

**NORTH OGDEN CITY COUNCIL
MEETING MINUTES**

September 1, 2020

The North Ogden City Council convened in a virtual meeting on September 1, 2020 at 6:01 p.m. at <https://us02web.zoom.us/j/88219173233> or by Telephone: US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on August 25, 2020. Notice of the annual meeting schedule was published in the Standard-Examiner on December 22, 2019.

PRESENT: S. Neal Berube Mayor
 Ryan Barker Council Member
 Blake Cevering Council Member
 Charlotte Ekstrom Council Member
 Cheryl Stoker Council Member arrived at 6:55 p.m.
 Phillip Swanson Council Member

STAFF PRESENT: Jon Call City Manager/Attorney
 Annette Spendlove City Recorder
 Rob Scott Planning Director
 Evan Nelson Finance Director
 Lorin Gardner City Engineer
 Eric Thomas Planning Commission Chairman

VISITORS: Susan Clements Ryan Forsyth Grant Protzman
 Terri McCulloch Brenda Ashdown Stefanie Casey
 Rachelle Krohn Nate Naree

Mayor Berube called the meeting to order. Susan Clements offered the Invocation and led the audience in the Pledge of Allegiance.

WORK SESSION AGENDA

1. PUBLIC COMMENTS

There were no comments.

2. DISCUSSION ON THE 7-11 PROJECT

Mayor Berube noted that the purpose of this agenda item is to give the applicant for the 7-Eleven project the opportunity to address the City Council regarding his proposal.

Ryan Forsyth used the aid of a PowerPoint presentation to review the design variations of the proposed 7-Eleven project proposed for the corner of 1700 North and Washington Boulevard. He referenced the Development Agreement (DA) for the Village at Prominence Point (VPP) project, which encompasses the subject property, and noted the relevant portion of that agreement states that the building in this area of the development needs to be a “gateway building”. Some of the design features identified in the City’s General Plan for creating a “gateway building” include:

- Consider additional height requirements in strategic locations, such as the corners that intersect Washington Boulevard.
- Corner towers could create a recognizable theme that ties in with the Downtown.
- Larger corner plazas with distinctive features such as artistic signs could create a gateway effect for North Ogden.
- Work with UDOT to change the street cross section and improve pedestrian street crossings to include reduced speeds, traffic calming such as medians, on-street parking, and landscaped bulb outs.
- Change the streetscape with widened sidewalks, street trees, and specialty cut-off lighting.
- Address signage to improve appearance and create distinctiveness from standard suburban strip mall type development.
- Consider the Cannery architectural style as a possible theme to reinforce in the area.

The bulleted items above were considered by himself and his team as they worked to design the project. He hired three different architects to work on the project and all were made aware of the design themes identified by the City for the purpose of creating a “gateway building”. He presented several versions of the proposed design of the site, noting the design was intended to accentuate the corner of property. It includes high quality architecture, construction products, and modern elevations. Various adjustments made to the design as it moved through the staff and Planning Commission review process include: The Planning Commission asked for a pedestrian walkway under an arched parapet accent; utilizing the architectural style and color scheme of the Cannery building; and addition of a feature that signaled a motorist’s entrance into North Ogden. This resulted in the addition of a clock tower feature, increased height of the building on at the corner, shifting the perimeter of the building to preserve the sight triangle at the intersection, and a garden trellis along the east façade of the building. He presented an adjusted elevation preserving the site triangle at the intersection, nothing that landscaping and signage was pushed off of the area directly fronting the intersection per the City Engineer’s recommendation.

Mr. Forsyth then presented the original site plan for the property, which is included as part of the VPP DA; he emphasized that this site plan identifies a gas station use that is squarely fronted on Washington Boulevard, fuel pumps behind the building, and parking access along the northern edge of the property. An additional site plan identifies the road layout for the roads fronting and serving the subject property. He noted that the roads in the area have been constructed exactly as identified on this site plan. It is his estimation that the type of “gateway building” called for in the DA would not be possible to construct due to the size requirements, frontage requirements along Washington Boulevard, parking requirements, landscaping, and signage requirements. He presented the DA architectural design example for the parcel upon which the car wash is now located. Those architectural examples also were not possible due to frontage requirements. The project that was ultimately constructed on that site is nothing close to the architectural renderings that were included in the DA. He stated that it is his opinion that the City Council did a good job in considering appropriate adjustments to the design example for the car wash site when evaluating spatial requirements and what was actually buildable on the site.

He then compared a site plan of another 7-Eleven project in Maryland with corner and rear entry. Multiple access points are a big issue for 7-Eleven due to the impact that dual entry has on safety and security of the business. However, the business model of 7-Eleven has changed as the demographics of the communities in which they are located have changed. Pedestrian patronage of 7-Eleven has increased and there are opportunities for considering contactless-engagement with customers for the purchase of goods other than fuel. There is a Virginia 7-Eleven that is ironically similar to some of the things that North Ogden has requested. It includes a clock tower, two entrances, and added building heights at the front corner of the store. He concluded that he believes he has displayed that he is more than willing to adjust his plan to accommodate the City’s desires for a “gateway building” at the intersection. He is committed to providing an aesthetically pleasing and functional convenience store to serve both his client – 7-Eleven – and the citizens of North Ogden and to do so as efficiently as possible with regard to time and cost. He wants to maximize the employment of specific architectural elements that North Ogden desires, but not overdesign the building to the point that it becomes unaffordable. He stated his latest design received unanimous support of the Planning Commission. They felt they were able to eloquently express their desires for the building design and those desires were implemented. He does not feel he has had the opportunity to engage in that same dialogue with the City Council to ensure that their fingerprint is on the project. He stated that 7-Eleven is very progressive and flexible and he feels they are open to consider a project that North Ogden desires.

Mayor Berube stated that he is able to listen in on several of the Planning Commission’s discussions of this project and it seems to him that at some point, the design of the project began to center around the clock tower. He is not sure how that happened and that the clock tower is necessary. He wants something nice on the corner and it would be great if there were some feature that is representative of North Ogden, but he is not sure what that

would be. He has noticed that some other commercial uses are including a design feature that is looks like a glass atrium with area for seating and dining and perhaps a stairway to the upper floor of the building. He wondered if something like that may be an option or garner favor from the City Council. He then facilitated discussion among the Council to enable them to provide their feedback to Mr. Forsyth.

Council Member Swanson stated that he appreciates Mr. Forsyth's efforts to adjust his plan to receive support from the City and he referenced the design rendering included in Mr. Forsyth's presentation that included a dual entry to the building, asking if there may be a way to rotate the orientation of the building 45 degrees clockwise. This could address the sight triangle issue and increase walkability options. Mr. Forsyth stated that may be an option, but 7-Eleven will want one of the entry points to be directly perpendicular to the fuel pumps. The Council discussed this concept as well as the idea of creating an outdoor plaza with seating, with Council Member Barker noting that the shift in the design would not satisfy the requirement in the DA for 70 percent frontage along Washington. Mayor Berube stated that is correct, but the Council has the ability to modify the DA to respond to shifts in commercial development trends. Council Member Barker stated he is not opposed to that, but wants to ensure that any project is in line with regulations.

The Council then engaged in philosophical discussion and debate regarding the type of project that meets the definition of a "gateway building". Mayor Berube stated that things have changed in the last five years and it may be necessary for the City to accept that the type of development that was envisioned for the VPP project is not going to happen. For the City to continue to 'hang its hat' on a vision from five-year ago is not appropriate and it may be necessary to consider adjustments to the commercial design requirements for the entire project area. Council discussion centered on support for the idea of an outdoor seating area, design shifts that would address the concern about the rear of the building fronting Washington Boulevard, and adding a second story on the building to increase the building height.

The Mayor and Council then discussed the concept of including a clock tower in the project or if that element should be removed in favor of creating an outdoor seating area for food customers. Council Member Swanson provided photographs of a 7-Eleven in Dallas, Texas that includes a seating area for customers. Mr. Forsyth stated that store includes an in-store restaurant use, which is a new concept for 7-Eleven. He stated a design similar to the Dallas design is something he could consider for this project. Mayor Berube stated he also likes the Dallas design, supports the outdoor seating area, an atrium feature, and a second story on the building. Mr. Forsyth asked if the City wants a true second story, or a faux second story intended to give the impression that there is usable accessible space on an upper level. He stated that many buildings that appear to have a second story have been designed that way as a means of addressing signage requirements in land use codes.

Council Member Cevering asked if there has been any consideration of installation of electric charging stations for electric vehicles. Mr. Forsyth stated that is not something that has not been considered for this store based upon demographic information. However, other stores do have that feature and buildings are being built in a way that would allow for easier conversion for electric charging stations in the future. Council Member Cevering then inquired as to the sales tax revenue projections for a 7-Eleven store. Mr. Forsyth stated that other stores in the area are projected to generate between \$5,000 and \$10,000 per day in sales. The City's total tax revenue would be based on an average of \$2.7 million in revenue from inside sales per year. Council Member Cevering then stated that he is supportive of the idea of shifting the orientation of the building as suggested by Council Member Swanson. He would also support removal of the clock tower feature from the project in favor of adding the atrium to the project. Council Member Stoker agreed with the sentiments expressed by Council Member Cevering.

Planning Director Scott then stated that the nice thing about the City's Master Planned Community (MPC) zone is that it provides baseline aspirational standards, but also flexibility for both the applicant and the City to identify the final product that is acceptable. Staff and the Council can review any updated site plan provided by the applicant to determine if it requires an amendment to the DA or MPC ordinance or if it falls within the allowance for a five-percent deviation from regulations. This led to continued discussion among Mr. Forsyth, Mayor Berube, and the Council regarding the adjustments that should be made to the site plan responsive to tonight's discussion. The Council ultimately concluded to ask Mr. Forsyth to adjust his site plan to facilitate the shift in the building orientation, removal of the clock tower, addition of an outdoor seating area, and an atrium feature.

Mr. Forsyth asked if the Council is comfortable with the most recent color scheme and building elevation scheme. Mayor Berube stated that he does not have a strong opinion on color schemes, so long as there is consistency in development themes in the area. Council Member Cevering agreed. He noted that he likes the feeling of the scheme that is consistent with the Cannery, but also has some of the same design elements as the carwash and some of the residential development in the area. Mayor Berube noted that he simply does not want a plain square box of a building; rather, he would prefer variation in elevations with high quality building materials. Council Member Cevering identified the site plan in Mr. Forsyth's presentation that aligns most closely with the Cannery building and stated that is the color and elevation plan that he would support. Council Members Swanson and Ekstrom agreed.

Mr. Forsyth stated that he will take the feedback provided by the Mayor and Council tonight to adjust his site plan to include an atrium concept, remove the clock tower, and pursue the color and elevation schemes that have support from the Council.

3. **PUBLIC COMMENTS**

Nate Naree stated that he and his wife own a Thai restaurant in Roy and they would like to relocate to North Ogden. He asked if the City will allow a restaurant with a drive-through at this location.

Mayor Berube stated that drive-throughs are not currently allowed at this location, but the Council seems to have some willingness to consider adjustments to the zoning ordinance or Development Agreement. Mr. Call stated he has provided his contact information to Mr. Naree for further dialogue about the matter. Council Member Ekstrom also suggested that Mr. Naree contact Terry Bexell, Chair of the Economic Development Committee, to discuss this options for considering a recommended ordinance change.

Susan Clements, 668 E. 3125 N., stated she was interested to hear that the Council wants this project to be consistent with the Cannery since it is quite a distance from 1700 North. She acknowledged the building is an icon in the City, but it may be more appropriate to require the 7-Eleven to be consistent with the residential development that has already occurred in the VPP project, at least in regard to color schemes. She then stated that if the City wants the building to reflect North Ogden, it should include a lot of rocks.

4. **COUNCIL/MAYOR/STAFF COMMENTS**

Mayor Berube stated that he has heard comments from residents about whether the City needs another 7-Eleven or even another gas station. He noted that when the VPP projects was initially conceived, this land use was included in the plans. The City needs to have some degree of confidence in 7-Eleven to have an understanding of the market and whether another 7-Eleven store will be viable.

5. **ADJOURNMENT**

Council Member Stoker motioned to adjourn the meeting. Council Member Ekstrom seconded the motion.

Voting on the motion:

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| Council Member Barker | aye |
| Council Member Cevering | aye |
| Council Member Ekstrom | aye |
| Council Member Stoker | aye |
| Council Member Swanson | aye |

The motion passed unanimously.

The meeting adjourned at 7:32 p.m.


S. Neal Berube, Mayor


S. Annette Spendlove, MMC
City Recorder


Date Approved