

Francis City Planning Commission Meeting
Thursday, February 20th, 2025, 6:00 pm
2317 South Spring Hollow Rd, Francis, UT
New Francis City Hall

Comments may also be made by email to comments@francisutah.gov

The meeting will be streamed live on the Francis City YouTube channel:
<https://www.youtube.com/channel/UC-9wahpEELShvGQZShXGIXg>

Planning Commissioners: Chair Justin Ciampi, Commissioners Scott Buchanan, Kimberly Lawson, and McKenna Marchant

Excused: Vice Chair Rich Christiansen

Staff: Planner Henneuse, Recorder Gillett, Raelyn Olson, and Engineer Kettle

Others: Tim & Augie Praag, Kory Atkinson, Elaine Atkinson, Marshall D. Gillaspie, Bob Murphy, Brent Simmons, Riley & Thia Atkinson, Dolores Mansell Atkinson, Josh Call, Dave Diehl, Michelle & Pete Abosida, Jim & Audrey Matthews, Korbie DeGrey, Scott Montgomery, David Sutherland, Jeff Faulkner, Ben Hancock, Tina Early, Kristie Bair, Bob Wheaton, Hollie Firth, Jamie Larsen, Justin Jones, Bryan DeVane, Audra Devore, Trevor Beck, Annalee Zitcovich, Denise Walz, Lisa Khajavi

1. Call Meeting to Order---Chair Ciampi welcomed everyone in attendance and thanked everyone for coming. He loves to see the participation from the community and the level of engagement whether it is positive or negative. He then called the meeting to order.

2. Public Hearings

1. Short Term Rental Conditional Use Permit (665 Spruce Way)--- Planner Henneuse read her staff report. (See attached and below). She reviewed the executive summary, process, code analysis and staff recommendations. Planner Henneuse shared photos on the screens of the property and how things laid out.

Executive Summary:

Tim and Angie Praag, owners of 665 Spruce Way, are applying for a Conditional Use Permit so they can list their property on the Airbnb web platform for short-term rental. The owners stay at the home on vacations. They allow family and friends to stay there too. When they retire, they want to live in the home and become full-time residents.

The home has seven bedrooms and has a maximum occupancy of 25 guests. The home has a garage attached to the home and a detached garage. There is a long driveway to the detached garage that has additional parking for at least six vehicles and a circular driveway in front of the porch where an additional three vehicles can park. The owners manage the home and take care of any maintenance and cleaning

needs. The take pride in the property and are committed to keeping the outside and inside in pristine condition.

Francis City began regulating short-term rentals in 2021. Short-term rentals are permitted with the intent of protecting the integrity and characteristics of established land use districts by ensuring that short-term or vacation rentals are operated in a manner that minimizes negative impacts of those uses on neighbors, public services, and the surrounding community.

Process:

Short-term rentals are allowed as a conditional use in any residential zone in Francis City. The Planning Commission is vested with authority to review and evaluate applications and to approve, approve with conditions, or deny applications based on the criteria listed in code. In addition to the requirements in the Short-Term Rental Code, the Planning Commission may impose conditions that are necessary to mitigate the potential adverse effects of the short-term rental on neighbors and nearby uses.

State Law says, “A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.” 10-9a-507(2)(a)(i)

Code Analysis (18.115.220):

By definition in Francis Code, the responsible party is the owner(s), agent(s), or management company responsible for the operation and maintenance of the short-term rental property and for its compliance with all laws, rules, and regulations applicable to the same. The responsible parties are the Praags. By applying for the conditional use permit, they agree to ensure compliance with the following noise and nuisance regulations, the Maintenance Standards and all other regulations outlined in the Code.

“The responsible party shall regulate the occupancy of the short-term rental and ensure that:

- a. Occupants and their pets do not create noise or other conditions that by reason of time, nature, intensity, or duration are out of character with noise and conditions customarily experienced in the surrounding neighborhood;
- b. Occupants do not disturb the peace of surrounding residents by engaging in outside recreational activities or other activities that adversely affect nearby properties before 7:00 a.m. or after 10:00 p.m.;
- c. Occupants and their pets do not interfere with the privacy of nearby residents or trespass onto nearby properties;
- d. Occupants do not engage in disorderly or illegal conduct, including illegal consumption of drugs or alcohol; and
- e. The premises, responsible party and all occupants strictly comply with Utah Administrative Code Rule R392-502, Public Lodging Facility Sanitation.”

Per 18.15.220 (10), “On-street parking is prohibited. The number of occupants’ vehicles shall not exceed the number of bedrooms available. Parking of vehicles shall be entirely within a garage or carport, or upon a driveway or other gravel or paved surface.” The home has seven bedrooms, so the short-term rental

occupants can have a maximum of seven vehicles. The Praags provided a site plan showing that the property has paved parking for this number of vehicles.

The short-term rental code prohibits camping or using temporary facilities for a short-term rental. "All short-term rentals shall be conducted entirely within an approved residential dwelling unit. Occupied camp trailers, travel trailers, recreational vehicles, tents, yurts, or any similar structures are prohibited." 18.15.220(11)

The conditional use permit and the associated business license may be revoked if complaints are received by the City and, after investigation, violations are found.

Staff Recommendation:

Staff recommends either action:

1. Review and approve the conditional use permit.
2. Review and approve the conditional use permit with additional conditions to mitigate adverse effects on neighbors and the surrounding community in accordance with applicable standards.

Planner Henneuse asked the applicant if they wanted to add anything.

The applicant Tim Pragg said he is totally finally fine with what they are being asked to do.

Chair Ciampi opened the meeting to the public and explained how the process worked. He stated that comments need to be in direct use to this conditional use permit.

There was no public comment other than the written comment (See attached).

Chair Ciampi closed the public hearing as there was no comments just the one written comment that was placed in Dropbox.

Councilmember Lawson said she had a question. When they had the one come before them on Oak Lane she said they weren't allowed to set one of the conditions. Planner Henneuse explained that the City Attorney said it must be tied to one of our standards or detrimental effects. She said the Attorney didn't feel it was something we could require.

Commissioner Buchanan thinks this is a permitted use and the standards included are good. He feels that the applicant is willing to follow any other standards he may be asked to, so he is for this.

Commissioner Lawson stated that she voted against the last one because she is afraid of the Olympics, and she doesn't want to see everything turn into Air BNB'S. So, she is negative. Planner Henneuse explained that if she denied it she wasn't following the standards and she explained the standards to her. Planner Henneuse stated that we can't set policy at this time. She then read a letter from the City Attorney. (See attached letter). He said the Planning Commission role is advisory only.

Commissioner Lawson feels we need to limit the number of Air BNB'S then. Chair Ciampi explained how that policy would have to be changed. But as far as this goes in order to have a negative recommendation they need to have something to site that makes it negative.

Planner Henneuse explained we will be working on this at a later date.

Commissioner Marchant wanted to know what the pending codes were, and Planner Henneuse explained them to her. Her concern is that there could be 25 occupants at a time, and she worries about it being a party house. She wondered if there were any conditions they could put on that..

Chair Ciampi said he was going to say something similar, and his fear is the ability to live up to the codes at that size. So, he thinks that it's for them to manage not the City. He can't see any conditions in his mind that are enforceable.

Planner Henneuse feels we have requirements and conditions already in place on noise.

Commissioner Marchant thinks it is so ironic that we are looking at a hotel and with this you could have a lot of people in one house.

Chair Ciampi would entertain a motion.

Commissioner Buchanan motioned to accept the conditional use permit. Chair Ciampi seconded the motion. Chair Ciampi, and Commissioners Buchanan, and Marchant voted in favor. Commissioner Lawson voted against. Motion passed 3-1.

2. Francis Highlands Commerce Center Hotel Conditional Use Permit (Parcel FT-610)---Planner Henneuse read and reviewed her staff report (See attached and below). She reviewed the executive summary, process, code analysis and staff recommendations. She presented the slides on the screen.

Location:

The proposed hotel site is located at the northwest corner of State Road 32 and Lambert Lane (Parcel FT-610). FT-610 is 9.92 acres. The parcel is in the Commercial (C-1) zone.

Executive Summary:

The applicant, Harwood Development LLC, is proposing a 3-story 69-room hotel as part of the Francis Highlands Commerce Center. Hotels are a conditional use in the C-1 zone. The applicant submitted applications for a Commercial Development and a Conditional Use Permit (CUP) for the hotel. Both applications will be considered in this report.

The applicant anticipates subdividing the parcel and commercially developing the remainder of the site. The overall vision for the project includes a grocery store, gas station with a convenience store, restaurants, and several smaller retail flex spaces for local businesses. These applications are forthcoming and will be reviewed separately.

The hotel concept plan was reviewed by the Planning Commission and City Council in September and October 2024, respectively.

General Plan Guidance:

Mission Statement: The City of Francis has a core mission to provide the highest quality of life in a rural atmosphere through essential infrastructure, public safety, and recreation by allowing responsible growth within the constraints of fiscally responsible government.

Land Use Vision: Francis will continue to be a rural and family friendly community. Preservation of our agricultural heritage, dark skies, scenic views, and open spaces are our priority. Growth will be sustainable, well-planned, and consistent with the zoning map and General Plan.

Land Use Policy 2E: Condition development approval on construction of adequate culinary water, sewer, storm drainage, and transportation systems.

Land Use Policy 2F: Commercial uses should be highly accessible and provide adequate access and parking.

Economic Development Goal 1: The rate of commercial growth will be higher than the rate of residential growth.

Economic Development Policy 1A: Promote a positive environment for businesses to strengthen and improve the City's tax base and quality of life.

Economic Development Policy 2A: Improve, diversify, and increase the tax base. Seek revenue growth from economic development activities to mitigate residential property tax increases.

Economic Development Policy 2C: Buffer commercial and industrial uses from existing single family residential areas.

The applicant's economic feasibility study shows that the project supports the General Plan Economic Development goals and policies.

Analysis – Commercial Development:

The C-1 zone was "established to encourage commercial and retail development." Special approval procedures, landscaping requirements and design guidelines are applicable in the C-1 zone.

Trash Storage - 18.45.100

"All trash storage areas shall be screened and hidden from the public or adjoining residential area view by appropriate fencing or landscaping methods and placed in a rear area of the main building if possible. Trash storage plans must be presented to the Planning Commission or Planning Department for approval, as applicable, prior to issuance of a building permit."

A dumpster enclosure is shown on the project plans in the northwest corner of the site. The dumpsters will be hidden from public and residential view by a dumpster enclosure.

The trash storage area complies with the code.

Parking - 18.45.160, 18.57.050, 18.100.100

“Parking is strongly encouraged to be located on the side and to the rear of any proposed structures, with minimum parking between the front of the building and the street. Parking shall not occur adjacent to any public street except when it has been established that such a location is needed or justified by other site conditions or building entrance location and the use is restricted to visitors/key employees.”

One parking stall per room is required by the Francis City Code (FCC) for hotels. 69 parking stalls are required for this hotel project. The applicant is providing 80 parking spaces, including 16 spaces for trucks and trailers, and 4 ADA stalls. Some parking is located between a future building and the front of the hotel. Most of the parking is planned behind the hotel. The parking plan complies with the code.

Site Plan – 18.45.120 and 18.57.060 Planner Henneuse explained that the City Engineer will go into more detail on the site plan.

The building layout as shown on the site plan meets setback requirements.

The city engineer determines whether the site, drainage, and grading plans are compliant with city code and standards.

Landscape Plan - 18.45.110 and 18.114.080

“No plans for any building, structure or other improvements shall be approved by the Planning Commission unless there shall also have been submitted separate landscape plans satisfactory to the Planning Commission.”

“All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in park strips, paths or on slopes greater than 25 percent or 4:1 grade.”

“All ground areas shall contain grass, or another ground cover acceptable to the Planning Commission, and shall be irrigated sufficiently. Shrubs, flower beds, decorative rocks, and other appropriate landscaping is highly encouraged. All landscaped areas shall be maintained using a sprinkling and/or irrigation system which is capable of being engaged automatically on a regular basis.”

“Plant Materials

- a. Sixty percent medium trees and shrubs in a combination with deciduous trees with a caliper from two to three inches and evergreen trees with a height from five to eight feet.
- b. Forty percent small trees and shrubs in a combination with deciduous trees with a caliper of one and one-half to two inches and evergreen trees with a height of four feet.
- c. Where possible, a 50/50 mix of deciduous and evergreen tree species shall be used for on-site landscaping.”

The applicant's landscape plan shows 89 trees – 68 medium-sized deciduous trees (mixture of oak, serviceberry, dogwood, and hackberry) and 21 medium-sized evergreen trees (mixture of cedar, spruce, and mugo pine). A mixture of deciduous and evergreen shrubs is planned throughout the development as well as shrub grasses and perennials. Cobble, bark, and Bio Meadow grass are planned as ground cover.

The hotel site is not adjacent to any public roads, so tree frontage requirements do not apply. Future development in the Highlands Commerce Center will need to include frontage trees in their landscaping plans.

The landscape plan was designed using water conservation principles. And it complies with the City Code.

The applicant's landscape plan complies with FCC, other than the recommended 50/50 mixture of deciduous and coniferous trees. This is likely because of the large serviceberry tree buffer along the western boundary.

Architectural Design and Materials -18.57.060 These guidelines are specific to this zone.

“The treatment of building mass, materials and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding developments. Proposed developments shall be designed with a common theme that reflects the heritage and community of Francis City. Themes shall be reviewed and approved by the Planning Commission and City Council and may include but are not limited to agricultural or mountain tourism.”

“All sides of buildings shall receive equal design consideration, particularly where exposed to vehicular traffic and adjacent properties. Facade shifts shall be encouraged on structures with a width greater than 50 feet or at neighboring property lines.”

“Basic materials shall be limited to no more than three types of materials per building and all buildings within the development shall possess a similar architectural theme. Building styles shall be compatible with existing buildings in the C-1 zone.”

The maximum building height in the C-1 zone is 40 ft.

The applicant provided architectural renderings and elevations of the hotel. A 3-story hotel with a height below 40 ft is planned. Façade shifts occur on all sides of the building. Composite wood panel, stone veneer, and gray/white stucco are the planned materials. The architectural theme appears to be agricultural with modern farmhouse design, materials, and elements. This design theme ties in with the Route 32 development which is planned nearby. The Premier Pet Lodge and Villages at Lambert Lane subdivision also utilize agricultural design themes.

Planner Henneuse reviewed all of the plans (slides) on the screens.

The Planning Commission should discuss whether the applicant has effectively designed an aesthetically pleasing building that complies with the design guidelines.

Outdoor Lighting Plan - 18.118

Planner Henneuse presented there plans for outdoor lighting (see slide).

“An outdoor lighting plan shall be submitted with the site/development plan. The plan must show the location, height, number, and type of fixtures to be used for all outdoor lighting.”

“All outdoor lighting must be full cut-off directing the light downward.”

“The maximum outdoor light output shall not exceed 100,000 lumens per acre.”

“All fixtures shall be mounted no more than 18 feet high when adjacent to residential zones.”

“Outdoor lighting shall be turned off or reduce total lumen usage output 50 percent by 11:00 pm except for the following conditions:

- a. Operations that are open for 24 hours.
- b. Lighting that has been approved by the City Council for security purposes.”

The proposed hotel lot is 2.13 acres, allowing up to 213,000 lumens.

The applicant is planning a mix of parking lot lights, wall lights, entrance lights, and decorative lights. A list and quantity of outdoor lights is shown in the table below. All fixtures are full-cut-out and will be installed at a height at or below 18 ft. The total output planned is 212,271 lumens, below the maximum allowed.

The applicant noted that outdoor lighting intensity will be reduced after 11:00 pm. The FCC gives an exception to this requirement for operations that are open 24 hours, such as a hotel.

The outdoor lighting plan complies with FCC.

Analysis – Hotel Conditional Use Permit:

Hotels are a conditional use in the C-1 zone. (18.45.020)

The hours of operation of the hotel are 24 hours a day, 7 days a week.

State Code - 10-9a-507 Conditional Uses

- (1) (a) A municipality may adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with objective standards set forth in an applicable ordinance.
- (b) A municipality may not impose a requirement or standard on a conditional use that conflicts with a provision of this chapter or other state or federal law.

(2) (a) (i) A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.

(ii) The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.

(b) If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use.

(c) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use.

Note: The city planning and legal staff are in the process of revising the city code to bring it into compliance with recent changes from the state legislature. When state law and city code conflict, state law prevails because of the correlating supremacy clause in the Utah State Constitution.

City Code – 18.65.090 Standards for Review

The city shall review each of the following items when considering a conditional use permit and proposing or imposing conditions on the permit:

1. Size and location of the site.
2. Traffic considerations including capacity of the existing streets in the area, location and amount of off-street parking, and internal traffic circulation.
3. Utility capacity.
4. Emergency vehicle access and control of delivery and service vehicles, loading and unloading zones, and screening of trash pick-up or waste storage areas.
5. Fencing, screening, and landscaping to separate the use from adjoining uses.
6. Design, architectural detailing, building mass, bulk, orientation, and the location of buildings on the site including orientation to buildings on adjoining lots.
7. Usable and permanent open space considerations.
8. Signage and lighting.
9. Noise, vibration, pollution, odors, steam, or other mechanical factors that might affect people and property off site.
10. Potential for discharge into the air, ground water, surface and subsurface water, or soil.
11. Potential adverse impact on the ability of those who live or own property in the vicinity, including adverse effects to property values and the right to use and enjoy their property.
12. Other technical review matters as may be advised by the City.

Standards #1, 4, and 6 were reviewed as part of the commercial development portion of this report but should be considered as part of the CUP review as well. The city engineer will review standards #2, 3, and 4 in his staff report. Standards #7, 10, and 12 are not applicable to this CUP application.

Staff have identified the following potential reasonably anticipated detrimental effects of the proposed conditional use to adjoining residential properties: disruption of privacy, additional noise, outdoor lighting, additional traffic, decreased property value, and decreased enjoyment of property. These detrimental effects will be reviewed in relation to Review Standards #5, 8, 9, and 11 from Section 18.65.090. The measures proposed by the applicant and conditions proposed by the city to mitigate these effects are examined in the sections below. The city engineer will review the traffic impact study in his report.

The proposed development is in the back and center of parcel FT-610. There are several residential properties near the proposed hotel in the Villages at Lambert Lane subdivision and on Lambert Lane. The nearest adjoining residential home is approximately 150 feet from the proposed hotel. All other adjoining homes are approximately 500 feet or more from the proposed hotel. This distance will significantly reduce the potential detrimental effects of privacy, noise, and lighting for nearby residents when they are in or near their homes (the location where they are most likely to spend their time while on their property). However, some mitigation measures should be taken to reduce the impact on adjoining existing residents at the back of their property closer to the proposed hotel.

Standard #5 – Fencing, Screening, Landscaping Buffers

In Section 18.45.150 regarding buffers, fences, and walls, city code says, “The intent in having special buffer, fence, and wall requirements is to provide quality separation between incompatible commercial uses, and to provide physical and visual protection between commercial and residential uses.”

“Buffer treatment may be required whenever a change occurs between residential and nonresidential uses. Additional landscaping and screening may be required at the discretion of the Planning Commission and City Council within the setback which separates the uses. Fences or walls will be reviewed for their effectiveness in screening a view, and for their color and texture in relationship to building materials.

Where differing uses are to be developed adjacent to existing residential areas, special consideration shall be made to protect the privacy of residents and requirements shall be at the discretion of the Planning Commission and City Council. As a minimum, the negative effects of noise and artificial lighting shall be minimized to protect existing residents.”

The applicant is proposing an 8 ft tan composite fence along the western property boundary adjoining residential properties. A landscaping buffer of raised berm and serviceberry trees is planned along the fence line. Additionally, outdoor amenities, balconies, and opening windows on the backside of the property were eliminated to ensure existing resident’s privacy. The applicant’s plan for fencing, trees, outdoor amenities, balconies, and windows will mitigate the detrimental effects of disruption of privacy, additional noise, and outdoor lighting.

Standard #8 – Signage and Lighting

18.105.150 “One monument sign less than six feet in height and 60 square feet measured from the farthest extent of the sign to form a rectangle is allowed per commercial project.”

“One wall sign not to exceed 30 square feet measured from the farthest extent of the sign to form a rectangle is allowed on the wall facing the primary entrance to the commercial project. Except as otherwise provided in this section, every wall sign and painted wall sign in a commercial zone shall comply with the following requirements:

- a. No part of any sign shall extend above the wall upon which it is situated.
- b. No sign, including any light box or structural part, shall project more than 12 inches from the face of the pan of the building to which it is attached.”

The applicant is planning a monument sign and a wall sign for the hotel. Both signs comply with the FCC signage code. Sign lighting may be used but will not face the properties of existing residents. No detrimental effects are anticipated from the planned signs.

18.45.150 “Outdoor lighting shall be designed to prevent exposure of light source to the view of residents.”

18.118 “The applicant in nonresidential zones must also provide a plan on how outdoor lighting will minimize impacts on adjacent properties.”

“All outdoor lighting must be full cut-off directing the light downward. The bulb or lighting source cannot be visible from the property line. Outdoor lighting cannot be directed towards any adjacent neighboring properties.”

Outdoor lighting was evaluated in the commercial development section of this report. The FCC allows up to 213,000 lumens of outdoor lighting for the hotel site. The outdoor lighting planned totals 212,771 lumens. All fixtures will be full cut-off, and lights will be directed downward to reduce impacts on neighboring properties.

The code gives an exception to the requirement to reduce lighting after 11 pm for operations that are open 24 hours, such as a hotel. However, the applicant noted that lighting intensity will be reduced during late hours (11 pm – 7 am).

The applicant’s plan for fencing, a landscape buffer, and reduced lighting intensity during late hours will mitigate the detrimental effects of outdoor lighting.

Standard #9 – Noise or Odors

8.10.0020 “The following sounds are prohibited pursuant to this chapter:

1. A sound measuring 70 decibels or more between the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday, or between the hours of 9:00 a.m. and 10:00 p.m. on Sunday.
2. A sound measuring 55 decibels or more between the hours of 10:00 p.m. and 7:00 a.m. Monday through Saturday, or between the hours of 10:00 p.m. Saturday and 9:00 a.m. on Sunday.”

The Noise Disturbance Study performed by Francis City concludes that the detrimental effects of additional noise can be mitigated with the applicant’s plans for a privacy fence and a landscaped buffer on the adjoining residential property line, restricted daytime delivery hours, low-decibel HVAC units, and the elimination of outdoor amenities, balconies, and opening windows on the rear of the building.

Standard #11 – Property Values and Property Use of Adjoining Owners

The city has no specific evidence of property value changes associated with this project.

A review of literature on the impacts of commercial development on nearby residential is inconclusive.

Residential properties border the project on the west. The site plan has mitigation with fencing and landscaping to reduce noise and lighting impacts and the applicant has agreed to additional conditions, so the impact complies with the city code.

The residential homes are all at least 150 feet from the hotel. This project is facing State Road 32 – which is the largest and most traveled road in Kamas Valley. It is also located in the Commercial zone, which was created to encourage commercial development with access on the main arterial road. It is not unreasonable that development would arrive at this location. Other commercial projects are located near the State Road 32 and Lambert Lane intersection. There are no Commercial or City Center Zones that are not abutting, adjacent, or across the street from residential areas.

This proposed project will not prevent any of the uses currently surrounding the project but will bring increased traffic, noise, and lighting. These anticipated increases can be mitigated with measures taken by the applicant and the conditions proposed by staff. Staff feels all of these items can be mitigated.

Staff Recommendation:

Commercial Development

Trash Storage - Approve the trash storage plan.

Parking - Positively recommend approval of the parking plan.

Site Plan - Positive or negative recommendation. Follow the city engineer's recommendation.

Landscape Plan – Approve the landscape plan.

Architectural Design – Positive or negative recommendation. Discuss whether the applicant has effectively designed an aesthetically pleasing building that complies with the design guidelines.

Outdoor Lighting Plan – Positively recommend the outdoor lighting plan.

Conditional Use Permit

Hotel – Positively recommend approval with the following conditions:

1. 8 ft composite privacy fencing on western boundary.
2. Raised berm and serviceberry tree buffer on western boundary as shown on landscape plan.
3. Deliveries only allowed during daytime hours (9:00 am to 7:00 pm).

4. Installation of low-decibel HVAC equipment.
5. Elimination of outdoor amenities, balconies, and opening windows on the rear of the building.
6. Reduced lighting intensity during late hours (11 pm – 7 am).
7. “No Parking” signage on Lambert Lane.
8. Any additional conditions recommended by City Engineer.

Commissioner Marchant wanted Planner Henneuse to differentiate between allowed uses and conditional uses. Planner Henneuse explained how things worked and how things listed in the code may be conditional uses so the city can impose conditions related to the standard. She gave a couple of examples of things we already have in the City.

The hotel, for example they can impose some conditions to them.

Engineer Kettle said as far as the water and sewer lines on Lambert Lane they were accounted for when they did the 20-year sewer plan. They would like some of the inside roads to be private and they were told that they would still need to meet city standards. He also discussed the trail along the main road and they would like them to install curb and gutter. They did do a traffic study that recommended some turning lanes and improvements on Lambert lane.

Engineer Kettle explained that they need to look at things and see what they want them to do as part of the hotel development. (See attached staff report and see staff recommendations on page 21 and 22).

Commissioner Marchant wanted to know if the water would be treated before it ran into the wetlands, and Engineer Kettle told her yes. She wanted to know how Engineer Kettle explained things to her.

Commissioner Buchanan asked if we knew or was there a plan established for the trail. Engineer Kettle stated in his staff report that Summit County is planning on a trail that runs from Kamas to Francis. The developer will need to work with the city, UDOT and the county to locate the trail in the proposed location, but he had heard it would be on the west side of the road. Commissioner Buchanan wondered about trees or things that may have to be removed when they do the trail.

Planner Henneuse asked the applicant if he would like her to play the video now and she was told yes. She played a video that the applicant supplied. In the video, Wes Harwood reviewed all of the concerns that he has heard. He discussed lighting, and that it will be dark sky lighting. Lighting will be strategically placed. He then discussed the buffering and explained what they were planning on doing. They want something that will fit with the character of Francis. They want to compliment the Francis area. This isn't just about development it's about doing it the right way. It's a vision about what can be.

He then shared the study that was done for the project. (See attached study).

Kevin Henderson then explained that the hotel in Heber Valley (Best Western) is a family-owned company. He explained that all of their hotels are locally owned and specific for the communities that they operate in.

Dave Diehl reviewed their Route 32 project and said that it will be one of the newest projects in the city. He explained what would be going in. He feels this will be a major value for Francis City.

McKinley Fitzgerald explained they will be moving their business here to Francis and he is excited about bringing more jobs here.

Uinta Adventures is excited about this because they have many people ask them where they can stay when in Francis.

Wes Harwood spoke about fire safety and hydrant placement. He is working with the South Summit Fire District, and they are working hand in hand.

Chief Thorell explained in the video a little about what the Fire District did to help in the city. It was then explained what equipment that the district had.

Planner Henneuse asked if there was anything else they needed to add.

Josh Call help present the concept plan a few months ago. He wanted to thank staff for the thorough review that was done. He feels it helps the project to be better in the long run. He wanted to hit a few topics that have already been addressed.

Josh explained they want to be a transparent developer. They believe fully that by listening to the public it helps them have a better development. He explained they are only developing 2 of the 10 acres that they have so they have the land to take with the parking issues they may have. He said they are not going to have there guests parking where they shouldn't be, and there should be no problem with the trail coming in.

He explained on the storm water they are proposing low impact ideas. Every landscape area is depressed. It's a nice way to handle the storm water. They are here to listen, and they feel they have implemented a lot of the concerns people have had.

Engineer Kettle asked about the access on Lambert Lane. He was told they were only doing one access at this point. The second one would be a future build out.

Commissioner Marchant asked how tall the berm was going to be, and she was told three feet. Commissioner Marchant then asked about the sign. She wanted to know if the red coloring could be changed. She was told no.

Chair Ciampi wanted to know about the fence and berm buffer. Will it be the full length of the fence and he was told yes. He then asked about the trees all the way along the boundary.

Commissioner Buchanan said on the 1st page of the packet (See attached packet) they passed out that has the picture it shows the entire fence line on the west side and north side and is that correct? He was told yes. He continued to discuss the property and tree lines along with Chair Ciampi. They both discussed their thoughts on the privacy and wanted to make sure that everyone had the same level of mitigation. Commissioner Buchanan would support that kind of consideration.

Commissioner Lawson felt they could change the orientation of the hotel, so they are not looking into any homes. She was told that they have looked into different orientations and what they have is the best one. She discussed her thoughts with Josh, and he tried to explain why they have done things the way that they have.

Kevin Henderson explained that they build hotels and that's what they do. They have 27 years of experience. He explained the north side versus the south side and how the sun effects things. He feels that they are meeting the requirements for the project. He said they are small town folk, and they are not big developers. He feels that they are trying to be sensitive to the residents behind them. He doesn't feel that changing the hotel is going to make a difference. He explained how Planner Henneuse has helped them with everything. He discussed the height of the fences and trees. They are willing to do reasonable buffering zones. He said that they are looking at reasonably mitigating factors. He gets involved with legal questions and concerns.

John Rudd is Council for Harwood Development. He stated that he has worked with a lot of small cities. He is currently working with Oakley as well. He explained to Commissioner Lawson how the code was interpreted. He said that they have worked closely with Planner Henneuse. He explained that all parking should be below the fence structures. He feels they are mitigating a large amount of noise at the site.

He said what they are looking at for conditional use is reasonably mitigating things. He said he has a great relationship with every single city he has worked with.

Commissioner Marchant wanted to know if they would be open to do the perimeter landscaping of the entire site. Chair Ciampi wanted to follow up with one question. He doesn't want them to plant trees where they will be tearing things down in the future. There was discussion between Commissioner Marchant and Chair Ciampi in what is going to be seen out the windows and he discussed the stair wells, and he doesn't see that there will be people looking out of those at neighbors.

Planner Henneuse explained she is hesitant to require the landscaping on certain sides because they are only applying for this site. If they end up selling off any of the other part of the property then it's up to the new property owner and they shouldn't be required and they shouldn't have to do that now.

Judd explained that the city only wanted landscaping for this part of the development at this time. He doesn't want to be held to a standard outside of what they are applying for at this time.

Commissioner Lawsons concern is that the trailer parking is in front of the fence and people being able to see them. Planner Henneuse again explained that when they are looking at this, they are only looking at the mitigating factors. It was stated that the buffer to block the view is not in the code.

Commissioner Marchant said if they are considering as an individual site, and they are not considering the landscaping for the rest, she would like them to do perimeter trees around the entire property. She would like to see perimeter trees.

Chair Ciampi asked if everything had been discussed and ready to turn over for public comment. He then asked the applicant if they had anything else they wished to add. They did not.

Planner Henneuse asked if they were ready to turn over for public comment.

Chair Ciampi wanted to clarify things with Planner Henneuse. He said this is about the conditional use permit and the conditional use permit is about the impacting of things. The berm, the fence, lighting, no street parking, curbs, and gutters and taking into consideration the upcoming trail. He was told yes. She also stated they had to stick to the code, which is size and location of site, traffic considerations utility capacity, emergency vehicle access and all the items that were brought up on her staff report. The anticipated detrimental effects are the items identified and that's what they should be focused on mitigating.

Chair Ciampi opened the meeting for public comment. He said there would be a limit of two minutes, but what is most beneficial for them is when comments are about mitigating detrimental effects. State your full name and address and in two minutes he will raise his phone up.

Bryan DeVore 1102 Village Dr. had a question on the signage and is it a lit sign. He was told yes. He was told outdoor lighting doesn't apply to signage. Second mitigation on property devaluation sounds like inconclusive so how can we do that? Planner Henneuse explained what the City Attorney had explained to her. He told her there was no evidence of property devaluation.

David Sutherland 1162 Village Drive. He doesn't understand why we are even considering this application when it doesn't meet city code. He feels this project is just not compatible with our codes. He doesn't see why we are considering it. He feels there is extensive grading going on the site that shouldn't be. He thinks the landscaping should be on the entire parcel. On top of that is the berm of three feet and the eight foot fence on top of the fill dirt. The general plan does not incorporate this kind of congruency. He would like the perspective of the residents to be seen with the site of things. He also wanted to know about the type of trees that were going to be used on the west fence line. Last walkability, but for property value he feels there should be a path on Lambert Lane.

Trevor Beck 162 Delany Drive doesn't know what the build out plans are. He feels that there are going to be a lot of trailers and if the rest of the build out doesn't happen he would be parking in the dirt. So, he is just asking for some conditional use on people parking in the dirt, so it's not brought out on Hwy 32.

Planner Henneuse said she and Wes have had that conversations already and there is a code requirement on it. Engineer Kettle said that curb and gutter would help that too. Planner Henneuse said as the code enforcement officer she really appreciates that comment.

Commissioner Marchant asked if our code currently says that 24-hour businesses should not be in operation next to residential areas. Planner Henneuse explained something similar to that and she can find that in her staff report. State law requires objective conditions and objective standards. Chair Ciampi said it needs a legal definition.

Jeff Faulkner 915 Village Drive said they made a great point on the windows looking into homes. He said they are looking in his bathroom window. He said he is also in the wetlands and all the water is running off onto his property. He stated he sent the Grama request to the city and he feels that is a conditional use and could find no documentation on police in place with the city.

Tina Early 2341 Spring Hollow Road. Her concerns are lighting and noise. She wants to know how they are going to maintain things. She feels they are going to have a box with a lot of lights. The whole ambiance of the valley will change. She feels it will be a detriment.

Jim Mathews 554 Ash Court is concerned about the environmental impacts. For one thing anything over an acre needs to have an SWPP done through DEQ and he knows that it hasn't been done. If these guys are going to be responsible they should not be dumping on that lot. The other thing has to do with crime and his dad retired as the chief of police in Heber and there is no doubt this is going to bring a lot of crime. Another thing he worries about is if you can't keep the hotel full then they go to weekly rentals and that needs to be considered.

Bob Wheaton live on Hwy 35 said he would like to comment representing both water companies. He thanked Engineer Kettle for the focus on the water discharge. He feels that one of the conditions should be to go in front of the ditch companies. Also, on the path both water companies have met with the state and county on the path that will go on St. Rd. 32.

Lisa Khajavi 2337 South Spring Hollow. Lisa said two main things for here are going back to the general plan and what is stated to be the core values. She reviewed the water and sewer utilities that be taken to heart and also the economic development and she read from the code. She feels all the comments about water, asphalt, crime, and some of those things she doesn't feel comply with the general plan. Really concerned over clean air, clean water, and a safe neighborhood. She moved here in 2015, and she hopes we stay focused on what is written in the general plan.

Thia Atkinson 1332 So. St. Rd. 32 had a question if there was a study that would show what this would put on our local first responders. She feels it would put a very big strain on the fire department. She explained there are only 4 people on at a time and then volunteers so she is concerned about that. If we are already having to have volunteer fire help on top of the full-time firefighters. She feels that it puts a strain on the fire department, and she asked if there is a study or something that could be done in regard to that.

Audra Devore 1102 Village Dr. stated that they moved to the city because of the vision of the city. She doesn't feel the city is upholding the vision to the code that we have to abide by. In this particular development if we are only going to consider the hotel parcel she thinks the environmental concerns continue to be an issue. She feels there needs to be as much done as they can possibly do to uphold the city code and city vision.

Holly Firth 939 Village Dr. she echo's a lot of the same things her neighbors are saying. She said dealing with the water is a very big thing, it's a huge issue with water coming into her yard and the neighbors yards. She said there is a very large facility located in Kamas across the street, and they are not allowed to put their storm water into the wetlands. She read city code 18.45.150 Buffers, Fences and Walls. She feels that is what Commissioner Marchant has brought that up many, many times. She doesn't feel this is a reasonable distance from her home or her neighbors.

Annie Zitcovich Wild Rose Drive. She thanked the commission for taking the time out of their lives to manage our lives and commerce here. She thanked everyone for being here tonight. She confesses as a 12-year resident she has only been to a meeting a couple of times. She feels there is a metaphorical black

top that has been laid down. She feels this will negatively impact this community. With all do respect Francis is not Evanston Wyoming, and we are not Duchesne, we are not a mid-night stop for Hwy 40. She is from the Midwest were every view is gone. She feels this is a 100-year decision that is being made for them. She has driven through Carmel by the sea and that has stayed with her the last couple of weeks as she thinks about the things going on here. She wants the commission to rise up and protect their values and city codes.

Justin Jones 1185 Village Dr. he stated that his house is three houses down the street on the west of the proposed project. He asked Planner Henneuse what is the rule on the height, and he stated that they have brought in three feet of fill dirt. Planner Henneuse explained how that worked. He is concerned with the wetlands and his understanding is they had a fill permit. Engineer Kettle said they had a report that none of the ground is considered wetlands. He talked about the fencing and landscaping, and the fact that he will see things. He doesn't feel like they see things from his perspective. He thinks they should put this hotel over by Wellers. He asked the audience if they knew anywhere that there were hotels near residential areas. It doesn't belong here.

Audry Matthews 554 Ash Court stated that Best Western in her opinion is not a high-end hotel, nobody else dared say that. She and her husband are originally from Park City and has lived here for 5 years because they wanted the small town feel and they feel like they have been let down. One thing no one has brought up is that leaving the hotel parking, she is a snowmobiler, and she feels that they will be causing a traffic jam when leaving and driving out on Lambert Lane. She wanted to know where all the hundreds of petitions on this project have gone, she wants accountability for that, and why has no one brought that up? They had 400 signatures and why has that not been accounted for. She is concerned with crime. You can't tell her that there won't be crime. She shared that last night her 7-year granddaughter was sexually molested, and you can't tell her that won't happen. If she can save one child from be molested or trafficked by saying this she is glad for saying it. She said you can't tell her there won't be perverts in those windows on those top floors. She also feels that the light noise will affect the neighbors.

Delores Atkinson Mansell 1332 So. St. Rd. 32. She is a lifelong resident of Francis, she was born and raised here, and it breaks her heart to see that we are trying to turn into a city when it should be a rural community. She doesn't know that we need two hotels or even one. She is concerned about the traffic on 32. She is concerned about water; they can only water certain days and times and sometimes they run out of water. She doesn't feel that the sewer is big enough to take care of all of this. She wants this to remain a rural valley to live in.

Riley Atkinson 1332 St. Rd. 32. He shared that it was his aunt that just spoke and that she has been a lifelong resident as well as his family has been lifelong residents here and he is fortunate to be able to afford to live here. He is going to ask for a perspective around their homes and backyards. He is thankful to his wife for the concern for him and for medical services because we just don't have enough.

Denise Walls re visited coming back after 8 years. She explained her history. She was frustrated with High Star and that it took so long back then, and they needed the businesses. Now she thinks there is plenty, and we are getting over run with everything. She wants to state that its' ok to say no to this stuff. She really believes that it would be really nice if the area could remain the way it is. We don't need to let them come in and ram rod us with city stuff. Chair Ciampi stated that it is not what they are doing but go

on. She feels Kamas has a nice event center and we don't really need the hotel. She agrees with Delores Mansell's comments.

Chair Ciampi closed the public comment period.

Commissioner Buchanan asked if they were discussing individually and then each voting.

Chair Ciampi explained to the Commissioners that if the current city code doesn't meet the requirements then we have to meet state code. He said if their emotions and feelings come into this it doesn't matter your obligated by law to meet the city and state codes. He has been very clear that he does not want four stories, it's always going to be an argument, but they have to meet the reasonable standards. This body only makes recommendations to the elected officials. Planning Commission will only approve where the trash and the trees go. He genuinely appreciates the residents being here, but their hands are tied, and he encourages them to attend the City Council meetings, but if they meet the law then we have to follow the law.

Commissioner Marchant said there is a portion of the state law that discusses this, and she wanted to know if they had looked at that. Engineer Kettle explained that the City Attorney stated that this was allowable. He explained that this project was supposed to have the commercial development before any homes were allowed in the very beginning. Commissioner Lawson wanted to table it. Commissioner Marchant asked Planner Henneuse to read what the attorney had said again. Commissioner Marchant wants to know what the wording is again.

Planner Henneuse explained again to Commissioner Lawson what could be allowed in certain zones. And she explained what needed motions.

Commissioner Buchanan asked how the voting would go. Would it be each individually or how where they going to approach it? Planner Henneuse explained her thoughts on it. When we get to the motions lets do one by one. Trash and landscape are approve or deny and the rest of them are recommendations.

Chair Ciampi asked if everyone was good with doing things one at a time before he makes the motion. Commissioner Marchant asked where in the staff report it discussed the 24-hour issue. She explained the only thing she could find in code.

Planner Henneuse explained there are other parts of the code where there are issues not complying with our own new subdivision requirements and state law requirements in places. That is why we are working on the update.

Commissioner Lawson feels that they need to vote on city code and the changes before they can vote on the state law. Chair Ciampi explained that if city code does not meet state code then we have to follow the state code. So, you can't say that just because city code doesn't meet state code that we put everything on hold. If city code doesn't meet state code, then city code defaults to state code.

Commissioner Lawson said that's our code. Chair Ciampi tried explaining it again. If our city code does not meet the state requirements then we have to follow the state law. She said she doesn't see that. Chair Ciampi said "I know, and he tried to explain it again".

Commissioner Lawson then asked about the petition and why haven't we seen the petition. Planner Henneuse explained that she had not seen the petition and asked Recorder Gillett if she had seen one and she replied that no she hasn't see one and all that she has heard is someone at the podium say they had a petition with 400 signatures.

Commissioner Marchant stated that if a private land owner wants to do something on their private property and they meet code then we are obligated to approve that even if the public expresses disapproval. Planner Henneuse told Commissioner Marchant that was true. She explained that when they are looking at conditional uses we can't consider public clamor, which is a state law. We have to consider the evidence and how we're mitigating the detrimental effects if those can be mitigated then you have to approve the conditional use, that's the state law.

Chair Ciampi expressed that is the tricky part when you sitting on the Planning Commission or City Council. Planner Henneuse completely agreed. She then explained the type of decisions in city government. Legislative where we are making code and setting city policy. We are changing the zoning with annexations, those are all legislative decisions. This is an administrative decision and that means we have to follow the code, and we don't get to choose whether we like the policy or not, we are looking at the city code and state law.

Chair Ciampi again explained that by law they have to follow the codes whether they agree or not. He does not like the four-story hotel either. He feels the chicken and the egg argument comes into play. He explained his thoughts on all of it. He said he wants to hear reasonable solutions that meet the standards. He understand the emotions to the issues and there hands are tied. If they meet the requirements in the law it doesn't matter if the Mayor or the City Council don't like it, it is the law.

Commissioner Marchant again asked about state law again and there was nothing else to stop this.

Engineer Kettle explained that the commercial property development was supposed to happen first before the residences happened, but they had to come up with a plan with gas stations, but it had a lot of the same things proposed like this next to the residential houses. It was again stated that the commercial was supposed to come before the residential, so this subdivision was planned as having commercial next to the residential and I think that's why some of the houses in the wetlands kind of made it so that the houses were further sway from the commercial. But when this development came to the city is the city wanted the commercial development not the residential, but they got the residential with the commercial coming later.

Commissioner Lawson said well we have commercial all throughout our residential already, but we don't have 24 hours a day 7 days a week 365 days a year commercial next to residential. Engineer Kettle said well I don't disagree with that. Commissioner Lawson then said well maybe we need to just table this. Engineer Kettle explained that we are following what the city attorney has told them to do.

Commissioner Marchant asked Planner Henneuse to review once again what the 24-hour rule was that she read in her staff report. Commissioner Marchant then stated asked there is no law that supersedes that section of our code. She was told that it is the state code, Planner Henneuse has already responded there is no city code. Planner Henneuse didn't want to get to far down the rabbit hole and feels that the city needs to follow the city attorney's recommendation.

Commissioner Marchant wanted to know what code would supersede this. It was explained again to her that you have to have objective standards.

Commissioner Lawson wanted to know if the developer has signed an agreement with the city and what they are doing. She was told no. Planner Henneuse tried explaining things again. Chair Ciampi tried to rein things in. Planner Henneuse explained some of the items in the code. She gave some examples of what have gone on. Hotels are a conditional use in the code.

Chair Ciampi tried reining things in again. He wants things done in an orderly fashion.

Trash Storage: Chair Ciampi is good with the trash storage and asked who else was in the same vote. Commissioner Buchanan was good with the trash.

Commissioner Buchanan made a motion to accept the trash storage element of the commercial development plan as indicated here. Chair Ciampi seconded the motion. Chair Ciampi and Commissioners Buchanan and Marchant voted in favor. Commissioner Lawson voted against. Motion passed 3-1.

Parking: Chair Ciampi feels that this meets the criteria, and he doesn't see anything that shows it doesn't meet the criteria. Commissioner Buchanan feels this goes above and beyond the criteria and accounts for future growth. Commissioners Lawson and Marchant said they were both good

Commissioner Buchanan motions to accept the parking element of the commercial development plan with a positive recommendation and approval of parking plan as indicated in this document. Chair Ciampi seconded the motion. Chair Ciampi and Commissioners Buchanan and Marchant voted aye. Commissioner Lawson voted nay. Motion passed 3-1.

Site Plan

Chair Ciampi asked Engineer Kettle if they were certain that they met all the recommendations. Engineer Kettle reviewed all of his conditions. (See attached staff report also see below conditions) There was a brief discussion amongst Commissioners and City Engineer.

Engineer recommendations:

The proposed site plan is only for the Hotel, but the project anticipates subdividing in the future adding more commercial uses. It is our recommendation that the development install curb and gutter and sidewalk along the private roads. This will allow for pedestrian access throughout the development as it happens.

Summit County is planning on a trail that runs from Kamas to Francis. The developer will need to work with the city, UDOT and the county to locate the trail in the proposed location.

General Comments

- Correct redline comments.
- Need Irrigation company approval
- UDOT approval for access onto State Road 32

Water

- The development will tie into the water lines in Lambert Lane and the stub from the Village East development.
- Install fire hydrants as directed by the South Summit Fire District.
- The developer will need to turn in the required water shares to accommodate this proposed commercial development.

Sewer

- The development will connect to sewer main in Lambert Lane.

Roads

- The development will be accessed from Lambert Lane and State Route 32.
- The developer is proposing to have private roads. The private roads will be constructed to meet City Construction Standards.
- Install curb and gutter and sidewalk along private roads.
- Work with UDOT to determine if curb and gutter along State Route 32 is required.
- The developer has performed a traffic study to determine the impacts from the development. The traffic study suggested that improvements be made to both Lambert Lane and State Route 32. The proposed improvements are based on the hotel and future development. The city along with UDOT need to determine which improvements need to be constructed now and in the future.

Storm Drain

- The storm water system will be a private system maintained and operated by the development.
- The developer has proposed to detain the storm water onsite. The development will release storm water at a rate equal to the historical rate.
- The developer will need to get permission from Beaver Shingle Creek Irrigation Company to discharge into the ditch system.
- Submit geotechnical report that has infiltration rates for fill material that will be used in the construction of the storm water system.

See Scotts recommendation list.

Chair Ciampi motioned a positive recommendation to City Council with the caveat that all issues on Engineer Kettle's staff report and Planner Henneuse's recommendations are met. Commissioner Buchanan seconded the motion. Chair Ciampi and Commissioners Buchanan and Marchant voted aye, and Commissioner Lawson voted nay. Motion passed 3-1.

Landscape Plan

Chair Ciampi asked Planner Henneuse about the plan and how she felt. She said she felt that they stick with the plan, and it does meet all of the requirements.

Commissioner Marchant said overall utility and drainage plan listed a bio swell, but in the landscaping plan it does not. Engineer Kettle explained it to her. She said then it wasn't vegetated. There was a brief discussion. Commissioner Marchant said she would propose the vegetative area and does not have gravel. There was also some discussion on the trees.

Chair Ciampi motioned that they approve the landscaping plan with the following changes being made that the vegetative bio swell on the West property line be included, and that the West berm trees be changed from Service Berry to Evergreen. Commissioner Buchanan seconded. Chair Ciampi and Commissioners Buchanan and Marchant voted in favor. Commissioner Lawson voted against Motion passed 3-1.

Architectural Design

Commissioner Buchanan said it is a great design and looks very nice. He feels it complies with the code.

Commissioner Lawson said it looks so much better than the one last month, and she doesn't like the red sign.

Commissioner Ciampi believes it meets the code as written.

Commissioner Marchant said it is obvious they took so much comment from last time. She feels what really makes this building different is it's not a commercial building with a flat roof. She feels it is a distinguishing feature. She would like to see more taken from the design style inspiration. She doesn't want to see things like in fast growth city.

Commissioner Buchanan motioned that they provide a positive recommendation for the architectural design elements. Commissioner Ciampi seconded the motion. Chair Ciampi and Commissioner Buchanan and Marchant voted in favor. Commissioner Lawson voted against. Motion passed 3-1.

Outdoor lighting plan.

Commissioner Buchanan made a motion that they positively recommend the outdoor lighting plan. Chair Ciampi seconded the motion. Chair Ciampi and Commissioners Buchanan and Marchant voted in favor, Commissioner Marchant stated that it complies with city code, and it is their private property. Commissioner Lawson voted against. Motion passed 3-1.

Commissioner March

3. Discussion, Updates and Approval on Potential Action Items

1. Francis Highlands Commerce Center Hotel Commercial Development (Parcel)---Planner Henneuse shared her staff report again and showed on the screen the conditions that she had.

Conditional Use Permit on Hotel

Councilmember Lawson wanted to know how many parking signs will be on Lambert Lane. Engineer Kettle said there is a standard they will have to follow.

Councilmember Marchant gave her thoughts on each item on the list. She thinks trees need to be on the northern boundary as well still. Chair Ciampi feels the windows exposed to the north and south end don't show in homes. Commissioner Marchant explained her thoughts on that. Chair Ciampi explained his thoughts on that as well. There was discussion amongst the Planning Commissioners.

Judd said he needed to know the mitigating factors. He tried to explained what needed to be done. She was told it had to meet one of the standards. Commissioner Marchant tried to explain her thoughts. She said size and location.

Chair Ciampi said they can all disagree, but they have to have a legal argument. Commissioner Marchant said they make a reasonable recommendation and then it goes to Council.

Chair Ciampi clarified that the evergreen tree buffer, he feels is still a stretch. He thinks they can make what ever recommendations they want.

Commissioner Marchant thinks this will end up in a tie vote. She doesn't feel the way the City Attorney has interpreted things is correct. She explained why she feels the word is objective, she feels there will be disruption of privacy. Planner Henneuse explained how things worked to her again.

Planner Henneuse reminded them again that they need to have objective standards.

Commissioner Buchanan said that it is not directly referenced and not in the purview.

Planner Henneuse explained that we can move this forward with a tie vote and a neutral recommendation.

Commissioner Lawson said she would move to a negative recommendation. Chair Ciampi had to rein things in again. Commissioner Lawson said we are ready to vote so let's go home. Recorder Gillett said your chair hasn't even asked for a motion. Commissioner Lawson said she thought he had.

Chair Ciampi explained so here's the thing, you're about to make the same mistake that I made last time that made everything really hard. It's going to go as a neutral recommendation. So, I don't want to make a negative one and a positive one right after.

Commissioner Marchant said we can do both we can just move that it's forwarded to the City Council with these recommendations and the Planning Commission will just split their vote.

Chair Ciampi asked Commissioner Lawson if she wanted to make the motion or does she want him to do it. She said go ahead and he said, "I don't want to steal it if you were going to do it". Commissioner Lawson said no she was going to make a negative motion. She said she is always going to vote what the people want; and again, reiterated that I'm always going to vote what the people want..

Commissioner Buchanan said that the term should be subdivision boundary. We need to be specific on the site plan and the subdivision.

Chair Ciampi motioned for a neutral recommendation to move forward to the City Council with the recommendations as written by staff. Commissioner Buchanan seconded the motion. Chair Ciampi and Commissioners Buchanan, Marchant and Lawson all voted in favor for a neutral recommendation. Motion passed unanimously.

Commissioner Marchant said this isn't reflection on them it's a reflection of the code and she appreciates all that they have done. She also appreciates all of those that have been in attendance. Commissioner Lawson said she really hopes they come next month because they really need to be in front of the City Council they need to hear what they have to say. She will always vote what the people want. She is always a no-person, but she will always vote for the people.

Commissioner Marchant stated she is just following the law.

Chair Ciampi stated that yeah he is with Commissioner Marchant he is just following his interpretation of the law.

The Planning Commission finished the vote that started above, because they did not finish in the beginning like they should have with the second before all the discussion..

4. Elect Chair and Vice Chair---*Commissioner Lawson motioned to leave Chair Ciampi in as Chair. and Vice Chair Christiansen in as Vice Chair. Commissioner Marchant seconded. Chair Ciampi and Commissioners Buchanan, Lawson and Marchant all voted in favor; motion passed unanimously.*

5. Approval of Minutes---*Chair Ciampi motioned to approve the minutes of January 16th, 2025. Commissioner Marchant seconded the motion. All voted in favor. Motioned passed.*

6. Staff Update---Planner Henneuse welcomed Raelyn Olsen. Commissioner Marchant asked where she lived, and she said in Francis. She explained that last meeting Commissioner Christianson recommended a moratorium. She explained that she had spoken with the City Council and City Attorney and the Council has given her direction to move forward with a pending ordinance instead. She explained what codes they would be working on.

She then explained that the other hotel was supposed to be on the agenda this meeting, but we already had too much going on. Planner Henneuse asked what day would work for a second meeting. Wednesday the 5th worked for all in attendance. Planning Commission will meet Wednesday March 5th.

Last thing she explained that in the last meeting City Council meeting there was an Ordinance going from three to four stories and Council had a tie vote, so they are waiting for a full quorum to vote again.

7. Adjourn---*Commissioner Buchanan motioned to adjourn. All seconded. Motion passed, meeting adjourned.*