion to give a negative recommendation until an extensive study is done on how the already approved developments will impact the infrastructure. Commissioner Felicia seconded Commissioner Jan's motion. All in favor, motion passed.***

Chair Brian wanted to clarify he has nothing against apartments, his sole reason for disapproving this is infrastructure. We eventually will need to add something affordable to our community, but need to make sure we can handle it.

#### **4. Approval of November 19<sup>th</sup>, 2020 minutes.**

***Commissioner Jan made a motion to approve November minutes. Co-Chair Bob seconded, all in favor, motion passed.***

***Commissioner Felicia made a motion to adjourn the meeting. Co-chair Bob seconded the motion. All in favor, motion passed.***

Meeting ended.