

**Francis Planning Commission Meeting
Thursday, March 18th, 2021 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/87699745311?pwd=Y3FMOWFRL2RuNDNzUU14RGV3Z0Q0Zz09>

Meeting ID: 876 9974 5311 Meeting Password: 799009

You can also comment by email to comments@francisutah.org

Attending: Chair Brian Henneuse, Commissioner Jan Brussel, Commissioner Felicia Sotelo, Planner Katie Henneuse, City Engineer Scott Kettle and Treasurer Mandy Crittenden

Others Attending:

1. Call Meeting to Order

Chair Brian called meeting to order at 7:02 P.M.

2. Public Hearing – Village East Minor Subdivision/Harriet Natter

Planner Katie read her staff report. She explained the Preliminary Plat and Final Plat can be approved together in a Minor Subdivision. Katie informed the applicant had completed all the requirements with the Zone Change approval and that proceeding with the Subdivision shouldn't be a problem. She feels the Commission should forward the Subdivision to City Council with a positive recommendation.

Engineer Scott commented it needs to be stated on the plat, there will be no access to Highway 32 from lot 2, it needs to be accessed from the cud-a-sac. They need to submit their construction drawings for the water and sewer extension before City Council. He said besides those couple items they have done everything the City has asked.

Chair Brian asked if just noting the access on the plat is suffice or if maybe they needed to do something more.

Scott agreed he will double check with Brad. He added that he talked to UDOT on what they want the access to look like off State Road 32. He said they are wanting 50 feet from the center line of the road, so they have 100-foot right of way. If they want to expand the road in the future they will have what they need to not have to worry about it later.

Chair Brian opened the public comment. No comments. Chair Brian closed the public comment portion.

Commissioners Jan and Felicia are in favor of moving this forward to the City Council with Scotts comments.

Commissioner Jan made a motion to forward this on to City Council with a positive recommendation following the City Engineer Scotts comments. Commissioner Felicia seconded the motion. All in favor, motion passed.

3. Commercial Site Plan – Premier Pet Lodge

Planner Katie read her staff report. She reminded the Concept has been approved, tonight is to provide a recommendation for the architectural design, , lighting plan, buffers and fences, and site plan and to approve the landscape plan and trash storage plan. Katie showed a picture of what the building will look like based off the approvals from last month's meeting. Katie explained the lot size and layout of the project, it all meets City Code. She showed the dumpster site, it will be hidden from public view in the Northwest corner of the lot. Katie is impressed with the landscape plan, it is very professional looking, it also meets City Code. Buffers, fences, and walls are all planned and meet City Code. Katie showed the lighting plan, there are 21 full cut-off lights, all lighting meets City Code. She recommends sending site plan, architectural theme, buffers and

fences, and lighting plan to the City Council with a positive recommendation and approving the trash storage plan and landscape plan after setting any other conditions of approval. She reminded we have already held the public hearing on this item.

Kathleen had nothing to add, she said Katie went over everything.

Scott said there is a concern on where the drainage from the site would go. Scott said they need to add a culvert at the end of the property for drainage. He said they need to submit their construction drawings. He questioned the perimeter fence, does it need to be 6 feet tall along Highway 32 and Lambert Lane?

Kathleen responded that is just to create a nice barrier between them and the neighbor. He was concerned about noise, and for security purposes they think it will be good.

Brian asked is it a 6-foot rail fence, or a 6-foot privacy fence?

Haley responded the idea of the 6-foot fence was for security measures if a dog escaped the inside somehow it would be a second barrier to keep them in the boundaries of the facility. It is not intended to be a privacy fence; it will have the 3 split rails and the wire inside to be fully enclosed but will be see through.

Commissioner Felicia likes the project says it all looks good.

Commissioner Jan said he is impressed with the landscape plan; it is very well thought out and nicely designed. He said if the neighbor is ok with the location of the trash, he is good with it.

Chair Brian talked about the types of grass and water issues we are having but agrees they have done what they can as far as landscaping. He revisited the waste and just asked for clarification what they were doing with it.

Kathleen responded that it is somewhat like a human toilet and goes into the sewage system. If it is in the yard it is bagged and then thrown away, so the smell is contained.

Commissioner Felicia made a motion to approve the trash storage plan and the landscape plan. And a second motion to positively recommend approval of the site plan, architectural theme, buffers and fences and lighting plan following Scott's recommendation and adding the culvert. Commissioner Jan Seconded the motions. All in favor, motion passed.

4. Application for Zone Change – The Views at Francis Park Townhome Concept

Planner Katie read her staff report. She reminded that this item was tabled at a previous meeting. The application is for a rezone of 8.95 acres Ag-1 and Residential Half to a mix of 5.75 acres to Residential Half Conservation and 3.2 acres Multi-Family. The Concept includes 44 rental townhomes and 12 single family homes, equaling 56 units. The concept meets City Code for those zones. She recommends reviewing the proposal and give a recommendation based on whether the benefits outweigh the negatives or not. If giving a positive recommendation, she would add the conditions that an infrastructure study be done, and developer be required to do the upgrades if needed and to also require a traffic study.

Chair Brian asked Scott, one of the reasons for tabling this was concerns of the infrastructure, does he see any changes since then or if he still feels the same way about it?

Scott said there is no changes, he said it is a very costly study that we will conduct if the Planning Commission and City Council want to go forward with the project, but if they are swaying against it anyway it would be a waste of time and money to complete the study. He said the utilities and other issues can be resolved; but knowing what those issues are is not known yet.

Chair Brian reminded they had met with City Council in a joint work session to discuss these types of projects, and the consensus was that unless there was a great benefit to the City, the zone change would not be granted.

Justin commented that they listened to the joint work session meeting. After doing so they met with the school district and offered them 3 units at a highly discounted rate for teachers. He said they have heard a lot of feedback on rentals versus ownership, they are willing to do a for sale product if the City is wanting to do. He said they prefer to do rentals; they would have a property management company that would do background checks and make sure they tenants were upstanding citizens that will help the community thrive.

Pete added they have been at this for a long time, they have significantly reduced the amount of density this parcel would allow zoned at Multifamily. They hear about the concerns of rental properties, so they do have a management plan in place. One of the comments they heard was regarding parking and a whole bunch of cars parked on the roads, he said with that they do have the management in place so they will monitor that and make sure it is not an issue. Otherwise, with for sale units they would have the HOA and CCR's to abide by. He said they have talked to UDOT, wetland people, the City Engineer, people who did a study on the rental market, they are experienced developers who know what they are doing. He said there is a shortage in Utah for rentals and housing diversity, this is a solution towards getting some of that. One of the things he heard from the work session was that maybe they mix up the townhomes and single family to not create an us versus them situation, and that is something they are open to. Their goal is to get to a point of meeting the General Plan and have a development into an affordable but profitable product. He said they got rid of the apartment concept which in turn got rid of a big open asphalt parking lot and the park and ride that the neighbors strongly objected, they are doing everything they can to work with the City and neighbors to create the best product they can.

Planner Katie corrected that under current zoning, they would be allowed to do about 12 homes.

Commissioner Felicia commented to Pete and Justin that she appreciated their tenacity. She asked them what their price point is, what does affordable housing mean to them?

Pete responded that it is all based on the market, he knows a run-down apartment in Kamas is going for about \$1200 a unit.

Felicia asked if that would be their price range then or because they would be newer and nicer would they be more than that? Because she does not think that is even affordable.

Justin commented to Felicia that is a great point, but questioned if they were rented for \$1, would they say yes? They cannot go to work for that.

Felicia responded she understands they are developers and that is how they make their money, and she knows that they must do that, but if these are going to be \$3,000 a month per unit there is no way that is affordable. Her worry is they are pushing this as affordable housing but does not feel they will stick to that.

Justin said the other option is to build the twelve homes they are allowed, that will be million-dollar homes and that will also not be affordable.

Pete said that what they have proposed is that 9 of the 44 townhome units will be deed restricted at 80% AMI, so it's not just the three it is 20% of the units. He said they can only be held to a standard that is within the code.

Justin said he just does not want to throw out a number and then be held to that, because it is unrealistic to know right now what that will be.

Felicia responded she understands that and did not want an exact dollar amount just a general idea, because they keep throwing affordability out there, she wants to know about what that looks like. She said if they are proposing it as such, then the Planning Commission needs to do what they can to make sure it is held to it.

Commissioner Jan agreed with Felicia on their perseverance, he has been on the other side of the table as well and understands it fully. Jan does not see a problem with the project if the property was already zoned for it. The question he still has that is unanswered is how this project fits into the long-term goal of Francis and as to setting a precedence of this kind of density here. He does not have a problem with density, he referred to a comment Chair Brian made during the work session that he would like to see density spread out instead of having a pocket of it. He said he does not often agree with the Park City Council, but one of their members recently said, "people like to live, in Park City, so let's not turn it into something people don't like," he agrees with that here, people like to live in Francis, so let us not turn it into something people don't like. So, rather than commenting on their specific design, the bigger question is the Zone Change, and how do we want to apply the Residential Multi-Family Zoning to our small City? Affordability isn't really the conversation we should be having, because realistically affordability is based off of what the market can bare and right now with the well to do people in Park City being this close, you can rent out all the apartments for a high price. He moved here for a very specific reason, and we need to have a very good conversation about how to keep it the way the people that moved here for. He said if we were to approve this tonight, there would be another 15 applications in the next year for the exact same thing. We need to be careful not to set the precedence that this is what we want. This needs to be a very thoughtful discussion on planning the future for Francis and not just a piece meal one at a time.

Pete and Justin commented they have been at this for a year. The City took a step by incorporating the Multi-Family Zone they are just trying to utilize it.

Commissioner Jan said he understands that, but this is obviously something that needs to be discussed. This is the future of our City and we need to protect it.

Chair Brian commented that from our joint work session that he got the overwhelming feeling that everyone was on the same page and that page was that it is time to slow down. There has been a lot of change in the market with corona and we have a lot of people moving and coming our way. He agrees with Jan and Felicia and does not have much more to add. He feels for Justin putting this much time and effort into it, but at this time he cannot see pushing it forward with a positive recommendation just because of that.

Justin commented he wants them to know that he brought a concept that had apartments on it, and they said they liked it. Through the year's process, they have dwindled it to what the Planning Commission and public wants. He does not want them to think they just threw this project together.

Chair Brian thanked him and knew that it is a well thought out project. The problem is not the project the problem is the zone change and if it is a fit for Francis or not and we do not have the answer for that. Brian said he thinks it is time to put the brakes on and try to figure out a plan on conserving Francis so that we do not ruin it.

Justin said that he has contacted Circle T and that they have not even been annexed in. He thinks there is a big fear of approving this based on other approvals, that one included and should not be because it may not even happen.

Planner Katie corrected Justin that is not true, and that Circle T has been annexed, they have not paid their fees, but they are annexed.

Chair Brian commented he thinks everything that is approved are valid numbers when they are accounting for what will be built in the future.

Pete said but with those numbers most of them are single family dwellings.

Chair Brian agreed but said no matter what when we already have so much on our plate to throw more on just because of how good it looks is not a wise decision.

Justin argued then we should not have approved a code like Multi-Family.

Chair Brian responded yes, but he knows for a fact from being in those meetings that these higher number of units were not discussed in approving those types of developments. They had the idea of a couple buildings not massive projects.

Pete asked if ten less units would that make a difference.

Commissioner Jan responded no, it is not a matter of units it is a matter of what we want and where we want it. He said there needs to be a discussion of the bigger picture. He does not think it should be a drug out process, but there needs to be some clarification of what we want in Francis.

Commissioner Jan made the motion to give a negative recommendation on the rezone. Adding that he thinks there is a urgent need to discuss the future of Francis to be able to get the ball rolling in this matter which direction we want it to go. It is not fair to the Planning Commission or to the developers to be sitting on this line of not knowing where to go from here. Commissioner Felicia seconded the motion. All in favor, motion passed.

5. Application for Cellular Monopole – Skyway Towers

Planner Katie read her staff report. She summarized the monopine tower will be on City property and will not exceed 200 feet from a Residential Zone per City code. It will not be more than 7 feet in width and 100 feet tall with two locators. All equipment on the ground will be enclosed by a chain link fence topped with barbed wire likely 8-10 feet high. The applicant has not stated whether they will have slats, but City Code requires the fence to be site-obscuring around the base. No landscape is planned, City code states landscaping should match the landscaping similar in that area, which there is none, so no landscaping is ok. The applicant has agreed to remove the tower if it becomes obsolete, which is another requirement of City Code. Katie gives a positive recommendation in approving the tower with the change that the chain link fence have slats to achieve site obstruction. She read a letter from Gordon Law Group, who represents Skyway Towers, who is constructing the tower.

Engineer Scott said they have worked with the City on a location of the pole and that everything seems to be fine.

Chair Brian questioned the cost to take this down if it ever came to that. He recommends the City attorney review all agreements with the applicant.

Planner Katie responded Attorney Brad has been a part of the whole process.

Chair Brian asked if we needed a bond in the event the company goes bankrupt and we need to remove the pole, the funds are there to do so.

Engineer Scott said they would talk to Brad about that.

Planner Katie said that is something we maybe should consider adding to City Code.

Commissioner Jan commented he would defer to whatever was the standard of the industry. He knows they build these towers all over the place, so there should be some standard in place.

Commissioner Felicia said she thought we were trying to move away from the chain-link fence. She asked if that was a mandatory requirement because of the type of structure or what was the reasoning.

Chair Brian explained the reasoning of chain-link with our water and lift stations is so that you can see the equipment and make sure it is working properly, with that you kind of lose that. If it is chain-link with slats, it defeats the purpose of having chain-link at all.

Planner Katie stated where this is located is back by the Chevron block valve.

Engineer Scott explained that Chevron has a chain-link fence around their block valve for security reasons. They have cameras out there watching it but wanted to be able to see through it as well. Scott said the tower will be surrounded by an existing chain-link fence, so it makes sense.

Commissioner Felicia stated these types of structures are notorious for vandalism and theft, so she understands the chain-link fence for security reasons, just did not understand the slats.

Engineer Scott agreed he said it is only because the City Code states it needs to be site obscuring.

All commissioners agreed with Felicia that slats making it site obscuring defeat the purpose of security, because essentially you are blocking the perpetrator from being seen committing the vandalism.

The representative for the applicant explained they will do whatever is required, but that standard is a 8-10 foot chain-link fence at ground level with barbed wire around the top, he agrees with Commissioner Felicia as well that slats would defeat the purpose of security in this situation.

Commissioner Felicia made a recommendation to approve the Cellular Monopine without the slats in the chain-link fence barrier. Commissioner Jan seconded the motion. All in favor, motion passed.

6. Discussion about RC Zone and Code Text Amendments – Francis Cove/Dave Robinson

Planner Katie read her staff report. She summarized the history of the parcel, which was rezoned to Residential Cottage. She explained the lot sizes meet the City Code. Other items such as lot frontage, the accessory buildings height as well as dwelling usage, minimum private street width. So, the proposal is for a code text amendment to adopt a planned development land use, which numerous cities have adopted including some nearby. They are also proposing to adopt the International Fire Code, so that the private width of 20 feet is acceptable with signs posted that state no parking. Katie recommending discussing the proposals with the applicant and give some direction as to whether the Planning Commission would recommend giving a positive forward for this type of code.

Engineer Scott stated that he knows the International Fire Code states 20-foot private road, he just recommends working with the fire district to make sure they would be comfortable with what we are doing.

Dave Robinson thanked Planner for her staff report and praised the Planning Commission for their comments in previous discussions tonight. He wanted to make sure the Commission knew this is not about “please do a special development for us,” it is more of a code text amendment that would be a benefit to Francis City. He stated the benefits of the planned development would be preserving open space, minimizing hard surface, separating pedestrians from autos, creating several different/useable zones such as community zone, zones in the house or in the backyard. This type of plan would allow a developer to bring a few different proposals to the Planning Commission and City Council to see what is the best for the City. He claimed he is not saying this as a distressed buyer that needs to have this project to profit on it and that he is in no hurry to throw something out for approval. He is asking for it so that he can provide the best development he can to achieve the

best all around benefits for everyone. Dave stated he will not throw out affordability because that is not what he is going towards, he said that he is full disclosure with all his buyers and would be with the City, that he could lay out all the options and give an exact on what each plan will cost. This will however provide workforce housing. As far as the International Fire Code, the City has adopted it per the District. Their developments always go under an HOA and they always have private street dimensions that meet Fire Code guidelines. He said on the detached garages, they can propose that different ways, but what they have shown is basically an extension of the home. The development they have shown also shows a private space for a firepit or something of that nature. He said on the plat they will show a buildable area, that buyers would abide by in building so they could guarantee open space. Dave said if they follow the code as is, they will have long driveways, conflicting auto/pedestrian travel which both increase cost that is passed on to buyers. He explained some of the drawings and the layout of the proposal.

Chair Brian commented that in the past with the minimum required lot sizes, they have seen some odd-shaped lots just to meet the Code, this essentially would allow the developer to get as many lots as original but give some leeway on the design to prevent the odd shaped lots from happening.

Dave responded yes; it allows for the project to look better by not having to manipulate things to make it fit code.

Commissioner Jan asked Planner Katie for clarification on which codes we are looking to change.

Planner Katie responded there will be two code text amendments. One is adding a Planned Development Provision, to allow some flexibility to developers for a better suited for Francis development.

Commissioner Jan questioned if the accessory dwelling code go through with the state and second, parking does look like it might become an issue and needs to be something they look at carefully.

Chair Brian answered, yes, the accessory dwelling did get approved through the state, so they need to start incorporating the thought into approvals for what they will be allowed to do.

Commissioner Jan said he is fine with the concept, but thinks it needs some refining before adding it to City Code.

Chair Brian questioned then does the Planned Development concept become an overlay to any development they have come their way?

Planner Katie responded that is a good way to look at it. If we have a development that comes to the City and they are trying to meet certain goals such as community interaction, like this one proposes, it allows the City some flexibility to approve it without breaking City Code. It would give the City the opportunity to utilize what they believe to be the best use of the land.

Commissioner Brian compared a planned development to Del Web, which to him is scary.

Dave commented yes, but that is 3,000 acres and he is proposing less than 3.

Commissioner Jan said that if the City Council is willing to accept the idea of PUD's (planned unit developments) and pushes this back to them, then they need to make sure that they have a general understanding of what that community is going to take on for themselves as far as services, maintenance, care and consideration and rolls. He said that PUD's can be very beautiful developments that are very well controlled, but that they need to be able to be controlled within itself. He said that if we are going to allow them then we need to have a clear list of the standards that they will be held to.

Commissioner Brian commented on the parking and that he knows what the City requires as far as spaces, but he keeps going back to what a developer said once that was if you have too much parking, you are almost enticing more people to live there.

He said that idea kind of passes onto roads, if you set the speed limit to 25 hours a mile on a road that people are not actually going to go 25 miles per hour on that road.

Dave said yes, all the things that they are pointing out will be things that would be addressed with the planned development.

Chair Brian does not think this is a bad idea to add to their "tool kit." It offers flexibility, but agrees they need to make sure they have certain guidelines comparable to our annexation and conservation subdivisions that give a reasons why we would consider it.

Dave closed with he appreciated the Planning Commission hearing him out and believes that it gives the City an opportunity to get on the offensive side of things with developments coming in verses being on the defense arguing against them.

Chair Brian agreed, there are a lot of different things being proposed, even incorporating a new city, and that it is in the best of interest of the City to get more on the offensive side and start working with developers instead of against them, but also protect the City and its best interest in the process.

7. Planner update

Planner Katie said in next months meeting we as of right now are only looking at some code text amendments, and potentially a Zone Change that is within the City. She thinks at this point it will be a light month. She let the Planning Commission know their approved pay will be paid out quarterly for the meetings that they have attended. She said she will start doing some more research on the planned unit developments and thanked them for some good feedback tonight.

Chair Brian informed of the Garff Ranch proposal that is going around and said it is very upsetting to a lot of people. He thinks it is something they need to talk to the City Council about and keep informed on. He said in a roundabout way it is kind of a consequence for governing bodies like cities and counties being too strict with property in their jurisdictions.

Commissioner Jan offered assistance in any of those discussions if wanted.

8. Approval of January 28th, 2021 and February 18th, 2021 minutes.

Commissioner Jan made a motion to approve January 28th 2021 and February 18th, 2021 minutes. Commissioner Felicia seconded the motion. All in favor, motion passed.

Commissioner Jan made a motion to adjourn the meeting.

Meeting ended.