



**CITY COUNCIL MEETING AGENDA
OCTOBER 13, 2020 AT 6:00 PM
NORTH OGDEN, UT**

PUBLIC CAN ATTEND BY:

Click the link to join the webinar: <https://us02web.zoom.us/j/81242545432> Webinar ID: 812 4254 5432
or Telephone Dial: US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 8592 626
6799 or YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>

Welcome: Mayor Berube

Invocation & Pledge of Allegiance: Council Member Barker

CONSENT AGENDA

- [1.](#) Discussion and/or action to consider September 8, 2020 City Council meeting minutes
- [2.](#) Discussion and/or action to consider September 22, 2020 City Council meeting minutes

ACTIVE AGENDA

3. Public Comments*
- [4.](#) Discussion and/or action to consider a Site Plan for the 7-11 project located at 1700 North and Washington Boulevard
Presenter: Rob Scott, Planning Director
- [5.](#) Discussion and/or action to consider members of the Audit Committee
Presenter: Council Member Swanson
- [6.](#) Presentation of Major Projects
Presenter: Jon Call, City Administrator/Attorney
7. Council Reports:
 - a. Council Member Barker – Building and Planning
 - b. Council Member Swanson – Finance
8. Public Comments*
9. Council/Mayor/Staff Comments
10. Adjournment

****Please see notes regarding Public Comments rules and procedure***

The Council at its discretion may rearrange the order of any item(s) on the agenda. Final action may be taken on any item on the agenda. In compliance with the American with Disabilities Act, needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Annette Spendlove, City Recorder at 782-7211 at least 48 hours prior to the meeting. In accordance with State Statute, City Ordinance, and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the North Ogden City limits on this 8th day of October, 2020 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, at <http://www.northogdencity.com>, and faxed to the Standard Examiner. The 2020 meeting schedule was also provided to the Standard Examiner on December 22, 2019 S. Annette Spendlove, MMC, City Recorder

Public Comments/Questions

- a. Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business.
- b. When a member of the audience addresses the Mayor and/or Council, he or she will come to the podium and state his or her name and address.
- c. Citizens will be asked to limit their remarks/questions to five (5) minutes each.
- d. The Mayor shall have discretion as to who will respond to a comment/question.
- e. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks.
- f. Some comments/questions may have to wait for a response until the next Regular Council Meeting.
- g. The Mayor will inform a citizen when he or she has used the allotted time.

NORTH OGDEN CITY COUNCIL MEETING MINUTES

September 8, 2020

The North Ogden City Council convened in a virtual meeting on September 8, 2020 at 6:07 p.m. at <https://us02web.zoom.us/j/87582899928> 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 September 3, 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	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Annette Spendlove	City Recorder	
	Evan Nelson	Finance Director	
VISITORS:	Brad McCann	Bradley McCann	Hannah Goodrich
	Kevin Burns	Stefanie Casey	Susan Clements
	Terri McCulloch	Brenda Ashdown	Dennis Carlton
	Jacob		

Mayor Berube called the meeting to order. Council Member Swanson offered a thought and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

- 1. DISCUSSION AND/OR ACTION TO CONSIDER JULY 28, 2020 CITY COUNCIL MEETING MINUTES**
- 2. DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 4, 2020 CITY COUNCIL MEETING MINUTES**
- 3. DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 11, 2020 CITY COUNCIL MEETING MINUTES**

Council Member Barker noted that the roster for the August 4, 2020 minutes list him as excused, but he was actually present at the meeting; he has informed City Recorder Spendlove of the error and she has corrected the minutes.

Council Member Cevering motioned to approve the July 28, 2020, August 4, 2020 (as amended), and August 11, 2020 City Council Meeting Minutes. Council Member Stoker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

ACTIVE AGENDA

4. PUBLIC COMMENTS

Brad McCann, 1075 E. 2929 N., stated that he is seeking information about starting a new business in the City; his family has started a small business that he referred to as a ‘mobile escape room’. This is an entertainment business that accommodates small groups of four to eight people. He discussed the business model and noted it is established as a limited liability corporation (LLC) in the State of Utah; he has also obtained a North Ogden City business license. He stated the website for his business is www.theescapepodutah.com and he encouraged the Mayor and Council to visit the website to get more information. He concluded by again asking if and how he can operate at North Ogden City park – similar to food trucks – to operate his business.

Mayor Berube asked Mr. McCann if his main concern is the inability to operate his business from City park space. Mr. McCann stated that he wants to understand the right way to operate from a park; what does he need to do to get City approval for that. City Manager/Attorney Call indicated that most activities that occur in City park space are related to a special event or mass gathering. He is not aware of a gathering in a park that is not City sponsored and he is not sure how to address a request to allow a business to operate from a park. He stated it may be necessary for Mr. McCann to seek approval of a special event permit. Mayor Berube asked Mr. Call to review any ordinances or statutes that would govern the use of City parks for business purposes and reach out to Mr. McCann outside of this meeting. Mr. McCann then asked if he would be allowed to run the business from his home. Mr. Call stated that the City’s home occupation ordinance prohibits home businesses that would require customers or patrons to come to the home.

Mayor Berube asked if there are exceptions to the ordinance and he cited the example of a hair stylist that may have a salon in their home. Mr. Call stated those businesses receive traditional business licenses rather than home occupation licenses. Mr. McCann then asked if he could negotiate an arrangement with a local business to use their private parking area to operate his mobile business from. Mr. Call stated that the City has rules for firework stands or food trucks that typically operate from a private parking lot; those entities are required to have a license and he imagines that the same licensure requirements could be applied to Mr. McCann's business for that purpose.

Brenda Ashdown used the Zoom chat feature to reference the agenda item related to the North Ogden Connection Magazine; she noted that in the last six months she has only received the magazine once before the 2nd of the month. All other deliveries have arrived after the 8th of the month. She does not believe the magazine is the best way to get information to the residents. Mayor Berube stated that he is in the same situation; he typically does not receive his magazine until around the 10th of the month, but that may be the fault of the United States Postal System rather than the North Ogden Connection.

5. **DISCUSSION AND/OR ACTION TO CONSIDER THE REQUEST TO USE THE AMPHITHEATER FOR THE MISS NORTH OGDEN PAGEANT**

Hannah Goodrich stated she is the Executive Director of the Miss North Ogden Pageant scholarship program. This is a local non-profit affiliate of the Miss America Program, which is one of the world's largest scholarship providers for young women throughout the world. She discussed some of the work done by past pageant participants and royalty, emphasizing that they are making a positive difference in the community. She stated due to the impacts of COVID-19, the pageant cannot be held at Weber High School This year. She noted that the Miss North Ogden Pageant would like to partner with North Ogden City. She asked the City to sponsor the pageant in the form of providing access to the Barker Park Amphitheater to allow the pageant to continue while observing social distancing guidelines.

Council Member Ekstrom stated she is a huge supporter of the Miss North Ogden program; she received a cash scholarship through her participation in the program and it allowed her to attend the school of her choice. Additionally, the program provides participants the opportunity to learn valuable skills and the importance of service, which will benefit them throughout their entire life. She asked how long the pageant will need access to the amphitheater facility. Ms. Goodrich stated that the pageant will be held September 26; the facility will be used that entire day as well as the evening before for a dress rehearsal. The pageant has an entire board of volunteers that can help with operations and production of the event, but may need some support of City facilities employees to ensure that the facility is being operated properly.

Council Member Stoker asked if the pageant has a back-up plan in the event of inclement weather. Ms. Goodrich stated that all participants are aware there may be issues that arise due to weather and the pageant being held in an outdoor venue. The pageant will go

forward so long as weather is mild, but if it is not possible to hold the event outside, it will be switched to a completely virtual format.

Council Member Cevering stated it was his understanding the pageant would be cancelled this year and he thought this discussion was in preparation for the 2021 pageant. Ms. Goodrich stated that the pageant feels strongly that the pageant should be held this year and that young women in the community should still have the ability to compete for a scholarship. Additionally, the entire community is in such need of joy and positivity.

Mayor Berube inquired as to the number of young women that have signed up for this year's competition, to which Ms. Goodrich answered 19. Mayor Berube asked if anyone can sign up to compete. Ms. Goodrich answered yes; there is a wide variety of participants, many of which who will receive scholarship monies simply for participating. Mayor Berube inquired as to the number of participants who are from North Ogden. Ms. Goodrich stated the majority of them are from North Ogden, but there are some contestants from outside of the community. One thing that is special about this program is that is attractive to people outside the community. Those that come to North Ogden to be part of the event or watch the event are given a chance to see how wonderful this community is. Mayor Berube asked if the pageant organization has its own insurance. Ms. Goodrich answered yes, the pageant falls under the umbrella of the Miss Utah Scholarship Organization 501(c)(3) and has access to the Miss America liability insurance policy, which is \$1 million. Mayor Berube asked if the pageant would be willing to consider granting a small scholarship in North Ogden's name as recognition of use of the amphitheater. Ms. Goodrich answered yes and indicated the pageant committee would welcome the City's help in identifying the contestant that should receive the scholarship.

Council Member Swanson stated he has participated as a judge in the pageant in the past and he has learned about the value of the pageant for the young women in the community. He stated he will gladly support the program as requested. Council Member Barker agreed and added that he is glad to hear that anyone can sign up to be a contestant in the pageant.

Council Member Swanson asked Mayor Berube if he has an idea of the amount he would like to see for the North Ogden scholarship. Mayor Berube stated he does not have strong feelings about the amount of the scholarship. Ms. Goodrich stated she would be happy to review the current budget and funding available for scholarship awards. She noted that she would also be happy to rename a previously used scholarship as the North Ogden City Community Service scholarship award. Mayor Berube stated that he would support Ms. Goodrich working with City Administration to identify the funding available and make a recommendation regarding the total amount of the scholarship. He stated he likes the idea of renaming an old scholarship as mentioned above.

Council Member Ekstrom motioned to approve the request to use the amphitheater for the Miss North Ogden Pageant with conditions of North Ogden City sponsorship, liability insurance, and other required items as discussed. Council Member Cevering seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

6. REPORT ON THE NORTH OGDEN CONNECTION

Ryan Spelts, North Ogden Connection, provided the following annual report regarding the relationship between the City and Connection publishing:

The September 2020 North Ogden Connection magazine marks the 4th year of publishing the North Ogden Connection in a partnership between Connection Publishing and North Ogden City. In that time, we have accomplished the following:

1. Published 48 issues.
2. Included 896 articles, recipes and announcements in those issues.
3. Had 52,372 visits to the website hosting the articles and advertisers.
4. Generated over 1mm impressions for city news, local stories and for local advertisers.
5. Had over 1,000 entries, by residents, into our annual photo and art contests and awarded \$1500 in prize money to winners.
6. Delivered 1200 magazines to North Ogden Jr High School English classes to be read through and proofed to find mistakes that somehow still make it through our 2-step proofing process.
7. Hired 15 people most of whom are local to help with content, editing and design.
8. Retold 48 historical stories about the people and places in North Ogden for the public to be able to know and connect with our community's great history.
9. Published 3 Cherry Day's magazines (would have been 4 if not for COVID) and included them with the magazine at our cost as a thank you for taking a chance on an unknown publishing company with a unique idea to partner with the city as a communication tool.

Connection Publishing has enjoyed making the magazine for the last four years; they enjoy the connection they feel with the City and with the residents who read it. They are grateful for the support of the City Councils and Mayors they have worked with. They have also really enjoyed working with Jon Call, Tiffany Staheli, Annette Spendlove,

Joyce Pierson, Lynn Bexell, Shelly Robison and many others at the City who have contributed to the publication over the past 4 years.

Mr. Spelts then addressed the comments made by Ms. Ashdown at the beginning of the meeting; the year 2020 has been a difficult year relative to adjusting operations responsive to COVID-19 and other issues. Printing and mailing magazines have been harder than in the past and he hopes to see that corrected in the near future.

Mayor Berube stated that the City has a five-year contract with Connection Publishing; the City must give one-year notice of an intent to terminate in order for the magazine to notify their advertisers. He stated he does not intend to terminate the contract, but wanted the Council to be aware of that requirement. He then asked if Connection Publishing prints the magazine for Pleasant View City, to which Mr. Spelts answered yes. Mayor Berube asked if it is correct that Pleasant View City has not been charged for that service. Mr. Spelts stated that the Connection is not the official magazine of Pleasant View and that City does not have any say in the information that is included in the magazine. There is no agreement with Pleasant View City similar to what Connection Publishing has with North Ogden. He stated that publication of a Pleasant View version of the magazine was a strategic decision made by Connection Publishing, but the company has informed Pleasant View that if they do not want to enter into a formal agreement to continue the publication of the magazine, it will be eliminated because it is costing Connection more than it is generating in revenue.

Mayor Berube asked City Manager/Attorney Call to provide an overview of the City's current contract with Connection Publishing. Mr. Call indicated that the contract has a five-year term, the City contributes the money that would have otherwise been spent on the old newsletter to the publication of the magazine (\$533.00 per month), and the City is not liable or obliged to any advertiser in the magazine. Political advertising is not allowed in the magazine. He highlighted the termination clause referenced earlier by Mayor Berube and noted that the City actually must provide 90-day notice to terminate, but Connection Publishing can continue to publish the magazine without financial contribution from the City for a full 12 months.

Mayor Berube asked Mr. Call to discuss what the City is now doing with its newsletter. Mr. Call stated that all content is published online, with limited printed news publications in the City's utility bill. An administrative professional in the City is publishing a document called "The Cherry On Top", which focuses on positive things happening in the community.

Mayor Berube thanked Mr. Spelts for the information provided tonight and for the service that Connection Publishing provides to the City.

7. **QUARTERLY FINANCIAL REPORT**

Finance Director Nelson provided a summary of the Quarterly Financial Report for the period ended June 2020, which was included in the City Council's meeting packet. This report includes sales tax data for the full 2020 Fiscal Year. Revenues came in much stronger than projections in spite of the Coronavirus pandemic. Total revenue was \$3,217,437 which is \$273,947 or 9.3 percent more than the projection. The total represents a 11.6 percent increase over the previous fiscal year. While March saw the beginning of the Coronavirus shutdown, it also saw a spike in grocery store purchases. While projections for sales tax revenue in the new fiscal year are quite conservative, current trends do not show signs of weakness. He referenced summary graphs showing revenues and expenditures for several funds throughout the City. He concluded by discussing the ongoing economic forecast; the economy is certainly different at this time. Budget discussions have acknowledged the City's limited ability to accurately estimate the severity of the economic impact of the Coronavirus. Administration has projected a 20 percent decrease in sales tax in the coming fiscal year along with decreases in other revenue streams. While the local economy seems to be faring better than those in other parts of the country, future economic conditions remain uncertain; Administration hopes that estimates will prove to be conservative. He noted he will continue monitoring revenues and economic trends as he looks toward continued progress in the fight against Coronavirus.

There was high level discussion among the Mayor, Council, and Mr. Nelson regarding details included in the report and ongoing economic projections that have been adjusted responsive to COVID-19. There was also brief discussion about work underway by the Economic Development Committee to promote local shopping and other activities that could improve the local economy.

8. **DISCUSSION AND/OR ACTION TO CONSIDER AN AMENDMENT TO THE D&Z MINUTE SPECIALIST AGREEMENT**

City Recorder Spendlove reported D&Z Unlimited was selected as the transcriber for the City Council Minutes on June 23, 2020. She has asked D&Z if they would take on the transcription of the City's Planning Commission meeting minutes as well as the City Council minutes and they have agreed. She presented to the Council an amended agreement that has added the Planning Commission meeting minutes to the agreement. This agreement is for (1) one-year term and may be renewed for up to (4) additional annual (1) one-year terms.

Council Member Swanson motioned to Amend Agreement #A11-2020 with D&Z for Minute Specialist Services. Council Member Ekstrom seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

9. COUNCIL REPORTS:

a. Council Member Barker – Building and Planning

Council Member Barker reported the General Plan Steering Committee is still meeting regularly; they will be forwarding a recommendation soon for the City to consider closure of the Pleasant View Drive access onto Washington Boulevard when the road widening project commences. They are also carefully reviewing zoning designations for properties along central and southern Washington Boulevard. The Planning Department is working on the code rewrite project, which includes regulations for the development of sensitive lands in the City.

b. Council Member Swanson – Finance

Council Member Swanson thanked Mr. Nelson for the information provided earlier in the meeting and noted he does not have much to add; he will continue to work with City finance staff to closely monitor revenues in the City in the hopes that the recently adopted budget remains conservative.

Mayor Berube asked Council Member Swanson to discuss work that has been done to create an audit committee. Council Member Swanson stated this is an issue the Council has discussed in the past; two residents were identified as good candidates for the committee and he has reached out to them. He hopes to be able to provide a recommendation of appointment to the Council in the near future. These residents could provide a great wealth of experience to the City from the standpoint of a non-elected official and non-government employee position.

10. PUBLIC COMMENTS:

Dennis Carlton, 2421 N. 400 E., stated he sent a brief email to Council Member Stoker regarding public safety in the community, namely excessive unsolved crimes. He feels the City's Police force may need advanced training and collaboration with other agencies. He has been impacted by crimes that have been financially devastating and it has been difficult for him to monitor these issues.

Mayor Berube stated the safety of citizens is the number one priority of the City Council and he agrees that additional resources may be needed to improve efforts to solve crimes.

11. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Stoker thanked the Public Works Department for their response to the windstorm that caused damage to public and private properties throughout the City. She then noted she had the opportunity to participate in advanced training courses with the Police Department last week and it was very eye-opening to her. She does not envy their position and the decisions they must make in a split second.

Mayor Berube echoed Council Member Stoker's comments about the response of the Public Works Department. City Administration made the decision this morning to open the green waste pit to give residents the ability to drop off yard waste from the storm. He also enjoyed watching neighbors working together to help one another.

Council Member Cevering asked if any portion of the City is still without power. Mayor Berube stated he is not aware of ongoing power outages in the City. Council Member Cevering then also thanked the Public Works Department for responding to the windstorm and helping residents struggling to clean fallen trees and limbs.

Mayor Berube noted that Brenda Ashdown sent a chat indicating that she is still without power. He then noted that wind is in the forecast for tonight and he wished all good luck with these strange weather conditions.

12. ADJOURNMENT

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

Voting on the motion:

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 7:46 p.m.

S. Neal Berube, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved

Not Approved

NORTH OGDEN CITY COUNCIL MEETING MINUTES

September 22, 2020

The North Ogden City Council convened in a virtual meeting on September 22, 2020 at 6 p.m. at <https://us02web.zoom.us/j/85687904138> 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 September 17, 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
	Phillip Swanson	Council Member

STAFF PRESENT:	Jon Call	City Manager/Attorney
	Annette Spendlove	City Recorder
	Brandon Bell	Associate Planner
	Evan Nelson	Finance Director
	Lorin Gardner	City Engineer

VISITORS:	Brenda Ashdown	Katie Kluge	Phoebe Moorhead
	Stefanie Casey	Terri McCulloch	Val Poll
	Susan Clements		

Mayor Berube called the meeting to order. Council Member Swanson offered a thought and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. **DISCUSSION AND/OR ACTION TO CONSIDER AUGUST 25, 2020 CITY COUNCIL MEETING MINUTES**
2. **DISCUSSION AND/OR ACTION TO CONSIDER SEPTEMBER 1, 2020 CITY COUNCIL MEETING MINUTES**

Council Member Swanson motioned to approve the August 25, 2020 and September 1, 2020 City Council Meeting Minutes. Council Member Ekstrom seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

ACTIVE AGENDA

3. **PUBLIC COMMENTS**

Brenda Ashdown, 193 E. Pleasant View Drive, thanked City Manager/Attorney Call for his recent assistance in finding something she was looking for on the City website. She also thanked the City for planting the trees on old Public Works facility site across the street from her. She noted it looks very nice.

4. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE NORTH OGDEN CITY ZONING ORDINANCE CHAPTER 11-10-16 FAMILY SWIMMING POOL STANDARDS**

Associate Planner Bell explained Katie and Kyle Kluge have submitted an application requesting an amendment to the standards for family swimming pools (See Exhibit A). They are requesting an amendment that would allow for a family swimming pool to be allowed in the side yard of corner lots. The current ordinance allows family swimming pools only in rear yards. The Planning Commission considered this proposed ordinance amendment and recommended it to the City Council with minor adjustments; the proposed ordinance amendment would adjust City ordinance 11-10-16 to:

- Expand the location where family swimming pools are currently located, in rear yards, to also be permitted in the street-facing side yards of corner lots (known as corner side yards).

- Pools in side yards would need to be at least 10' from the side property line.
- Pools, decking, and related machinery would be required to be behind the required front setback of the zone, and also no farther forward than the front corner of the main dwelling) which is closest to the pool.
- Additionally, the proposed ordinance amendment would simplify the definition of Corner Side Yard, in the City Code (see Exhibit C for the location of a Corner Side Yard on a Corner Lot).

The Planning Commission recommended the ordinance amendment, with two adjustments from a prior version. The two adjustments were, first, that swimming pools in side yards be allowed to be 10 feet away from the side property line (see Exhibit B), and second that the language of the ordinance clarify that it applies to the single-family residential zones. Both of these modifications are reflected in the current language of the proposed ordinance amendment. Another important requirement in the proposed ordinance amendment which is worth noting, is that any pools, decking, and related equipment in side yards, need to be both behind the required front setback for a zone, and no farther forward than the forward most point of the main side wall of the home.

Mr. Bell discussed the application's conformance with the General Plan and provided the following summary of Land Use Authority considerations:

- Should the standards for family swimming pools be amended to allow family swimming pools in the corner side yard of corner lots?
- If so, what should the standards be?
- Is the amendment consistent with the General Plan?

He concluded that the Planning Commission voted unanimously to recommend approval of the ordinance amendments; he also presented a diagram illustrating the locations of side yards and corner lots where swimming pools would be allowed if the ordinance amendments are approved. Pools located in the side yard must be behind the front yard setback and no farther forward than the front of the home.

Mayor Berube indicated that Mr. Bell's diagram clearly identifies the allowed location of the swimming pool, but he asked if the decking surrounding the pool could extend to the property line. Mr. Bell answered yes, so long as other green space/open space requirements are met for a given property. Mayor Berube asked if the pool must be located 35 feet from the property line or from a dwelling. Mr. Bell stated that measurement is from a dwelling on an adjoining lot.

Council member Ekstrom asked what will happen in the event that a resident installs a pool on their property next to undeveloped property or a vacant lot; will the future owner of the undeveloped property be required to ensure that their home is located 35 feet from the existing pool and will the City get involved in enforcement of that distance requirement. Mr. Bell stated that the City can only enforce ordinances that are in place

for a property owner who has applied for some kind of permit. The buyer of the vacant lot will need to take into consideration that the neighboring property owner has a pool and that will impact the location of their home on their property. Mayor Berube asked if the lot behind the petitioner's home is vacant. Mr. Bell stated he is unsure and deferred to the petitioner. Mayor Berube asked how close the pool can be located to the rear property line. Mr. Bell stated that the pool would need to be 10 feet from the rear property line. The Council reviewed a google maps image of the petitioner's property and surrounding property to gain an understanding of the manner in which this ordinance could impact future development in the area, after which Mayor Berube invited input from the petitioner.

Katie Kluge stated she and her husband are building their home at 2786 N. 1175 E.; their home will face west and they would like to include a swimming pool in their side yard. The distance between the pool and the home to behind them will be roughly 55 feet. She thanked the Council for considering this ordinance amendment.

a. Public Comments

Phoebe Moorhead, 2771 N. 400 E., stated she will be building her home across the street from the Kluge property and she also plans to build a pool in her backyard. She noted she supports this ordinance amendment and the Kluge's ability to construct a pool. She noted that the plat for her property indicates she is required to adhere to a 20-foot rear yard setback, but now she is hearing that it is 10 feet. She asked Mr. Bell to clarify. Mr. Bell stated that the setback is actually 20 feet, and the 10-foot distance he referred to was for the pool to be located from the property line.

b. Discussion and/or action to consider an Ordinance amending the North Ogden City Zoning Ordinance Chapter 11-10-16 Family Swimming Pool Standards.

Council Member Cevering motioned to approve Ordinance 2020-22 amending the North Ogden City Zoning Ordinance Chapter 11-10-16, Family Swimming Pool Standards, and 11-2-7, Definitions and Terms. Council Member Barker seconded the motion.

Voting on the motion:

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

The motion passed unanimously.

5. **DISCUSSION AND/OR ACTION TO CONSIDER AN AGREEMENT FOR THE SALE OF .12 ACRES OF PROPERTY FROM OLD PUBLIC WORKS SITE.**

City Manager/Attorney Call indicated there have been ongoing discussions about selling .12 acres of property off the old Public Works facility site. The property is located at 346 E. Pleasant View Drive and the Council is required to hold a public hearing to declare the portion of property as surplus. The City has received a purchase offer for the property of \$19,500; the potential buyer will provide a cross access easement to give the ability to utilize the access for parking if the old Public Works site redevelops. He then facilitated discussion among the Council and the potential buyer regarding renderings they have submitted to illustrate the animal hospital's plans for the property. Val Poll representing the animal hospital stated he has worked closely with Mr. Call to understand future plans for the area and the subject property, which includes the potential to close one of the major roads that runs by his business. He asked why the City is considering that road closure. Mayor Berube indicated that the closure would be to address the dangerous nature of the intersection of Pleasant View Drive and Washington Boulevard; additionally, the City would like to route traffic to 300 East to make it easier for patrons of Lee's Marketplace to get in and out of the parking lot more safely. Increased traffic on 300 East will make it easier for the City to secure a warrant for a traffic signal at 300 East and 2700 North. Council member Swanson echoed Mayor Berube's comments and indicated that traffic at the intersection of Pleasant View Drive and Washington Boulevard will only become more dangerous in the future when the 400/450 East road widening project is completed and as Bicentennial Park is improved upon.

Council Member Ekstrom stated that the City does not want to negatively impact any business by closing an access road, but it is also the City's job to look out for the safety of residents driving on City streets. She stated that she feels that there will still be adequate visibility of the business and she asked Mr. Call if the animal hospital will still have an access onto the abandoned portion of Pleasant View Drive. Mr. Call stated that State law guarantees landowners access to their property, but not necessarily the most convenient or commercially beneficial access. He stated that he would recommend that the Council still provide an access point from the lower parking lot of the animal hospital to 400 East in some manner, as that would be most fair to the property owner. He stated that he feels that the City can continue to work with the property owner to provide commercially viable access onto Washington Boulevard. This led to continued review of the renderings of the property to evaluate access options and the relationship between the property and the area dedicated to the future expansion of Bicentennial Park. Mr. Poll stated that he would recommend a blend of the two renderings that have been presented. Council Member Swanson stated that he would like to have a work session meeting to further explore the options for addressing the concerns of the animal hospital as well as the safety hazards at the intersection of Pleasant View Drive and Washington Boulevard. Mayor Berube stated he would support that concept and asked that Mr. Poll be patient as the City works through these issues.

Council Member Barker asked if it would be appropriate to take action on the land sale tonight even though there are issues to work out with the access to the site. Mayor Berube stated that he would rather ensure that the concerns that have been raised can be addressed before the property is sold. Council Member Cevering stated he would like for the City Engineer to attend the work session meeting regarding this topic to ensure the Council has factual information about the access options. Mr. Poll added he would like to understand the scope of the planned Washington Boulevard road widening project as well.

6. TRAINING AND DISCUSSION ON THE OPEN MEETINGS ACT

City Manager/Attorney Call provided the Mayor and Council with the annually required training on the State of Utah Open and Public Meetings Act (OPMA).

7. COUNCIL REPORTS:

a. Council Member Stoker – Police

Council Member Stoker reported the Public Safety Facility Committee is working to schedule a few public open houses to solicit public feedback regarding the Public Safety Facility project. She then reported on new hires in the Department. She concluded by reminding everyone to secure their vehicles and homes to deter crimes of opportunity in the community. The Police Department's website and Facebook page include information for residents for identifying and avoiding scams.

b. Council Member Cevering – Public Works

Council Member Cevering read a statement provided by Public Works Director Espinoza, which addressed staffing levels in the department and new hires. The Department has mobilized to help other communities that suffered damage from the windstorm; this includes South Ogden and Washington Terrace.

Mayor Berube stated he is proud of the City's Public Works employees; before responding to other cities, they made sure that residents in North Ogden were taken care of. He then added that he is happy to see that they are effectively managing their work order system to ensure proper and timely response to citizens.

Council Member Cevering then reported on his participation with the Economic Development Committee; the group has created a charter to identify the mission for the group and they are working to revive the 'spend it in North Ogden' campaign.

c. Council Member Ekstrom – Parks and Recreation

Council Member Ekstrom stated that the North Shore Aquatic Center recently closed and she provided a comparison of the participation numbers for 2020 to those for 2019; there were only a few days where the pool was near the 50 percent capacity limit and people were turned away. The City heard a great deal of positive feedback about the pool being opened as most other facilities in neighboring communities were closed and people were looking for things to do. With all difficulties considered, the pool still reached 94 percent of its projected revenues for the season, which is commendable. Mayor Berube agreed; he was hesitant to open the pool this year, but he feels that the Parks and Recreation Department did a great job following health guidelines and providing residents with a recreational option in the community.

8. PUBLIC COMMENTS

There were no public comments.

9. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Ekstrom encouraged the City's residents to stay involved in Council proceedings; she was grateful to hear the training on the Open and Public Meetings Act and she hopes this will remind residents that City Council actions are to be taken openly and transparently and she benefits from the input and suggestions she receives from residents. Mayor Berube agreed; he also welcomes public input. He referenced ongoing conversations about garbage collection services and noted that he understands many residents are concerned and the City is working to address those concerns.

Council Member Cevering indicated a resident informed him of some solar lights along the trail that are not working. City Manager/Attorney Call stated he will ask staff to look into the issue.

Council Member Swanson stated that he was contacted by a group that would like to make a historical video to document the project to take the old Campbell barn down. The group does not have the funding for the project and they have asked that the City donate \$1,000. He stated he is in favor of it and asked that the Mayor poll the rest of the Council to get their opinion. Mayor Berube added that he would like to first try to facilitate a campaign to raise funds or in-kind videography work. Council Member Cevering stated that he has reached out to a local historical foundation that is interested in helping with the project and it may not be necessary for the City to consider the \$1,000 donation request at this time.

Mr. Call reported on the status of the land use and City code update projects; the final recommendations will be coming to the Council soon and he advised them to be prepared

for a lot of reading. He then stated that as City facilities are reopening, staff has become aware that traffic on Fridays is much lower than prior to the COVID-19 shut down; he will be conducting a study to determine if it is possible to close City Hall for a half day each Friday.

10. ADJOURNMENT

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

Voting on the motion:

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 7:56 p.m.

S. Neal Berube, Mayor

S. Annette Spendlove, MMC
City Recorder

Date Approved

Staff Report to the North Ogden City Council

SYNOPSIS/APPLICATION INFORMATION

Application Request: Discussion and action regarding a proposed building elevation for a 7-Eleven in the Village at Prominence Point project located at the northwest corner of 1700 North and Washington Boulevard

Agenda Date: October 13, 2020

Applicant: Ryan Forsyth, Leading Tech Development

File Number: SPR 2019-02

PUBLIC NOTICE:

Mailed Notice: None

Newspaper: None

City Website: October 9, 2020

PROPERTY INFORMATION

Address: Northwest Corner of 1700 North and Washington Boulevard

Project Area: 41,910 Square Feet; .96 Acres

Existing Land Use: Vacant

Proposed Land Use: 7-Eleven Convenience Store

Parcel ID: 110140082

ADJACENT LAND USE

North: Commercial	South: Residential/Agricultural
East: Residential/Commercial	West: Residential/Vacant

STAFF INFORMATION

Robert O. Scott, AICP
rscott@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-7K (VPP-MPC)
Village at Prominence Point Master Planned Community Development Agreement

LEGISLATIVE DECISION

When the City is considering a legislative matter, the Planning Commission acts as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, land use text amendments, and development agreements. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a

legislative matter, requires compatibility with the general plan and existing codes.

BACKGROUND

An application was received to consider approval of a 7-Eleven convenience store at the northwest corner of 1700 North and Washington Boulevard, with several elevations being viewed by the Planning Commission at the January 8, April 1, and May 20, 2020 Planning Commission meetings. In the process of meeting with the Planning Commission, the applicant made adjustments to the proposed elevation, and added a proposed monument sign. (See Exhibit A)

The City Council considered the Planning Commission recommendation on June 23, 2020 and denied the site plan request. The City Council met on September 1, 2020 to further discuss and review options for the design for a 7 Eleven. (See the CC minutes in Exhibit G)

The City Council requested that the site plan and building elevations be revised as follows:

- Orient the building on an angle to 1700 North and Washington Boulevard

- Eliminate the clock tower

- Have a two-story building

- Building elevations that front Washington and 1700 North would have variations in the buildings with high quality building materials

- Have an outdoor seating area with direct access from the building

- Consider an atrium and design for a restaurant in the future

- Electronic charging stations should be considered

The applicant has submitted a revised site plan and building elevations. (See Exhibits D and E)

The site plan area is just under an acre. The building size is 3,000 square feet. The pavement area and landscape areas have not been calculated. A landscape plan is also required but not submitted. The approving authority for landscape plans is the Planning Commission. The parking requirement for gas stations is 1 stall per 375 square feet; the building is 3,000 square feet and thus the requirement is for 8 stalls. The site plan shows 18 stalls and meets this requirement.

The building elevations show what appears to be a single story 21-foot-high building. The exterior finishes are identified in a table with a combination of brick, EFIS wall finish, and metal.

If the City Council finds that these preliminary drawings and designs are acceptable then the applicant can proceed to final site plan drawings and architectural renderings for final approval. A detailed review of the MPC standards will accompany this review.

For example, building façade comprising 65% of Washington Boulevard, sign locations, access, moving the utility boxes to the north side of the building, storm drainage, etc.

CONFORMANCE WITH THE GENERAL PLAN

In addition to the development agreement, the General Plan should be considered as part of this deliberation.

The General Plan map shows this property in the Southtown area with two land use designations, i.e., Mixed Use and Main Street Commercial.

Mixed Use – development areas that combine residential, commercial and/or office uses.

Main Street Commercial – commercial or mixed use commercial uses with a direct orientation to the street/sidewalk. These uses should have little or no setback from the public right of way.

Southtown Goals

- Create design features that announce you have arrived in North Ogden.
- Provide a support function to the Downtown.
- Revitalize the North Ogden plaza in the Kirt's area.

Goal # 1- Create design features that announce you have arrived in North Ogden.

Strategies

- 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.

Goal # 2 - Provide a support function to the Downtown.

Strategies

- Promote mixed use housing concepts that add quality developments to the area and provide more rooftops to support business.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS (June 23, 2020)

- Does the building qualify as a gateway building?
- Is the design consistent with the MPC zone and development agreement?
- Is the proposal consistent with standards identified in the General Plan?
- Which standards, if any should be modified through a development agreement amendment?
- Which sign standards should be used?

PLANNING COMMISSION RECOMMENDATION (June 23, 2020)

The City Council should determine whether or not this proposal is a gateway building. If it is determined by the Council that this building qualifies as a gateway building, the Council should consider the Planning Commission recommendations regarding design (which are listed below). The Planning Commission made a motion for a positive recommendation to the City Council for the 7-11 in the Village at Prominence Point, with the following conditions (their recommendations regarding design):

- Only allows monument signs
- The utilities be removed from Washington Boulevard and put over on to north side of building.
- The 7 Eleven be excluded from any shared parking at VPP.
- A clock face on both sides of the clock tower.
- No necessity to put “dummy doors” on the east side of the building. (The alternative discussed was that there be windows that are the proper size to be replaced with doors, if the use changed; the present elevation includes these windows).
- The majority of the PC recommends the darker color elevation materials (these are shown on the presently proposed elevation).

RECOMMENDATION

The City Council should evaluate the revised submittals to determine if they are acceptable for the 7 Eleven project. Based upon the Council’s determination and direction the applicant can proceed to a final design submittal.

EXHIBITS

- A. Application
- B. Development Agreement
- C. Example Gateway Building (An Exhibit from the Development Agreement)
- D. 7-Eleven Site Plan
- E. 7-Eleven Building Elevations
- F. 7-Eleven Monument Sign
- G. City Council Minutes September 1, 2020

AREA MAP





LAND USE DEVELOPMENT APPLICATION

North Ogden City Planning Department
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

SPR 2019-02

APPLICANT INFORMATION	
Name: Ryan Forsyth	Company: C&N North Ogden
Address: 1835 S. HWY 89 Perry UT 84302	
Email: RForsyth@leadingtechonline.com	Phone: 435-734-2012
OWNER INFORMATION	
Name: MERITAGE COMPANIES LLC	SBE2 LLC
Address: 34806 N 80TH WAY SCOTTSDALE AZ 85262 1400 E PATTY DR WASILLA AK 99654	
Email: RForsyth@leadingtechonline.com	Phone: 435-734-2012
PROJECT INFORMATION	
Project Name: North Ogden 7-Eleven	
Project Address: 1700 North Washington BLVD	
Parcel #: 110140071 110140072	Subdivision: Lot #:
Acreage: 2.83 0.21	Current Zoning: MPC-VPP
APPLICATION TYPE AND FEE *(CHECK ALL THAT APPLY):	
☐ Subdivision: ☐ Preliminary Approval - \$500 plus \$50 per lot ☐ Final Approval - \$500 plus \$30 per lot ☐ Special Exception Application - \$200	☐ Zoning Amendment: ☐ Text - \$725 ☐ Map - \$800 ☐ Annexation City - \$800 plus actual cost of postage and publication
☐ Minor Subdivision - \$750 ☐ Minor Subdivision without Technical Review - \$500 ☐ Amendment or Vacation of Subdivision - \$300 ☐ Boundary Line Adjustment - \$200	☐ Hearing Officer ☐ Variance - \$400 ☐ Appeal - \$400
☒ Site Plan Review: ☒ With Technical Review - \$1,100 ☐ No Technical Review - \$350	☐ Conditional Use Permit: ☐ City Fee (with technical review) - \$1,100 ☐ City Fee (no technical review) - \$350
	☐ Planned Residential Unit Development (PRUD) - \$1,375

Applicant's Signature

Date

Owner's Signature

Date

To be filled out by North Ogden City

4.

Date Received 7/31/19

Received by Cullen Phillips Fees paid: \$1100⁰⁰ CK#

Page 26

5091 750

Updated July 2019



SITE PLAN REVIEW APPLICATION

North Ogden City Planning Department
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

PLEASE ATTACH ONE COPY OF A SITE PLAN ON 24" X 36" PAPER AND AN ELECTRONIC COPY (PDF) OF A SITE PLAN. THE SITE PLAN SHALL BE DRAWN TO SCALE AND PREPARED BY A UTAH REGISTERED LAND SURVEYOR CIVIL ENGINEER WITH THE FOLLOWING INFORMATION:

<u>Required</u>	<u>Submitted</u>	
☐	☐	1. Existing and proposed contours at two-foot intervals.
☒	☒	2. Location of main accessory buildings on the site and in relation to one another.
☐	☐	3. Height, bulk, and character of building(s).
☒	☒	4. Off-site parking area(s) and striping patterns.
☒	☒	5. Traffic circulation features within the site.
☒	☒	6. All driveways.
☒	☒	7. Provisions for open space on site.
☒	☒	8. Signage plan.
☒	☒	9. Landscape plan
☐	☐	10. Fencing.
☐	☐	11. Drainage flows and structures.
☐	☐	12. Location of all existing and proposed utility lines.
☒	☒	13. Vicinity of the site.
☐	☐	14. Property ownership and surrounding property owners.
☒	☒	15. Existing zoning classification(s)
☒	☒	16. Existing surrounding land uses.

Applicant's Signature:  Date: 7/31/19

NORTH OGDEN CITY
505 E 2600 N
NORTH OGDEN UT 84414

Receipt No: 5.091750

801-782-7211
Jul 31, 2019

LEADING TECH DEVELOPMENT

Previous Balance:	.00
CHARGES FOR SERVICES	
ZONING & SUB FEES-NORTH	
OGDEN 7-11	1,100.00
10-34-130	
ZONING & SUBDIVISION FEES	

Total:

1,100.00

CHECK
Check No: 3839

Total Applied:

1,100.00
1,100.00

Change Tendered:

.00

07/31/2019 2:48 PM

10. **Architectural Design Standards.**

a. Commercial Area.

- i. All site plans, landscape plans, and building elevations shall be approved by the City Council as identified in section 23.

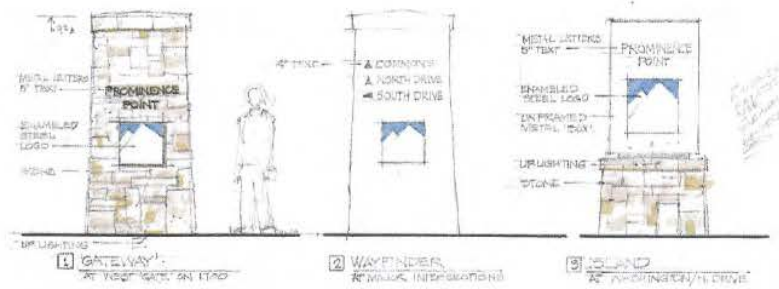
3. **Commercial Development.** The Developer is not required to complete any commercial development prior to the completion of the residential portion of this Project. However, within one (1) year after the completion of all phases of the residential portion of the Project, Developer shall landscape and maintain all vacant portions of the commercial property in accordance with City standards regardless of whether or not the area will eventually become a commercial space or parking lot. The City envisions that the Commercial Development will be the southerly entrance to North Ogden with a prominent "gateway building" at the northeast corner of 1700 N and Washington Blvd. Conceptual commercial building elevations are provided in Exhibit "J", though the ultimate design will be determined by Developer at the time suitable tenants are located. The Mayor shall determine if the proposed commercial elevations are significantly modified enough to require an amendment to this Agreement.

- a. Uses **to be allowed in the commercial area:** Developer agrees to the list of uses which are considered "Permitted Uses" in the North Ogden C-2 zone and which are entirely contained within the building in which the use occurs. No outdoor storage or other uses are allowed except for

outdoor seating associated with a cafe, restaurant, or other similar eating establishment.

- b. Uses **not allowed in the commercial area.** The uses not allowed in the commercial area of this development despite being listed as a "permitted use" in the C-2 zone:

Adult themed stores
Agricultural use
Auto Sales or Repair
Bail Bond Companies
Bars or Taverns except as associated with a restaurant.
Bed and Breakfast
Boarding Houses
Boat/Recreational Vehicle Sales and Service
Bowling Alley
Christmas Tree Sales
Drive-in Refreshment Stands
Drive-thru businesses where the drive-thru lane is located between the building and the public street
Educational Institutions similar to K-12 public schools
Hotel/Motel
Heavy Equipment Sales/Repair
Medical Supply/Sales
Monument/Mortuary Services
Pawn shop
Temporary Businesses
Thrift stores
Used Restaurant Supply store
Any other use that is not specifically permitted under the current C-2 zoning designation.



CONCEPT SITE SIGNAGE

EXHIBIT I - SITE SIGNAGE



VILLAGE AT PROMINENCE POINT NORTH OGDEN, UTAH

CORNER RETAIL PLAZA

EXHIBIT J - RETAIL ELEVATIONS

Ankrom Moisan Architects, Inc.
ARCHITECTURE INTERIORS URBAN DESIGN IDENTITY
ankrommoisan.com



EW 2895460



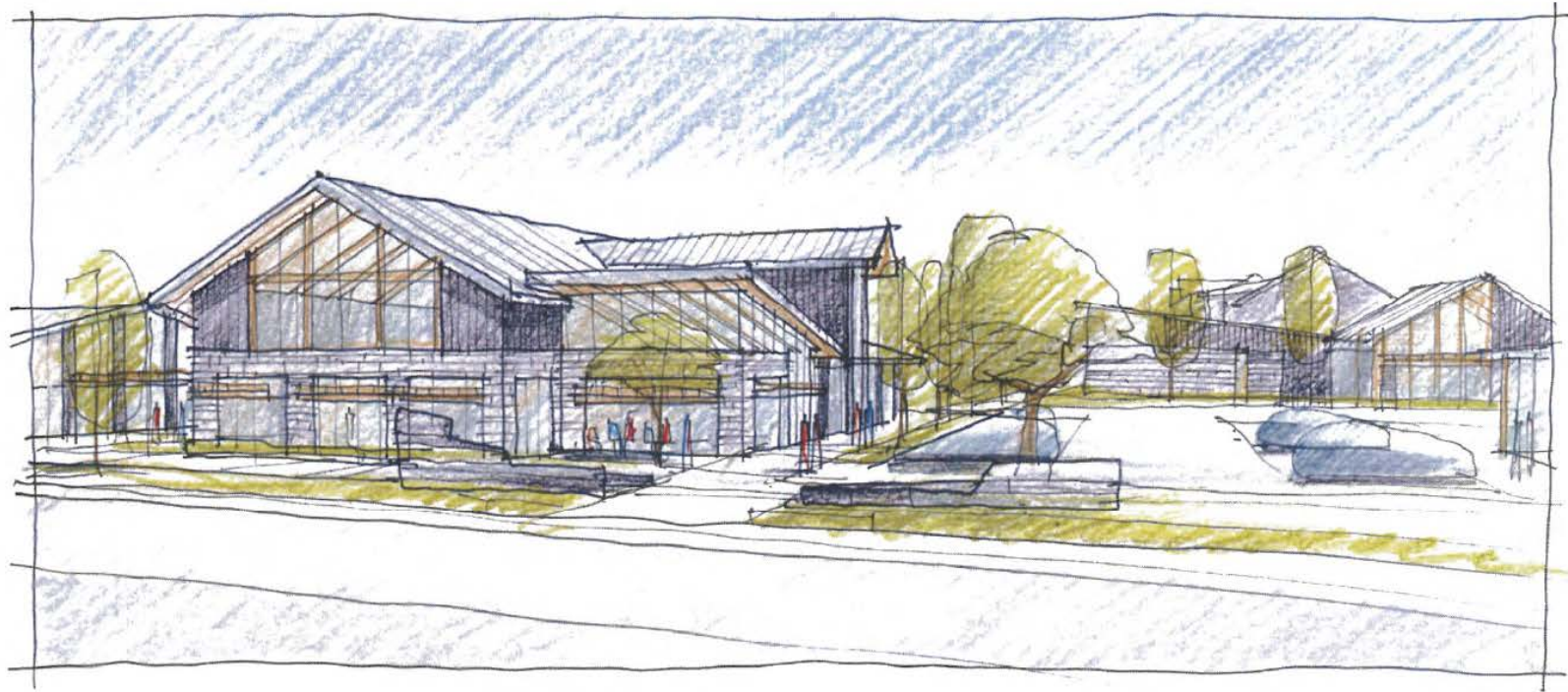
VILLAGE AT PROMINENCE POINT NORTH OGDEN, UTAH

EXHIBIT 3 - RETAIL ELEVATIONS

PROMINENCE POINT ENTRY 'GATEWAY'

Ankrom Moisan Architects, Inc.
ARCHITECTURE INTERIORS URBAN DESIGN IDENTITY
ankrommoisan.com





VILLAGE AT PROMINENCE POINT NORTH OGDEN, UTAH

EXHIBIT **T** - RETAIL ELEVATIONS

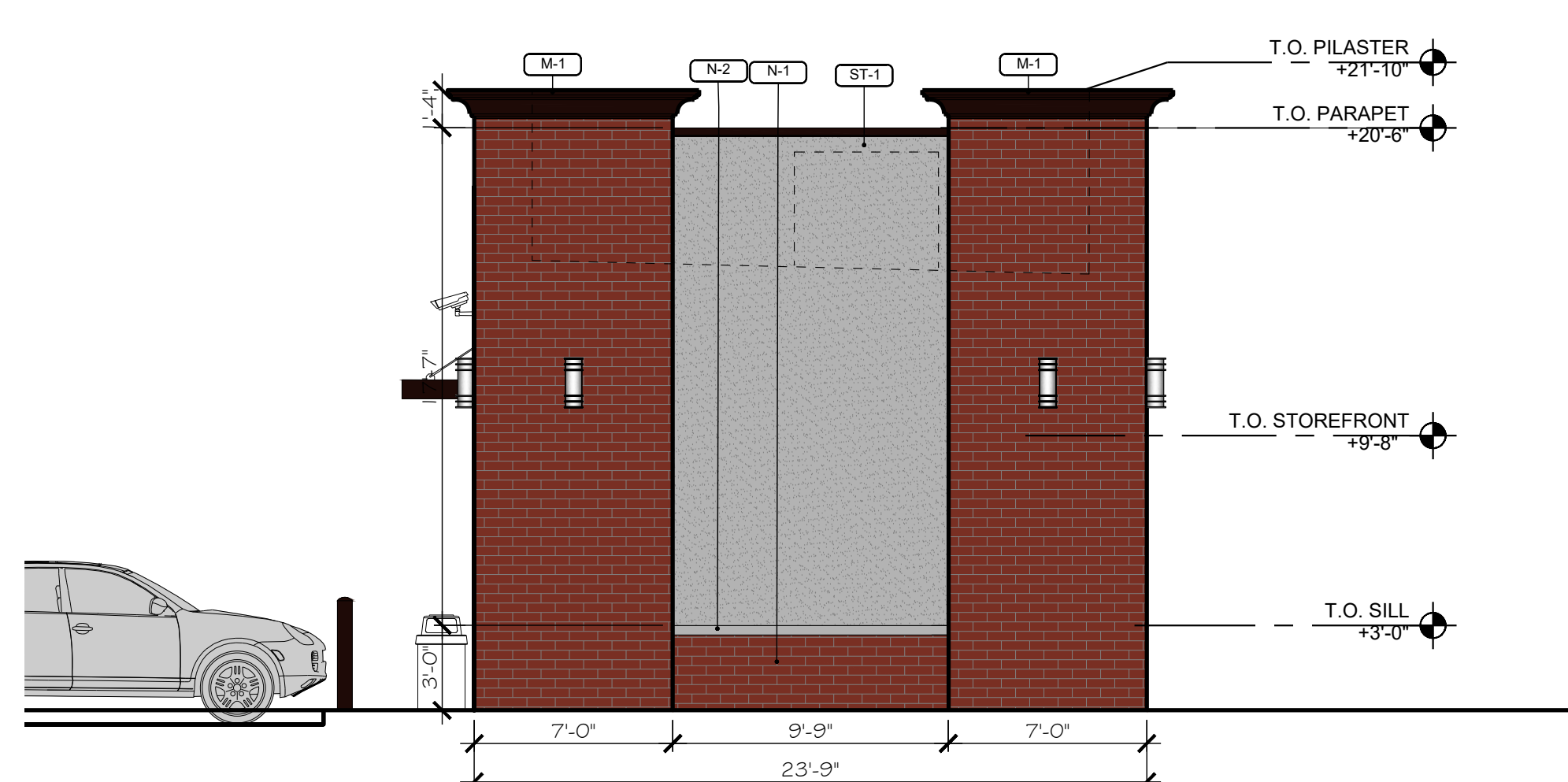
CENTRAL RETAIL ENTRY

Ankrom Moisan Architects, Inc.
ARCHITECTURE INTERIORS URBAN DESIGN IDENTITY
ankrammoisan.com





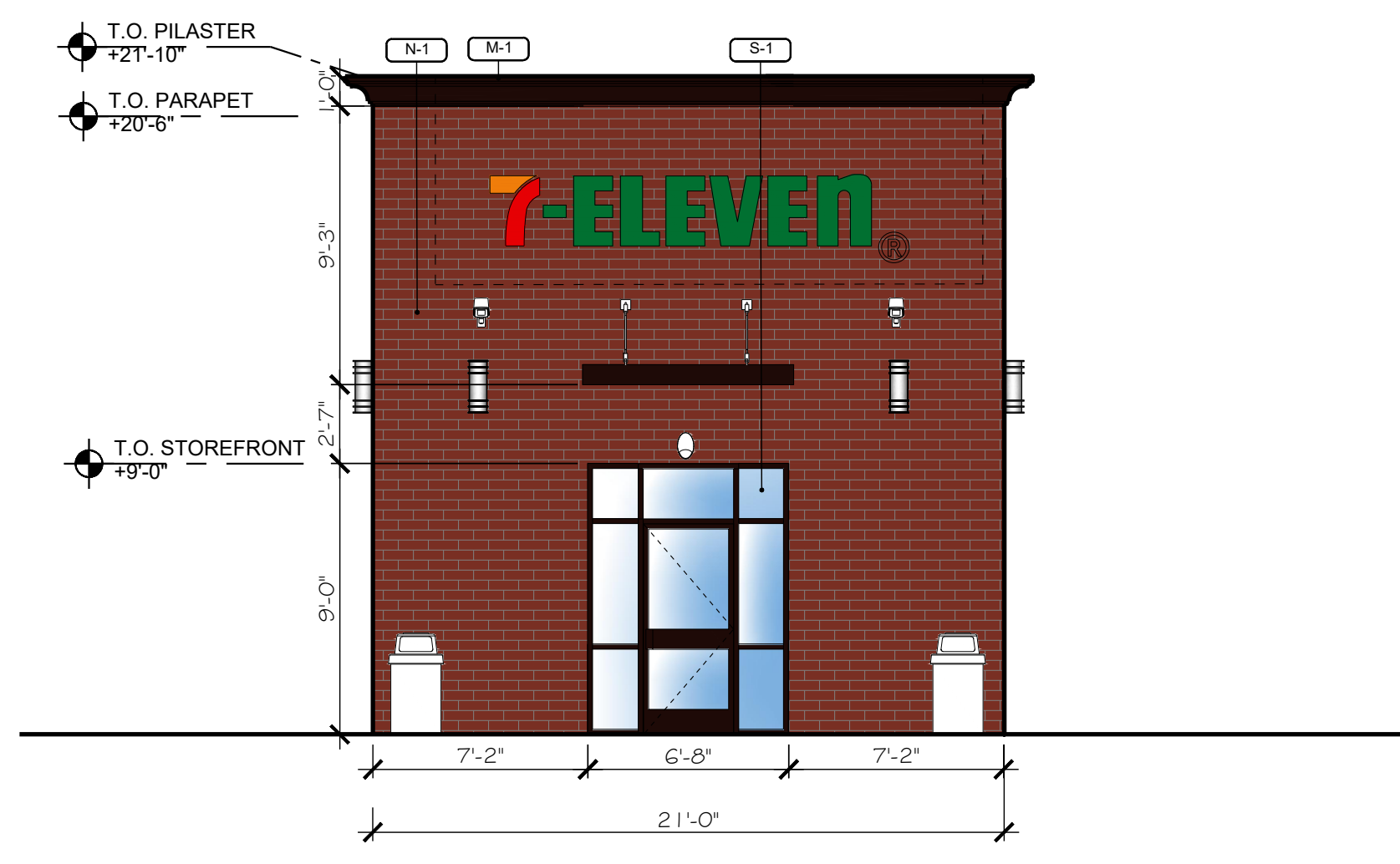
06 NORTHWEST ELEVATION
3/16" = 1'-0"



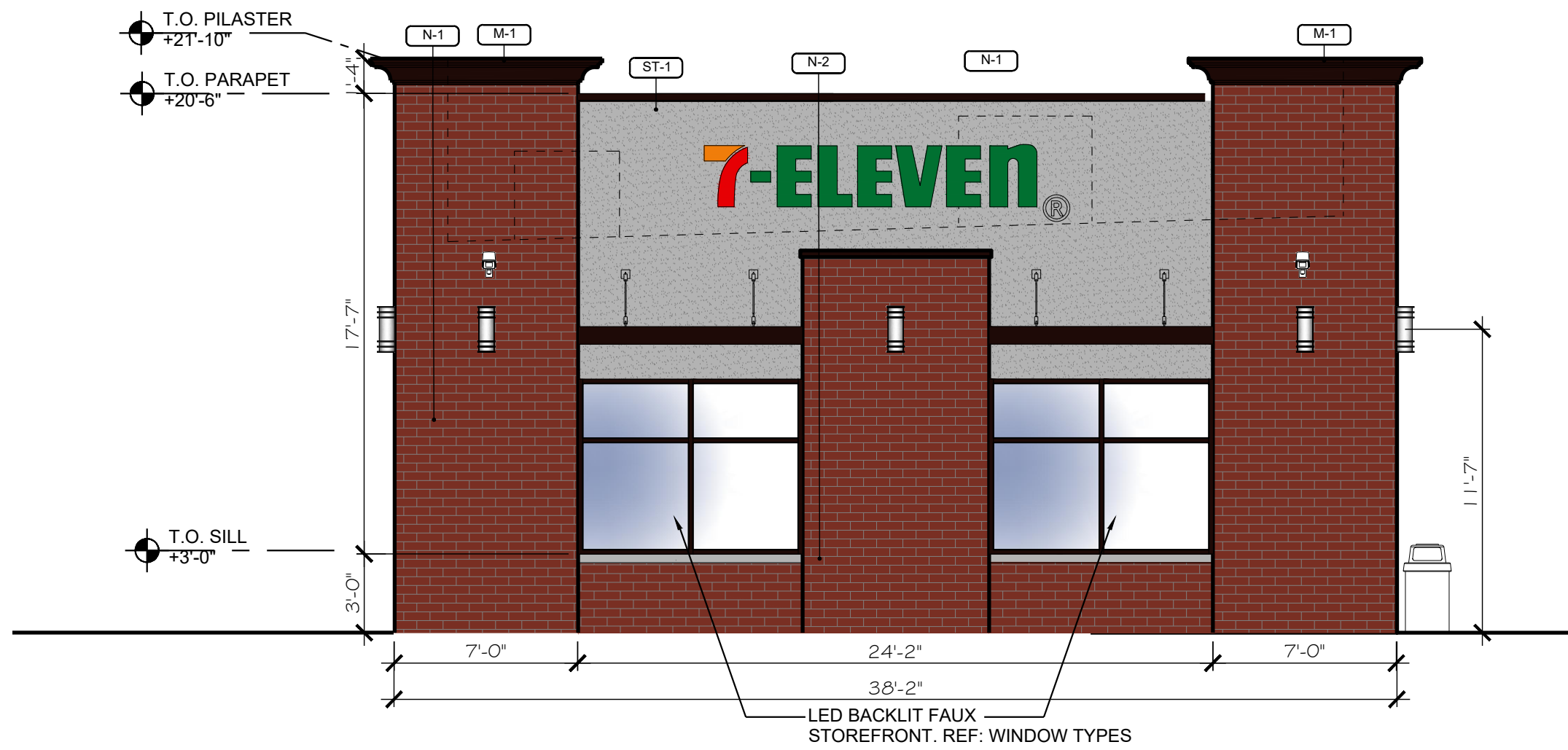
05 WEST ELEVATION
3/16" = 1'-0"



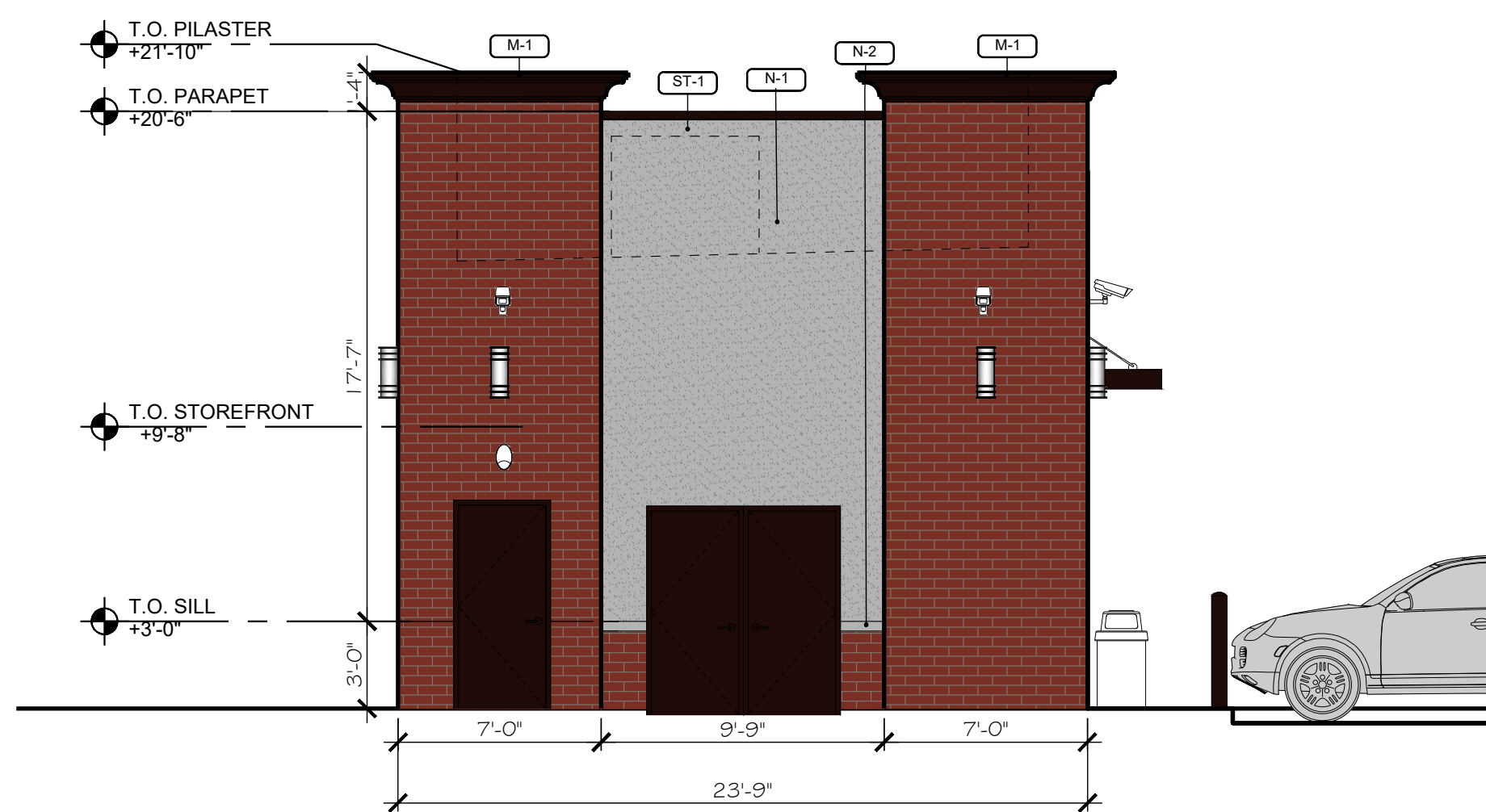
04 SOUTH ELEVATION
3/16" = 1'-0"



03 SOUTHEAST ELEVATION
3/16" = 1'-0"



02 EAST ELEVATION
3/16" = 1'-0"

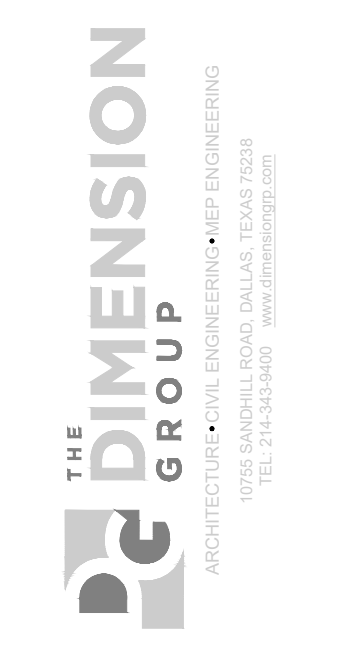
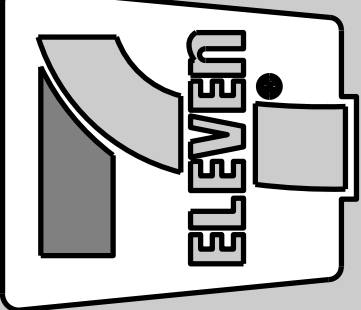


01 NORTHEAST ELEVATION
3/16" = 1'-0"

EXTERIOR FINISH SCHEDULE		
NOTE: SEALANT COLORS: MATCH COLOR OF ADJACENT MATERIAL BEING SEALED - WHEN 2 OR MORE COLORS ARE ADJACENT, MATCH LIGHTER-COLORED MATERIAL.		
FINISH	MATERIAL	PATTERN
M-1	24 GAUGE GALV. SHEET METAL COPING CAP, SLOPE 1/2" PER FOOT, PRE-FINISHED TO MATCH CANOPIES AND OTHER METAL WORKS (SW 7048 "URBANE BRONZE")	
M-2	PREFINISHED SHEET METAL DOWNSPOUT SYSTEM AND PRE-FABRICATED AWNINGS TO MATCH CANOPIES AND OTHER METAL WORKS (SW 7048 "URBANE BRONZE")	
N-1	NICHIHA PANEL SYSTEM WALL FINISH - VINTAGEBRICK "ALEXANDRIA RED BUFF" OR SIMILAR	
N-2	PRECAST CONCRETE SILL TO MATCH ST-1	
S-1	KAWNEER, "DARK BRONZE" ALUMINUM STOREFRONT FRAME - 1" INSULATED CLEAR GLAZING BY OLDCASTLE OR EQUAL	
ST-1	EIFS WALL FINISH- "GRAY SMOKE" OR SIMILAR	

Rev #	Date	Description

7-ELEVEN, INC.	3200 HACKBERRY ROAD, IRVING, TEXAS 75063
7-ELEVEN	17TH ST. AND WASHINGTON
	NORTH OGDEN, UT

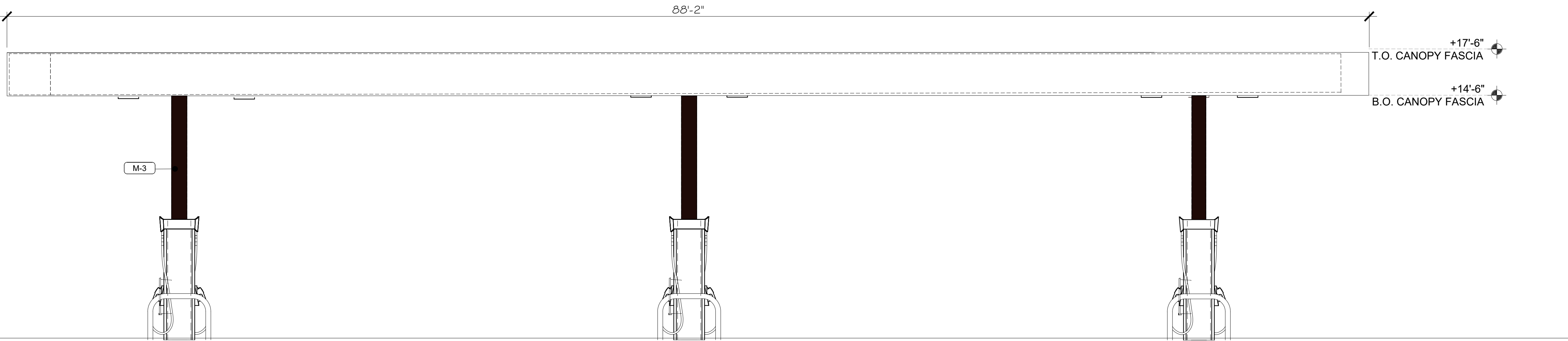


Job#:	Scale:	AS NOTED
Date:	10/05/2020	
Drawn By:		
Checked By:		

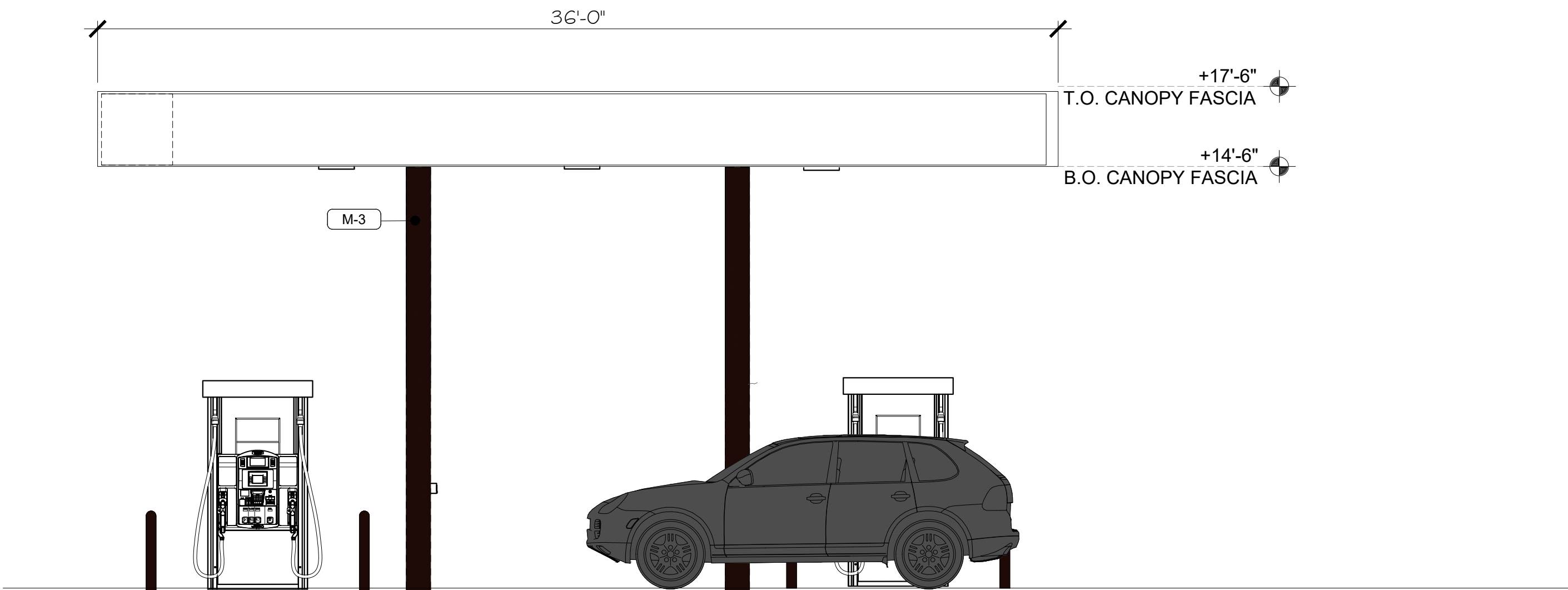
Documents prepared by The Dimension Group are to be used for the specific project and are not to be used for any other project, by owner or any other party, without the written consent of The Dimension Group. If used in a way other than that intended, The Dimension Group shall not be responsible for any claims and losses.



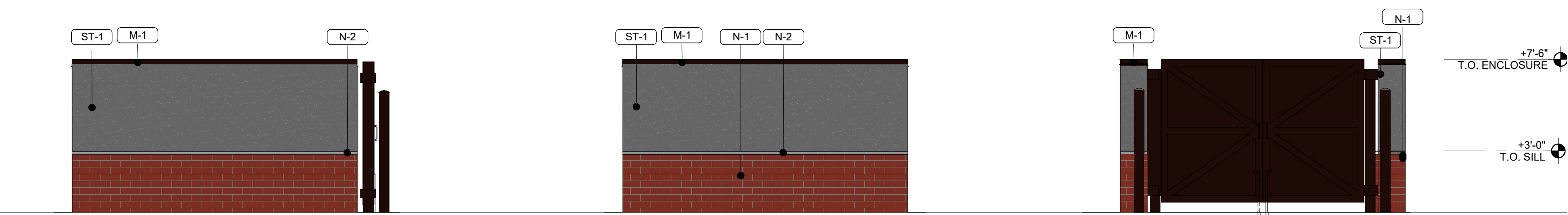
SHEET:



05 CANOPY ELEVATION (EAST/WEST)
1/4" = 1'-0"



04 CANOPY ELEVATION (NORTH/SOUTH)
1/4" = 1'-0"



03 SIDE DUMPSTER ELEVATION
1/4" = 1'-0"

02 REAR DUMPSTER ELEVATION
1/4" = 1'-0"

01 FRONT DUMPSTER ELEVATION
1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE		
NOTE: SEALANT COLORS: MATCH COLOR OF ADJACENT MATERIAL BEING SEALED - WHEN 2 OR MORE COLORS ARE ADJACENT, MATCH LIGHTER-COLORED MATERIAL.		
FINISH	MATERIAL	PATTERN
M-1	24 GAUGE GALV. SHEET METAL COPING CAP, SLOPE 1/2" PER FOOT, PRE-FINISHED TO MATCH CANOPIES AND OTHER METAL WORKS (SW 7048 "URBANE BRONZE")	
M-2	PREFINISHED SHEET METAL DOWNSPOUT SYSTEM AND PRE-FABRICATED AWNINGS TO MATCH CANOPIES AND OTHER METAL WORKS (SW 7048 "URBANE BRONZE")	
N-1	NICHIHA PANEL SYSTEM WALL FINISH - VINTAGEBRICK "ALEXANDRIA RED BUFF" OR SIMILAR	
N-2	PRECAST CONCRETE SILL TO MATCH ST-1	
S-1	KAWNEER, "DARK BRONZE" ALUMINUM STOREFRONT FRAME - 1" INSULATED CLEAR GLAZING BY OLDCASTLE OR EQUAL	
ST-1	EIFS WALL FINISH- "GRAY SMOKE" OR SIMILAR	

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063
7-ELEVEN
17TH ST. AND WASHINGTON
NORTH OGDEN, UT

THE DIMENSION GROUP
ARCHITECTURE-CIVIL ENGINEERING-MEP ENGINEERING
1101 N. 1700 E. SUITE 200
OGDEN, UT 84403
TEL: 204-543-5400 FAX: 204-543-5401

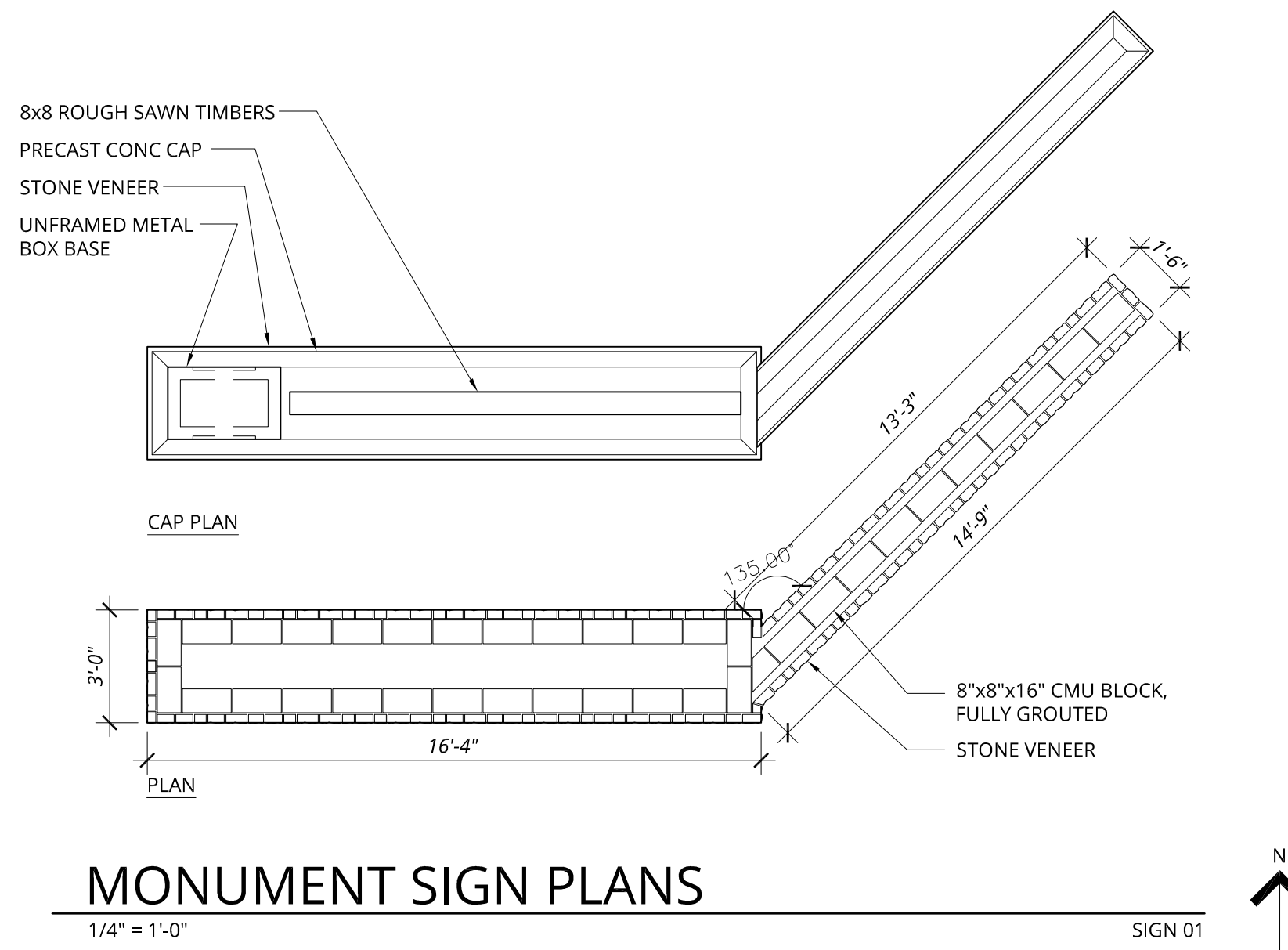
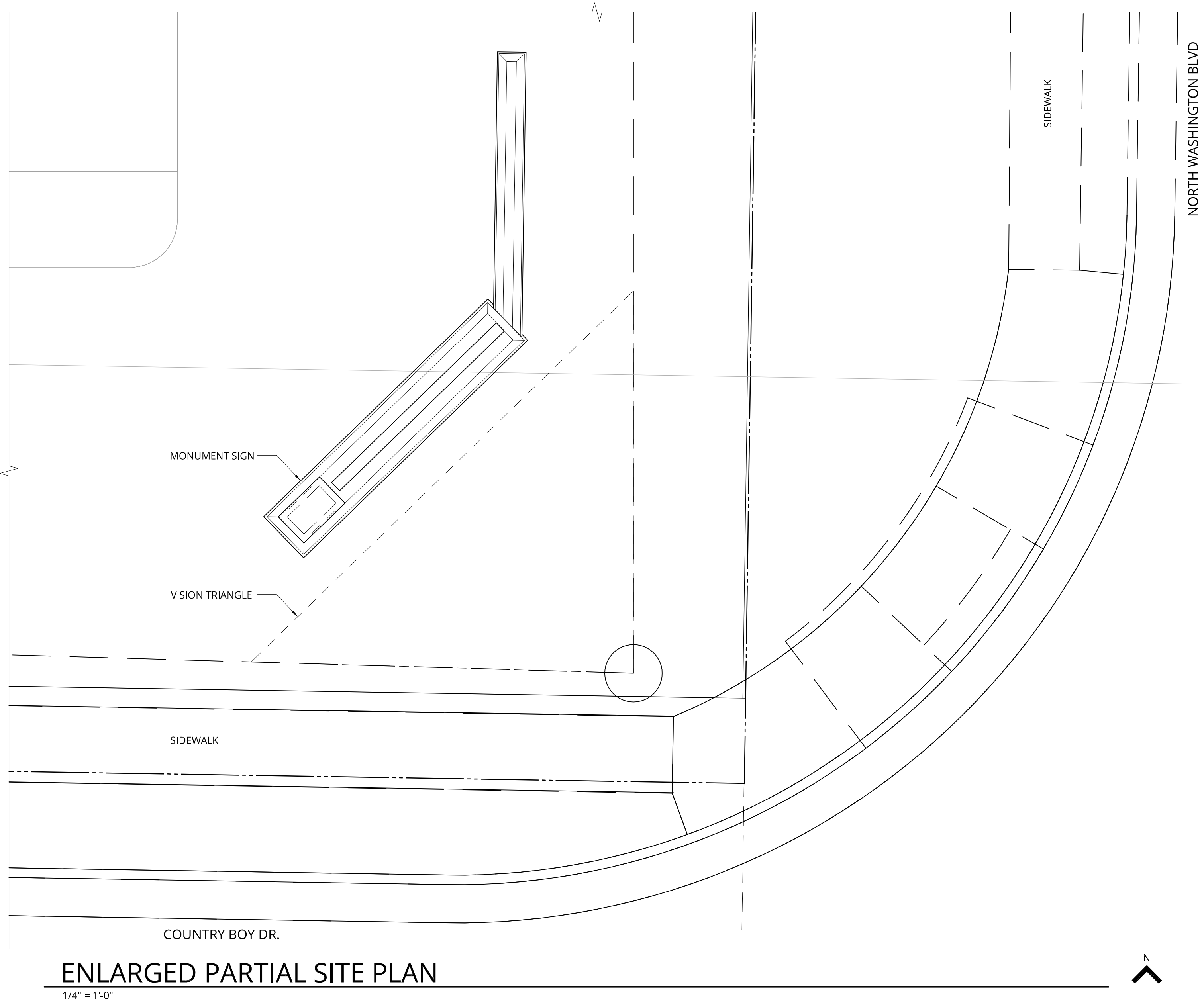
Job#:
Scale: AS NOTED
Date: 10/05/2020
Drawn By:
Checked By:

Documents prepared by The Dimension Group are to be used for the specific project and site only. Any extension of use to other projects, by owner or any other party, without the written consent of The Dimension Group is done at the user's own risk. If used in a way other than that intended, The Dimension Group assumes no liability for claims and losses.

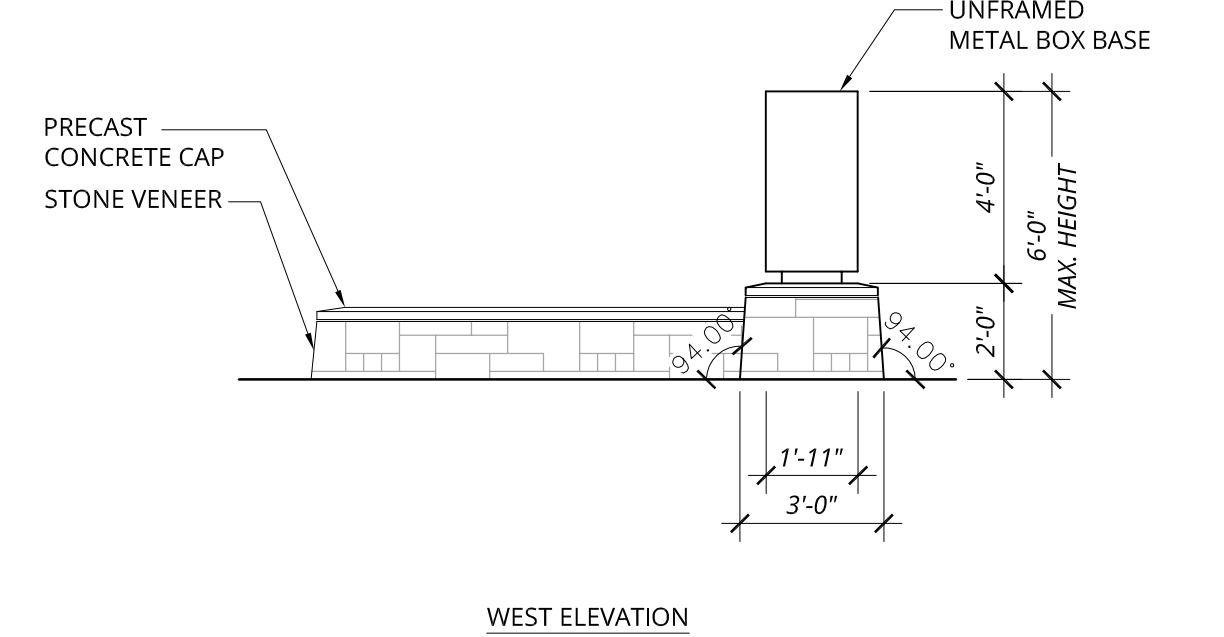
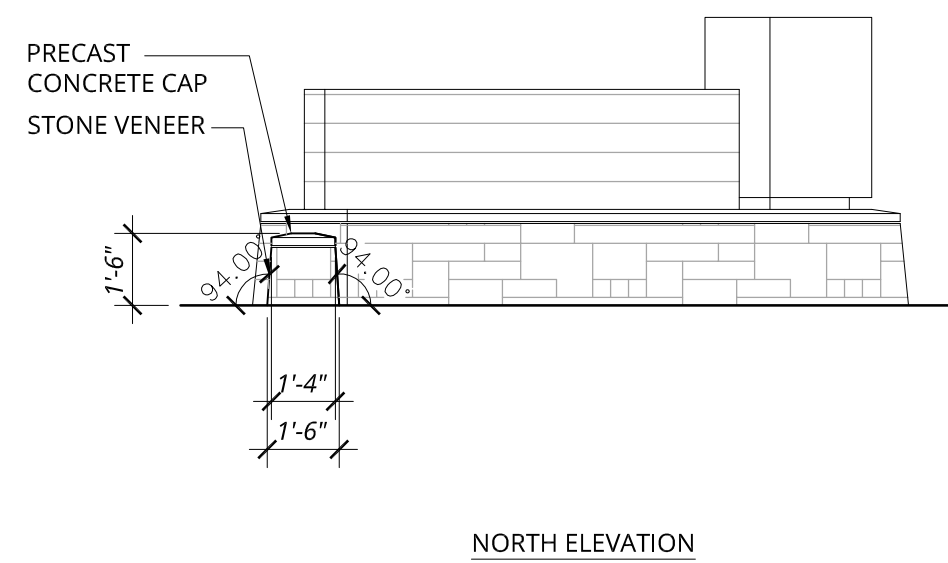
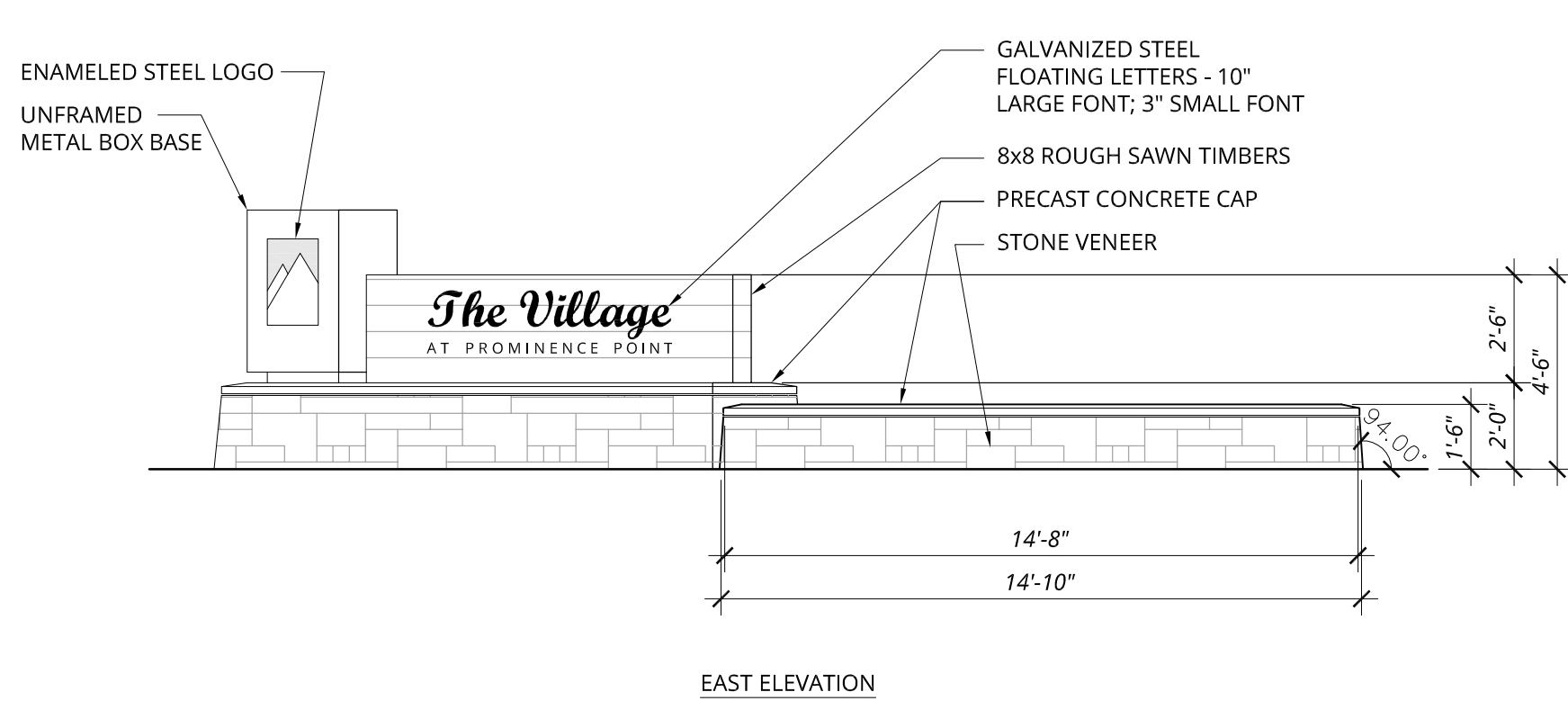
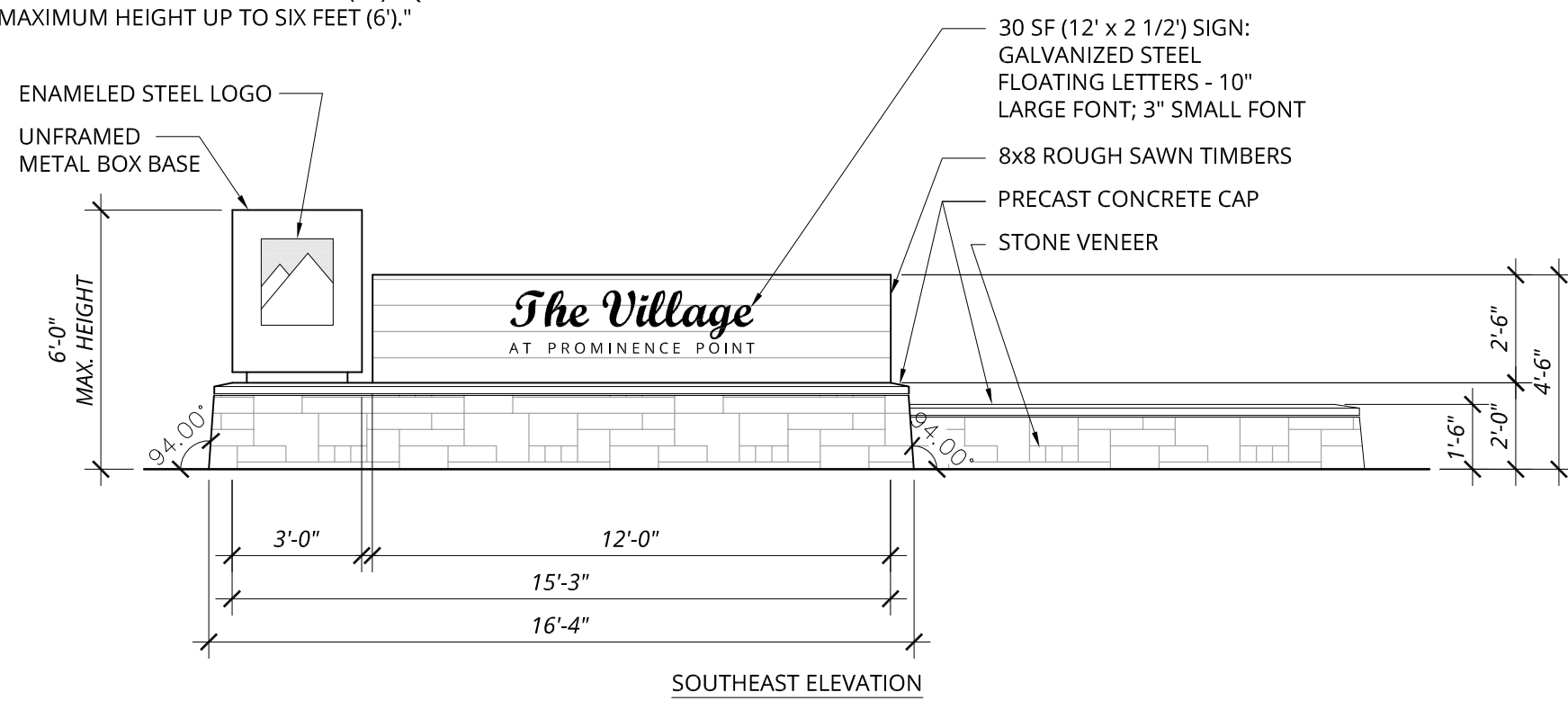
PRELIMINARY
DRAWINGS
NOT FOR CONSTRUCTION

SHEET:

Page 37



*IN ACCORDANCE WITH MUNICIPAL CODE "11-22-5:
COMPREHENSIVE SIGN PLAN REGULATIONS:
1. SUBDIVISIONS IN RESIDENTIAL ZONING DISTRICTS:
a. PERMANENT SUBDIVISION SIGNS MAY BE PERMITTED UP
TO A MAXIMUM AREA OF THIRTY (30) SQUARE FEET AND A
MAXIMUM HEIGHT UP TO SIX FEET (6')."



MONUMENT SIGN ELEVATIONS

1/4" = 1'-0"

SIGN 02

VILLAGE AT PROMINENCE POINT NORTH OGDEN, UTAH

SITE CONCEPT SIGNAGE

Ankrom Moisan Architects, Inc.
ARCHITECTURE INTERIORS URBAN DESIGN IDENTITY
ankrommoisan.com

4.30.2020



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.

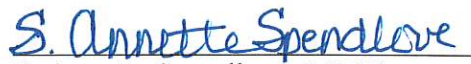
Voting on the motion:

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

NORTH OGDEN CITY STAFF REPORT

TO: City Council

FROM: S. Annette Spendlove MMC, City Recorder

DATE: 7/9/2020

RE: Audit Committee

Mayor Berube proposed in July 2020 that the City create an auditing committee based on a recommendation from the Utah State Auditor's Office. Mayor Berube suggested that Council Member Swanson chair the committee and asked for Council Member Ekstrom and himself to be part of the committee. The Council approved these names on July 28, 2020. Council Member Cevering asked if it would be beneficial to invite private citizens to participate on the committee as well. All were open to his idea.

The following names are before the City Council to consider to be part of the audit committee: Thayne Shaffer, Randy Winn, and City Recorder, Annette Spendlove.



NORTH OGDEN CITY STAFF REPORT

TO: MAYOR AND CITY COUNCIL
FROM: JON CALL, CITY MANAGER/ATTORNEY;
SUBJECT: MAJOR PROJECT UPDATE
DATE: 10/7/2020

There are several Major Projects coming up in the next few years in the City. We are expecting this to be a monthly update moving forward. We anticipate this will only be short discussion but will treat it like a question and answer time between the Council and Staff.

Street Projects (2020-2021)	Annually the City resurfaces, restripes, and reseals various roads across the City. The Council has approved roughly 500k of funds this coming year (summer 2020 – spring 2021) to maintain our current roads.
Culinary Water Storage Facility (2018-2019)	The City Council has approved a budget to begin the design of this project to increase the culinary water storage capacity by 1 million gallons. This project has been delayed based on some soil issues at the proposed site. Staff is now evaluating a different site near another existing tank to see if the soils are better for the project, which we hope will keep the new tank on budget. We are exploring using the new tank site as a trailhead location for some future trails to help connect the various subdivisions in the City.
Amphitheater (2018-2020)	Construction of Phase 2 has been completed. There are not any current plans for another phase to be designed or started. The facility still needs stage lights and speakers to avoid renting additional equipment for some types of performances.

2550 Detention Basin (2021)	This project is currently under review by FEMA and we expect to get the approval to start design and construction prior to the end of December 2020. Tentatively construction would start in late 2021.
400/450 East Widening (2020-2021)	The Council has selected a 92 foot right of way model with parking on both sides of the street and bike lanes for the project. The designer has been working with a few unique properties to come up with the best solutions for each of those properties. We should begin acquiring the right of way in the next couple months and still plan to start construction in the Spring of 2020.
Other Projects without start dates, or funding approved	Police Station, Barker Park, Park Rehab projects, other street widenings

Residential Project requests	
Cooper's Towne	Approx. 1500 N. and Washington Blvd. – the City has been approached about the approval of an apartment complex on Washington Blvd. just south of the Walker Cinemas. The Planning Commission has done an initial review but has not scheduled any additional meetings as of yet while the land owner prepares his information for submittal.
Village at Prominence Point	1700 N. Washington Blvd. – Most of the townhomes and cottages have been constructed or are under construction. We do not have a timeline on additional commercial development or apartment units
The Ranches	200 E. 2300 N. – This project has received final approval for phases 1 and 2 and construction should begin in the coming months.
North Hills	800 E. 4400 N. – This project has been call the North Cove, but the landowner has requested the development be named the North Hills. The Council has held a work session on this project but has not given any official review or approval of the proposed project and the landowner has not submitted anything firm as far as a proposal. It was just discussed the possibility of doing some connected units to preserve some additional open space.

Completed Projects	
Monroe Boulevard (2016-2018)	All Voluntary Purchases have been made – Final Report
3100 Debris Basin (2018-2019)	This debris basin is 100%complete. All the excavation work is complete and all that is left is the reseeding of the new slopes with a natural seed mixture and the installation of a few silt fences further up the hill to catch as much debris flow further up the hill as we can to keep this facility clean.