



## **Staff Report**

**To:** Francis City Planning Commission

**From:** Katie Henneuse

**Report Date:** August 13, 2022

**Meeting Date:** August 18, 2022

**Title:** Short-Term Rental

**Type of Item:** Conditional Use Permit

### **Executive Summary:**

Dave Sobieski, the owner of 557 Aspen Road, applied for a short-term rental conditional use permit. He wants to rent out two or three bedrooms in the basement of his home on a short-term basis (less than 30 days, typically a vacation rental). 557 Aspen Road is his primary residence. Mr. Sobieski submitted a description and parking plan with his application.

The Francis City Council began regulating short-term rentals in 2021 with the approval of Ordinance 2021-19. The purpose of the ordinance is to establish a process for permitting short-term rentals 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.

Short-term rental use is 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 provided in code.

Per Utah law, “Conditional uses must be approved if reasonable conditions are imposed, or can be imposed, to mitigate the potential negatives involved. Conditions must relate to applicable standards in the ordinance. A conditional use may not be denied unless it is shown with documented findings of fact and conclusions of law that “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.” [*Ground Rules*, pg. 82]

### **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 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.

The responsible party is Mr. Sobieski, owner, and primary occupant of 557 Aspen Road.

By applying for the conditional use permit, Mr. Sobieski is agreeing to ensure these regulations, as well as the Maintenance Standards (18.115.220 (5)) and all other code regulations pertaining to short-term rentals are met.

Per 18.115.220 (10), "On-street parking related to the short-term rental is prohibited...Parking of vehicles shall be entirely within a garage or carport, or upon a driveway or other gravel or paved surface."

Mr. Sobieski provided a site plan showing that his primary driveway (170' x 35') is paved and has enough space to provide parking for short-term rental use. Per city code, a parking space is not less than 9' x 20'. The driveway at 557 Aspen Road has enough parking for up to 24 vehicles.

If approved, this conditional use permit and the associated business license may be revoked if complaints are received by the City and, after investigation, code 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 reasonable conditions to mitigate any adverse effects on neighbors and the surrounding community.

#### **Community Review:**

A public hearing is required for this item. Adequate notice of the public hearing was given.

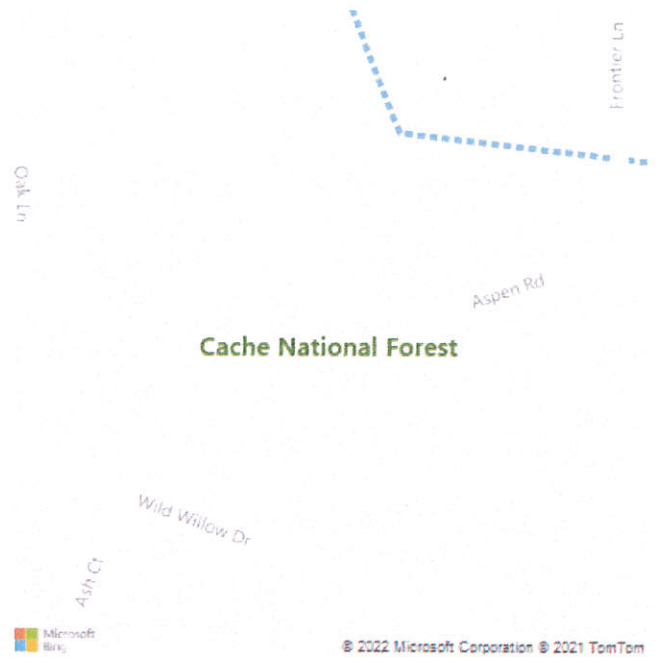
### General Description of Project:

#### Short Term Rental:

This is my primary Resident. I want to rent out two or three bedrooms in the basement of my home. Parking will be provided by the primary driveway, approximately 170' by 35', the renters will park in front of the toy barn. And will access the basement off the rear deck area.

No changes in the design of the home are planned for the conditional use.

Notes





### **Staff Report**

**To:** Francis City Planning Commission

**From:** Katie Henneuse

**Report Date:** August 13, 2022

**Meeting Date:** August 18, 2022

**Title:** 17.25.150 – Road Grade

**Type of Item:** Code Text Amendment

#### **Executive Summary:**

On July 14<sup>th</sup>, the City Council directed staff to prepare a code text amendment to change the maximum road grade. New development on the hillsides has caused the city to reconsider its maximum allowable road grade. Road grades of eight percent are typical in hillside communities.

#### **Staff Recommendation:**

Review the amended code, suggest changes if needed, and send a recommendation to the City Council.

#### **Community Review:**

A public hearing is required for this item. Adequate notice of the public hearing was given.

## Exhibit A Ordinance 2022-08

### Chapter 17.25.150 LOT IMPROVEMENT AND ARRANGEMENT, General Design Standards

#### 17.25.150 General design standards.

In order to provide for roads in suitable locations, with proper width, and improvements to accommodate prospective traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation, and road maintenance equipment, and to coordinate roads to compose a convenient system and avoid undue hardships to adjoining properties, the design standards for roads are hereby required to be in compliance with the Francis design standards, construction specifications, and standard drawings, and the streets master plan, as adopted, or determined by the City Engineer, or City Council.

Street grades may not exceed ~~five-eight~~ percent. Under special circumstances street grades up to twelve percent may be ~~unless~~ approved by the City Engineer. The City Engineer shall approve grades more than ~~five-eight~~ percent only when conditions are present which warrant that safety and economy of road maintenance can be secured.

Street widths for collector streets shall conform to the width requirement on the major street plan when a development falls in an area for which a major street plan has been adopted. For areas where a street plan has not been completed at the time the preliminary plan is submitted, streets shall be provided as follows:

1. The minimum street width for a local street shall be 30 feet and the minimum street right-of-way shall be 60 feet. Private streets shall meet the same standards.
2. The minimum street width for a collector street shall be 44 feet and the minimum street right-of-way shall be 70 feet. Private streets shall meet the same standards.
3. Cul-de-sacs shall have a maximum length as described in Division II of FCC Title 18 and in the adopted construction specifications.



## **Staff Report**

**To:** Francis City Planning Commission

**From:** Katie Henneuse

**Report Date:** August 13, 2022

**Meeting Date:** August 18, 2022

**Title:** Town Center Mixed-Use Development

**Type of Item:** Commercial Site Plan and Architectural Review

### **Executive Summary**

Russ Witt submitted revised plans for a mixed-use development on parcels FT-92 and FT-99, located on the southeast corner of the SR 32 and SR 35 intersection. They are zoned City Center and are 2.48 acres combined. The City Council reviewed two concept plans for this development in March 2022 and approved a plan with on-street parking on Spring Hollow Road. The City Council asked the applicant to revise the architectural plans to fit the mountain-frontier look they want in the City Center.

### **Analysis**

#### **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.”

An enclosed dumpster is shown on the site plan off the parking lot in the southwest corner of the lot. The dumpster will be hidden from public and residential view by a dumpster enclosure. The trash storage area meets code.

#### **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.”

“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.
- d. Street trees with a minimum two-inch caliper shall be installed along all public rights-of-way by the developer of the property. The species, type, location, and spacing of trees shall be as shown on the approved landscape plan.”

“Trees shall be planted at the rate of at least one tree per 20 feet along the public street. The applicant shall provide appropriate guarantees on the trees, or they shall have no less than a two-inch caliper. No trees shall be planted within 45 feet of an intersection clear view area. Trees may be planted in clusters to create a more natural and/or screening effect, if appropriate.”

The applicant’s landscape plan shows a mix of 57 medium-sized trees along with 39 shrubs. Eight evergreen species are planned with heights ranging from 8 to 10 ft. The 49 deciduous trees planned will all have a 2” caliper. Crushed rock is planned as the predominant ground cover while Kentucky bluegrass is planned along the road frontage. Two trees are planned along Spring Hollow (330 ft) and three trees are planned along SR 32 (360 ft). The landscape plans include irrigation plans.

The landscape plan does not meet two aspects of code:

1. A 50/50 mix of deciduous and evergreen species (8 evergreen and 49 deciduous trees planned).
2. Street trees are not planted at a rate of at least one tree per 20 feet. The applicant may have not wanted to create a natural barrier in front of street-facing store fronts.

#### Site Plan – 18.45.120 and 18.57.060

“A site plan with grading, drainage, and clearing plans must be approved by the Planning Commission and City Council before any such activities may begin. Lot grading shall be kept to a minimum. Where possible, roads and development shall be designed for preservation of natural grade.”

“The maximum building coverage shall be 55 percent of the lot area.”

The development is 2.48 acres, and the building footprint is 23,710 sq ft. The building coverage is about 22% of the lot area. The lot is relatively flat and does not require significant grading. The City Engineer can recommend whether the site plan meets code.

#### Architectural Design – 18.57.060 and 18.57.070

“Proposed developments shall undergo an architectural review by the Planning Commission and City Council. The review will determine if the developer has effectively incorporated a mountain aesthetic

with neutral colors that is in harmony with the surrounding landscape and structures. Structures are limited to three stories.”

The Planning Commission should discuss whether the architectural renderings meet the intent of Code. The building is limited to three stories and 40 ft.

Section 18.57.070 regulates residential mixed-use development in the CC Zone. The maximum allowed density is eight units per acre, or up to 12 units with deed-restricted housing incorporated. Per code, up to 19 units are allowed without deed restrictions for these 2.48-acre parcels. 29 units are allowed if deed-restricted housing is incorporated. 21 units are planned (14 2-bedroom and 7 3-bedroom units). The number of planned dwelling units is allowed if two units are designated as deed restricted.

#### Parking Areas – 18.57.050 and 18.100

“Parking shall not occur adjacent to any public street except when:

1. It has been established that such a location is needed or justified by other site conditions or building entrance orientation.
2. The use is restricted to visitors, key employees, or residents.”

The City Council previously approved a concept plan with on-street parking in this location.

The applicant is planning a 25% reduction in the number of retail spaces required for reciprocal uses. Per 18.100.070, “Up to 25 percent of nonresidential parking facilities required by this chapter for a use considered to be primarily a daytime use may be provided by the parking facilities for a use considered to be primarily a nighttime use. Such reciprocal parking areas shall be contiguous, and the joint use of such facilities must be assured by covenant of the owner(s) of said properties and recorded in the Summit County Recorder’s office. The Planning Commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities under the conditions specified herein.”

Retail parking can be reduced by up to 25 percent if reciprocal parking is planned. The city will evaluate the number of available parking spaces and the reciprocal agreements at the time of issuing business licenses. If the number of required spaces for a business is not available, a business license will not be issued.

The city has informally discussed a shared parking agreement between this development and the new city building. The developer is seeking a shared parking agreement with the city for 17 parking stalls. The site plan should be revised to show a road or driveway connecting this development with the shared parking.

The minimum number of parking spaces are set by the Off-Street Parking code (18.100). Four spaces per 1,000 square feet are required for retail space. Three spaces are required per 2 or 3 bedroom dwelling unit. Per code, 141 spaces are required for this plan (78 for 19,500 sq ft of retail and 63 for 21 residential dwellings). The number of retail spaces can be reduced to 59 since reciprocal parking is planned. This reduces the total number of required spaces to 122. The developer is planning 105 spaces as shown on the site plan and an additional 17 shared spaces with the city.

**Staff Recommendation:**

Review the plans and address any questions or concerns with the applicant. The following actions are recommended:

Trash Storage – Approve

Landscape Plan – Discuss code discrepancies. The 50/50 mix of deciduous and evergreen species is a recommendation, not a requirement. Street trees are required at a rate of one every 20', but are there circumstances in this case that may allow for a variance? Can trees be clustered in certain areas along the street? If the code discrepancies can be overcome, approve the landscape plan.

Site Plan – Follow City Engineer's recommendation. Make a recommendation and forward to the City Council for approval or denial.

Architectural Design – Discuss whether the renderings meet the intent of code. Make a recommendation and forward to the City Council for approval or denial.

Parking – Discuss reciprocal and shared parking. Make a recommendation and forward to the City Council for approval or denial. If the recommendation is to approve, condition approval on revising the site plan to show a road or driveway connecting this development with the shared parking.

**Community Review:**

A public hearing is not required for this item. Neighbors of this project should be consulted to get their views and concerns.

# FRANCIS TOWN CENTER

## UNIT USE ELEMENT



|      |                      |      |             |  |                                                                |  |                                                  |  |
|------|----------------------|------|-------------|--|----------------------------------------------------------------|--|--------------------------------------------------|--|
| DATE | Revision Description | MARK | SHEET NAME: |  | PROJECT TITLE:<br><b>FRANCIS TOWN CENTER<br/>FRANCIS, UTAH</b> |  | DATE<br><b>7/18/2022</b>                         |  |
|      |                      |      |             |  |                                                                |  | DRAWN BY<br><b>MARK STEVENSON</b>                |  |
|      |                      |      |             |  |                                                                |  | SCALE<br>1/4" = 1'-0" UNLESS OTHERWISE SPECIFIED |  |
|      |                      |      |             |  |                                                                |  | CHECKED BY<br><b>TERRY JUDD</b>                  |  |

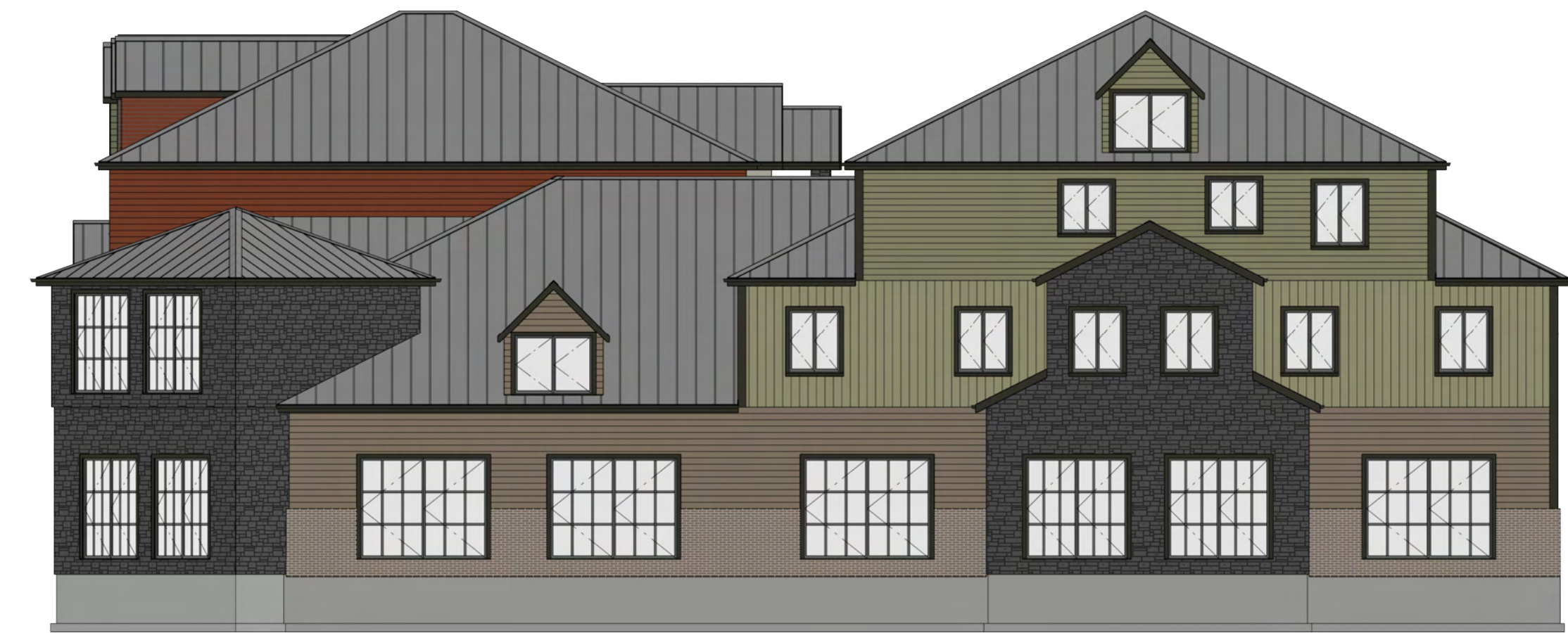


NORTH ELEVATION

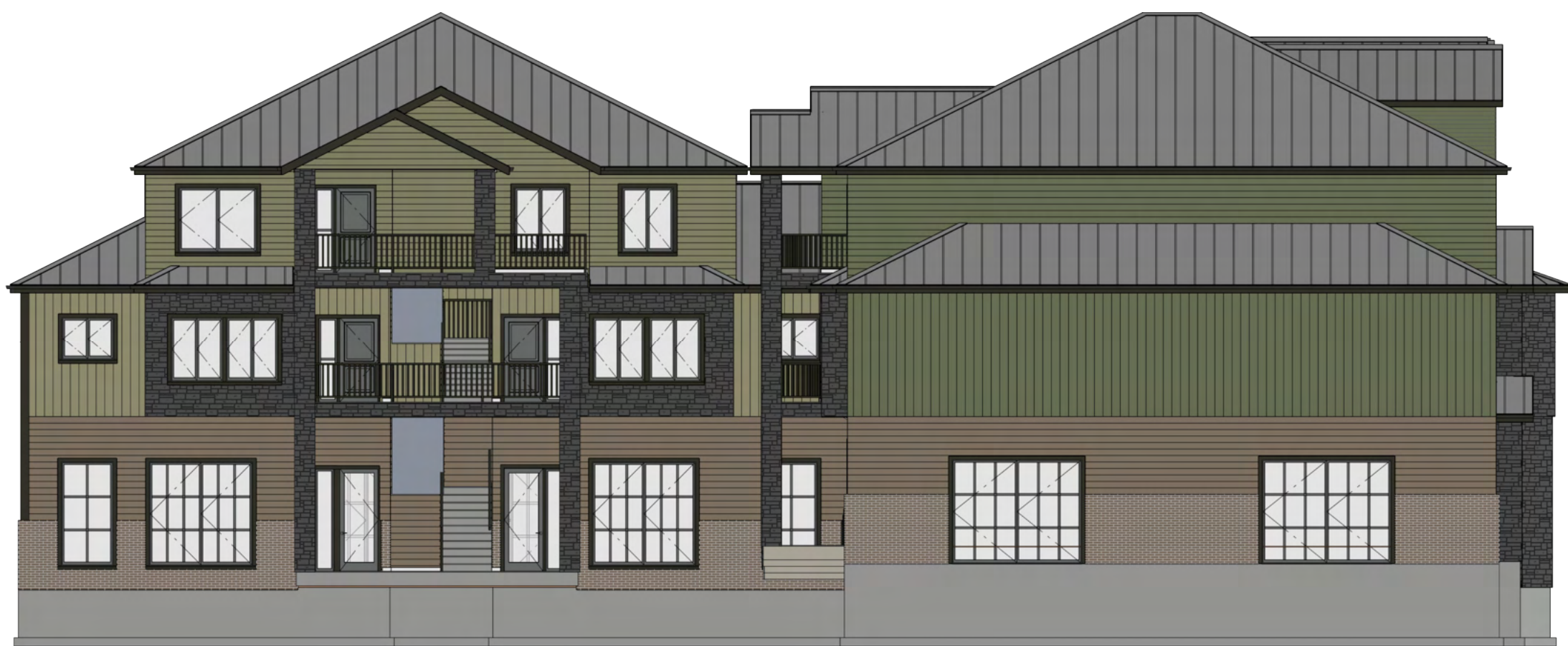


SOUTH ELEVATION

| ELEVATION/SECTION KEY NOTES                                 |  |
|-------------------------------------------------------------|--|
| DESCRIPTION                                                 |  |
| 1 FINISH GRADING                                            |  |
| 2 FOOTINGS                                                  |  |
| 3 FOUNDATION WALL                                           |  |
| 4 GARAGE FLOOR                                              |  |
| 5 SLAB ON GRADE                                             |  |
| 6 PATIO                                                     |  |
| 7 SILL PLATE                                                |  |
| 8 INTERIOR WALLS ( SEE KEYNOTE 8/A03                        |  |
| 9 NOT USED                                                  |  |
| 10 FLOOR SYSTEM (SEE KEYNOTE 10/A03                         |  |
| 11 EXTERIOR WALL SYSTEM ( SEE KEYNOTE 11A-11C/A03)          |  |
| 12 EXTERIOR STONE VENEER (SEE KEYNOTE 12/A03)               |  |
| 13 ROOFING (SEE KEYNOTE 13A-13C/A03)                        |  |
| 14 EXPOSED FLASHING (SEE KEYNOTE 14/A03)                    |  |
| 15 EAVE FASCIA AND SOFFIT ( SEE KEYNOTE 15/A02)             |  |
| 16 ENCLOSED ATTICS (SEE KEYNOTE 16 A03)                     |  |
| 17 NOT USED                                                 |  |
| 18 STAIR CONSTRUCTION ( SEE KEYNOTE 18 A03                  |  |
| 19 FIREPLACES ( SEE KEYNOTES 19/A03)                        |  |
| 20 WINDOWS ( SEE KEYNOTES 20/A03)                           |  |
| 21 INSULATION SYSTEMS ( SEE KEYNOTE 21/A03)                 |  |
| 22 SOUND INSULATION (SEE KEYNOTE 22/A03)                    |  |
| 23 CRAWL SPACE ( SEE KEYNOTE 23/A03)                        |  |
| 24 GYPSUM BOARD ( SEE KEYNOTE 24/A03)                       |  |
| 25 GYPSUM BOARD ( SEE KEYNOTE 25/A03)                       |  |
| 26 GYPSUM BAORD IN ALL WET LOCATIONS (SEE KEYNOTE 26/A03)   |  |
| 27 BATHTUB AND SHOWER FLOORS AND WALLS (SEE KEYNOTE 27/A03) |  |
| 28 PAINT SCHEDULE FINISH COLOR ETC (SEE KEYNOTE 28/A03)     |  |
| 29 GAURD RAILS ( SEE KEYNOTE 29/A03)                        |  |
| 30 SIDEWALK                                                 |  |
| 31 3 1/2" CONCRETE SLAB                                     |  |
| 32 RETAINING WALL                                           |  |



WEST ELEVATION VIEW

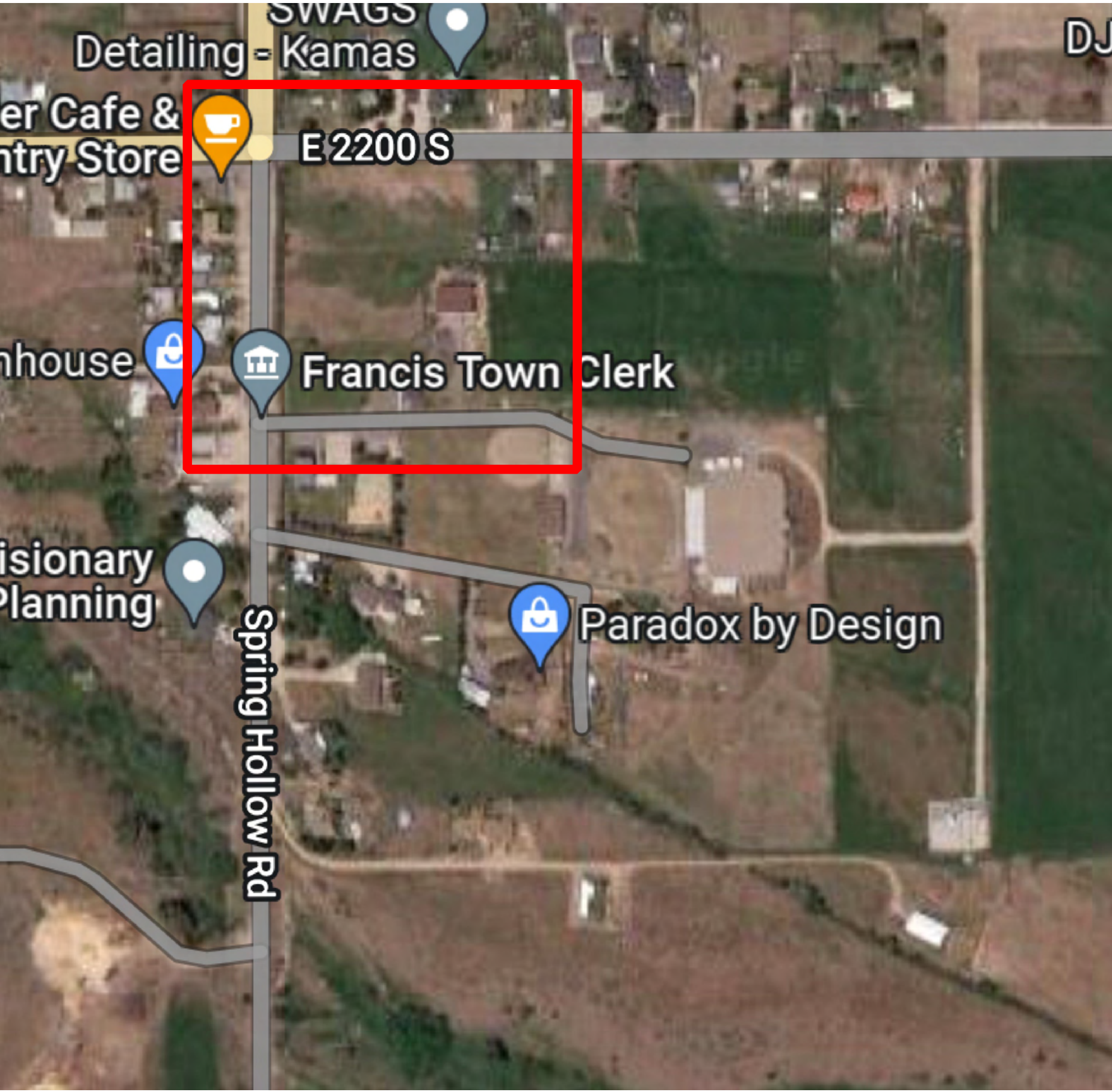


EAST ELEVATION VIEW

ELEVATION/SECTION KEY NOTES

| DESCRIPTION                                                  |
|--------------------------------------------------------------|
| 1- FINISH GRADING                                            |
| 2- FOOTINGS                                                  |
| 3- FOUNDATION WALL                                           |
| 4- GARAGE FLOOR                                              |
| 5- SLAB ON GRADE                                             |
| 6- PATIO                                                     |
| 7- SILL PLATE                                                |
| 8- INTERIOR WALLS ( SEE KEYNOTE 8/A03                        |
| 9- NOT USED                                                  |
| 10- FLOOR SYSTEM (SEE KEYNOTE 10/A03                         |
| 11- EXTERIOR WALL SYSTEM ( SEE KEYNOTE 11A-11C/A03)          |
| 12- EXTERIOR STONE VENEER (SEE KEYNOTE 12/A03)               |
| 13- ROOFING (SEE KEYNOTE 13A-13C/A03)                        |
| 14- EXPOSED FLASHING (SEE KEYNOTE 14/A03)                    |
| 15- EAVE FASCIA AND SOFFIT ( SEE KEYNOTE 15/A02)             |
| 16- ENCLOSED ATTICS (SEE KEYNOTE 16 A03)                     |
| 17- NOT USED                                                 |
| 18- STAIR CONSTRUCTION ( SEE KEYNOTE 18 A03                  |
| 19- FIREPLACES ( SEE KEYNOTES 19/A03)                        |
| 20- WINDOWS ( SEE KEYNOTES 20/A03)                           |
| 21- INSULATION SYSTEMS ( SEE KEYNOTE 21/A03)                 |
| 22- SOUND INSULATION (SEE KEYNOTE 22/A03)                    |
| 23- CRAWL SPACE ( SEE KEYNOTE 23/A03)                        |
| 24- GYPSUM BOARD ( SEE KEYNOTE 24/A03)                       |
| 25- GYPSUM BOARD ( SEE KEYNOTE 25/A03)                       |
| 26- GYPSUM BAORD IN ALL WET LOCATIONS (SEE KEYNOTE 26/A03)   |
| 27- BATHTUB AND SHOWER FLOORS AND WALLS (SEE KEYNOTE 27/A03) |
| 28- PAINT SCHEDULE FINISH COLOR ETC (SEE KEYNOTE 28/A03)     |
| 29- GAURD RAILS ( SEE KEYNOTE 29/A03)                        |
| 30- SIDEWALK                                                 |
| 31- 3 1/2" CONCRETE SLAB                                     |
| 32- RETAINING WALL                                           |





# FRANCIS TOWN CENTER

## UNIT USE ENT



### CODE INFORMATION

MAIN FLOOR TYPE "B" OCCUPANCIES  
2ND FLOOR TYPE "R2" OCCUPANCIES  
3RD FLOOR TYPE "R2" OCCUPANCIES

BUILDING IS SPRINKLED

TYPE OF CONSTRUCTION: VB (IBC CHAPTER 5)

MOST RESTRICTIVE USE: TYPE B (IBC CHAPTER 5)

BUILDING HEIGHT 40'-0"  
NUMBER OF STORIES (3)

MAIN FLOOR SQ.FT. 25,250 SQ.FT.  
(14) POTENTIAL RETAIL UNITS

2ND FLOOR 22,750 SQ,FT,  
(14) R2 UNITS

3RD FLOOR 16,030 SQ,FT,  
(7) R2 UNITS

### APPLICABLE BUILDING CODES

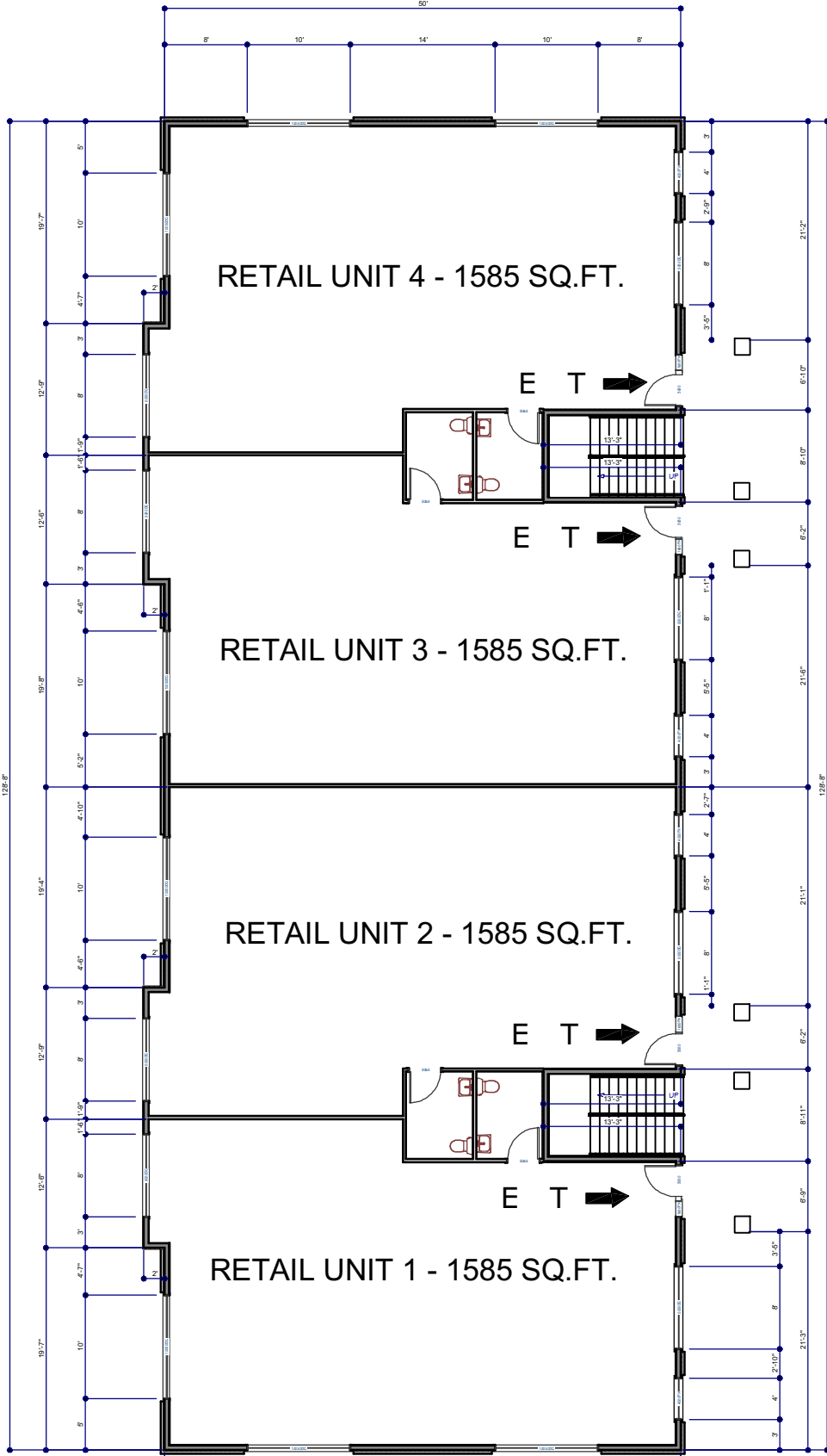
2018 INTERNATIONAL BUILDING CODE  
2019 NATIONAL ELECTRIC CODE  
2018 INTERNATIONAL PLUMBING CODE  
2018 INTERNATIONAL ENERGY CODE  
2018 INTERNATIONAL MECHANICAL CODE  
2018 INTERNATIONAL FIRE CODE  
ICC/ANSI A117.1 2009  
UTAH STATE AMENDMENTS TO THE PREVIOUS CODES

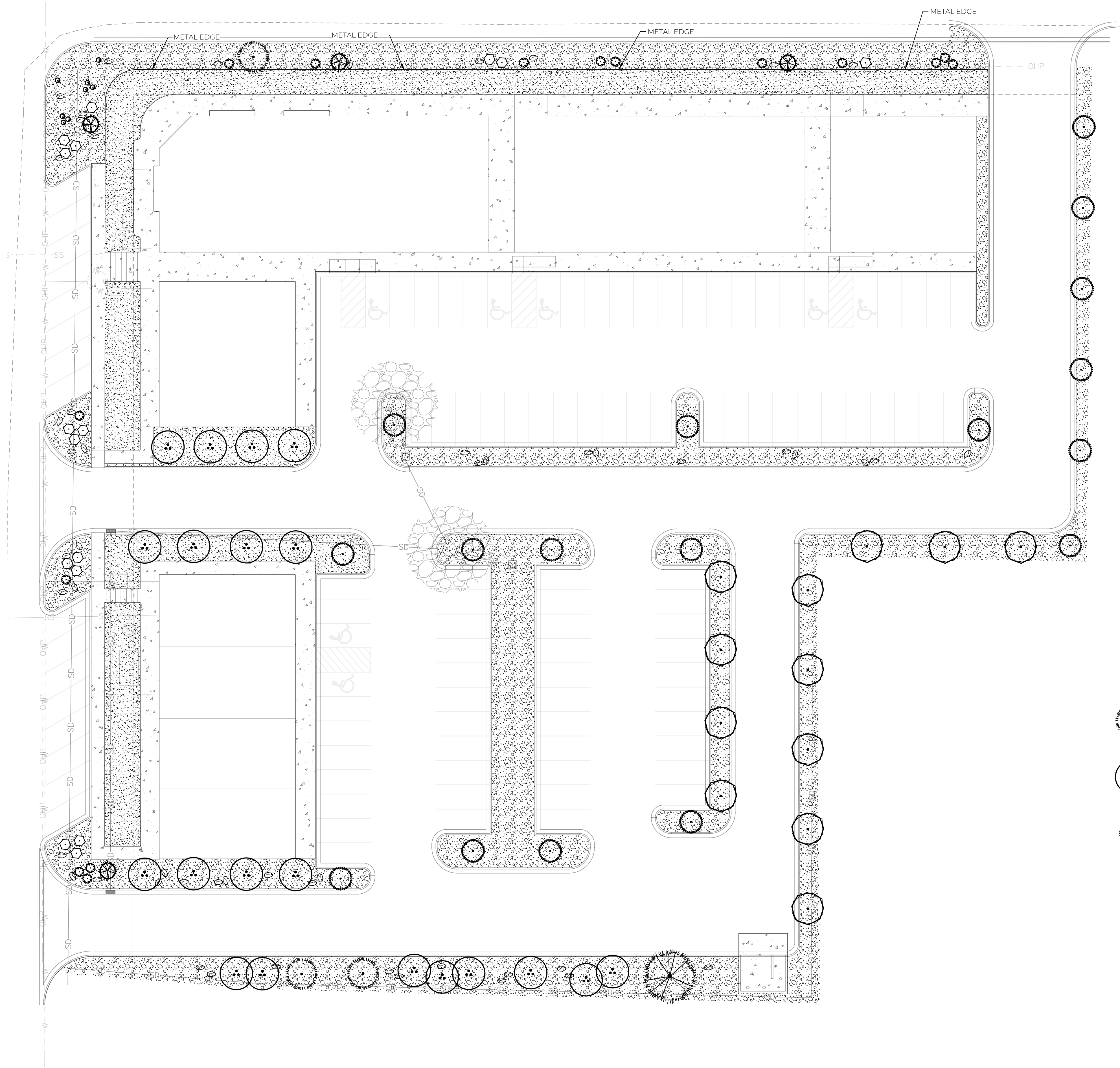
### TOTAL OCCUPANCY

MAIN FLOOR TYPE B OCCUPANCY  
25,250/150 = 168 OCCUPANTS

2ND & 3RD FLOOR R2 OCCUPANCY  
21 UNITS X 3 = 63 OCCUPANTS

| BUILDING ELEMENT                                              | VB     |
|---------------------------------------------------------------|--------|
| Primary structural frame <sup>a</sup><br>(see Section 202)    | 0      |
| Bearing walls<br>Exterior <sup>a, b</sup><br>Interior         | 0<br>0 |
| Nonbearing walls and partitions<br>Exterior                   | 0      |
| Nonbearing walls and partitions<br>Interior <sup>a</sup>      | 0      |
| Floor construction and secondary<br>members (see Section 202) | 0      |
| Roof construction and secondary<br>members (see Section 202)  | 0      |





### GENERAL NOTES

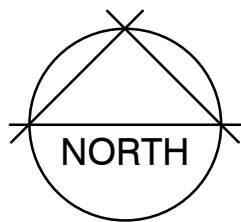
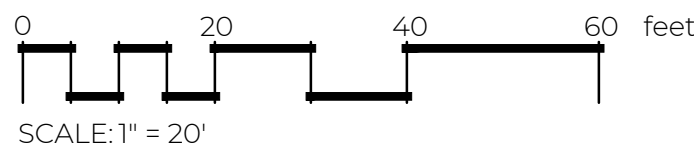
1. THE CONTRACTOR SHALL INSPECT THE SITE & FULL CONSTRUCTION DRAWING SET TO BE FULLY AWARE OF ALL PERTINENT EXISTING CONDITIONS PRIOR TO SUBMITTING BID OR PROPOSAL.
2. NO WORK IS TO BEGIN UNTIL NECESSARY PERMITS HAVE BEEN OBTAINED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN AND PAY FOR ALL PERMITS.
3. PRIOR TO THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY HIS WORK. THE CONTRACTOR SHALL PROTECT THOSE UTILITIES THAT ARE TO REMAIN AND BE RESPONSIBLE FOR THE REPAIR OF DAMAGES TO SUCH UTILITIES.
4. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES WHEN CONSTRUCTION WORK BEGINS NEAR ANY UTILITY LINES AND ARRANGE FOR A UTILITY REPRESENTATIVE BE PRESENT IF THE CONTRACTOR'S CLOSE OPERATIONS COULD CREATE A HAZARDOUS CONDITION. UTILITIES SHOWN ON PLAN ARE BASED ON AERIAL IMAGERY INFORMATION AND HAVE SOME DISCREPANCIES.
5. THE CONTRACTOR SHALL PROTECT EXISTING BUILDINGS, WALKS, DRIVES, CURBS, ETC. THAT ARE TO REMAIN AND SHALL REPAIR ANY DAMAGE THAT MAY RESULT FROM CONSTRUCTION OPERATIONS.
6. THE LANDSCAPE AND IRRIGATION CONTRACTORS SHALL COORDINATE THEIR WORK WITH ANY OTHER CONTRACTORS AND TRADES WORKING ON THIS PROJECT. PROVIDE SLEEVES AS REQUIRED FOR DRAINAGE, IRRIGATION AND ELECTRICAL LINES, ETC. PRIOR TO PAVING AND LANDSCAPE WORK.
7. THE CONTRACTOR IS RESPONSIBLE FOR ANY UNAUTHORIZED DAMAGE INSIDE AND OUTSIDE THE LIMIT OF WORK LINE DUE TO CONTRACT OPERATIONS AND SHALL RESTORE DAMAGED AREAS TO ORIGINAL CONDITIONS AT NO COST TO THE OWNER.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR YARD AND BUILDING CLEANUP AT THE COMPLETION OF WORK.

### PLANTING NOTES

1. CONTRACTOR TO VERIFY ALL CONDITIONS PERTAINING TO THIS PLAN AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE LANDSCAPE ARCHITECT.
2. THE CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES LINES PRIOR TO PLANTING AND SHALL REPORT ANY CONFLICTS TO THE LANDSCAPE ARCHITECT.
3. CONTRACTOR SHALL REPAIR ALL DAMAGES CAUSED BY OPERATIONS (WHICH OCCUR ON OR OFF SITE) TO THE ARCHITECT'S AND OWNER'S SATISFACTION.
4. ALL QUANTITIES SHOWN ARE APPROXIMATE AND ARE FURNISHED SOLELY FOR THE CONTRACTOR'S CONVENIENCE. THEY DO NOT NECESSARILY CORRESPOND TO BID SCHEDULE ITEMS. IN THE CASE OF ANY DISCREPANCIES, PLANS SHALL OVER-RIDE THE LANDSCAPE AND BID SCHEDULE QUANTITIES. CONTRACTOR SHALL VERIFY QUANTITIES SHOWN ON THE PLANS AND BASE THEIR BID ACCORDINGLY.
5. DO NOT MAKE UNAPPROVED SUBSTITUTIONS. IF SPECIFIED LANDSCAPE MATERIAL IS NOT OBTAINABLE, SUBMIT PROOF OF NON-AVAILABILITY FROM AT LEAST FIVE SOURCES TO LANDSCAPE ARCHITECT, TOGETHER WITH PROPOSAL FOR USE OF EQUIVALENT MATERIAL FOR FINAL APPROVAL.
6. LAYOUT INDIVIDUAL TREE AND PLANT LOCATIONS AND AREAS FOR MULTIPLE PLANTINGS, STAKE LOCATIONS, AND OUTLINE AREAS AND SECURE ARCHITECT'S ACCEPTANCE BEFORE START OF PLANTING WORK. MAKE MINOR ADJUSTMENTS AS MAY BE DIRECTED.
7. INSTALL DEWITT PRO-5 WEED BARRIER UNDER MULCH. FABRIC SHALL BE INSTALLED AFTER PRE-EMERGENT HAS BEEN APPLIED. CUT AN "X" SHAPE IN WEED BARRIER FOR PLANTS AND STAPLE FOLDS DOWN INTO SOIL. USE FABRIC STAPLES EVERY FIVE FEET ON CENTER IN PLANTER BED.
8. REPAIR ALL LANDSCAPING WHERE NEW CONSTRUCTION MEETS EXISTING.
9. PERFORM PERCOLATION TEST ON ALL TREE PLANTING HOLES AND PLANTING BEDS PRIOR TO PLANTING. INFORM LANDSCAPE ARCHITECT OF CONDITIONS OF POOR DRAINAGE.
10. LANDSCAPE CONTRACTOR SHALL COORDINATE AND ADJUST PLANT PLACEMENT WITH SPRINKLERS.
11. CONTRACTOR SHALL BE RESPONSIBLE TO MAINTAIN ALL PLANT MATERIALS IN A HEALTHY STATE DURING CONSTRUCTION. ANY DAMAGE TO PLANT MATERIAL DUE TO NEGLECT BY THE CONTRACTOR SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
12. SEE SHEET L-501 AND L-502 FOR LANDSCAPE & IRRIGATION DETAILS.

### PLANT SCHEDULE

| TREES          | CODE    | BOTANICAL / COMMON NAME                                               | SIZE    | QTY       |
|----------------|---------|-----------------------------------------------------------------------|---------|-----------|
|                | PIC PE4 | Picea glauca 'Pendula' / Weeping White Spruce                         | 10' Ht. | 4         |
|                | PIC GRE | Picea orientalis 'Green Knight' / Wells Green Knight Spruce           | 8' Ht.  | 3         |
|                | PIC G22 | Picea pungens 'Glauca' / Blue Colorado Spruce                         | 8' Ht.  | 1         |
|                | POP NMN | Populus tremuloides 'Clump Form' / Clump Form Quaking Aspen           | 2" Cal. | 20        |
|                | PRU SC3 | Prunus x cistena 'Schmidtci' / Big Cis Plum                           | 2" Cal. | 12        |
|                | QUE YOD | Quercus x bimundorum 'JFS-KW2QX' TM / Skinny Genes Oak                | 2" Cal. | 17        |
| SHRUBS         | CODE    | BOTANICAL / COMMON NAME                                               | SIZE    | QTY       |
|                | ARO LSC | Aronia melanocarpa 'UCONNAM165' TM / Low Scape Mound Black Chokeberry | 1 gal.  | 8         |
|                | COR ELE | Cornus alba 'Elegantissima' / Silveredge Dogwood                      | 1 gal.  | 16        |
|                | PHY SEW | Physocarpus opulifolius 'Seward' TM / Summer Wine Ninebark            | 1 gal.  | 15        |
| INERT MATERIAL | CODE    | BOTANICAL / COMMON NAME                                               | SIZE    | QTY       |
|                | BOU DE3 | BOULDER SURFACE SELECT / DECORTIVE BOULDERS                           | 3' -4'  | 53        |
| GROUND COVERS  | CODE    | BOTANICAL / COMMON NAME                                               | SIZE    | QTY       |
|                | CR      | Crushed Angular Rock 1"-2" / Owner to Select Color                    | N/A     | 18,280 sf |
|                | POA PRA | Kentucky Bluegrass / Kentucky Bluegrass                               | sod     | 7,693 sf  |





## **Staff Report**

**To:** Francis City Planning Commission

**From:** Katie Henneuse

**Report Date:** August 13, 2022

**Meeting Date:** August 18, 2022

**Title:** Blind Rabbit Parking Structure

**Type of Item:** Commercial Development

### **Executive Summary:**

Barry Primos, the owner of Blind Rabbit LLC, located at 1349 S SR 32, would like to add covered parking over a section of his existing parking lot. The covered parking will extend from the north side of an existing structure over the parking spaces. The lot is in the C-1 Commercial zone, therefore plans for exterior modifications to any existing structures must be submitted to the Planning Commission for approval (18.45.140(5)).

In January 2018 Falling Waters Landscaping was granted approval to construct a steel building on this parcel. In accordance with the Commercial C-1 code, a landscape plan was approved along with the building architectural design and site plan. The building was completed but was sold shortly thereafter to Blind Rabbit LLC. Landscaping and fencing were never installed as planned.

In 2021, Francis City asked Mr. Primos to install the landscaping as planned or to get approval for a new plan. Mr. Primos opted to submit a new plan, for which he was granted concept plan approval. He has been delayed in submitting a site plan and architectural renderings because he had to find a new architect.

### **City Code:**

The C-1 Commercial code section 18.45.030 (Permitted Accessory Uses) says, "Accessory uses and structures are permitted in the C-1 zone provided they are incidental to, and do not alter, the character of the permitted principal use or structure. Such permitted uses and structures include, but are not limited to, the following...accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily incidental to a principal use or structure permitted in the C-1 zone."

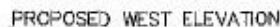
### **Staff Recommendation:**

Review the plans and discuss whether the proposed modifications are incidental to and do not alter the character of the permitted structure. If the proposed modifications are acceptable, approve the plans and direct the applicant to apply for a building permit. Consider adding a

condition to the approval requiring the landscaping along the SR 32 frontage to be completed before a building permit is issued. The incomplete landscaping is in violation of city code and has been delayed for more than four years.

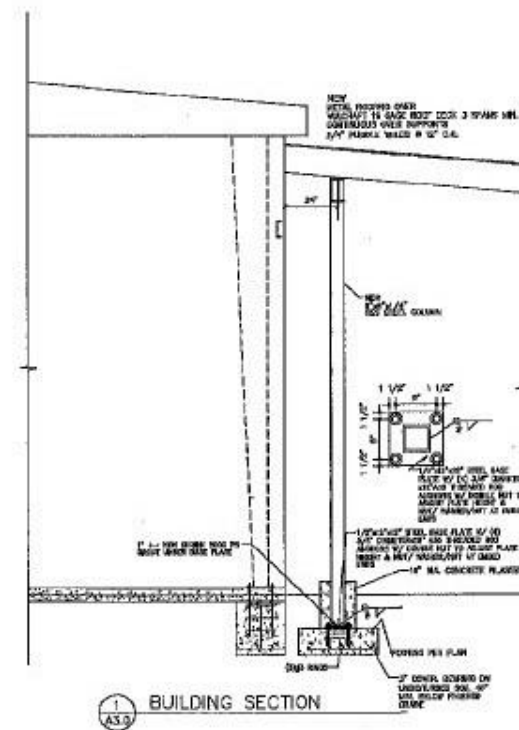
**Community Review:**

A public hearing is not required for this item.



NOTE:

CONTRACTOR AND HIS SUBCONTRACTORS WORKING ON THIS PROJECT SHALL MAINTAIN ACCESS AND VISUAL ALL BUILDINGS, ROADS, UTILITIES, ETC. AND ADDRESS ANY DISCREPANCIES OR CONFLICTS WITH OWNERS, OTHERS, LOCAL & FEDERAL AGENCY COORDINATION IMMEDIATELY. SCHEDULED ON PLAN AND PRESENCE THIS DATE.

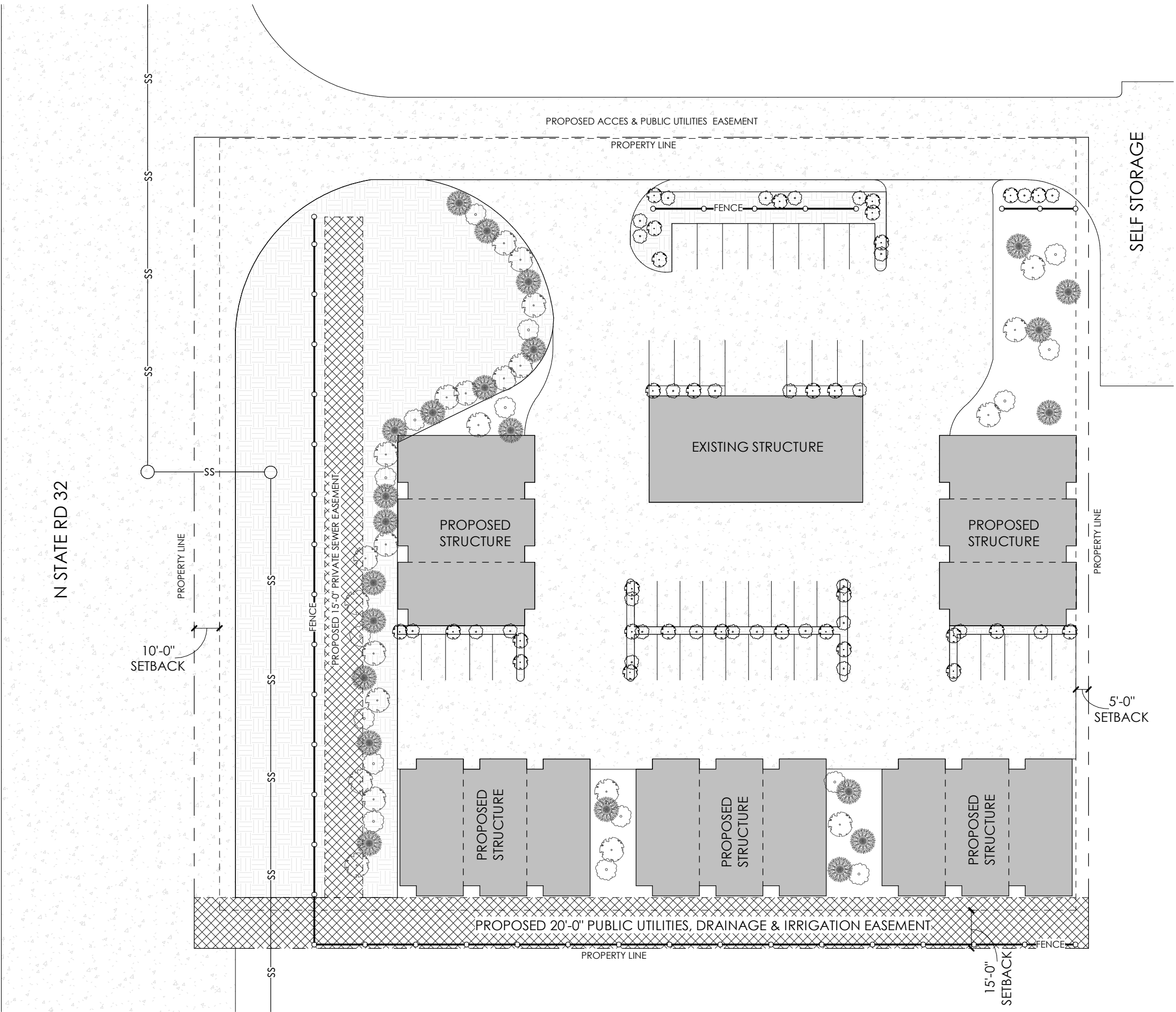


DATE 1/18/2001 MODAL DESIGN OFFICE & ENGINEERING  
 DRAWN 1/18/2001 (501) 846-0327  
 1349 STATE HIGHWAY 32  
 FRANCIS, UT.

|  |                           |
|--|---------------------------|
|  | DRAWING<br>NUMBER<br>A3.0 |
|--|---------------------------|



ARCH SITE PLAN  
FRANCIS WAREHOUSE  
06/29/21



SCALE : 1" = 40'-0"

