



Ogden City

Redevelopment Agency Meeting Agenda

December 8, 2015 – immediately following the Special City Council meeting, which begins at 6:00 p.m.

City Council Chambers

Municipal Building – Third Floor

2549 Washington Boulevard, Ogden, Utah 84401

1. Roll call.
2. Approval of Minutes (*voice vote*):
 - a. Joint Study Session of October 13, 2015 – *Board member Blair*
3. Public Hearings:
 - a. **FY2016 Budget Amendment – Sale of Land Proceeds.** Proposed Resolution 2015-20 amending the budget for the Fiscal Year July 1, 2015 to June 30, 2016 by increasing the anticipated revenues and appropriations for a gross increase of \$248,000. (*Adopt/not adopt resolution – roll call vote*)
4. Reports from Administration:
 - a. **South River Development Agreement Amendment.** Proposed Resolution 2015-23 approving the third amendment to the mixed use zone development agreement for the Meadows at Riverbend within the Ogden River Redevelopment Project Area. (*Adopt/not adopt resolution – roll call vote*)
5. Public Comments. This is an opportunity to address the Board regarding your concerns or ideas for the Ogden Redevelopment Agency (RDA). Please state your name and address clearly for the record and limit your comments to three minutes.
6. Comments:
 - a. RDA Executive Director
 - b. Board members
7. Adjournment.

Reminders: A City Council Work Session will be held immediately following the Redevelopment Agency meeting. The purpose of the Work Session is to observe the Weber State University Debate Team debate the topic of equitable use of public space, and to discuss Council business.

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the Management Services Department at 629-8701 (TDD # 629-8949) or by email: ADACompliance@ci.ogden.ut.us at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and/or agenda was posted in three public places within the Ogden City Limits on this 4th day of December, 2015. These public places being: 1) City Recorder's Office on the 2nd floor of the Municipal Building; 2) 2nd floor foyer of the Municipal Building; and 3) the Weber County Library. A copy was posted to the Utah State Public Notice Website and the Ogden City Website, as well as provided to the Standard-Examiner.

TRACY HANSEN, MMC
OGDEN CITY RECORDER

Visit the City Council Meetings page at: councilmeetings.ogdencity.com
Redevelopment Agency Agenda Information – 801-629-8159



Redevelopment Agency Meeting BOARD STAFF REVIEW

FY2016 BUDGET AMENDMENT (\$248,000)

- *Recognize and Appropriate Transfer from City of Proceeds from Sale of Property at 25th and Adams (\$248,000)*

DETERMINATION:

Adopt or Not Adopt Resolution

Executive

Summary

The Board will consider a proposed Resolution amending the FY2016 Budget to recognize and appropriate the transfer of funds from the City's General Fund to the RDA Housing account. Funds will be used to purchase property at 550 24th Street.

Background

During the fiscal year, the Board entertains requests for budget adjustments to allow for the following:

1. Entering grant or other special purpose revenues into the budget prior to expenditure.
2. Making mid-course corrections to avoid budget overruns.
3. Forwarding encumbrances from the previous fiscal year.
4. Other items dealing with special circumstances or opportunities.

The Uniform Fiscal Procedures Act for Utah Cities requires that a public hearing be held on all budget adjustments where the budget of one or more funds is increased. (Utah Code Ann. §10-6-127.) Notice of the public hearing must be given seven (7) days prior to the hearing. (Utah Code Ann. §10-6-113.)

November 4, 2015

The Administration transmitted a request to amend the FY2016 Budget to recognize and appropriate a transfer of funds from the City to facilitate purchase of property at 550 24th Street.

November 24, 2015

The Board set a public hearing on Resolution 2015-20 for December 8, 2015. The proposed amendment to the FY2016



Redevelopment Agency Meeting BOARD STAFF REVIEW

Budget recognizes and appropriates the transfer of funds from the City's General Fund to the RDA Housing account.

Proposal

The Administration is requesting that the Board amend the FY2016 Budget by recognizing \$248,000 transferred from the City's General Fund and appropriated to the RDA Housing Fund. These funds are the proceeds from a sale of City property located at 25th and Adams. The Administration is proposing that these funds be transferred to the RDA to facilitate the purchase of property at 550 24th Street. A housing development is planned for the property at 550 24th Street.

Questions

Please review the proposed FY16 Budget Amendment.

Board Staff Contact: Janene Eller-Smith, (801)629-8165

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OGDEN CITY
COUNCIL OFFICE

REDEVELOPMENT AGENCY TRANSMITTAL

Date: October 22, 2015
To: Ogden City Redevelopment Agency Board
From: Lisa Stout, Comptroller
RE: Budget Opening – RDA Housing Funds

Staff Contact: Lisa Stout, Comptroller, ext. 8713 
Recommendation: Set public hearing and adopt resolution and ordinance
Documents: - Resolution
- Schedule A (Revenue)
- Revenue Detail Schedule
- Schedule B (Appropriations)
- Appropriation Detail Schedule

Executive Summary

The purpose of this action is to appropriate a transfer of \$248,000 from Ogden City to the Redevelopment Agency. The \$248,000 will come from the Ogden City General Fund, sale of land proceeds. The transfer is being made to the Redevelopment Agency's General Fund where the funds will be used in the RDA qualified housing development at 550 24th Street.

Background

Board action is required to recognize and appropriate the transfer of funds from Ogden City.

Proposal

Review and adopt resolution.

Fiscal Impact

Increases the RDA budget by \$248,000.

RESOLUTION NO. 2015-20

A RESOLUTION OF OGDEN CITY REDEVELOPMENT AGENCY AMENDING THE BUDGET FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016 BY INCREASING THE ANTICIPATED REVENUES AND TRANSFERS FOR A GROSS INCREASE OF \$248,000 FROM SOURCES AS DETAILED IN THE BODY OF THIS RESOLUTION; AND INCREASING THE APPROPRIATIONS FOR A GROSS INCREASE OF \$248,000 AS DETAILED IN THE BODY OF THIS RESOLUTION.

WHEREAS, additional revenue is available to the Agency and is hereby appropriated.

The Ogden City Redevelopment Agency hereby resolves:

SECTION 1. Anticipated revenues, transfers and adjustments for the 2015-2016 budget altered, increased and decreased. The anticipated revenues, transfers and adjustments for the various funds of the 2015-2016 budget are hereby changed as hereinafter set forth, with net adjustments of \$248,000 as detailed in Schedule "A", which is attached hereto and made a part by reference.

SECTION 2. Appropriations from the 2015-2016 budget altered, increased and decreased. The appropriations for various funds of the 2015-2016 budget are herein altered, increased and decreased by net adjustments of \$248,000 as detailed in Schedule "B", attached hereto and made a part hereof by reference.

APPROVED AND ADOPTED, this _____ day of _____, 2015.

CHAIR

ATTEST:

Tracy Hansen, City Recorder

Approved as to Form:

MAB 11/4/15
Legal Date

OGDEN CITY REDEVELOPMENT AGENCY

BUDGET OPENING - HOUSING FUNDS
REVENUE SCHEDULE
SCHEDULE "A"

Account Title	Account Number	Amount
<u>OGDEN RDA HOUSING FUND</u>		
Transfer from Ogden City	3900-2-84002	\$ 248,000
SUB TOTAL OGDEN RDA HOUSING FUND		\$ 248,000
TOTAL RDA REVENUE		\$ 248,000

OGDEN CITY REDEVELOPMENT AGENCY

BUDGET OPENING - HOUSING FUNDS
REVENUE DETAIL SCHEDULE

District	Item Title	Description	Amount
OGDEN RDA HOUSING FUND	Transfer from Ogden City	To be used by the RDA to aquire land for use in a housing project.	\$ 248,000
SUB TOTAL OGDEN RDA HOUSING FUND			\$ 248,000
TOTAL RDA REVENUE			<u>\$ 248,000</u>

OGDEN CITY REDEVELOPMENT AGENCY

BUDGET OPENING - HOUSING FUNDS
APPROPRIATION SCHEDULE
SCHEDULE "B"

Account Title	Account Number	Amount
<u>OGDEN RDA HOUSING FUND</u>		
Capital Outlay - Land	3900-2-06-800100-3NEW	\$ 248,000
SUB TOTAL OGDEN REDEVELOPMENT AGENCY		\$ 248,000
TOTAL RDA APPROPRIATIONS		<u>\$ 248,000</u>

OGDEN CITY REDEVELOPMENT AGENCY

BUDGET OPENING - HOUSING FUNDS
APPROPRIATION DETAIL SCHEDULE

District	Item Title	Description	Amount
OGDEN RDA HOUSING FUND	Capital Outlay - Land	Use of funds transferred from Ogden City, to be used by the RDA to aquire land for use in a housing project.	\$ 248,000
SUB TOTAL OGDEN REDEVELOPMENT AGENCY			\$ 248,000
TOTAL RDA APPROPRIATIONS			<u>\$ 248,000</u>



Redevelopment Agency Meeting BOARD STAFF REVIEW

PROPOSED THIRD AMENDMENT TO THE MIXED USE ZONE DEVELOPMENT AGREEMENT WITH SOUTH RIVER, LLC

DETERMINATION: Adopt/not adopt resolution for the approval of
the amendments to the development agreement

PLANNING COMMISSION

RECOMMENDATION: Approval of the amendments (6-0)

Executive Summary

The proposed amendments to the mixed use zone development agreement for the Townhomes at South River would approve a site plan change for phase 4 incorporating the “L” shaped townhome floorplan approved with the second development agreement amendment. The amendment would also approve minor architectural and floorplan changes to the “L” shaped townhome. The last change included in the amendment would make small amendments to the landscaping plan for the common area adjacent to phase 4.

Background

August 2002

The River Project Redevelopment Area Plan and Budget was adopted by the City Council.

June 15, 2010

The RDA Executive Director entered into an agreement with Riverpark, LLC for development of the River Project RDA. Riverpark submitted a conceptual plan for review. The plan was approved by the Planning Commission, but the Board had several concerns. Neither the Plan nor the agreement with Riverpark was ever ratified by the RDA Board.

November 2010

South River approached the City about developing a portion of the River Project Redevelopment Area.

December 2010

The Executive Director entered into an Agreement with South River, LLC, for purchase and sale of property owned by the RDA in the Project Area.



Redevelopment Agency Meeting BOARD STAFF REVIEW

June 21, 2011

The Council/Board Office received a transmittal requesting the Board consider an eight (8) year time extension for the River Project RDA Area.

July 12, 2011

The RDA Board approved a development agreement with South River, LLC for the construction of 69 townhome units within the River Project Redevelopment area. The approval of the development agreement was done in conjunction with the adoption of the Ogden Bend Redevelopment Master Plan and Design Guidelines completed by Urban Design Associates.

December 20, 2011

The RDA Board approved Exhibit C of the development agreement finalizing architectural elevations for the project.

June 25, 2013

The RDA Board approved amendment #1 to the development agreement. The changes allowed the developer to reorient the townhomes along 20th Street to face the inner courtyard rather than front directly onto 20th Street. The amendments also relocated the internal access road from the north side of the townhomes along 20th Street to the south side parallel to 20th Street. The amendments also included a new two-story, two-unit floor plan.

April 28, 2015

A second amendment to the development agreement was approved on April 28, 2015. The changes made with the second amendment altered the layout of phase 3 and incorporated RDA property into the site plan. The changes also incorporated a new floor plan option and incorporated landscaping options for the common space adjacent to phase 4.

Proposal

The developer, South River, LLC, has submitted a proposal to amend the mixed use zone development agreement for the Townhomes at South River. The amendments are specific to three elements of the plan. The first is a change to the site plan. The change would amend the placement and type of townhomes to be constructed in phase 4. The “L” shaped townhome floorplan was approved with the second amendment to the development agreement approved by the Board in April of 2015. The proposal would incorporate the “L” shaped townhome into phase 4 of the



Redevelopment Agency Meeting BOARD STAFF REVIEW

plan. The second change is related to the “L” townhome and relates to the floorplan of the unit and the exterior of the unit. Due to the changes in the floorplan, some exterior features need to be amended to accommodate additional exterior wall space. The amendment would add exterior features to the “L” shaped unit to break up the extended wall surface. The last change to the agreement is specific to the landscaping plan and would add benches to the landscaping along the curved walkway.

Planning Commission

The Planning Commission is required to review and provide a recommendation of approval for amendments to this development agreement. The Planning Commission reviewed this item at the November 4, 2015 meeting and provided the Board with a recommendation of approval. The recommendation was based on the findings that the proposed amendments are consistent with the architectural design guidelines, that the phase 4 landscaping plan is consistent with the theme of the development and that phase 4 is consistent approved master development plan for this project.

Attachments

1. Transmittal
2. Resolution 2015-23 amending the development agreement
 - a. Attachment A – Third amendment to development agreement
 - i. Exhibit A – Amended project site plan
 - ii. Exhibit B – New building elevations and floor plan detail
 - iii. Exhibit C – Landscape plan and screening details
3. Planning Commission Report
 - a. Site Plan
 - b. Proposed two-story building design
 - c. Approved two-story building design
 - d. Landscape plan
 - e. Open space element suggestions from master plan design guidelines
 - f. Phase 4 building elevations
 - g. Suggested changes

OGDEN CITY REDEVELOPMENT AGENCY TRANSMITTAL

DATE: November 9, 2015
TO: Ogden City Redevelopment Agency
THRU: Mark Johnson, CAO
FROM: Tom Christopoulos, CED Director
RE: Third amendment of Development Agreement for two story units and landscaping plan South River Townhomes
STAFF CONTACT: Greg Montgomery, Planning Manager

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OGDEN CITY
COUNCIL OFFICE

REQUESTED TIMELINE: November 24, 2015

RECOMMENDATION: Approval subject to:
1. Revising the building design to add brackets to the gable end on the rear pop outs and adding some other feature on the wall to break up the blank wall.
2. The landscape plan be revised to add benches along the curvilinear planting area and the center hard surface area have a circular paver design.

DOCUMENTS: Resolution, Planning Staff report.

DISCUSSION:

Mr. Blaine Walker explained that as they are moving forward with phase 3 and 4 that the interest in the two story unit has grown. The design was revised to make better usage of the floor plan which has led to the need to change the present exhibit drawing. He thanked the city for their efforts in making this development a good project and that he is looking forward to completing this development with phase 4.

Staff explained that as the project was approved in four phases and as each phase has developed some new things have been learned. The site plan is consistent with the terms of the development agreement but the building façade and floor plan for the two story units that were added in phase three have become longer and an extra row of windows has been added. Changes in the entrance door location are also proposed to have a better floor layout. Another change was moving the mechanical system from the garage to a second floor addition so that the garage would have more room. The changes in the front elevation are consistent with the intent of the design guidelines but staff explained that the changes to the rear elevation need to have some additional relief to avoid a long blank wall. Either gable vents or windows need to be added to the pop out to break up the blank wall. Staff also reviewed the landscaping plan and noted that the design is consistent with the overall development landscape layout. A final landscape design has been developed for the land added in phase three. Staff recommended that the bench placement should follow the lines of the landscape design and that the paving pattern in the central court needs to have a radial design to match the shape of the space.

PLANNING COMMISSION ACTION

The Planning Commission reviewed this item on November 4, 2015. A motion was made based on the findings the proposed amended design is consistent with the architectural design guidelines, the phase 4 landscaping plan is consistent with the theme of the development and the phase is consistent with the approved master development plan for this project to recommend approval of revising the building design plan for the two story units and include the landscaping plan for phase four subject to staff recommended revisions.

PLANNING COMMISSIONERS VOTE	<u>Yes</u>	<u>No</u>
Blaisdell.....	X	
Herman.....	X	
Orton.....	X	
Schade.....	X	
Southwick.....	X	
Wright.....	X	

CONCERNS OF CITIZENS:

None expressed.

RESOLUTION NO. 2015-23

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF OGDEN, UTAH (THE “AGENCY”) APPROVING THE THIRD AMENDMENT TO THE MIXED USE ZONE DEVELOPMENT AGREEMENT FOR THE MEADOWS AT RIVERBEND WITHIN THE OGDEN RIVER REDEVELOPMENT PROJECT AREA.

WHEREAS, the Agency is a redevelopment agency, also known as a community and urban renewal agency, and a separate public body corporate and politic, duly and regularly created, established, organized and existing under and by virtue of the Constitution and laws of the State of Utah; and

WHEREAS, the Agency operates and is authorized to transact business and exercise its powers under and pursuant to the Limited Purpose Local Government Entities – Community Development and Renewal Agencies, Title 17C, Utah Code Annotated 1953, as amended (the “Act”), previously known as the Utah Redevelopment Agencies Act; and

WHEREAS, the Agency adopted a Final Area Project Area Plan, dated June 20, 2002 (the “Project Plan”), for the redevelopment area known as the Ogden River Redevelopment Project Area (the “Project Area”); and

WHEREAS, in Resolution No. 2011-8, the Agency approved the execution of a Mixed Use Zone Development Agreement which was to be developed on land owned by the Agency and known as the Meadows at Riverbend; and

WHEREAS, the Developer has requested certain modifications to the Development Agreement in order to address the modification of the “L” shaped housing unit, the reorientation of a portion of the buildings in phase 4 of the project and final landscaping plans for phase 4; and

WHEREAS, the Ogden City planning commission has reviewed the modified building type, the proposed landscaping and the modified site plan and has recommended that the proposed changes be incorporated into an amendment to the Development Agreement; and

WHEREAS, the Agency Board finds that the modified site plan and exterior elevations of the modified units comply with and further the development objectives, design objectives, and the specific design objectives and controls described in the Project Plan, the master plan and the design guidelines.

ATTACHMENT A

MIXED USE ZONE DEVELOPMENT AGREEMENT

THIRD AMENDMENT

**MIXED USE ZONE DEVELOPMENT AGREEMENT
THIRD AMENDMENT
(TOWNHOMES AT SOUTH RIVER)**

This Third Amendment to the Mixed Use Zone Development Agreement is entered into on this ____ day of _____, 2015, by and between Ogden City, a Utah municipal corporation (“**City**”), 2549 Washington Boulevard, Ogden, Utah, 84401; SOUTHRIVER, LLC a Utah limited liability company, 24 Alta Wood Lane, Sandy, Utah 84092 and OGDEN SOUTH RIVER TOWNHOMES, LLC, a Utah limited liability company (“**Developer**”), 24 Alta Wood Lane, Sandy, Utah 84092; and The Meadows at Riverbend Homeowners’ Association, Inc. a Utah nonprofit corporation (“**Association**”). City, Developer and Association may each be hereinafter referred to as a “**Party**” or collectively as “**Parties.**”

WHEREAS, Developer has developed phases 1 and 2 of the Townhomes at South River within the Ogden River Redevelopment Project Area (the “ORRPA”) and is in the process of developing phases 3 and 4; and

WHEREAS, the parties entered into a Mixed Use Zone Development Agreement on or about June 7, 2012, and which is recorded with the office of the Weber County Recorder as entry # 2583258 (the “**Development Agreement**”); and

WHEREAS, the parties amended the Development Agreement on February 6, 2014, which amendment is recorded with the office of the Weber County Recorder as entry #2674666; and

WHEREAS, the parties further amended the Development Agreement on August 12, 2015, which second amendment is recorded with the office of the Weber County Recorder as entry #2750736; and

WHEREAS, the parties desire to make additional changes to the site plan, design and exterior elevations of certain Units in future phases, and landscaping requirements for the project described in the Development Agreement; and

WHEREAS, the proposed changes have been determined to be consistent with the *Ogden Bend Redevelopment Master Plan and Design Guidelines*, dated May 2011, prepared by Urban Design Associates (“**Master Plan**”), and with the terms of Ogden City’s mixed use ordinance; and

WHEREAS, after the Developer has installed common area improvements, the Association will be required to maintain those improvements; and

WHEREAS, Developer and Association are prepared to comply with all aspects of the Development Agreement not specifically modified by this amendment;

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Parties agree as follows:

1. Project Area and Ownership: The land which is the subject of this Amendment is located in Weber County, State of Utah, and is more fully described as follows:

PHASE 3 OF THE MEADOWS AT RIVERBEND:

A PORTION OF LOT 5 OF THE OGDEN RIVER DRIVE SUBDIVISION ALSO BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5 BEING ON THE NORTH RIGHT-OF-WAY LINE OF 20TH STREET LOCATED SOUTH 88°41'22" EAST 428.11 FEET ALONG THE MONUMENTED CENTER LINE OF SAID 20TH STREET AND NORTH 01°17'55" EAST 40.00 FEET FROM THE EXISTING CENTERLINE INTERSECTION MONUMENT AT 20TH STREET AND GRANT AVENUE; RUNNING THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 88°41'22" WEST 170.47 FEET TO THE EAST LINE OF THE MEADOWS AT RIVER BEND PHASE 2; THENCE ALONG SAID EAST LINE AND THE EAST LINE OF THE MEADOWS AT RIVER BEND PHASE 1 NORTH 00°58'17" EAST 202.78 FEET; THENCE SOUTH 88°37'58" EAST 121.51 FEET; THENCE NORTH 46°22'02" EAST 28.28 FEET; THENCE NORTH 01°22'02" EAST 264.79 FEET; THENCE NORTH 07°54'55" WEST 28.23 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PARK BOULEVARD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 71°10'49" EAST 36.53 FEET; THENCE SOUTH 01°17'55" WEST 138.58 FEET; THENCE SOUTH 88°41'22" EAST 36.99 FEET; THENCE SOUTH 01°17'55" WEST 148.28 FEET; THENCE NORTH 88°41'22" WEST 37.00 FEET; THENCE SOUTH 01°17'55" WEST 241.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.15 ACRES.

PHASE 4 OF THE MEADOWS AT RIVERBEND:

A PORTION OF LOT 5 OF THE OGDEN RIVER DRIVE SUBDIVISION ALSO BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF TH MEADOWS AT RIVER BEND PHASE 1 BEING LOCATED SOUTH 88°41'22" EAST 428.11 FEET ALONG THE MONUMENTED CENTER LINE OF 20TH STREET AND NORTH

01°17'55" EAST 40.00 FEET AND NORTH 88°41'22" WEST 170.47 FEET AND NORTH 00°58'17" EAST 202.78 FEET FROM THE EXISTING MONUMENT AT THE INTERSECTION OF 20TH STREET AND GRANT AVENUE; RUNNING THENCE ALONG SAID EAST BOUNDARY LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 00°58'17" EAST 106.09 FEET; (2) ALONG THE ARC OF A 250.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 66.55 FEET; (3) NORTH 18°44'43" WEST 80.60 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PARK BOULEVARD; THENCE ALONG SAID SOUTH LINE NORTH 71°10'49" EAST 191.51 FEET; THENCE SOUTH 07°54'55" EAST 28.23 FEET; THENCE SOUTH 01°22'02" WEST 264.79 FEET; THENCE SOUTH 46°22'02" WEST 28.28 FEET; THENCE NORTH 88°37'58" WEST 121.51 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES.

(hereinafter referred to as the "**Property**").

2. *Project Development Standards*: Section three of the Development Agreement is hereby modified to add the following development standards and regulations to those previously agreed upon governing the residential units (each a "Unit") constructed within the project.
 - a. The project site plan is modified as shown on **Exhibit A** (Amended Site Plan) attached hereto, to allow for the reorientation of the Units in Phase 4 and the development of two story townhome units. The placement of these reoriented buildings on the Property, together with any other site plan changes shall be in accordance with Exhibit A, Amended Site Plan.
 - b. A modified "L" shaped townhome floor plan and exterior design has been reviewed and approved by City for use in both Phase 3 and Phase 4, in the footprint shown on a recorded plat. A copy of the approved floor plan is attached hereto as **Exhibit B** and incorporated herein by reference
 - c. The exterior design of any Unit constructed under the "L" shaped townhome floor plan shall be consistent with the character sketches included in **Exhibit B** and with the Design Guidelines. As with the other townhome Units, the final exterior elevation and the color and materials palette for each "L" shaped townhome Unit shall be reviewed and approved by the City's Planning Department prior to the issuance of a building permit to determine compliance with the Design Guidelines. The exterior of individual buildings will incorporate variations based on the Design Guidelines and buildings will not utilize a repetitive exterior elevation.
 - d. Landscaping and screening features in Phase 4 shall comply with the Design Guidelines and with **Exhibit C**, attached hereto.

- f. The landscaped area shown on the east side of phase 3 (to the east of phase 4 buildings and the additional parking stalls) shall be completed as part of phase 4, as shown in **Exhibit C** and shall be included in the financial guarantee for phase 4.
 - g. The Association shall be responsible for care and maintenance of the common area property, including the area described in subsection 2.f. and any publicly accessible open space shown on a recorded plat map, and improvements thereon as provided
 - h. If the Developer fails to install landscaping or other authorized improvements, or the Association fails to adequately maintain the area described in subsection 2.f.; the publicly accessible open space; or any landscaping immediately adjacent to the publicly accessible open space; or any portion thereof, Ogden City is granted the right and privilege to enter the common area and perform any construction or necessary or deferred maintenance or repairs after first giving the Developer or Association, as applicable, 15 days written notice of its intent to perform such maintenance or repair and an opportunity to cure such failure. Ogden City, at its sole discretion, may exercise this option with regard to a portion of the described areas without addressing all maintenance or repair items that may then exist. Upon completion of such work, Ogden City shall submit the cost of the work to the Association which shall be paid within twenty (20) calendar days. The Association shall pay for the costs from any existing funds, including the common assessment fund and capital replacement reserve fund. If the Association fails to pay for the completed work, and without prejudicing any other remedy available to City, City may then submit the cost to each owner, in writing, in the proportion that the owners are responsible for payment of common expenses, and such costs may be recovered by City in the same manner as a common assessment. Failure of an Owner to pay City for any costs billed under this subsection within thirty (30) calendar days shall be deemed a delegation of authority by the Association to Ogden City to act with the same powers and authority as granted to the Association with regard to such unpaid assessment and to pursue such additional remedies as may then be available to the Association under Utah law.
3. Effect. The terms of this Amendment are intended to supplement, but not replace or supersede the terms of the Development Agreement, the First Amendment and the Second Amendment. If there is an express conflict between the Development Agreement, the First Amendment, or Second Amendment and this Third Amendment, the terms of this Third Amendment shall control.
4. Recording. This Amendment shall be recorded with the office of the Weber County Recorder and shall be governed and construed in accordance with the laws of the State of Utah and the ordinances of Ogden City;

5. Runs with Land. This Amendment is a covenant against the land comprising the Project, shall run with the land, and shall be enforceable against any successor-in-interest, in whole or in part, of any portion of the Project.

WHEREFORE, the Parties have executed this Amendment on the date first above written.

DEVELOPER:

SOUTHRIVER, LLC, a Utah limited liability company

By: H. Blaine Walker
Its: Manager

STATE OF UTAH)
 :ss.
COUNTY OF _____)

I hereby certify that on this _____ day of _____, 2015, before the subscriber, a Notary Public of the State of Utah, and for the County of Salt Lake, personally appeared H. Blaine Walker, known to me (or satisfactorily proven) to be the person(s) described in the foregoing instrument, who did acknowledge that (he)(she)(they), having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

NOTARY PUBLIC

My Commission Expires:

OGDEN SOUTH RIVER TOWNHOMES, LLC, a Utah limited liability company, by its manager:

Southriver, LLC, a Utah limited liability company

By: H. Blaine Walker
Its: Manager

STATE OF UTAH)
 :SS.
COUNTY OF _____)

I hereby certify that on this _____ day of _____, 2015, before the subscriber, a Notary Public of the State of Utah, and for the County of Salt Lake, personally appeared H. Blaine Walker, known to me (or satisfactorily proven) to be the person(s) described in the foregoing instrument, who did acknowledge that (he)(she)(they), having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

NOTARY PUBLIC

My Commission Expires:

ASSOCIATION:

THE MEADOWS AT RIVERBEND HOMEOWNERS' ASSOCIATION, INC, a Utah non-profit company

By:
Its:

STATE OF UTAH)
 :SS.
COUNTY OF SALT LAKE)

I hereby certify that on this _____ day of _____, 2015, before the subscriber, a Notary Public of the State of Utah, and for the County of Salt Lake, personally appeared _____, known to me (or satisfactorily proven) to be the person(s) described in the foregoing instrument, who did acknowledge that (he)(she)(they), having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

NOTARY PUBLIC

My Commission Expires:

CITY:

OGDEN CITY, a Utah municipal corporation

Michael P. Caldwell
Mayor

Attest:

City Recorder

Approved as to Form:

City Attorney

STATE OF UTAH)
 :ss.
COUNTY OF Weber)

I hereby certify that on this _____ day of _____, 2015, before the subscriber, a Notary Public of the State of Utah, and for the County of Weber, personally

appeared Michael P. Caldwell, known to me (or satisfactorily proven) to be the person(s) described in the foregoing instrument, who did acknowledge that (he)(she)(they), having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

NOTARY PUBLIC

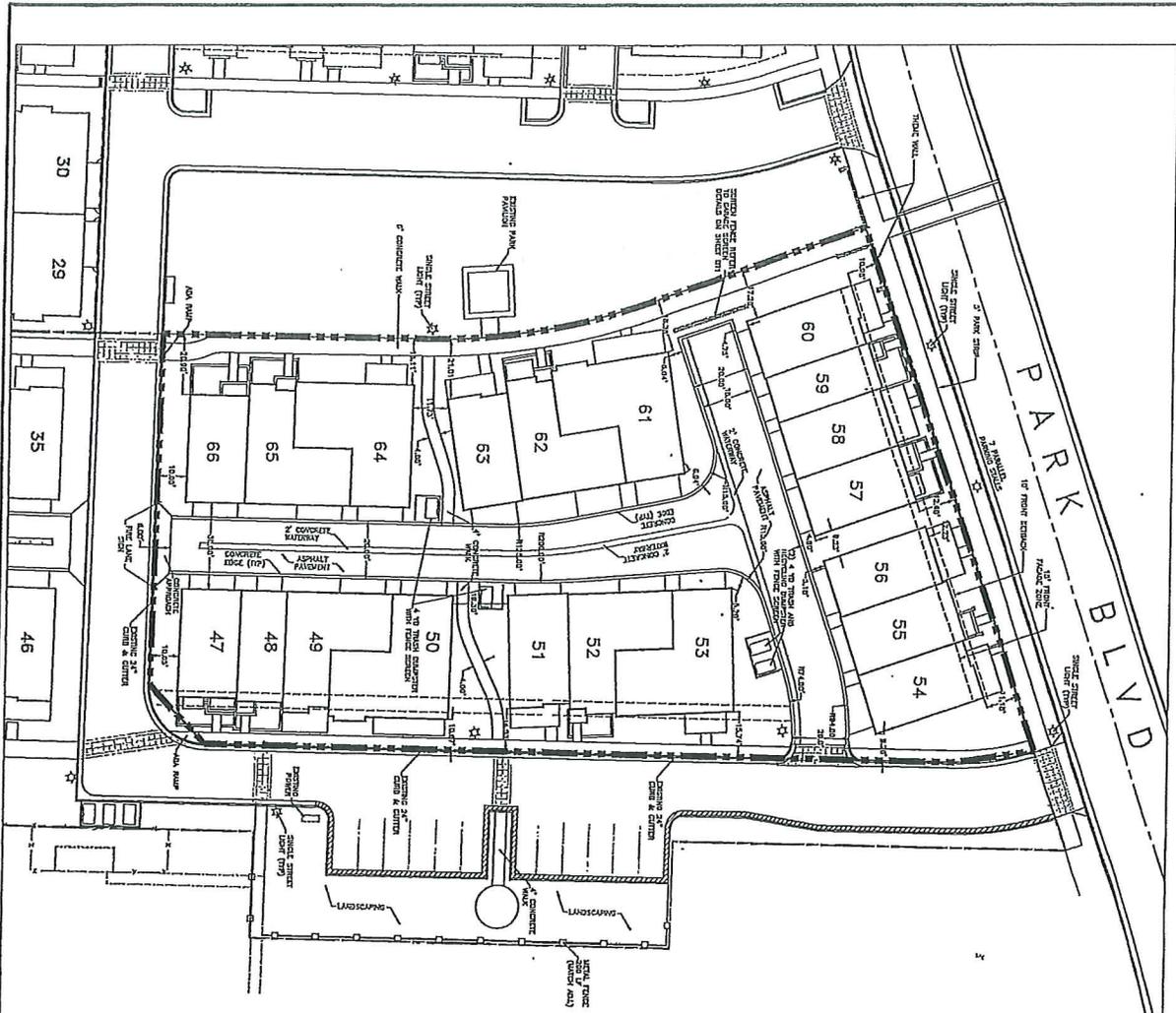
My Commission Expires:

TABLE OF EXHIBITS

- Exhibit A. Amended Project Site Plan
- Exhibit B. Modified Building Elevations & Floor Plan Details
- Exhibit C. Phase 4 Landscaping Plan and Screening Details

Exhibit A.
Amended Project Site Plan

THE MEADOWS AT RIVER BEND PHASE 4



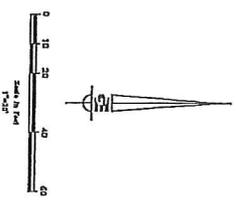
NOTES:
 1. THE APPLICANT'S AGENTS SHALL BE MARKED WITH PERMANENT AND PERSISTENT, FIRE
 RESISTANT LETTERING.
 2. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 3. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 4. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 5. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 6. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 7. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 8. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 9. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.
 10. ALL UTILITIES SHALL BE SHOWN WITH SUFFICIENT FINISHED ELEVATION.

PHASE 4 - BREAKDOWN

UNIT 47	PLAN 1, TRANSITIONAL, MODERN STYLE	4 PLEX D
UNIT 48	PLAN 4, ARTS AND CRAFTS STYLE	
UNIT 49	PLAN 7, ARTS AND CRAFTS STYLE	
UNIT 50	PLAN 5, VICTORIAN STYLE	
UNIT 51	PLAN 1, ARTS AND CRAFTS STYLE	3 PLEX L
UNIT 52	PLAN 7, TRANSITIONAL, MODERN STYLE	
UNIT 53	PLAN 6, ARTS AND CRAFTS STYLE	
UNIT 54	PLAN 1, ARTS AND CRAFTS STYLE	3 PLEX M
UNIT 55	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 56	PLAN 1, VICTORIAN STYLE	
UNIT 57	PLAN 1, TRANSITIONAL, MODERN STYLE	
UNIT 58	PLAN 1, VICTORIAN STYLE	4 PLEX E
UNIT 59	PLAN 4, ARTS AND CRAFTS STYLE	
UNIT 60	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 61	PLAN 1, VICTORIAN STYLE	
UNIT 62	PLAN 7, TRANSITIONAL, MODERN STYLE	3 PLEX K
UNIT 63	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 64	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 65	PLAN 7, VICTORIAN STYLE	
UNIT 66	PLAN 1, TRANSITIONAL, MODERN STYLE	3 PLEX J

DEVELOPMENT DATA - PHASE 4:

1. DEVELOPMENT AVERAGE	43,500 SF / 0.29 AC
2. PROPOSED DENSITY	20 UNITS
3. ON SITE PARKING PROVIDED	40 GARAGE SPACES
4. TOTAL LOTS/UNITS	24,775 SF / 0.15 AC
5. LANDSCAPE AREA	2,475 SF / 0.017 AC
C. PROJECT ID #	030410002



SOUTH RIVER LLC
 THE MEADOWS AT RIVER BEND - PHASE 4
 SITE PLAN

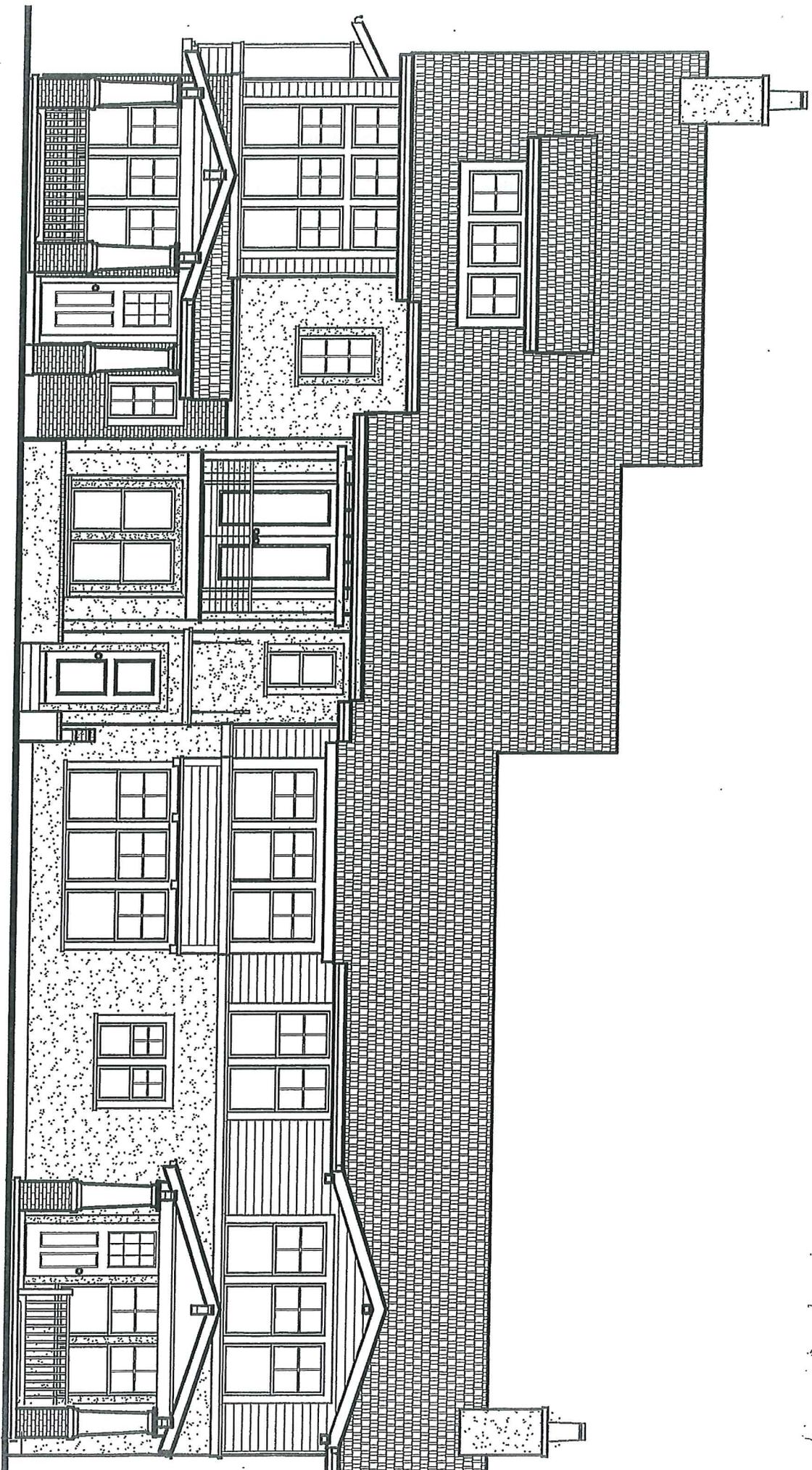


REVISIONS	SCALE: 1" = 30'
DATE	DATE: 10-12-2015
DESCRIPTION	DESIGN: RC
	DRAWN: RE
	CHECKED: TN

S-1

Exhibit B.

Modified Building Elevations & Floor Plan Details

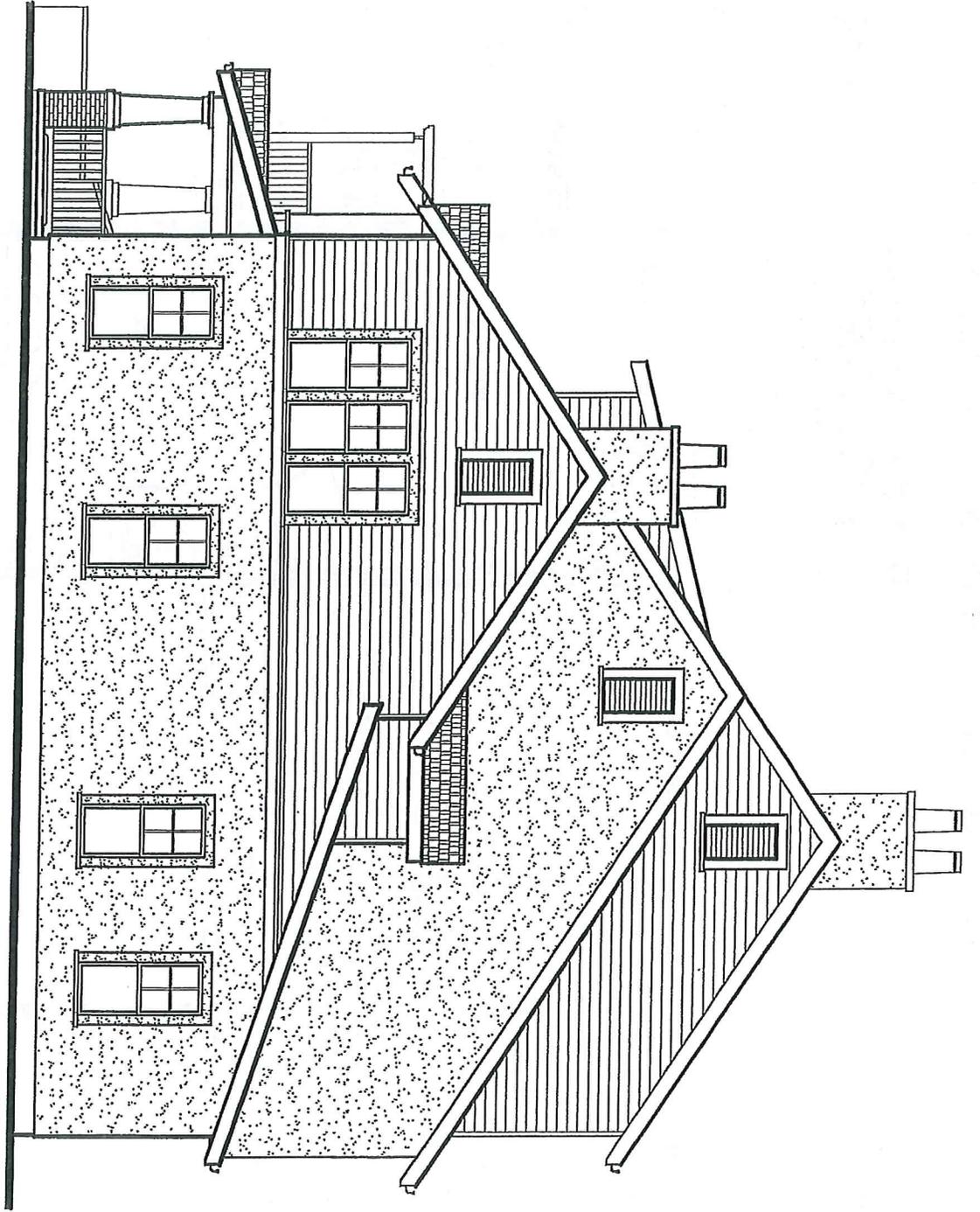


PLAN 1
ARTS & CRAFTS

PLAN 7
TRADITIONAL MODERN

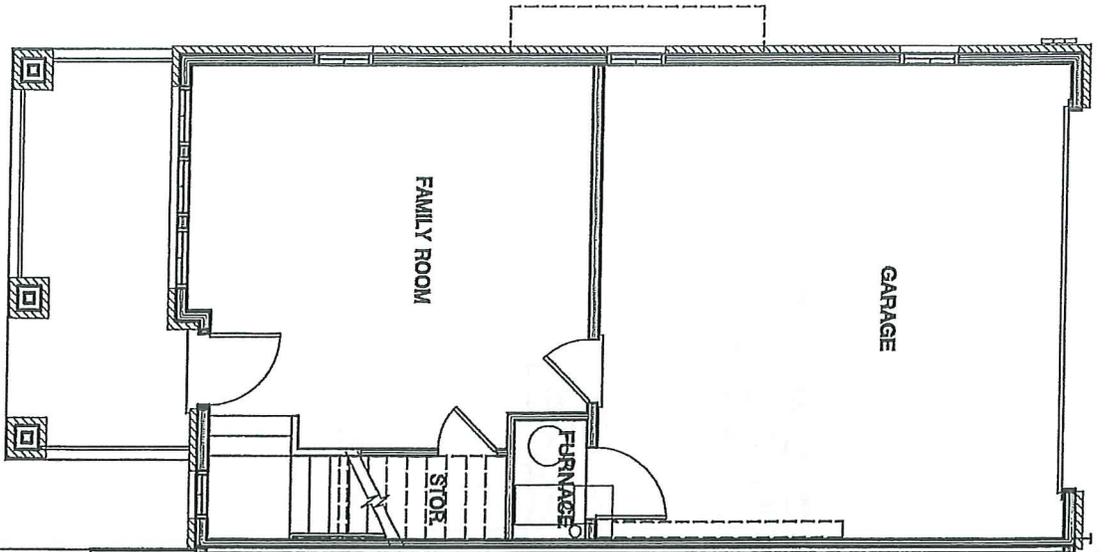
PLAN 6
ARTS & CRAFTS

3 PLEX L - FRONT ELEVATION

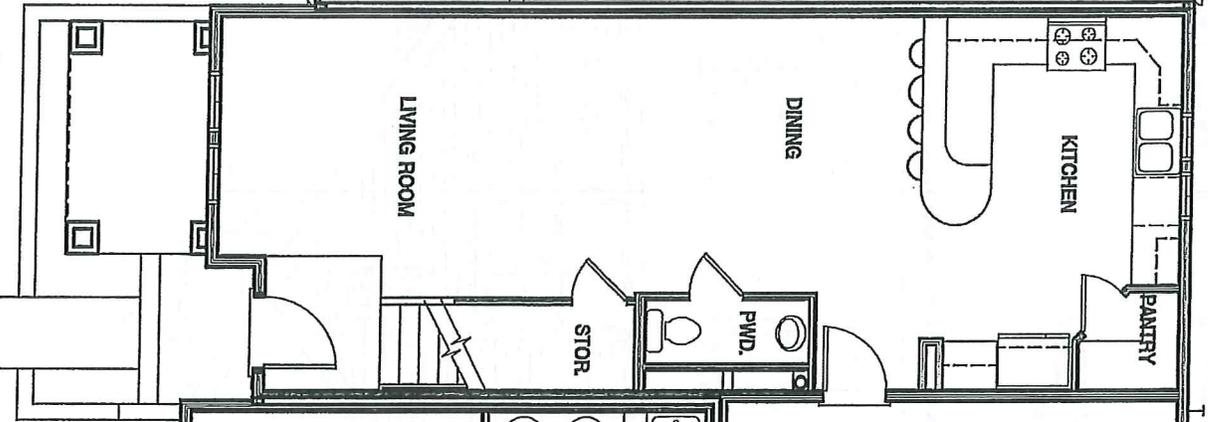


PLAN 6
ARTS & CRAFTS

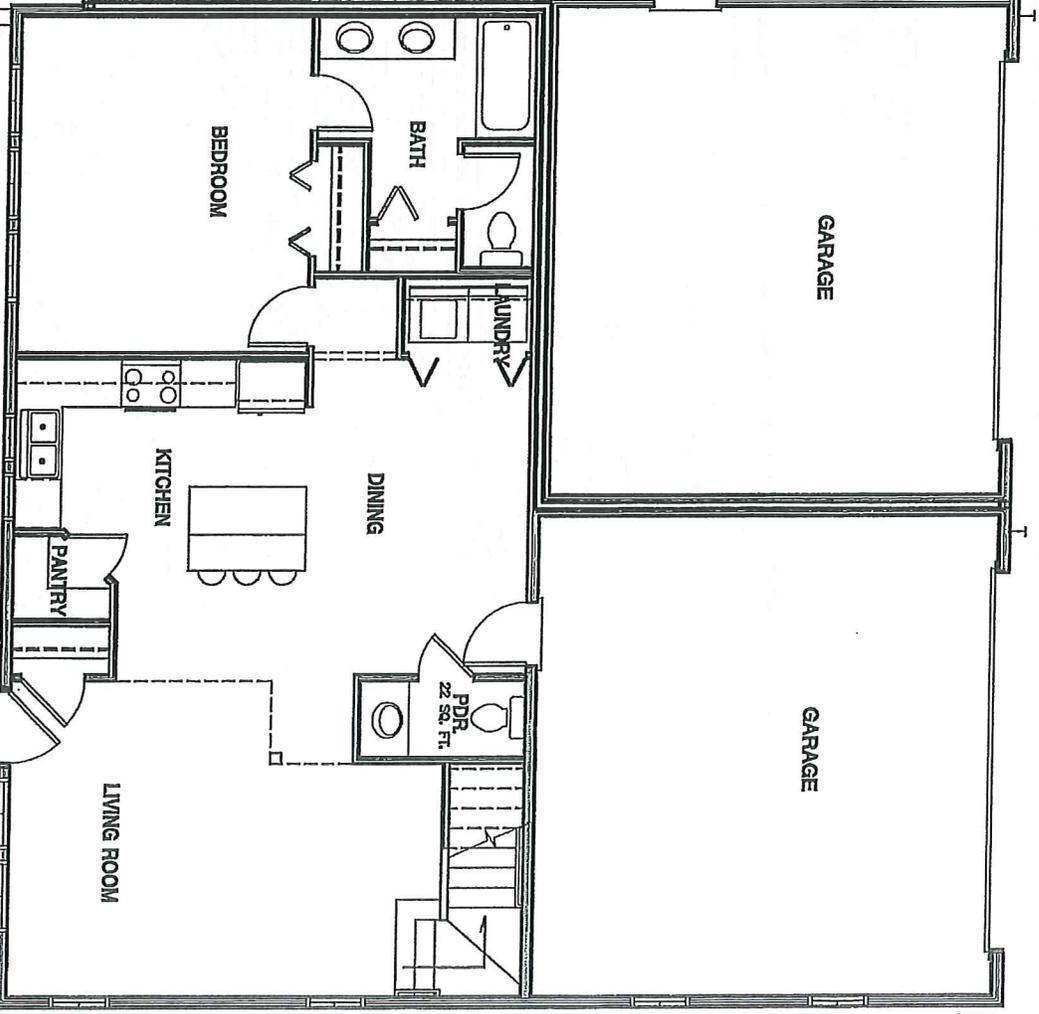
3 PLEX L - RIGHT SIDE ELEVATION



PLAN 1 YARROW
ARTS & CRAFTS

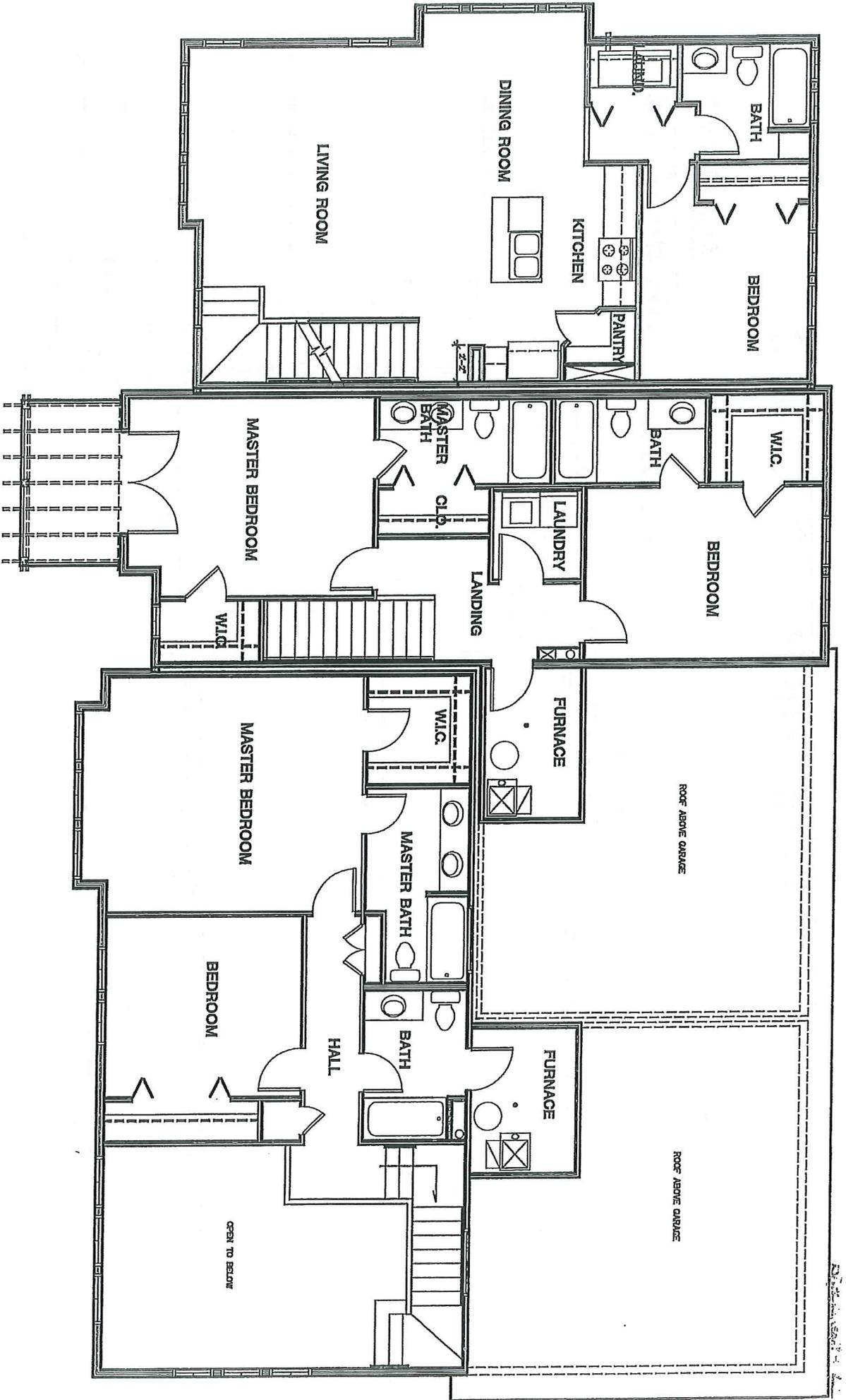


PLAN 7 CEDAR
TRANSITIONAL MODERN



PLAN 6 CYPRESS
ARTS & CRAFTS

3 PLEX L - FIRST LEVEL PLAN

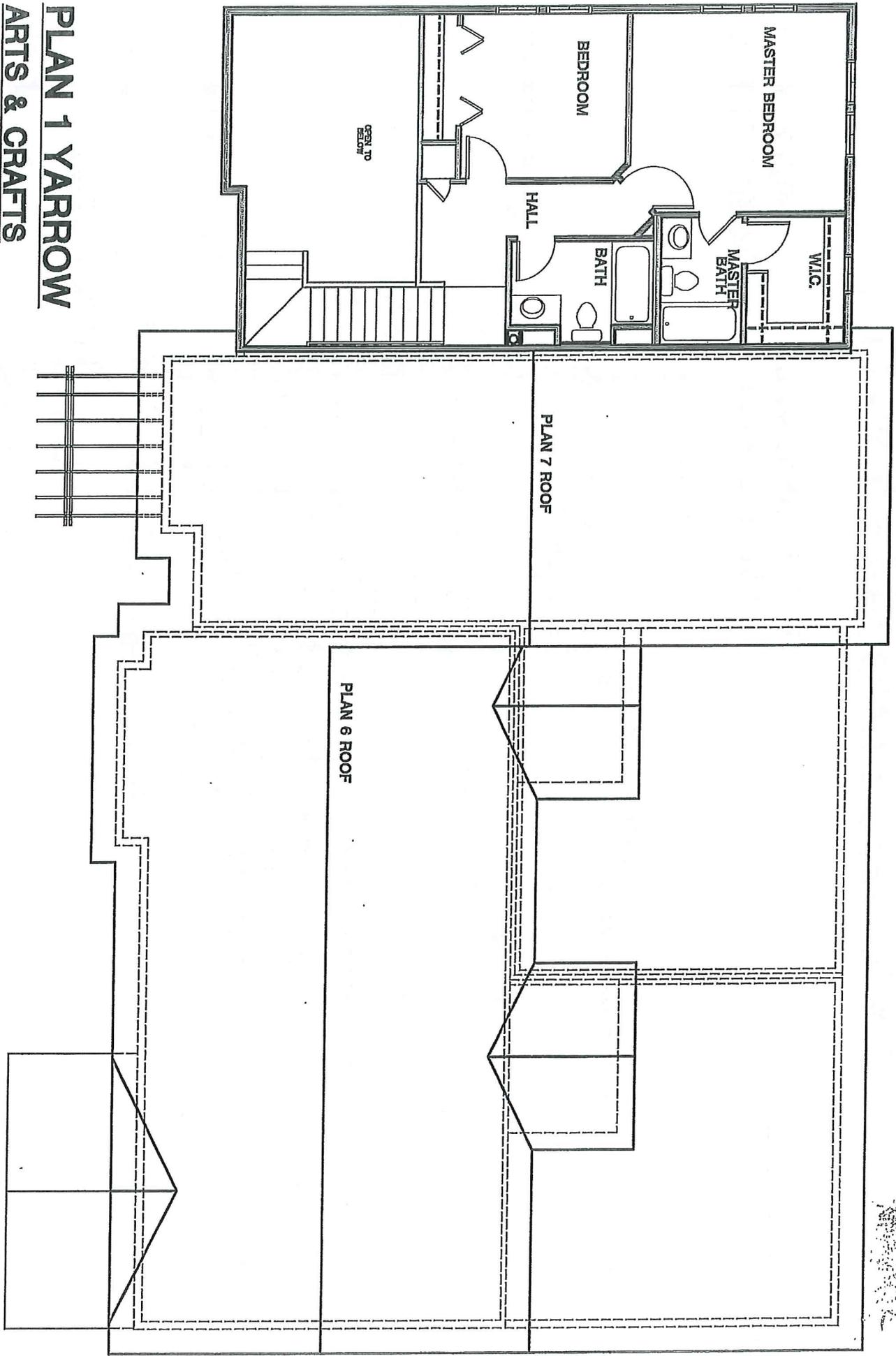


PLAN 1 YARROW
ARTS & CRAFTS

PLAN 7 CEDAR
TRANSITIONAL MODERN

PLAN 6 CYPRESS
ARTS & CRAFTS

3 PLEX L - SECOND LEVEL PLAN



PLAN 1 YARROW
ARTS & CRAFTS

3 PLEX L - THIRD LEVEL PLAN

Handwritten signature or initials in the bottom right corner.

Exhibit C.

Phase 4 Landscaping Plan and Screening Details

Report by Greg Montgomery

Agenda Name: Consideration of amending development agreement for revision of exhibit C to two story unit building design and exhibit B to add landscaping plan for phase 4 and open space design.

Petitioner/ Developer: Blaine Walker
P.O. Box 902581
Sandy Utah 84090

Petitioner/ Developer's requested action: Approval of phase 4 site, landscape and building plan.

Planning Staff's Recommended Action

Approval subject to:

1. The revised building design adding brackets to the gable end on the rear pop outs and adding some other feature to break up the blank wall.
2. The landscape plan be revised to add benches along the curvilinear planting area and the center hard surface area have a circular paver design.

Planning Commission's determination for action

1. Amending the two story unit design is / *is not* consistent with the architectural design guidelines for the Riverbend development
2. The phase 4 landscape plan is / *is not* consistent with the theme of the development and Riverbend Guidelines.
3. This phase of the development is/ *is not* consistent with the approved plan for the Meadows at River Bend.

Past History

April 1, 2015- An amendment to development agreement was made for a new two story unit design and landscaping for phase 3 and additional land to be added in phase 4.

September 4, 2013- Amendment made to revise phase 2 with new alignment for units along 20th Street and include new two story design.

December 7, 2011- Approved MU development agreement for Southriver Townhomes.

April 6, 2011- Ogden Bend Redevelopment Masterplan and Design Guidelines approved.

May 2, 2007- The area was rezoned from R-1-6, C-2 and M-1 to MU.

Vicinity Map



Project Summary

Property Address: 351 Park Boulevard
Zone: MU
Community Plan: CBD
Property Size: .99 acres (19.8 d.u.a.) total 4.22 acres (15.6 d.u.a.)
Existing Use: vacant land for phase 4

DEVELOPMENT STATISTICS

Land utilization

Open space	Building	Hard surface
19.5%	43.8%	36.7%

Building height: two and three story

On site Parking: 52 stalls

Description of request

The final phase of the Meadows at River Bend is being submitted for approval. The plan proposes 20 units in 6 different buildings. Four of the buildings will have the new two story unit which was approved in phase three included in the design. This project will tie all the roads and sidewalks together and complete the 66 unit development. An amendment to the two story unit is being proposed which makes the building 10 feet longer and alters some the exterior building elevation by adding an additional section of windows to the front face, altering the window placement under the porch and adding a mechanical room on the second level of the rear of the two story units.

The plan also proposes the landscaping for this phase and a final landscape design for the additional property that was included in phase three that serves as a buffer between this development and the commercial parking lot to the east. This space will have a screening wall of shrubs to buffer the commercial parking lot and then a curvilinear grass and shrub area to create a semi private green space for the development with a patio in the center of the space.

What Planning Commission reviews

The Planning Commission is required to review any alterations to the approved master plan which includes building elevations. The Commission is also required to review the landscape plan since it was never approved as a master plan but was a phase by phase addition.

The Planning Commission's recommendations are then forwarded to the RDA Board to be included as amendments to the development agreement.

Factors for consideration of action

1. Alterations of the two story building design

The Commission had reviewed a preliminary design for the new two story unit as part of phase three. Since that time the floor plan was revised and changes made to the floor plan which were determined by the developer to be more marketable and create more usable space. Those changes created a larger building face and revisions are proposed to add additional windows so that there would not be a blank wall. The window and door placement under the porch was also revised to make the room more functional that is behind the porch. The rear of the building has a pushout addition because the mechanical room was moved from the garage to this new space on the second floor at the back of the building.

The main item that needs to be considered is that the design reflects the architectural patterns in the development guide for the MU zone and the theme established for this development. The window locations and design pattern keep the modulation that is required in the plan. The rear addition changes the roof line by adding gables over the push outs and removes a window from the back area. The back is less visible and while the gables break up the long roof line the blank wall and lack of detail is a concern. As a minimum the bracketing of the eaves of the craftsman style should be added to the gable ends and consideration of decorative venting on the gable ends or repeating the window pattern that occurs on this portion of the building may help to take away the starkness of the blank walls.

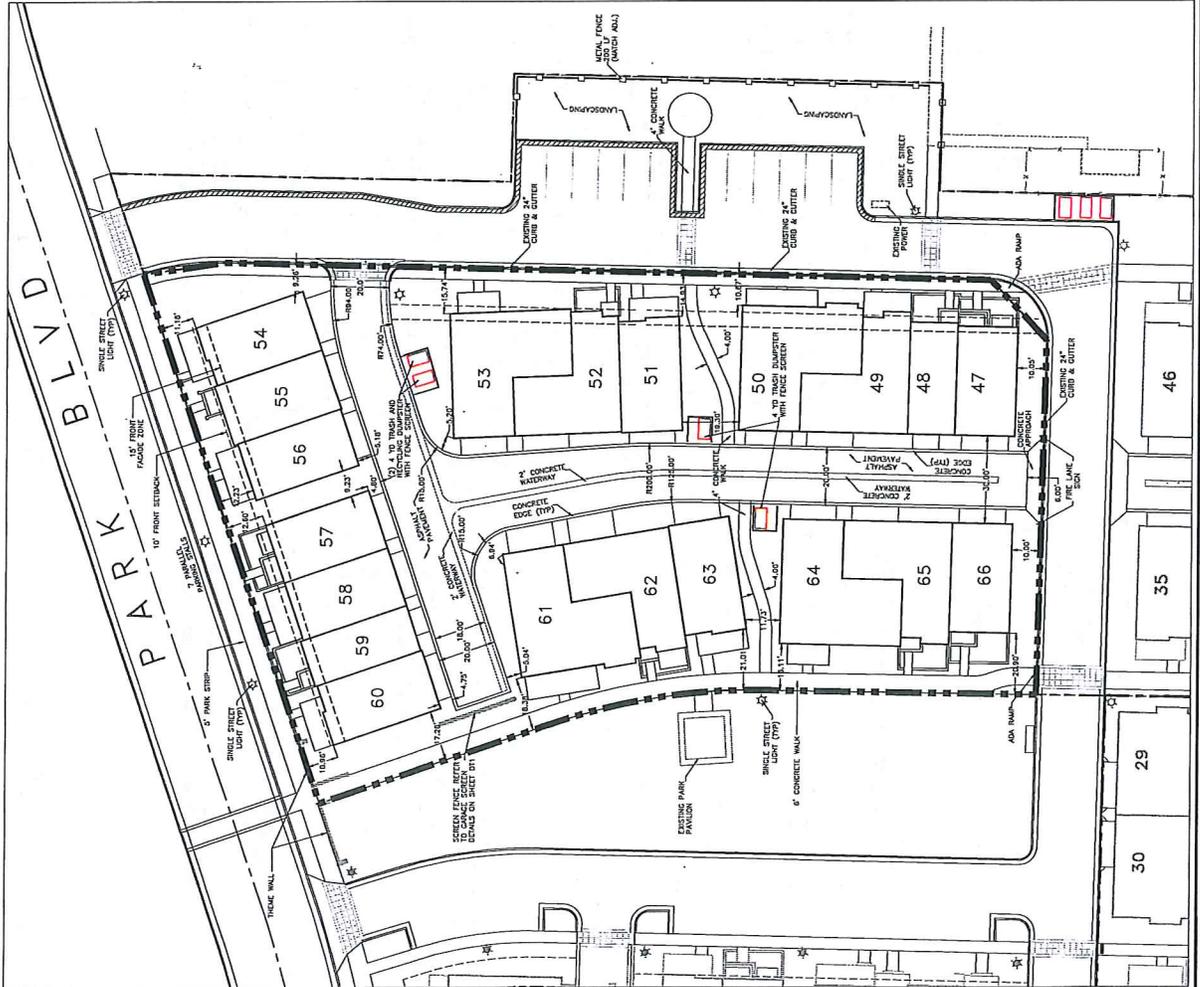
2. Phase 4 landscape plan

The landscape plan is consistent with the overall theme that has been established throughout the development. Trees, lighting and planting areas are consistent with the idea that lawn is used to compliment the planting areas and should not be the main theme. The design for the east landscaped area keeps this in mind and creates a passive area with the curvilinear design. Some key elements are missing though in the details. Benches should be located along the curve planting design to maintain the pattern established rather than two benches placed by the plaza. The plaza design lacks any scale detail as the paving pattern and material are not the same intimate design that this space seems to want to create. The concrete circular area should be something that has a radial design to it and have a texture such as stamped flagstone so it is a smaller scale.

Attachments

1. Site plan
2. Proposed two story building design
3. Approved two story building design
4. Landscape plan
5. Open space element suggestions from Master plan design guidelines
6. Phase 4 building elevations
7. Suggested changes

THE MEADOWS AT RIVER BEND PHASE 4

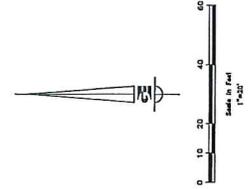


PHASE 4 - BREAKDOWN

UNIT 47:	PLAN 1, TRANSITIONAL MODERN STYLE	4 PLEX/D
UNIT 48:	PLAN 4, ARTS AND CRAFTS STYLE	
UNIT 49:	PLAN 7, ARTS AND CRAFTS STYLE	
UNIT 50:	PLAN 6, VICTORIAN STYLE	
UNIT 51:	PLAN 1, ARTS AND CRAFTS STYLE	3 PLEX/L
UNIT 52:	PLAN 7, TRANSITIONAL MODERN STYLE	
UNIT 53:	PLAN 6, ARTS AND CRAFTS STYLE	
UNIT 54:	PLAN 1, ARTS AND CRAFTS STYLE	3 PLEX/M
UNIT 55:	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 56:	PLAN 1, VICTORIAN STYLE	
UNIT 57:	PLAN 1, TRANSITIONAL MODERN STYLE	
UNIT 58:	PLAN 1, VICTORIAN STYLE	
UNIT 59:	PLAN 4, ARTS AND CRAFTS STYLE	4 PLEX/E
UNIT 60:	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 61:	PLAN 6, VICTORIAN STYLE	
UNIT 62:	PLAN 7, TRANSITIONAL MODERN STYLE	3 PLEX/K
UNIT 63:	PLAN 1, ARTS AND CRAFTS STYLE	
UNIT 64:	PLAN 6, ARTS AND CRAFTS STYLE	
UNIT 65:	PLAN 7, VICTORIAN STYLE	
UNIT 66:	PLAN 1, TRANSITIONAL MODERN STYLE	3 PLEX/J

DEVELOPMENT DATA - PHASE 4:

1. DEVELOPMENT ACREAGE	48,500 SF / 0.89 AC
2. PROPOSED DENSITY	20 UNITS
3. ON SITE PARKING PROVIDED	40 GARAGE STALLS
4. TOTAL IMPERVIOUS	35,035 SF / 60.53%
5. LANDSCAPE AREA	6,473 SF / 13.47%
6. PARCEL I.D. #	030410022



- NOTES:**
1. FIRE APPARATUS ACCESS ROADS SHALL BE MARKED WITH PERMANENT NO PARKING, FIRE UNIT SIGNS. SIGNS SHALL HAVE A MINIMUM DIMENSION OF 12" BY 18" WITH RED LETTERING ON A WHITE BACKGROUND.
 2. FOR ADDITIONAL NOTES - SEE SHEET C2.
 3. LIGHT POLE BUCK TOP SHALL BE FLUSH WITH SURROUNDING FINISHED GROUND.

ATTN: MEAD

SCALE: 1" = 20'

PERSONS	DATE
DESCRIPTION	
DATE: 10-12-2015	
DESIGN: RS	
DRAWN: RC	
CHECKED: TM	

DWG. NO. 15-000000-0000

SOUTH RIVER LLC

THE MEADOWS AT RIVER BEND - PHASE 4

SITE PLAN

OGDEN CITY, WEBER COUNTY, UTAH

GARDNER ENGINEERING

CIVIL & LAND PLANNING

5150 SOUTH 325 EAST, OGDEN, UT 84403
OFFICE: 801.476.0202 FAX: 801.476.0066

S-1

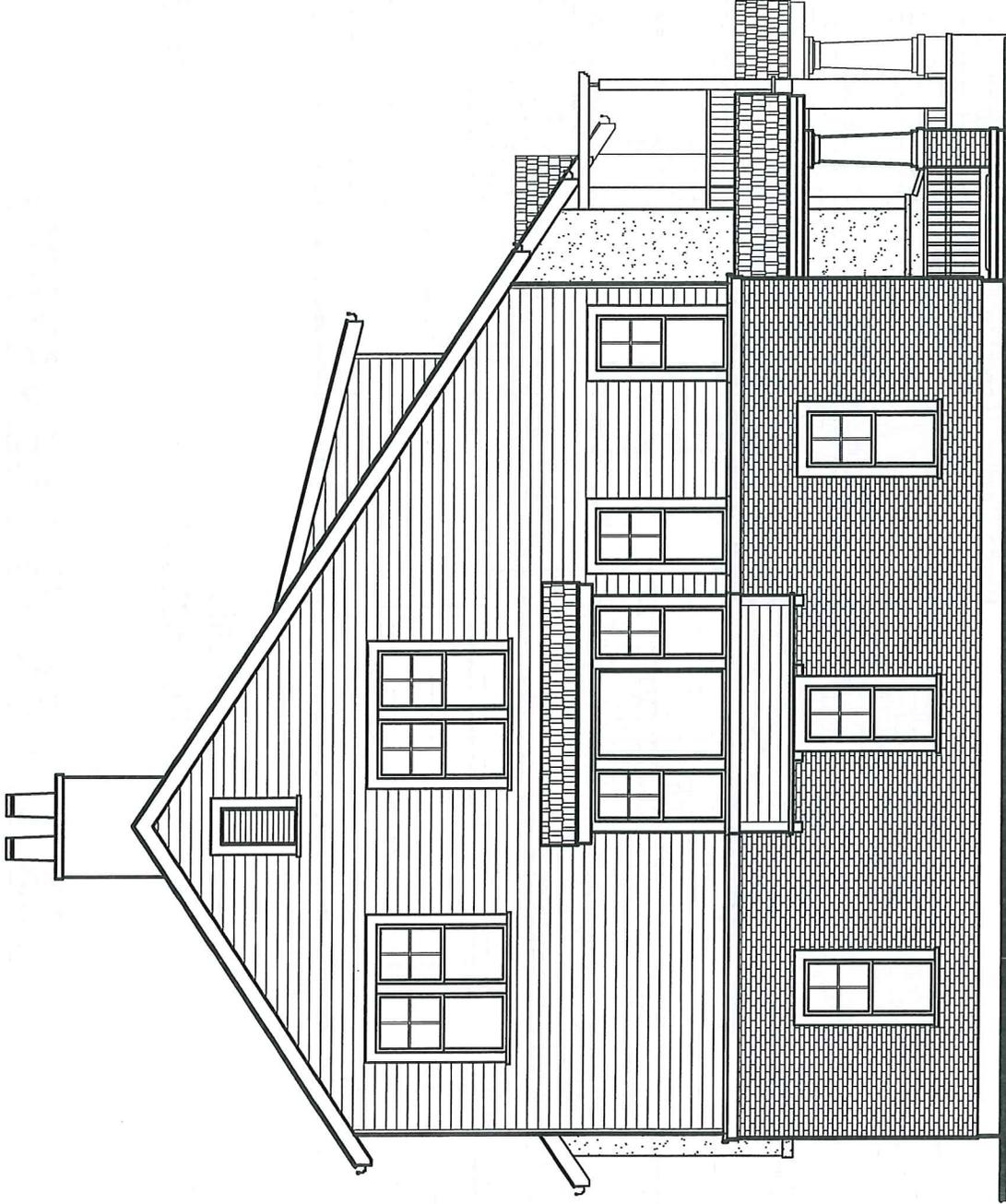


PLAN 1
ARTS & CRAFTS

PLAN 7
TRADITIONAL MODERN

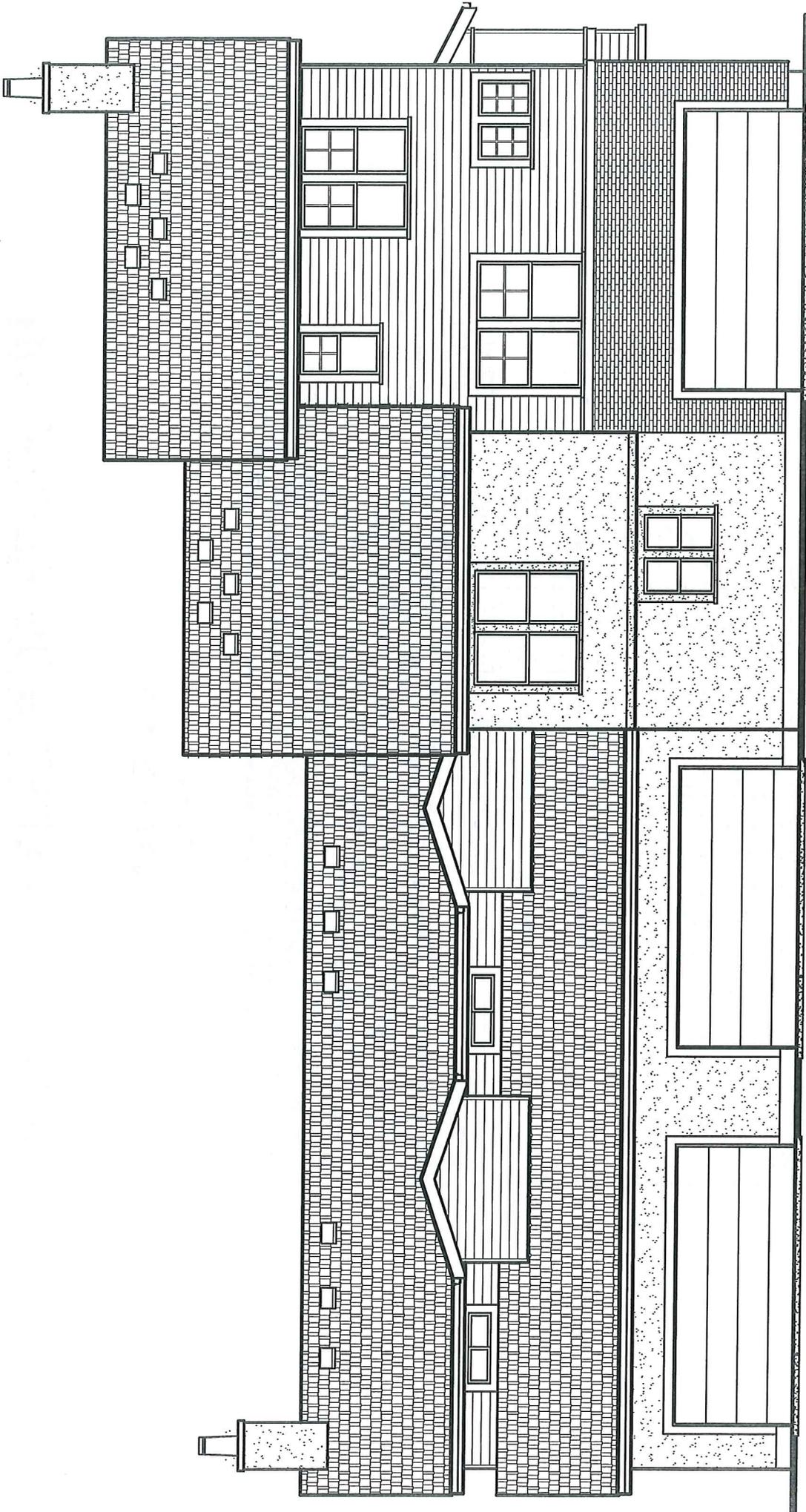
PLAN 6
ARTS & CRAFTS

3 PLEX L - FRONT ELEVATION



PLAN 1
ARTS & CRAFTS

3 PLEX L - LEFT SIDE ELEVATION

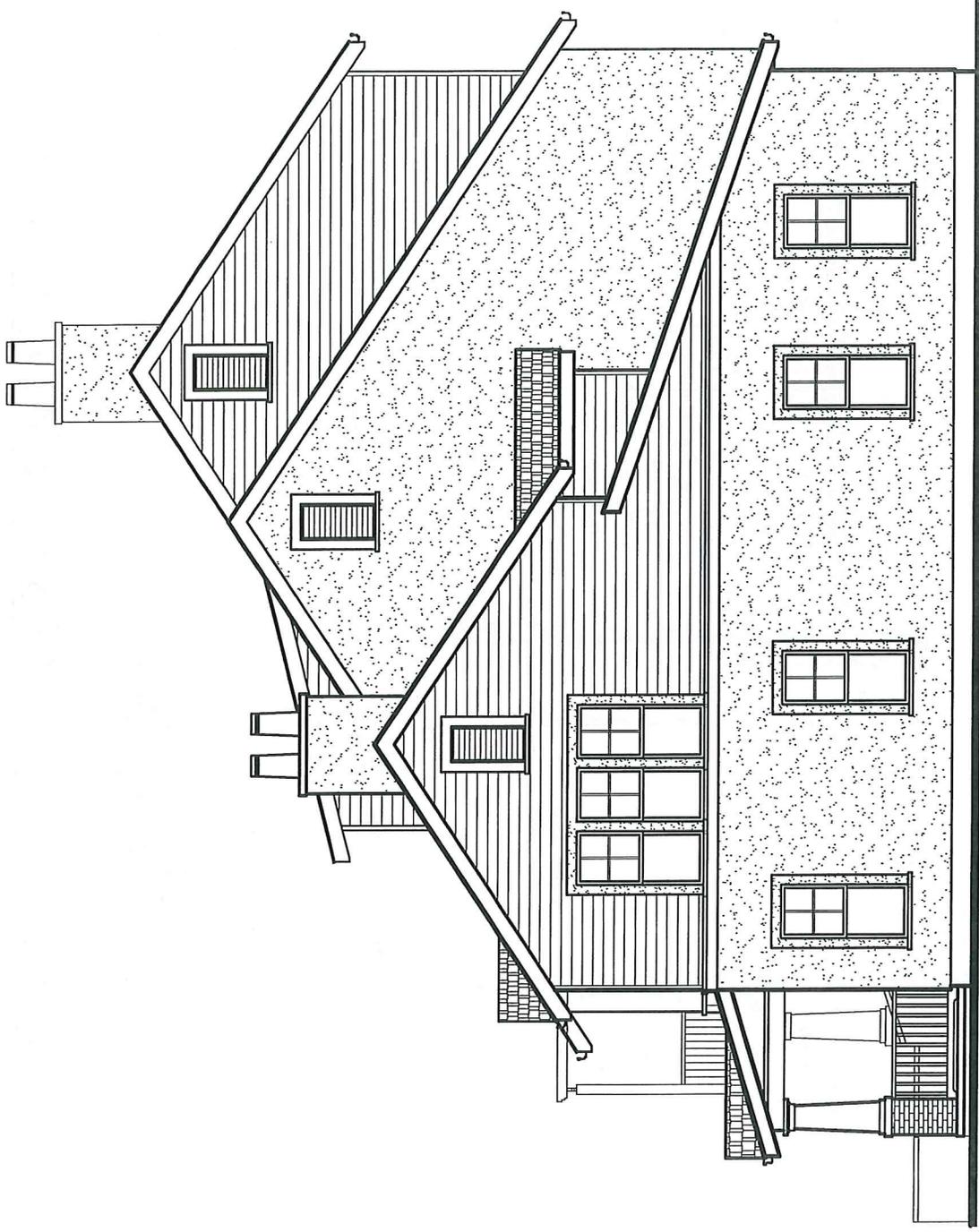


PLAN 6
ARTS & CRAFTS

PLAN 7
TRADITIONAL MODERN

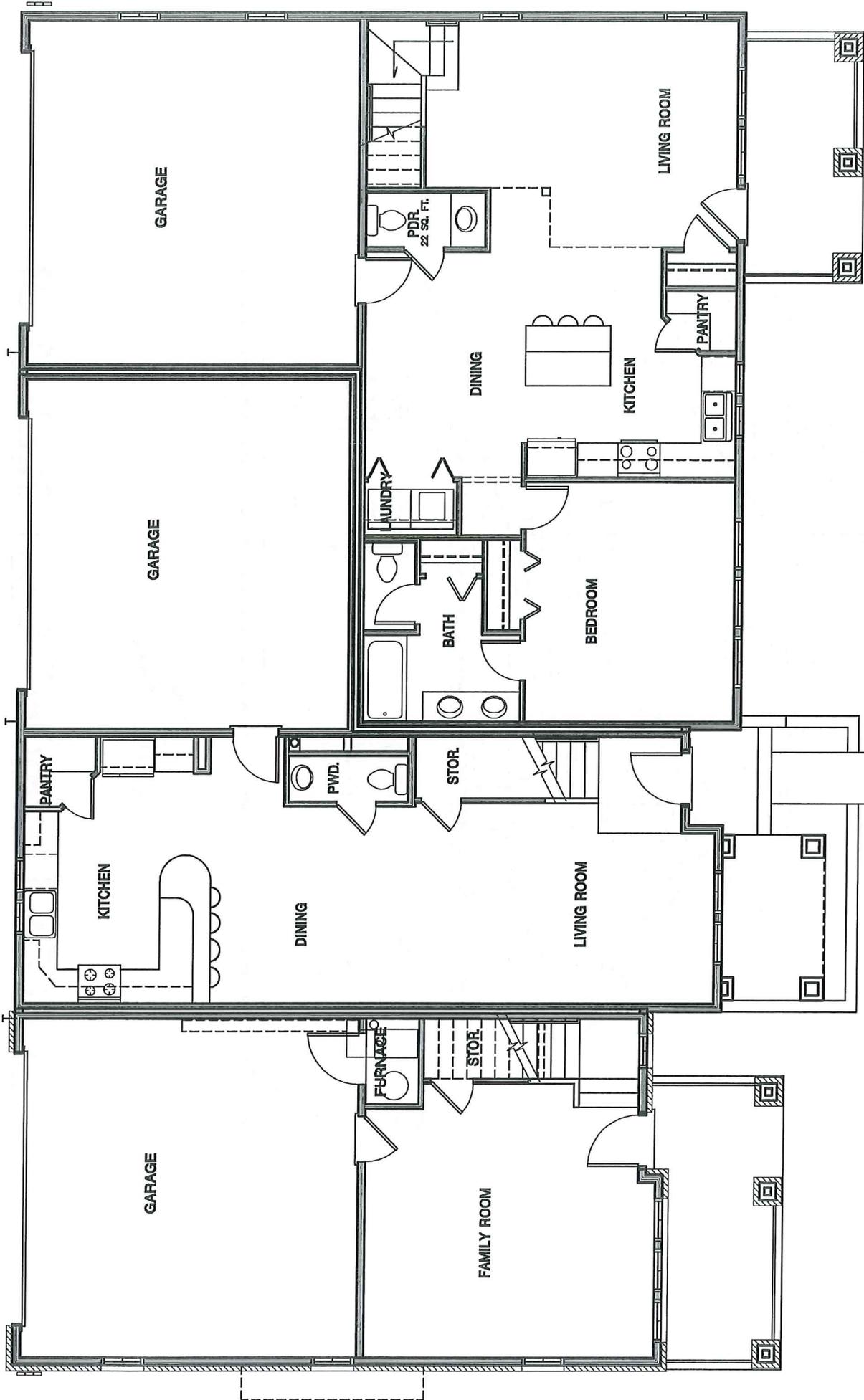
PLAN 1
ARTS & CRAFTS

3 PLEX L - REAR ELEVATION



PLAN 6
ARTS & CRAFTS

3 PLEX L - RIGHT SIDE ELEVATION

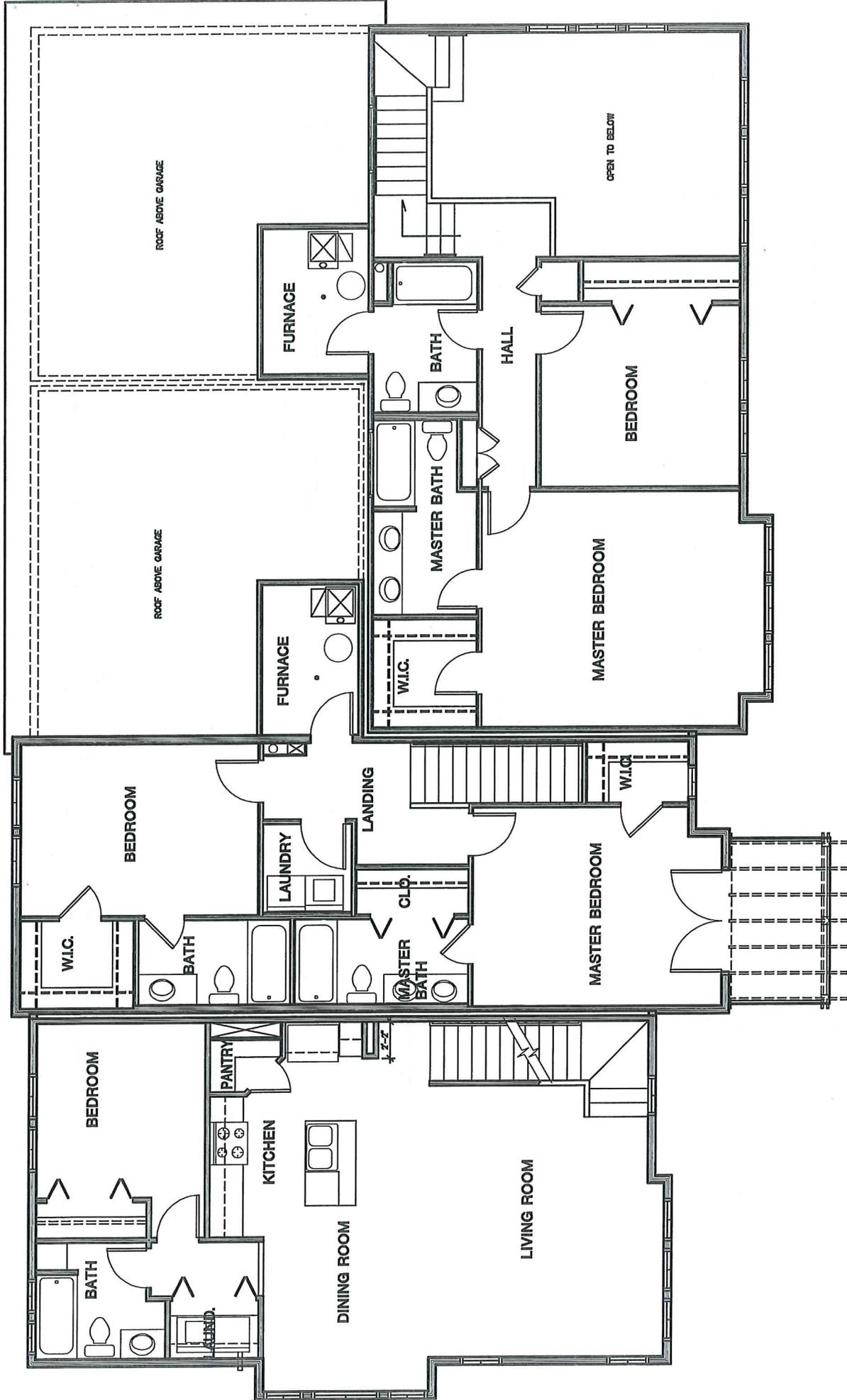


PLAN 1 YARROW
ARTS & CRAFTS

PLAN 7 CEDAR
TRANSITIONAL MODERN

PLAN 6 CYPRESS
ARTS & CRAFTS

3 PLEX L - FIRST LEVEL PLAN



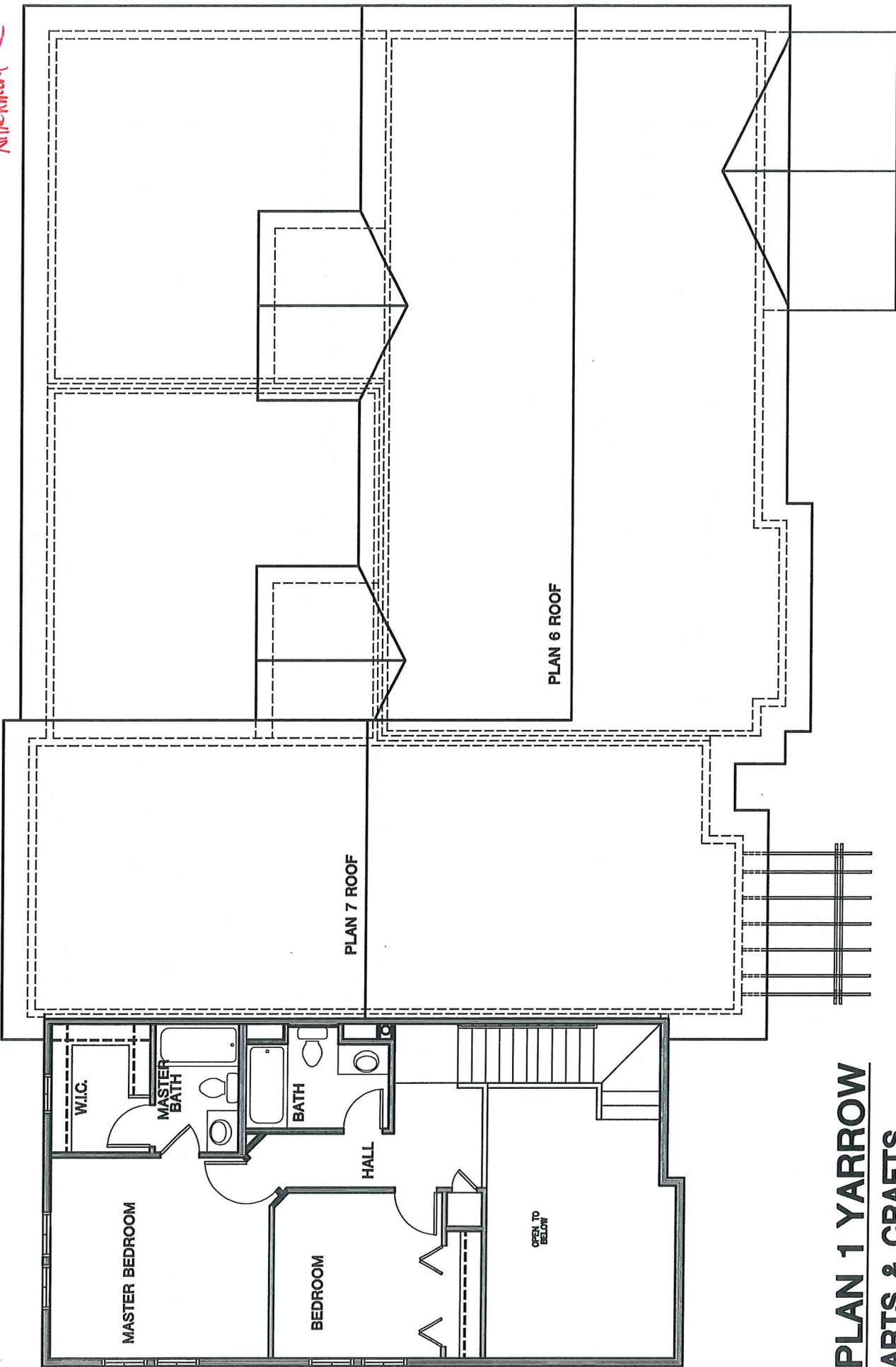
PLAN 1 YARROW
ARTS & CRAFTS

PLAN 7 CEDAR
TRANSITIONAL MODERN

PLAN 6 CYPRESS
ARTS & CRAFTS

3 PLEX L - SECOND LEVEL PLAN

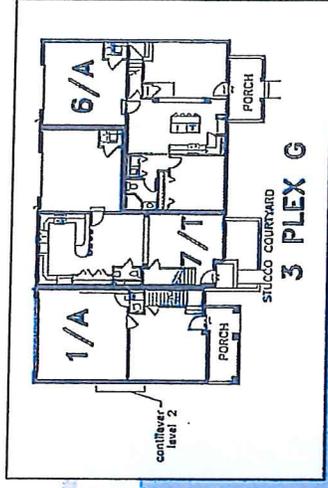
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PLAN 1 YARROW
ARTS & CRAFTS

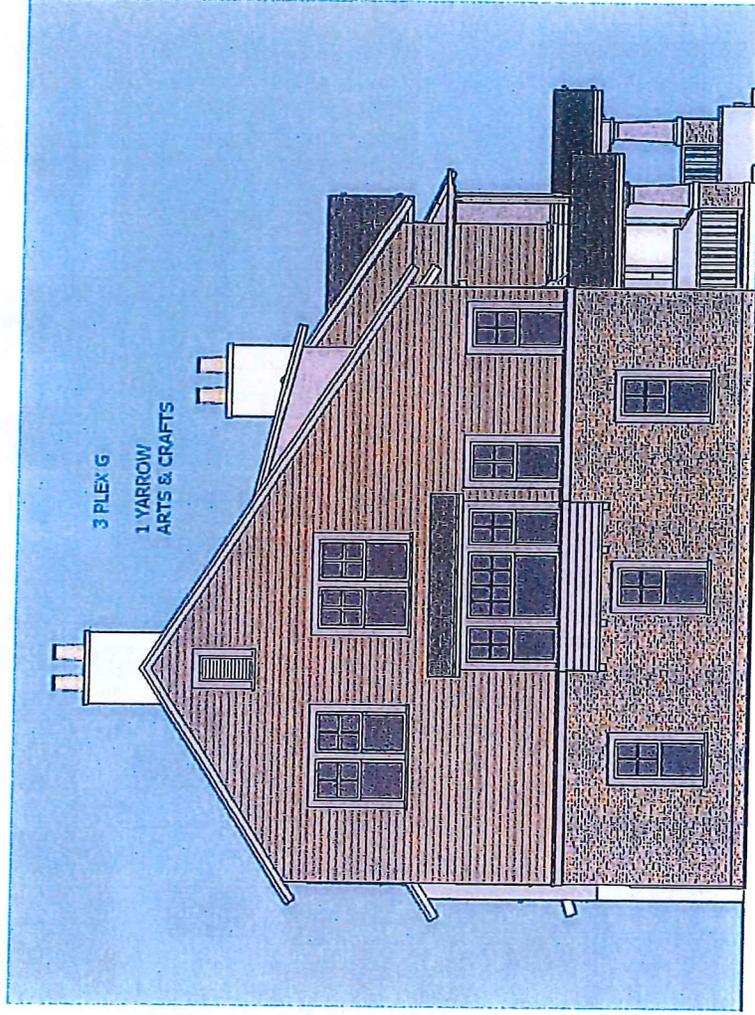
3 PLEX L - THIRD LEVEL PLAN

3 Plex G - Front



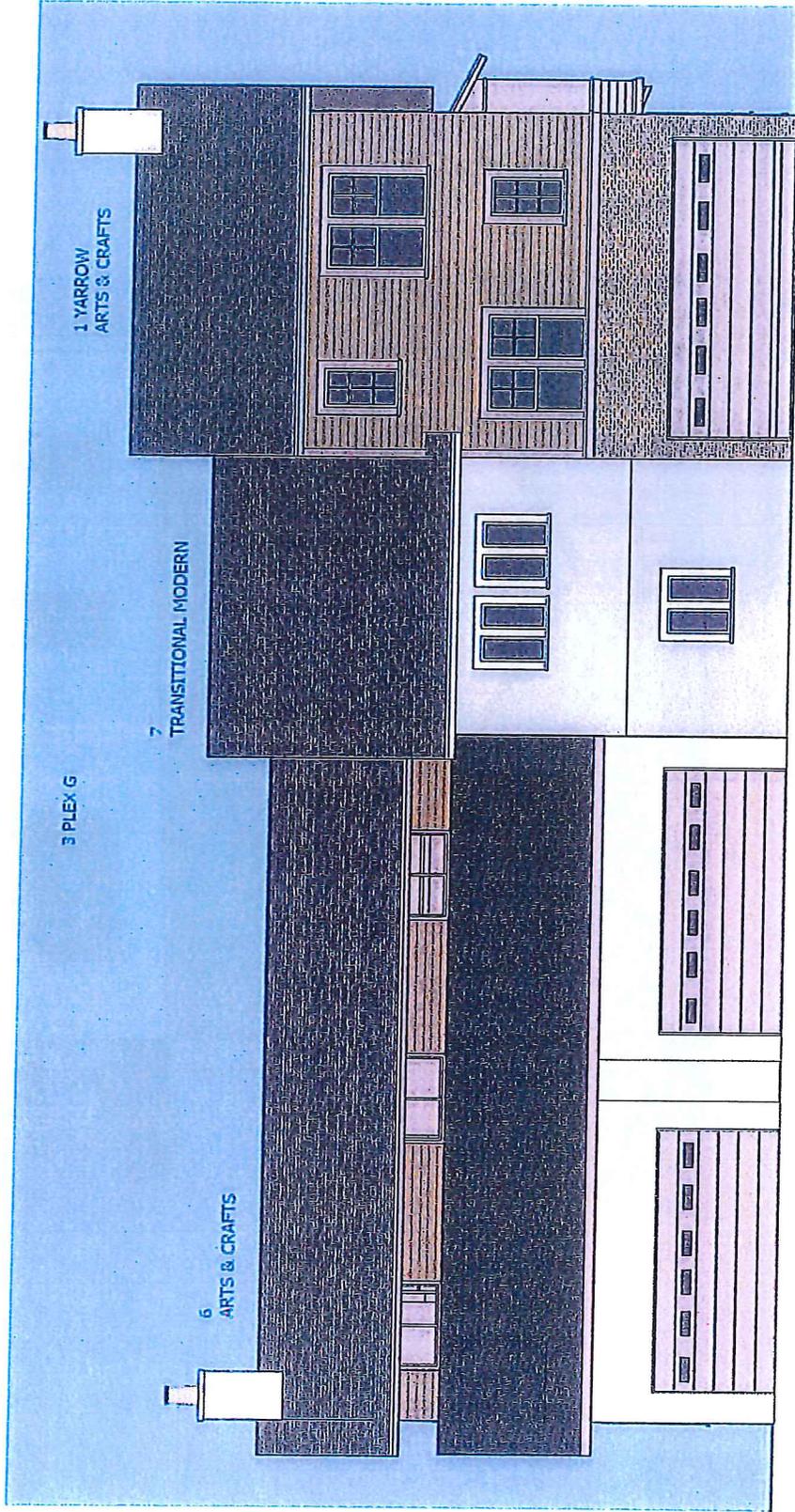
*SketchUp model above depicts the change in material and it's placement. Please note that the following slides with exterior specifications accurately represent the exterior finishes and color.

3 Plex G - Left



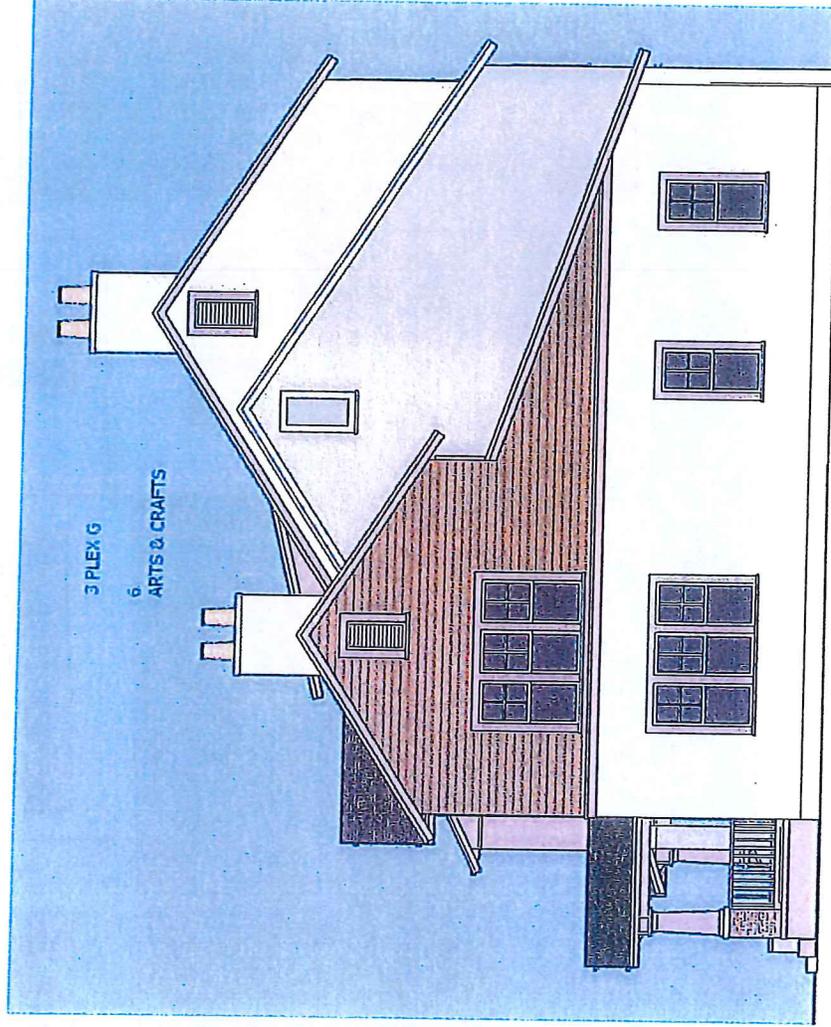
*SketchUp model above depicts the change in material and it's placement. Please note that the following slides with exterior specifications accurately represent the exterior finishes and color.

3 Plex G - Rear



*SketchUp model above depicts the change in material and it's placement. Please note that the following slides with exterior specifications accurately represent the exterior finishes and color.

3 Plex G – Right

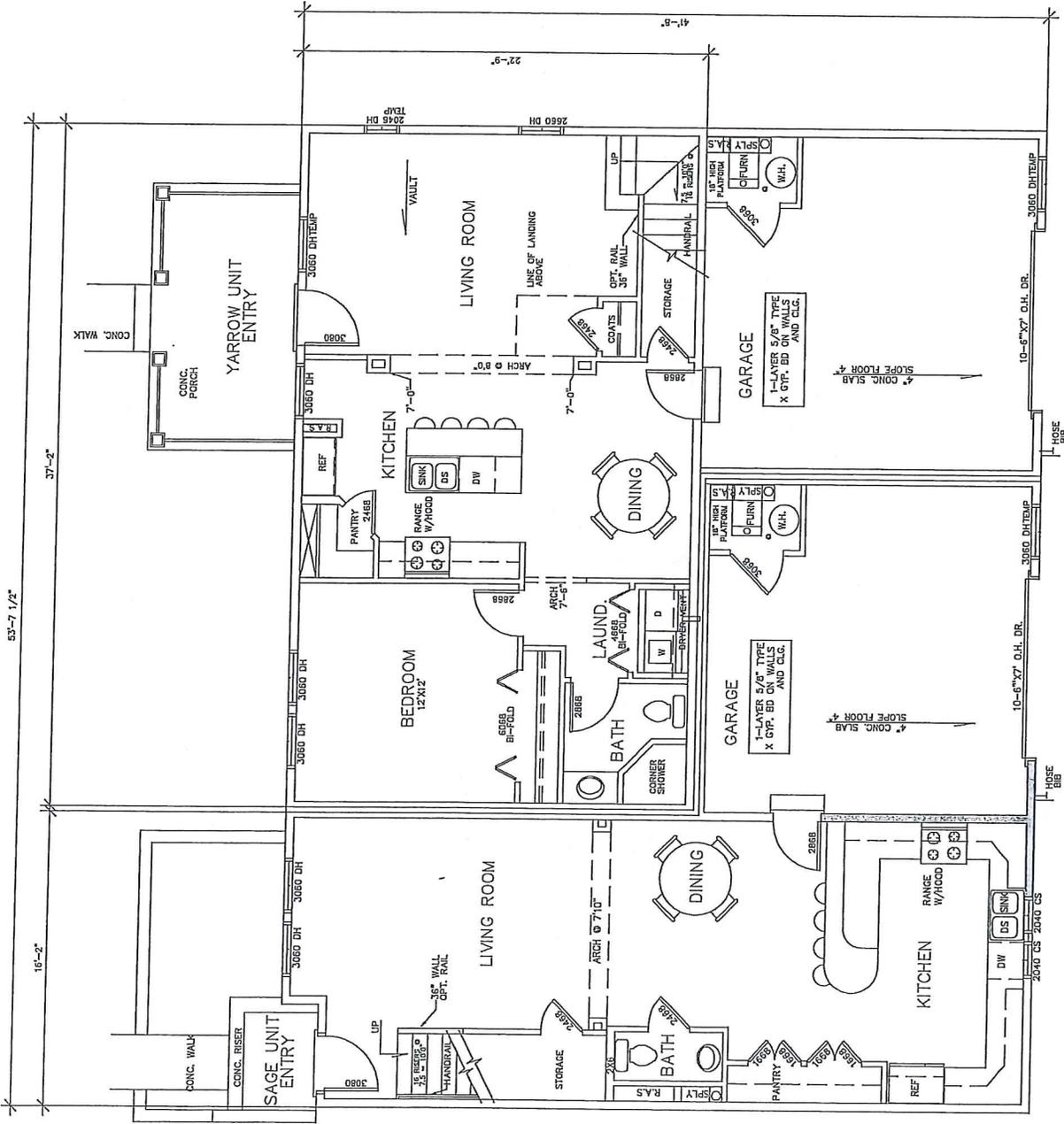


*SketchUp model above depicts the change in material and it's placement. Please note that the following slides with exterior specifications accurately represent the exterior finishes and color.

Attachment 3

NEW UNIT FLOOR PLAN

SAGE UNIT: 1330 TOTAL SQ. FT. (668.8 MAIN, 661.2 UPPER)
YARROW UNIT: 1484 TOTAL SQ. FT. (694.8 MAIN, 789.2 UPPER)



53'-7 1/2"

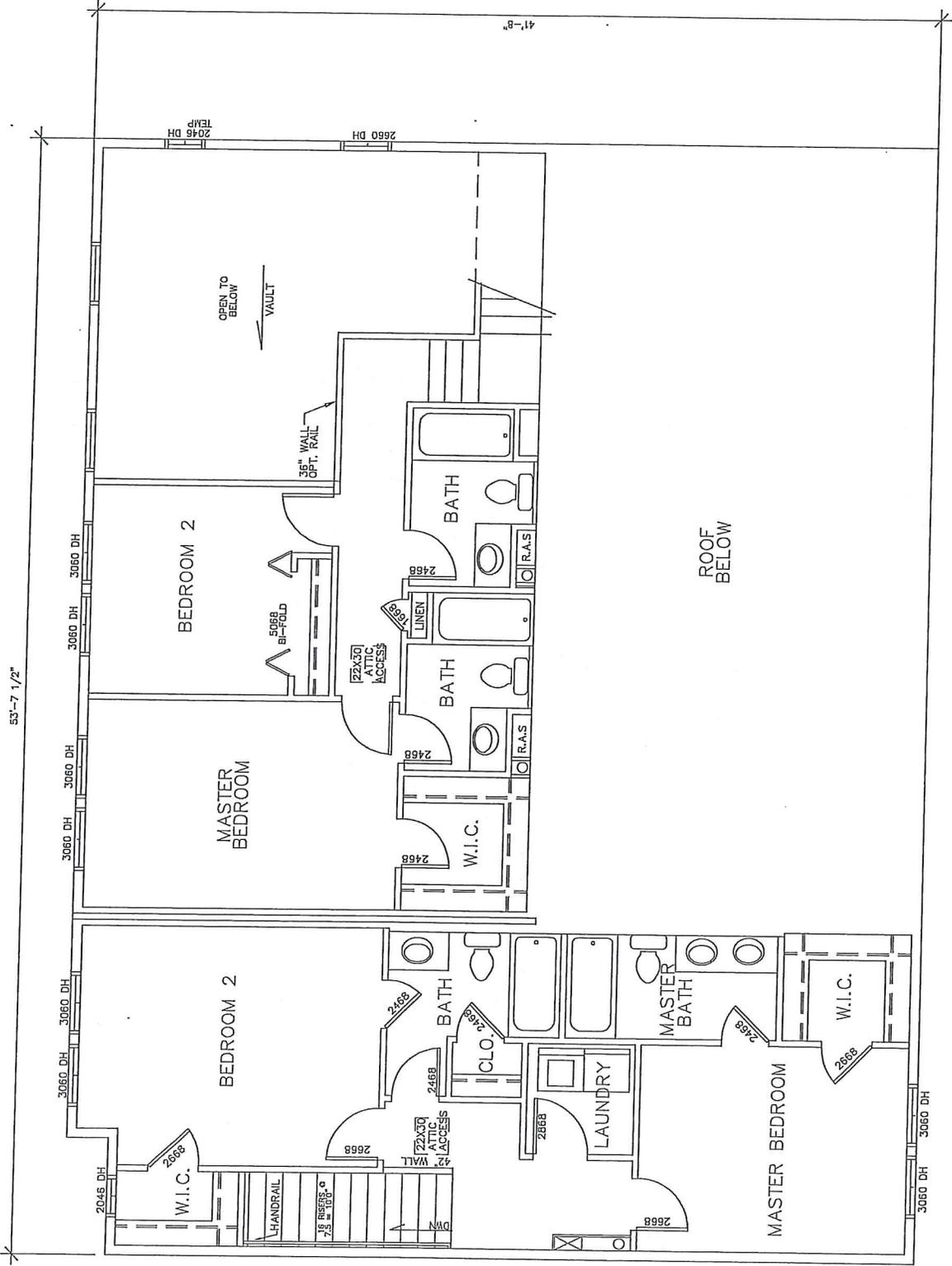
15'-2"

37'-2"

22'-9"

41'-8"

NEW UNIT FLOOR PLAN ZND Level



ROOF BELOW

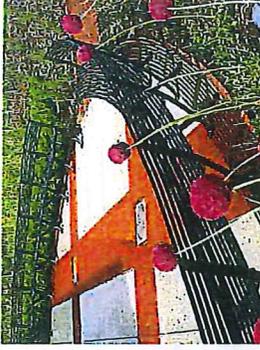
Open Space Elements



Stormwater retention features can be well designed and use local materials.



Porous paving surfaces reduce water runoff



Public open space combines landscape, hardscape, lighting



Safe areas for playgrounds is important to families



Brick pavers, when installed properly, can last as long as concrete and are also ADA compliant



Inimate gathering spaces should be mixed with larger spaces to invite more users



Consistent use of the same public space furniture makes for more orderly environment



Boardwalks help protect natural resources



Bike racks promote use of an alternate mode of transportation



Sustainable stormwater streetscapes include rain channels, planted verges, and porous paving



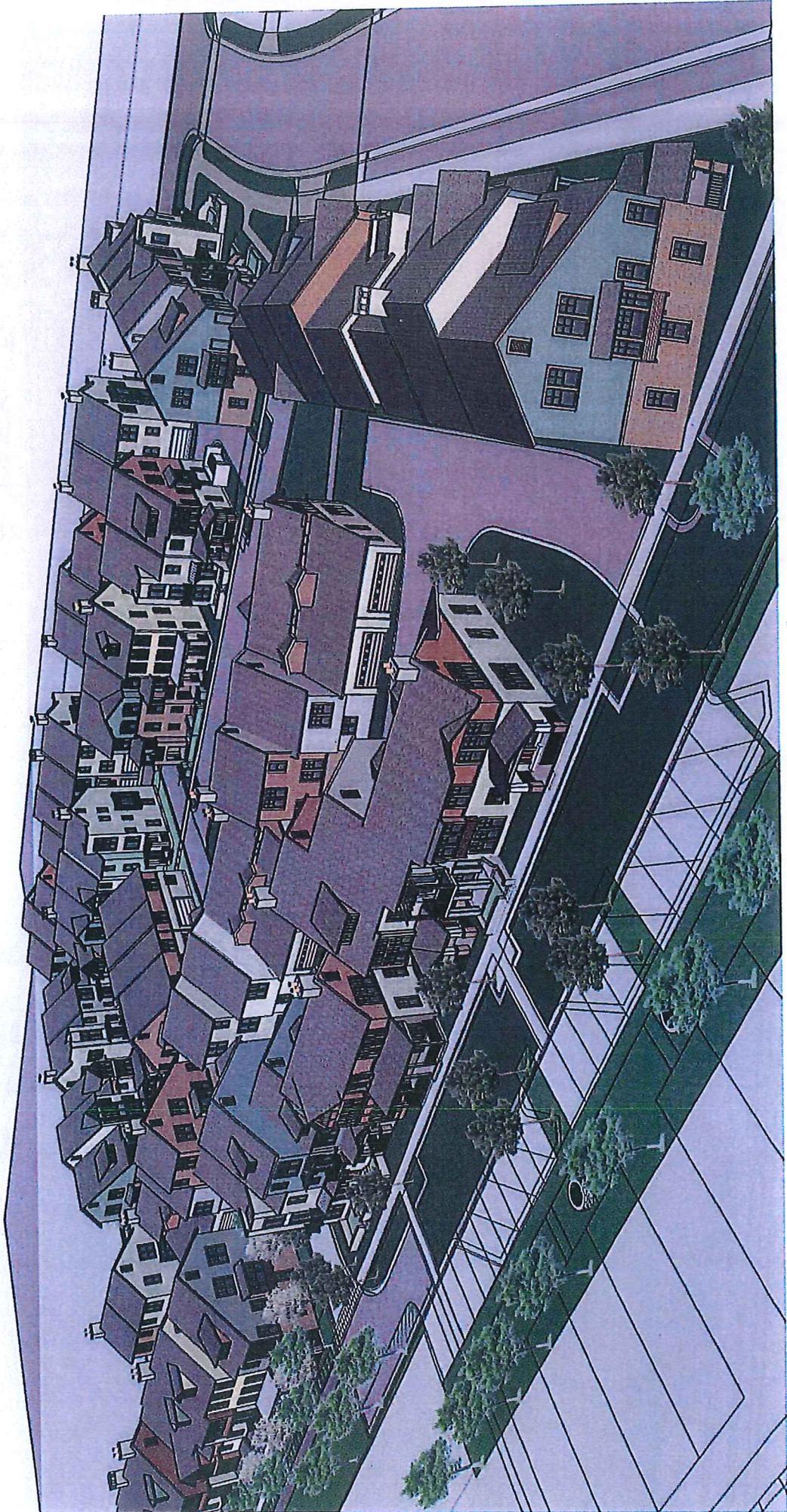
Hedgerows serve to define private space from public space, especially in 'townhouse mews (garden) locations



A variety of landscape palettes should be used to define open spaces



Small playgrounds or tot lots should be located within a residential address

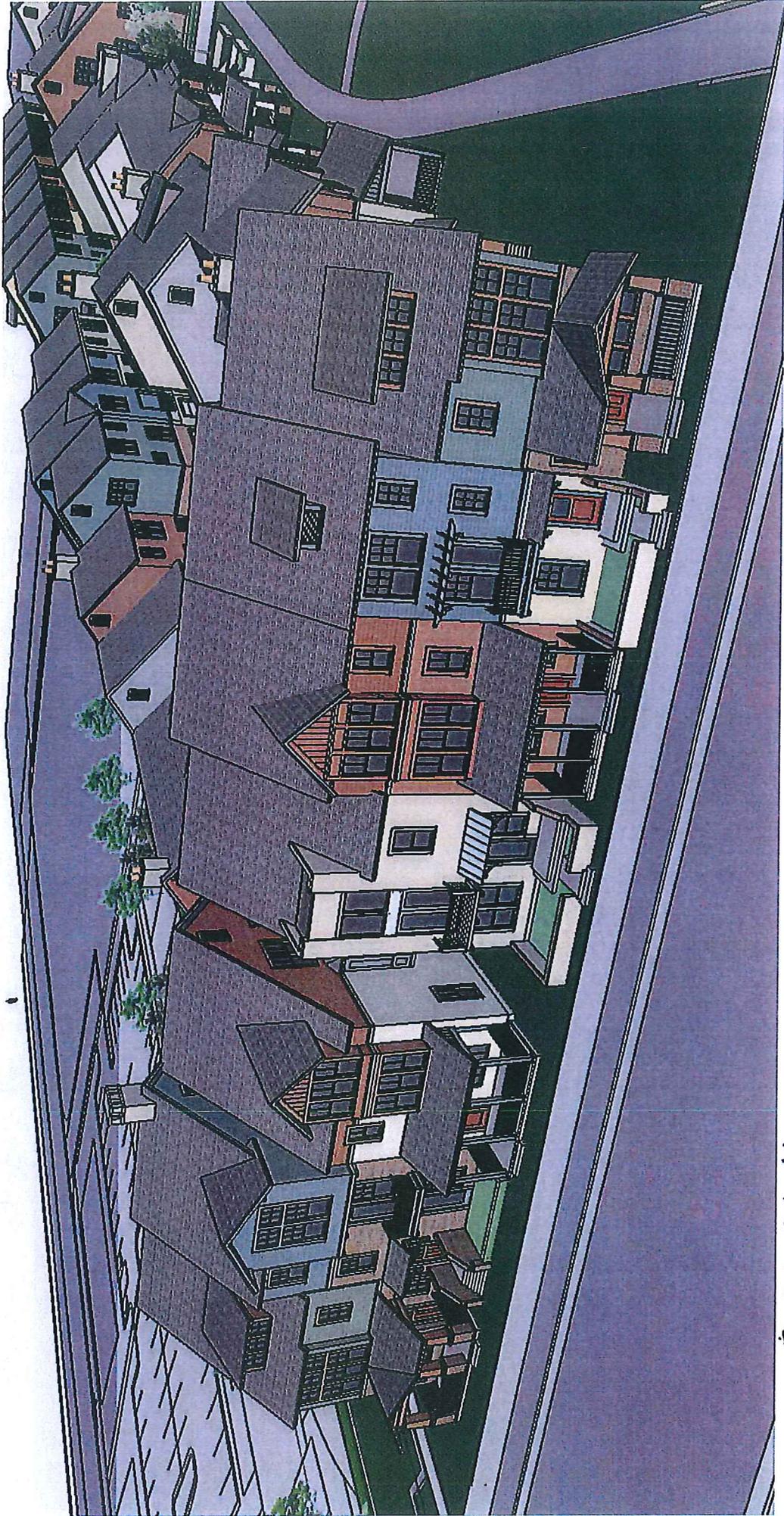


ENTIRE SITE



3 PLEX J

3 PLEX K



3 PLEX M

4 PLEX E

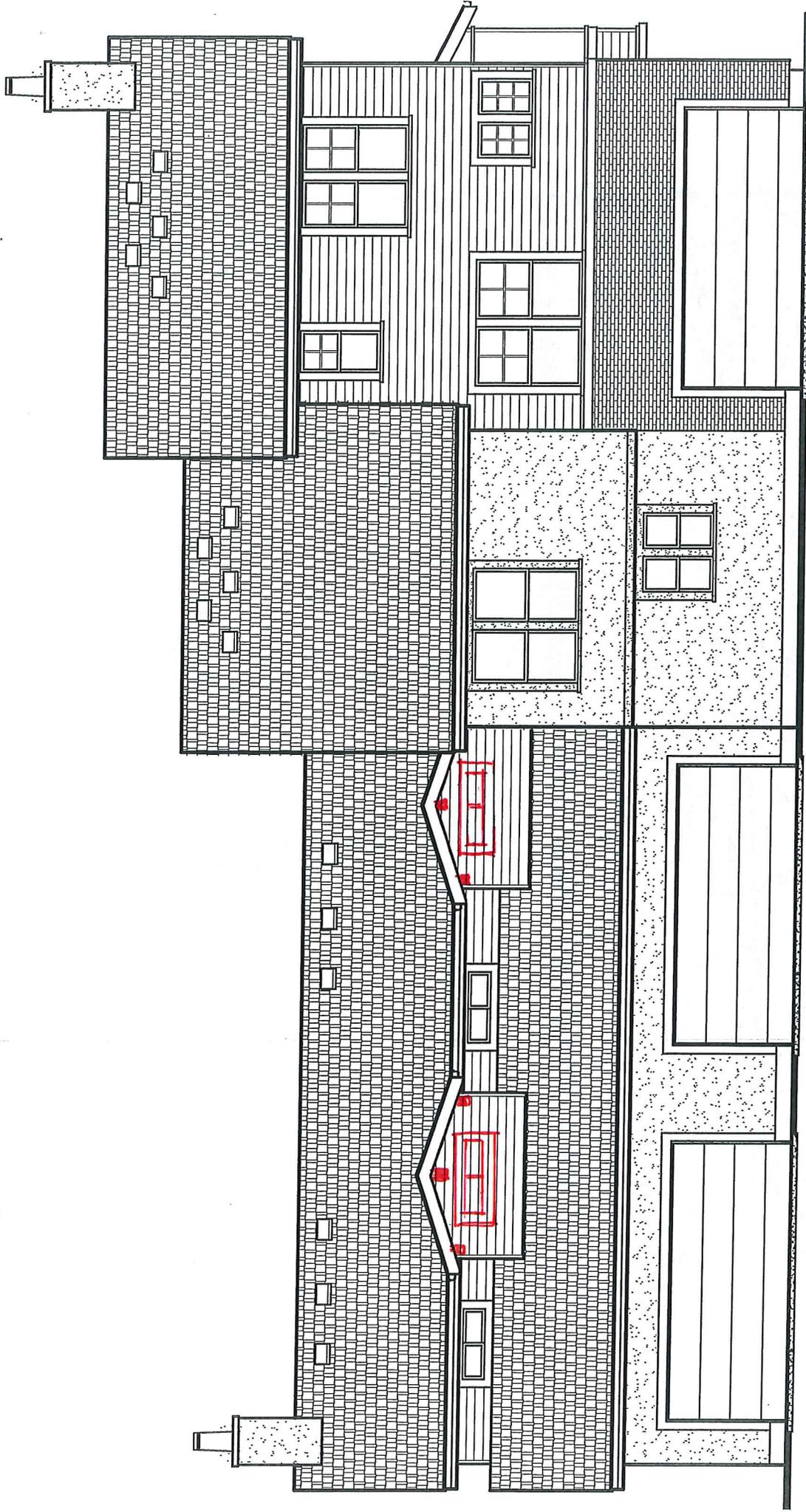


3 PLEX L

4 PLEX D

SUGGESTED REVISIONS IN RED

11/11/2021 /

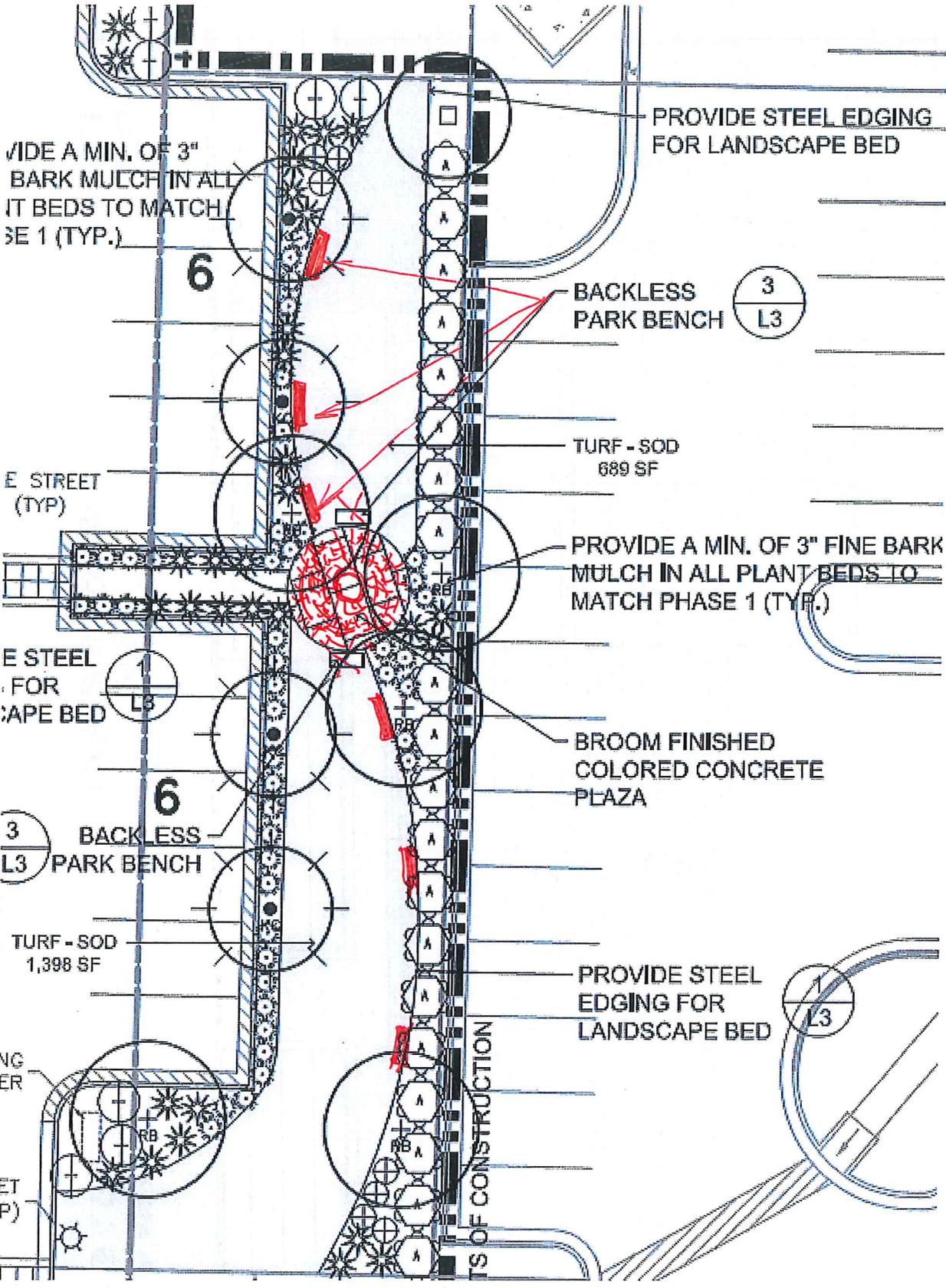


PLAN 6
ARTS & CRAFTS

PLAN 7
TRADITIONAL MODERN

PLAN 1
ARTS & CRAFTS

3 PLEX L - REAR ELEVATION



PROVIDE A MIN. OF 3"
BARK MULCH IN ALL
PLANT BEDS TO MATCH
PHASE 1 (TYP.)

PROVIDE STEEL EDGING
FOR LANDSCAPE BED

6

BACKLESS
PARK BENCH 3
L3

TURF - SOD
689 SF

E STREET
(TYP)

PROVIDE A MIN. OF 3" FINE BARK
MULCH IN ALL PLANT BEDS TO
MATCH PHASE 1 (TYP.)

STEEL EDGING
FOR
LANDSCAPE BED 1
L3

BROOM FINISHED
COLORED CONCRETE
PLAZA

6
BACKLESS
PARK BENCH 3
L3

TURF - SOD
1,398 SF

PROVIDE STEEL
EDGING FOR
LANDSCAPE BED 1
L3

CONSTRUCTION

CONSTRUCTION

CONSTRUCTION