

**NORTH OGDEN CITY COUNCIL REGULAR MEETING MINUTES**

September 22, 2015

The North Ogden City Council convened in an open meeting on September 22, 2015 at 6:50 p.m. at the North Ogden City Council Chambers at 505 East 2600 North. Notice of time, place and agenda of the meeting was delivered to each member of the City Council, posted on the bulletin board at the municipal office and posted to the Utah State Website on August 10, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

PRESENT:            Brent Taylor            Mayor  
                       Kent Bailey            Council Member  
                       Lynn Satterthwaite    Council Member  
                       Cheryl Stoker        Council Member  
                       Phillip Swanson      Council Member  
                       James Urry            Council Member (left the meeting at 9:20 p.m.)

STAFF PRESENT:    Bryan Steele            City Administrator/Finance Director  
                           Rob Scott              City Planner  
                           Jon Call                City Attorney  
                           Sue Richey             Building Inspection/Business Licensing

EXCUSED:            Bryan Steele            City Administrator/Finance Director

VISITORS:

Drew Johnson	Gary Atterberry
Alan Lunt	Steve Rasmussen
Ashley Lunt	Lynda Pipkin
John Jansen	David L. Powers
Vahl Warren	Debbie Warren
Blake Welling	Gordon Robson
Mary Longhurst	Martha Urban
Jody Vance	Ronald Anderson
Bradley Johnson	Meg Sanders
Justin Fawson	David Howells

Mayor Taylor welcomed those in attendance.

Council Member Satterthwaite offered the invocation and led the audience in the Pledge of Allegiance.

**CONSENT AGENDA**

1. **CONSIDERATION TO APPROVE THE AUGUST 25, 2015 CITY COUNCIL MEETING MINUTES**
2. **CONSIDERATION TO APPROVE THE SEPTEMBER 1, 2015 CITY COUNCIL MEETING MINUTES**

**Council Member Swanson motioned to approve the consent agenda. Council Member Bailey seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

**ACTIVE AGENDA**

**1. PUBLIC COMMENTS**

Gary Atterberry, 3030 N. 425 E., stated he has two items to address: first is traffic and the second is a potential tax increase in the City. He is tickled to see that the new portion of 1700 North heading west is wider, but there are still opportunities to provide better connectivity to main roads to the north and he hopes the City will seize those opportunities as they would alleviate traffic from Washington Boulevard. He addressed plans to construct Monroe Boulevard through the center of the City and to extend Mountain Road around the City and through Pleasant View and to Interstate-15; the problem with this is the bottleneck of traffic on Harrison Boulevard because it will not be possible to make the road a three-lane road in that area. He proposed that at about 1600 North on Monroe Boulevard the City build a round-a-bout that would allow people to head east through the intersection towards Mountain Road and Fruitland Drive; they could then continue travelling north through North Ogden. He stated this could be done with no detriment to existing homes in the area. He stated that he would also recommend widening 1700 North to the east. He then addressed taxes and noted he read a newspaper article indicating the City is considering a tax increase. He stated he believes employees should be compensated fairly when compared to other similar agencies; the thing that concerns him is that not too long ago the City found \$2 million that no one knew about and it was used to build the Public Works Facility. He is not supportive of each Department of the City ‘squirreling away money’ that no one knows about as that should be handled through the City Council, but he is in favor of a rainy day fund in the City where the City is allowed to save a certain percentage of the City’s budget in a fund. That fund could be used for needs and once there is no money in that fund he would be willing to pay increased taxes, but until then he feels that the City should look at the issue more closely.

He then stated that he attended the open house prior to this meeting and it was reported that the developer of a mixed use development at approximately 1700 North and Washington Boulevard will be paying \$3 million to build the buildings on the property, but he recommended that when a contractor is seeking to build on property in the City they are informed of the fees they could potentially be charged to be in the City. He stated many fees could be paid when the inspector issues an occupancy permit, which would make it much easier for developers to build the home as they would not be required to pay fees up front.

Mayor Taylor addressed Mr. Atterberry's comments regarding traffic and noted the City is working on a study to update the traffic plan and there will be some proposals to reconfigure roads throughout. He noted that in addition to purchasing property to construct Monroe Boulevard, the City is also working to preserve a right-of-way to widen Washington Boulevard north of 2600 North. He hopes that in the near future roadways will be improved to accommodate additional traffic. He asked for public participation in developing the transportation plan for the City. He then addressed Mr. Atterberry's comments regarding a tax increase and noted that the information provided by the newspaper was inaccurate as the City is not considering a tax increase; the last property tax increase passed in North Ogden occurred in 2009 and it is his hope that through smart development and increased sales tax revenue that it will not be necessary to pass a tax increase anytime soon or perhaps ever. He stated utility fees were increased and the City also implemented a new transportation fee, but no tax increase has been considered; of the five largest cities in Weber County, North Ogden has the lowest utility rates. Council Member Bailey also addressed Mr. Atterberry's comments regarding the City "squirreling away money" and stated that it was not that the Departments were hiding money; rather, there were some accounting irregularities that have been addressed by City Administration. He stated that the Council has been working on initiatives to ensure transparency in the City's finances. He noted the City operates very lean, but there are some surplus funds. The City is allowed by State Law to carry a reserve fund of up to 25 percent of the City's general fund budget. He added he learned at the last meeting of the Utah League of Cities and Towns (ULCT) that the City can reserve an additional 10 percent as long as the money is earmarked for emergency purposes so that is something the City may consider as well. He stated another thing the City is doing to ensure fiscal responsibility is to work to fully fund depreciation of all of the City's assets; those funds will be earmarked to aid in replacing or repairing infrastructure of equipment. It is the current Council's goal to provide for fiscal soundness for the City in the future. He referenced examples of instances where the City has taken measures to provide for funding for depreciation of City assets. Mr. Atterberry stated he applauds the Mayor and City Council for planning ahead. There was a discussion of various projects the City is working on to provide for future growth and to generate savings for the City.

Steve Rasmussen, 1092 N. 425 E., commented on the restriping or widening of 2600 North and he asked if there are plans to proceed with that project. Mayor Taylor stated the City is still planning to complete a project to address traffic congestion on 2600 North, but it is necessary to identify a funding source for the project.

Mary Longhurst, 2650 N. 600 E., stated she is concerned about the lack of sidewalks in the residential areas of the City, specifically near schools. She asked if there is some way for the City to begin to look to the future for the inner-City residential areas and plan to address the lack

of sidewalks. She stated that the problem is increased in the winter and she is concerned about her children walking on roads during that time of year.

Mayor Taylor noted the City has worked to address the lack of sidewalks in certain areas of the City; a walking path was built near Majestic Elementary last year and this year an additional walking path will be built on Pleasant View Drive. He stated there are many areas that are on the City's radar, but funding is an issue. He stated there is a project the Council will be discussing tonight and the City is actively looking for grant opportunities to fund such projects. Council Member Urry added that sometimes the City creates a special improvement district for things like sidewalks, but residents must agree to pay into that district in order to fund sidewalks. Ms. Longhurst stated that she has discussed constructing sidewalks with many of her neighbors and elderly or very young residents are unable to pay for construction of a new sidewalk, but she asked that the City put money aside to fund future sidewalk projects. Mayor Taylor stated that sidewalks are not generally built by the City because they are required with development, but many older areas of the City do not have sidewalks because current development standards were not in place when they were developed. The City will continue to examine opportunities for addressing the issue throughout the City.

2. **PUBLIC HEARING TO RECEIVE COMMENTS ON THE NORTH OGDEN DOWNTOWN COMMUNITY DEVELOPMENT PROJECT AREA (CDA) PLAN AND RELATED MATTERS**

Mayor Taylor provided those in attendance with a summary of a Community Development Project Area (CDA); it is used to generate stimulus to encourage development of properties. He identified some of the types of projects that can be accomplished with CDA funding, after which he reviewed a map to identify the location of the proposed CDA, which is generally located in and along Washington Boulevard between 1700 North and 2700 North. He concluded as new development occurs within a CDA, a higher share of the property taxes for the properties in the area come to the City to replenish the CDA in order to facilitate more development; the ultimate goal of a CDA is to create economic development opportunities.

A resident, no name or address given, asked if the City will offer incentives to developers of properties within the CDA. Mayor Taylor state there will be opportunities to provide development incentives to stimulate commercial development. He added the City has an existing Redevelopment Agency (RDA), which has facilitated redevelopment projects within the downtown area of the City, but a CDA will facilitate different types of projects to facilitate economic development over the 15 years that it may potentially be in existence.

Mayor Taylor opened the public hearing at 7:30 p.m.

Debbie Warren, 270 E. Lomond View Drive, stated she also owns another property in the proposed CDA; it is located at 1933 N. 400 E. She stated she would like to understand how her properties could be impacted by the creation of the CDA. She stated it is her understanding that the corner parcel of property immediately north of Big-O Tires was recently sold and that the City is interested in locating a trailhead there. Mayor Taylor stated that is correct, but the City

did not purchase the property. The City may work with the new property owner to develop plans for building a trailhead there. Ms. Warren asked if the City will confer with property owners regarding that project. Mayor Taylor answered yes and stated he does not feel the trailhead would abut Ms. Warren's property; it would run along the fence and creek and through the neighborhood to the west. Council Member Stoker added that the person who recently purchased the property has met with the City's Parks and Trails Committee regarding future plans for a trailhead. She invited Ms. Warren to attend the next Committee meeting on the second Wednesday of October at 5:30 p.m. Ms. Warren then asked how the City determines the areas that will be included in the CDA. Mayor Taylor stated developing a CDA project area is an art form; the City must work with other taxing entities and strike a balance relative to the properties to be included based on the likelihood of commercial development. Ms. Warren inquired as to the total acreage included in the CDA. Mayor Taylor stated there is a total of nearly 90 acres in the proposed CDA, which is larger than average.

David Howells, 250 E. 2550 N., asked if the City has a master plan in place for property in the proposed CDA located near his property (encompassing 19 acres). Mayor Taylor answered no and indicated the City is still working to develop a plan. Mr. Howells suggested that the City review a plan that was developed by The Boyer Company for the area. Mayor Taylor stated that the City has reviewed the plan, but it did not include a detention basin. Mr. Howells stated that he has rejected purchase offers for his property because he would rather work with the City on the CDA project, but he inquired as to the timeline of developing a master plan for the area. Mayor Taylor stated he would like to meet with Mr. Howells outside of this meeting to discuss options. Mr. Howells stated he would like to proceed quickly and noted he believes the Barker family would also sell their property in the area.

Ronald Anderson, 538 E. 2175 N., stated he also owns property on Washington Boulevard that is included in the CDA; the CDA also included property owned by Rocky Mountain Power and he asked if there are plans to relocate the station located on that property. Mayor Taylor stated that the City would like for Rocky Mountain Power to relocate their station eventually, but that would be very costly. He stated he feels it would be largely dependent upon the type of development that occurs in the area. Mr. Anderson stated his property on Washington Boulevard is zoned commercial and his property taxes are very high; he would like to understand a plan for proceeding with development of the area so that it can be marketed for sale. Mayor Taylor stated he feels it will be beneficial for Mr. Anderson to have his property included in the CDA because it will facilitate development that is attractive to commercial and retail developments. He stated he will work with Mr. Anderson to identify appropriate future uses for his property and give him additional information about how the CDA can help him.

Bradley Johnson, 394 W. 1500 N. Harrisville, inquired as to the type of businesses North Ogden would like to recruit to the CDA. Mayor Taylor stated that he envisions a variety of mid-size or small businesses and restaurants. He stated he does not envision a big-box retailer locating in the CDA. Mr. Johnson stated he has lived in other cities that did not have large amounts of development that were eventually overrun by big-box development, which is now vacant. He stated he is also concerned about non-family friendly businesses locating in the area. Council Member Swanson stated the City restricts sexually oriented businesses to locating in the industrial area of the City and they could never be located in the CDA.

Seeing no additional persons appearing to be heard, Mayor Taylor asked for a motion to close the public hearing.

**Council Member Swanson motioned to close the public hearing. Council Member Satterthwaite seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**The motion passed unanimously.**

The public hearing closed at 7:50 p.m.

Mayor Taylor thanked everyone for their input and noted that the Council will be considering a final action to create the CDA on October 6.

**3. DISCUSSION AND/OR ACTION TO CONSIDER PARTICIPATION IN A SAFE ROUTES SIDEWALK GRANT FOR AREA AT APPROXIMATELY 550 EAST AND 2650 NORTH.**

Mayor Taylor reported he was contacted by Martha Urban from the North Ogden Elementary Community Council regarding a State grant opportunity; there is \$2 million available for sidewalks within school areas and the City could apply for a portion of those funds, which would require a match.

Ms. Urban stated residents made her aware of the grant funds available; the biggest problem is that the grant application must be submitted by October 1. The school cannot apply because it is non-profit, but the City can apply and the school would be willing to partner with the City for the purpose of providing matching funds, which is less than seven percent of the project costs. She reviewed a map of the school and the surrounding area and identified the location of crossing guards that serve the school; she identified the areas that the school would like to see sidewalks constructed. She reviewed an email explaining the involvement the City would need to have in the project in order to be eligible to receive the grant. She continued reviewing her map to identify walking patterns of children that attend the school and concluded the total estimated cost to construct sidewalks in the three areas specified would be just over \$13,000; that means the City would be responsible for less than \$1,000 in matching funds. She stated the Parent Teacher Association (PTA) and Community Council at the school are reviewing their budgets to determine if they are able to participate in the costs. She then highlighted additional areas that could benefit from sidewalks, after which she and the Council engaged in a discussion regarding

sidewalk construction costs. Council Member Urry suggested that residents be asked to participate in the matching funds as well. Ms. Urban stated that many residents in the area are retired and on a fixed-income and they have difficulty in contributing to the project. Council Member Urry stated he is on a fixed income as well, but the amount each property owner would be contributing is so low and if he were asked to contribute he would. He stated it is the easy route to ask the City to pay for the project; he is not opposed to safe sidewalks, but the amount is also very minimal for property owners upon whose property the sidewalk would be built. Ms. Urban stated that may be correct, but she is here tonight to ask if the City is interested in applying for the grant because the deadline to apply is quickly approaching.

Council Member Swanson stated that if sidewalk were constructed from the school all the way to 650 East, the cost – based on Public Work’s estimates – would be \$28,200 and the City’s match would be \$1,900. Council Member Satterthwaite stated his calculation was closer to \$40,000. Discussion continued regarding the locations upon which the school would like to see the sidewalk constructed.

Council Member Satterthwaite wondered if there are other areas in the City that would qualify for safe school sidewalk grant funding. Ms. Urban identified other sections within the area that feeds the school that could benefit from safe sidewalks and she indicated that the State prefers applications for 2,000 linear feet of sidewalk; she has identified 2,000 feet of sidewalk that she would like to see sidewalks constructed upon, but the areas will be prioritized when submitted to the State. Discussion then centered on historical sidewalk projects in the area, with a focus on the City’s financial involvement in the project; the Council concluded that they are supportive of a grant application for the entire 2,000 feet of sidewalk with the condition that the Council will have the opportunity to review actual project costs and the City’s required match before consenting to approve the grant if it is awarded. Council Member Swanson added that Majestic Elementary was asked to participate in fundraising for a walking path project to serve their school and they did a great job and earned up to \$5,000. Ms. Urban stated that she will talk with the school, PTA, and Community Council before expressing whether that will be an option for this project. She added that the City will know as soon as December whether the grant has been awarded.

Council Member Bailey asked that Ms. Urban pursue the LDS Church, one of the main property owners where the sidewalk would be constructed, to determine if they are willing to participate financially in the project.

#### **4. PUBLIC HEARING TO RECEIVE COMMENTS ON THE GENERAL PLAN DRAFT.**

A staff memo from City Planner Scott explained when the City Council is acting as the land use authority, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. 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, require compatibility with the general plan and existing codes. The North Ogden City Planning Commission held a public hearing regarding

the update to the North Ogden City General Plan on August 19, 2015. No one from the public spoke on this matter.

North Ogden City is engaged in an update of the North Ogden City General Plan; the current General Plan was adopted in 1997. When the current General Plan was adopted North Ogden's population was estimated to be 14,397. The 2010 Census identified North Ogden's population at 17,357 with a growth rate of 15.5%. North Ogden, in the intervening 18 years, has undergone significant change with population growth, new subdivisions, and commercial development. City facilities have also been added, e.g., the aquatic and public works facilities.

Recognizing the changing dynamic and needs of the City, the City Council directed that the North Ogden City General Plan be updated. The City Council held a work session to identify the areas of emphasis including establishing a downtown, focus on neighborhoods, transportation, parks and trails, and recreation.

The City Council held a joint work session with the Planning Commission on May 8, 2014. The meeting agenda included an overview of Utah State code regarding general plans. The draft scope of work for the General Plan and Downtowns project was also discussed and issues were identified to be studied regarding the transportation element, housing, neighborhoods, economic development, and the Downtown / Washington Boulevard Corridor.

A key point was the identification of the General Plan update process. Staff was directed to write a request for proposals and begin the consultant selection process. A selection committee was formed and after due consideration the Civil Solutions firm was hired to guide the update process.

A Steering Committee was appointed made up of representatives from the City Council, Planning Commissioners, and citizens with Staff support. The Steering Committee created the project theme: North Ogden Next: Your Vision Our Future. The Steering Committee held monthly meetings and went on a field trip to several other cities to get examples of other community efforts.

Community outreach was a foundation for getting citizens and business representatives to provide their ideas for the future of North Ogden. The Steering Committee was active in recruiting involvement for the Plan surveys and open houses. Over 700 responses were received. The techniques to obtain resident, property owner, and business input were as follows:

- QR Code from the Mayor inviting residents to participate in planning
- A contest to obtain a new logo
- A survey that was part of the regular water bill
- A section of the City web page devoted to the General Plan update
- An on-line visual preference survey with over 200 responses
- Newsletter invitations and articles
- Social media invitations
- An afternoon and evening workshop that engaged about 60 people and resulted in 9 alternative downtown land use maps that were used to create a single alternative to carry through this process

- Flyers distributed through the elementary schools as fact sheets and invitations to an open house
- A second more general survey attached to the utility bill
- An additional on-line survey to address larger City-wide general plan issues and the big ideas for the downtown that reached over 500 residents
- Steering Committee members delivering flyers
- Grocery store and sidewalk posters
- Two open houses for input
- A third open house for the final Plan proposals

The key components addressed in the Plan are:

- The Future Land Use map
- A general Transportation Plan including alternate routes to Washington Blvd. and 2700 North and a Complete Streets policy
- A Moderate Income Housing Plan
- A Future Parks Plan
- A Trails Plan
- A Downtown Plan including Land Use, proposed street network, streetscape, and building form recommendations
- A Southtown Plan including Land Use and streetscape recommendations
- Creation of neighborhoods, including addressing the idea of preservation of some of the agricultural areas
- An Annexation Plan

Each of these sections of the General Plan include various goals and corresponding implementation strategies to achieve the agreed upon goals.

The memo offered the following summary of potential City Council considerations:

- Does the draft General Plan proposal meet the future needs for North Ogden City?
- Is the City Council satisfied with the General Plan document?

The memo concluded the Planning Commission recommends the City Council adopt the General Plan amendment.

Mayor Taylor and Mr. Scott reviewed the memo.

Representative of Civil Solutions Group, Jake Young and John Jansen, used the aid of a PowerPoint presentation to provide information regarding specific changes to the General Plan. Mr. Jansen noted there are 11 chapters in the plan that highlight the subjects of the City's History, Land Use, Transportation, Housing, Economics, Public Facilities, Parks/Trails/Recreation, Environment, The Downtowns, Neighborhoods, and Annexation. He summarized North Ogden's values pertaining to the General Plan as follows:

- An appreciation of the open space, setting, and country feel
- An appreciation of the friendly and supportive people

- The safe nature of the community
- Access to the mountains and trails
- A need for more interesting restaurants
- A need for events that help bind the community
- A desire for quality developments of all kinds from single family dwellings to businesses, including their property maintenance
- A desire to reduce congestion

Mr. Jansen then stated North Ogden City will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. He then reviewed the transportation map for the City included in the General Plan, noting transportation goals include completing needed improvements, creating multi-modal downtowns with improved transit service, and adopting a complete streets policy. He also reviewed the City's moderate income housing plan included in the General Plan, noting it is required by the State of Utah; the goals of the plan are to:

- Moderate Income Housing Plan as required by the State
- Increase housing quality and variety
- Encourage adequate housing types
- Encourage housing that provides broad based support for a more stable and diversified tax base
- Establish and adhere to high quality building and design standards for all housing types
- Promote water-wise landscaping
- Create incentives to provide additional public and private parks as well as trails in the development process

Mr. Young then discussed the section of the General Plan dealing with Parks, Trails, and Recreation, noting the plan will:

- Provide reasonable parks access to every resident
- Adopt a general standard of ½ mile walking distance to a City park and in more urban areas, a ¼ mile walking distance.
- Obtain park land to meet the park master plan map by 2030.
- Connect all parks with trails

He also discussed the section of the General Plan dealing with the downtown areas, noting a major part of the outreach effort related to this component of the Plan. There are plans for both the Downtown and Southtown areas of the City and the vision for the downtown areas is for them to be primarily mixed use and become the place that residents identify with as the community addresses walkability, form, and function in the near future. He briefly summarized goals for both the Downtown and Southtown areas, after which Mr. Janson discussed neighborhoods; the Plan identifies four neighborhoods: Hillside, Old Town, Coldwater, and Southtown. He identified the boundaries of each of the four neighborhoods on a map and summarized the goals for the neighborhoods as follows:

- Preserve the rural character of the neighborhood
- Consider rezoning to larger lot agricultural zoning
- Consider creating a fund to purchase development rights.
- Consider adopting a transfer of development rights (TDR) program

- Partner to preserve the open spaces
- Consider promoting clustering techniques
- Create notification/disclosure requirements about adjacent agricultural area odors, noises, etc. as part of the subdivision process
- Utilize the streams from the mountains to a greater extent
- Increase safety along Washington Blvd.
- Improve park maintenance and trail connections
- Improve sidewalks where appropriate
- Increase the return of natural water to the ground.

He then concluded by reviewing the annexation section of the Plan, noting the goals of the section are to maintain the City's agreement with Harrisville and Pleasant View, engage the Forest Service, and address the unincorporated islands of County property in the community.

Mr. Janson then stated that when Civil Solutions Group started this project he had specific opinions regarding how the process to update the General Plan should progress, but it took a very different path with different results and that is due to the participation of the General Plan Steering Committee, the City Council, staff, and the community at large; they had some great ideas and input and the process was very valuable.

Council Member Satterthwaite referenced the section of the Plan dealing with trails, parks, and recreation which calls for all residents to live within a quarter-mile of the park. He asked where that standard comes from. Mr. Young stated that is a standard that is used in communities that desire to be walkable; any distance past a quarter-mile will not be walked by residents. He reviewed the trails and parks map and stated that the City has many parks, but the map identifies potential future locations for parks. Also, in the General Plan survey residents indicated they would like to maintain the current level of service relative to parks and trails. Council Member Urry stated it seems like too many parks. Council Member Satterthwaite asked if there are other cities in Utah that have the same standard. Mr. Young stated many cities have a similar standard. He added that other City infrastructure, such as storm water basins, can be used for pocket parks throughout the community. Council Member Satterthwaite stated he feels that adoption of the General Plan as it is written will commit future City Councils to construct additional parks.

Mayor Taylor stated that this has been a very long process and many residents participated in the surveys for the project. Council Member Swanson thanked the consultants for guiding the process without strong-arming the City.

Mayor Taylor opened the public hearing at 8:50 p.m.

Steve Rasmussen, 1092 E. 3250 N., stated the Plan calls for 2600 North to be widened as an arterial street, but only to the intersection with Fruitland Drive. He stated that with all of the traffic coming down from 1050 East it appears that it would be better to widen 2600 North to that intersection. He stated there is currently enough traffic to warrant the widening and it will only worsen in the future.

Mayor Taylor agreed it would be more appropriate to widen the road to 1050 East; he reviewed the City's transportation plan and indicated that it calls for 2600 North to be widened as a major collector from Fruitland Drive to 1050 East. Mr. Rasmussen stated he feels the entire length of 2600 North should be widened as an arterial road. Mayor Taylor committed to look into that issue.

**Council Member Satterthwaite motioned to close the public hearing. Council Member Swanson seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

The public hearing closed at 8:55 p.m.

**5. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE ADOPTING THE FINAL GENERAL PLAN.**

The Council and Mayor engaged in a discussion regarding the option of adopting the General Plan. The Council indicated they would like to change the transportation map in the General Plan to identify 2600 North as an arterial road from Washington Boulevard to 1050 East.

**Council Member Swanson motioned to adopt Ordinance 2015-21 adopting the final General Plan with the change that 2600 North will be called out as an arterial road from Washington Boulevard to 1050 East. Council Member Urry seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>
<b>Council Member Urry</b>	<b>aye</b>

**6. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING THE NUISANCE ORDINANCE.**

A staff memo from City Attorney Call explained the City has had significant concerns raised by citizens and City officials about the growing number of nuisances in the city. In addition to this,

our current ordinances do not authorize some of the remedies which are available under state code. I have reviewed our code and made several recommended changes.

Attached to this memo is a complete document of all our nuisance, abatement, and enforcement ordinances showing the changes I have proposed.

I have included one provision in 1-9-18(B) which provides for the physical posting of the notice to abate the nuisance 24 hours before the City enters the property. This is not required in state code, though I believe it is advisable to give the land owners one final opportunity to realize that the City is serious about eliminating the nuisance. This is a policy decision and the Council should consider it carefully before agreeing with my suggestion.

These changes have been reviewed by the code enforcement official and others. I believe this ordinance is now ready for the Council to review and make a decision on how to proceed. The passage of this ordinance does not automatically change the policy regarding nuisances, but it provides the necessary tools, allowed for under state code, to abate nuisances should that be required in the future.

The memo concluded Mr. Call recommends the Council review the proposed language and make the necessary amendments to the nuisance ordinance. I would recommend the Council pay particular attention to sections 5-1-1, 5-7-1, and 5-7-2 where we define exactly what constitutes a nuisance and we can determine whether additional language should be added or removed prior to passing the ordinance.

Mr. Call reviewed his staff memo, but noted that since he drafted the memo he now feels there may be other statutory requirements regarding the demolition of a building; he recommended that the Council adopt the ordinance, but make changes to the sections dealing with demolition, and he will bring back an additional ordinance to enact demolition policies.

Council Member Satterthwaite asked if the proposed ordinance keeps the City in compliance with State Law. Mr. Call answered yes, but noted he would like to pattern the City's ordinance after ordinances used in other cities that include criteria that must be met in order for the City to proceed with demolition; this will protect a property owner's rights. He reiterated it is his recommendation that the City Council pass the ordinance in order to allow City staff to proceed with other areas of code enforcement; the motion to adopt can include direction to remove language that would permit the City to demolish any building in the City.

**Council Member Satterthwaite motioned to adopt Ordinance 2015-22 amending the nuisance ordinance for the City, with the change to remove the term "or structures" from Section 5-1-1. Council Member Swanson seconded the motion.**

**Voting on the motion:**

**Council Member Bailey**                    **aye**  
**Council Member Satterthwaite**       **aye**  
**Council Member Stoker**                **aye**  
**Council Member Swanson**             **aye**  
**Council Member Urry**                    **aye**

**The motion passed unanimously.**

Mayor Taylor thanked the Council for adopting the ordinance as it will give City staff the ability to move forward with abatement of nuisance properties. Council Member Bailey suggested there are some properties in the City that are simply not coming into compliance with City nuisance codes and he would like for the City to be more aggressive in those cases. Mayor Taylor stated this ordinance will give staff the tools to do just that.

\*The meeting recessed at 9:15 p.m. and Council Member Urry left the meeting. The meeting reconvened at 9:20 p.m.\*

**7.        DISCUSSION ON A MIXED USE DEVELOPMENT PROPOSAL.**

Mayor Taylor used the aid of a PowerPoint presentation to provide those in attendance with information regarding the proposal for a mixed-use development at 1700 North and the east side of Washington Boulevard. There was a focus on the amount of property and sales tax that could be generated by the development; Mayor Taylor noted the majority of the City is and always will be made up of single-family residential neighborhoods, but this proposal includes some higher density residential uses that will provide higher tax benefits and will support commercial development throughout the City. Citizens have indicated they would like a thriving business district on Washington Boulevard, which requires attracting businesses to the area; those businesses require a certain population density and household income. The City's population density, specifically near the commercial core, is too low for many retailers. The City Council visited many other mixed-use developments in different communities and found many of them to be beautiful developments that provide a great benefit to their respective city. Concerns about this type of project reducing adjacent property values are unfounded; many other mixed-use developments are located near mansion style neighborhoods and property values for those neighborhoods have actually increased since the mixed-use developments have been built near them. He reviewed photographs of a few of the mixed-use developments the Council visited in other cities, after which he reviewed conceptual site plans for the proposed development and indicated that it would contain beautiful buildings that would serve as a signature development for the City. He concluded by reporting how the project would benefit the City; mixed-use zoning provides a much greater tax base for the City and would also generate nearly \$4.5 million in impact fees and building fees. Those revenues can provide for important infrastructure improvements throughout the City that will not need to be funded by the taxpayers. To generate that same amount of revenue the City would need to increase property taxes by 50 percent for nine years. The developer will also complete the extension of 1700 North at a cost of \$2 million and he will spend an additional \$1 to \$2 million to develop needed infrastructure. The

development will also include a possible pocket park. He stated he feels this is a great project for the City that can be done well and will ultimately provide an increased tax base for the remainder of the City. He added the project is not approved and will not be approved until it meets all development requirements of the City and receives ultimate approval of the City Council. There will be a development agreement accompanying the project and it will mandate building design and materials as well as quality of many other components of the project. He stated the Council will meet with the Planning Commission in a joint work session on October 6, 2015 to discuss the project and the associated development agreement. He then invited City Planner Scott to provide the Council with information regarding the Planning Commission's deliberations about the project. Mr. Scott did so by reviewing a staff memo that was provided to the Planning Commission during their September 16 meeting. He noted that the minutes of that meeting will be available to the City Council when they hold their public hearing regarding the project. He noted there was heavy discussion regarding parking at the site and he encouraged the City Council to review the justification provided by the applicant relative to the reduced number of parking stalls at the project.

A staff memo from City Planner Scott explained when the Planning Commission is acting as a recommending body to the City Council, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. 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, require compatibility with the general plan and existing codes.

The applicant is requesting a map amendment to change the zoning for property at approximately 1750 North Washington Boulevard from Commercial Zone (C-2) to Master Planned Community Zone (MPC). The North Ogden General Plan and MPC zone were adopted on July 28, 2015 as an interim measure while the North Ogden General Plan is being updated. A form based code will eventually replace the MPC zone.

This application is the first to take advantage of the MPC zone designation. The purpose of the MPC zone is stated in 11-7K-1 Purpose:

The purpose of the Master Planned Community Zone is to provide opportunities for creative and unique developments within North Ogden City. This ordinance includes guidelines for creating neighborhood oriented village projects that may include a mix of residential, commercial, recreational and/or public uses.

An integral part of this Zone is a multistep review process to assure compatibility of proposed land uses with existing, and proposed adjacent neighborhoods, as well as the vision of the General Plan. The desired goal is to move toward vibrant, sustainable, and walkable neighborhood centers, with integrated streets.

Proposed plans for development must follow or exceed design standards found within this ordinance. Specific plans shall be a reflection of a required development agreement.

The Planning Commission and City Council have discussed this proposal on multiple occasions. The most recent consideration was the September 2, 2015 Planning Commission meeting. The

Planning Commission provided input to the applicant with an emphasis on parking, phasing, building design along 1700 North, and the north/south road being either a public or private road. The Planning Commission and City Council are going on a field trip to examine other similar projects on September 17, 2015 and host an open house on September 22, 2015.

The Village at Prominence Point, Phase 2 is a mixed use project with a combination of commercial and residential uses. The amenities consist of a club house and pool, trails, and open space. The applicant has submitted a number of additional exhibits including a project narrative, site plan, conceptual landscape plan, elevations, project summary, a design for the corner park / retention basin, and unit plans. The applicant has addressed the MPC checklist. The Technical Review Committee met on August 24, 2015. There are specific requirements regarding the provision of storm water, sanitary sewer, culinary water, and secondary water.

The following is a summary of the project reflecting refined project numbers. (See Exhibit B)

- Housing: 350 apartment units- a combination of one, two, and three bedroom units. Floor space totaling approximately 455,000 square feet
- Commercial: 26,236 square feet
- Total Building Footprint: The building footprint will occupy approximately 22% of the site.
- Parking: 660 parking stalls with 105 garages, 145 carport spaces, 202 open space parking, 105 tandem spaces, 17 clubhouse parking, 36 shared retail spaces, and 50 guest spaces along 1700 North.
- Streets: All internal streets are shown as private streets. The westerly north south street was conditioned as part of the first phase of Prominence Point to be a public street that connects 1700 North with 1900 North.
- Trails and Sidewalks: The design shows a 20 foot wide sidewalk along Washington Boulevard, a 6 foot wide sidewalk along 1700 North, internal sidewalks vary between 6 and 7 feet. The trail system has 10 foot wide trails.
- Phasing: The project is projected to have five phases, the first four being residential with commercial being the final phase. The first phase will have the clubhouse in it.

In a recent coordination meeting with City representatives a list of likes and concerns were created.

#### Likes

- Garages in the project
- Amount of green space
- Parking distribution
- Corner unit design
- Wide sidewalks and trails
- Architectural renderings for commercial buildings
- Variety of building sizes be interspersed in the project

#### Concerns

- Amount of parking (Current ordinance requires 2 parking stalls per apartment and 1 visitor stall per two apartments; the MPC zone allows for a parking study to justify a different standard and allow some on-street parking)
- Height of structures
- Views from Mystery Meadows looking east
- Maintaining quality for the long run
- Phasing (How to encourage the commercial phase to be sooner)
- Units along 1700 North, setbacks and building design fronting on 1700 North

#### 11-7K-9 MASTER PLANNED COMMUNITY ZONE CONFLICTS WITH OTHER REQUIREMENTS IN THE CITY CODE

When the requirements of this chapter are found to be in conflict with other provisions of the City Code, the standards, requirements, and processes of this chapter shall take precedence, especially where a development agreement has been approved.

The Master Planned Community zone provides ultimate flexibility in applying design options for an applicant and the City. Where provisions conflict with existing code they may be modified in the required development agreement. There are several design issues in this project that are being requested, e.g., a modification of the parking requirement standard. As the Planning Commission reviews this project these standards should be identified and a recommendation made to the City Council regarding these modifications.

Thus far Staff has identified three areas where allowances will need to be considered. The applicant may also be adding to this list, i.e., parking, building heights, and the west north / south roadway design.

#### 11-7K-5 DEVELOPMENT STANDARDS

The applicant has submitted a summary of how the development standards have been addressed. The renderings and other design features are still being refined. Staff will work with the applicant to ensure that all of the standards have been addressed. Staff has highlighted several points below but this is not an inclusive review. (See Exhibit F).

##### A. Building Placement and Massing

###### 1. Setbacks

Building facades must occupy 65% of the frontage facing Washington Boulevard and 50% of all other public street edges. (To be verified)

Building setbacks – 0-10 feet on major streets; minimum of 15 feet on minor streets (To be verified)

2. Zero lot lines: The issue of building setbacks and design along 1700 North will need to address this standard.

###### 3. Building orientation

Entrances shall front onto major streets. Minor streets may be altered with appropriate landscape buffer yards. (To be verified)

##### B. Building Heights (See Exhibits, F, H, and I)

A variety of building heights are allowed depending on the land use type. There is a minimum and maximum building height depending upon the land use type. The number of stories also varies. The building height may require a height adjustment in the development agreement.

C. Land use Impact and Buffering. The applicant addresses this in the Architectural Design Standards section. (See Exhibits D and F)

D. Architectural Design and Materials. (See Exhibit F) The details of these standards will be reviewed as part of the final site plan, e.g., no more than 4 colors in addition to the roof color is allowed per project.

E. Signage (See Exhibit J)

F. Open Space (See Exhibits F and G)

G. Landscaping (See Exhibits F and G)

H. Outdoor Lighting (See Exhibit F, Site Lighting)

I. Streets and Pedestrian Ways (See Exhibits D and F)

J. Other Forms of Transportation (See Exhibit F)

K. Parking Areas. Vehicle Parking, Typical Required Vehicle Parking Spaces, Bicycle Parking (See Exhibits D and F)

L. Environmental This standard relates to building, landscape, and solar design. (See Exhibit D)

M. Requirements Unique to Residential Uses (See Exhibit D) (To be verified)

Requirements Unique to Residential Uses. The following shall apply to residential uses:

1. Multi-family residential use shall comprise a variety of types of housing, fulfilling housing needs with a wide assortment of housing choices.

1. The following standards shall be required for multi-family residential:

1. Properly designed off-street surface parking hidden from streets, parking terraces, or underground parking. Attached or detached garage units associated with multi-family development should be rear loaded. Where only front loaded garages are possible, they shall be subservient and setback 5 feet from the front façade and at least 20' from the front property line.
2. Flat roofs with a parapet and pitched roofs with a 4/12 pitch or greater, unless otherwise approved by the Land Use Authority.
3. Extensive windows facing streets, alleys and pedestrian connections.
4. Covered porch entrances.
5. Entry sidewalks that connect directly to public sidewalks.
6. Livable balconies of 50 square feet or larger with a minimum of 5' in depth
7. Material variety
8. Building relief

2. The following standards for multi-family residential shall be encouraged:

1. Multi-level structures.
2. Dormers and/or shutters, and other window treatments such as bay or box type windows.
3. Enhanced corner treatments on major streets including towers and larger corner setbacks for plazas
4. Street side balconies/decks.

5. Streets which de-emphasize the need and speed of automobiles.
6. Other pedestrian oriented design

N. Density The proposal is for 19.17 dwelling units per acre. This is within the range of density allowed within the MPC zone (18 to 40 units per acre).

The following excerpt from the General Plan describes the parameters for using the Master Planned Community Zone.

#### Residential Development

##### Multi-family

Multi-family residential areas traditionally include rental apartments and condominiums and are often located along major arterial streets, adjacent to community commercial centers, or adjacent to existing multi-family developments. Multi-family residential areas also allow for business and professional offices which can be creatively mixed with housing areas. The appropriate location of this type of land use can provide residential dwellings adjacent to commercial developments to create a downtown environment. Appropriate areas lie generally along Washington Blvd. and 2600/2700 North. In the General Plan (see Figure 5), these areas are suggested to complement more intense commercial uses and buffer adjacent single family homes. The zones used to accommodate higher densities are the R-3, R-4, and the Master Planned Community (MPC) zones. The MPC zone relies on a development agreement to accomplish the community goals of creating higher quality buildings, and better site design.

#### Commercial Development

North Ogden's goals and policies concerning commercial developments address the aesthetics and location of commercial developments. The desire of City officials is to provide an attractive, pleasing environment in which to shop or work within a commercial core. Enough vacant property exists in North Ogden to accommodate future commercial growth. In order to function efficiently, proposed commercial developments should be evaluated for adequate internal circulation for automobiles and pedestrians with limited access points to the major streets serving the developments.

Within the commercial areas, a mix of uses is anticipated. Civic, office, retail, entertainment, small business, and higher density housing should be combined to create a diverse mix of uses that provides a wide variety of housing options and reasons for people to gather and linger. The zones used to accommodate higher densities are the R-3, R-4, and the Master Planned Community (MPC) zones. The MPC zone relies on a development agreement to accomplish the community goals of creating higher quality buildings, and better site design.

The focus of commercial development in North Ogden should be to provide services that support the resident population of the City and adjacent areas. Regional commercial centers would be inconsistent with citizen desires and the direction of this Plan.

The memo offered the following summary of potential Planning Commission considerations:

- Is the proposal consistent with the General Plan?
- Does the proposal meet the North Ogden Zoning ordinance standards?

- Is the MPC request appropriate for this neighborhood?
- Does the application meet the purpose / intent of the MPC zone?
- What standards should be modified in the development agreement, e.g., parking, building heights, and west roadway public / private street design? Are there any others that need to be addressed?

The Council engaged in high level discussion with Mr. Scott regarding various components of the project, with a focus on parking accommodations on the subject property. Mr. Scott advised that the Council needs to determine what they are comfortable with in terms of parking. Council Member Swanson stated that he is not comfortable basing the parking ratio for the development upon the anticipated vacancy rate; he would prefer to base the parking ratio on the actual number of residential units at the site, which is 350. Council Member Bailey agreed. Council Member Satterthwaite asked if the City's ordinance allows for consideration of vacancy rates in the calculation of parking ratios. Mr. Scott stated that the master planned community zone allows for modification of standards based upon a development agreement. He added that it is his opinion that the developer is assuming a significant risk if they do not provide sufficient parking because the project will not function appropriately and it will be unsuccessful in attracting residents. City Attorney Call stated that was how the Planning Commission felt about the parking accommodations recommended by the developer. Council Member Bailey stated that may be the case, but the City has a responsibility to hold the developer to a certain standard to try to prevent an unsuccessful project. Council Member Satterthwaite agreed; he noted that the City has visited many other mixed-use developments and has an understanding of appropriate parking ratios. Mayor Taylor stated he feels the parking ratio being recommended by the developer is too low, even if the developer acknowledges that he is assuming the risk associated with a perceived low parking ratio. He suggested that staff acquire actual parking ratios for other mixed-use developments and make that available to the Council and Planning Commission prior to the joint work session scheduled for October 6. Mr. Scott stated he will do that. He then noted that the developer has indicated that if they are required to increase the amount of parking it will be at the risk of reducing green space or providing underground parking, which will increase building heights. Council Member Swanson stated he understands the need for rooftops to support commercial uses in the City, but he is not convinced that the number of residences in the development must be 350. He would prefer that the developer provide two parking spaces per unit and maintain the current amount of green space; this may mean it will be necessary to reduce the number of units at the development. Mayor Taylor agreed.

The Council's focus then shifted to the site plan for the project and Mr. Scott provided an overview of how the developer has indicated that they will meet the standards for master planned community developments as specified in the City's ordinances. One standard that the developer has not met is to provide a public right of way between 1700 North and 1900 North to provide connectivity. The developer has indicated they want the road to be private, but they will allow for public access using the road. This means the developer would be responsible for all maintenance and snow removal on the road, but the road width does not meet the City's requirements for public rights-of-way. The Council must consider whether they are comfortable with the design that is being proposed by the developer or if they would prefer an alternative. There are also 90-degree parking spaces on the side of the road that serve as parking spaces for the development. Council Member Bailey asked if there is a sidewalk along the road. Mr. Scott

answered yes and added he feels the developer has done a great job at designing pedestrian access to the development. Mayor Taylor stated that in looking at other mixed-use developments he has noticed that none of them have public streets running through them and this is to preserve space for parking for the development.

Council Member Bailey inquired as to the depth of the property from Washington Boulevard to the point at which the assisted living facility will be located. Mr. Scott stated it is at least 1,000 feet. Council Member Bailey stated that he wants to ensure that the City is following its ordinance that requires streets within a certain distance from one another. Mr. Scott stated that is why the City's ordinance called for a public street through the development. Council Member Bailey stated even though the developer has indicated the public can access the street, he views it as more of a parking lot and there is no way traffic will move through the area at a reasonable speed. Mr. Scott agreed and stated that the design encourages pedestrian access. Mr. Call stated it is his opinion that a private street would break up a block length. Mayor Taylor stated that as development continues to the north it will be necessary to provide connectivity and if someone truly needs to use the road to access an area of the City they will be allowed to do so. Mr. Scott reiterated this is another issue where the Council needs to determine their comfort level with the design that has been presented.

Mr. Scott again referenced his staff report and reviewed the section that highlights the likes and dislikes for the development. The Council engaged in a discussion with Mr. Scott regarding the likes and dislikes, with a focus on things like building heights, maintenance and sustainability of the project, building materials, landscaping design and irrigation of the site, phasing, and orientation and setbacks of units along 1700 North.

Council Member Bailey stated he likes the current design of the project, but he feels many of the components of the development will be driven by the market and the types of businesses that express interest in locating in the development. He wondered if the City will really have much control over development standards and he indicated that he does not feel the design is realistic. Mr. Call stated that could be addressed by the Council identifying buildings in the area with pleasing design and architecture; photographs could be taken of those buildings and sent to the developer so they understand the quality the City desires. Council Member Satterthwaite added he would like to understand the type of businesses the developer plans to recruit to the development. Mayor Taylor stated he has seen a list of business types that the developer feels would fit well in the development; they include professional office types of businesses, smaller restaurants, and service-oriented businesses. Mr. Scott indicated that a fitness center may also be a good fit for the development. Council Member Bailey stressed that his concern is that the City has done a great amount of work to specify development standards for the residential portion of the development, but the commercial aspect has not been focused upon yet and he reiterated the design is not realistic. Council Member Swanson stated he would like to talk to Planning staff from Draper City about how they arrived at a development agreement that resulted in the quality development the Council visited there.

Council Member Swanson addressed the residential component of the project and stated that he is concerned that the plans call for 25 units per acre when the starting point was closer to 16 or 18 units per acre. Mr. Scott stated that when the entire property size is considered, the units per

acre are closer to 19. Council Member Swanson stated he understands the need for rooftops to support businesses, but he is struggling with approving 350 units for the property. Mayor Taylor asked if that concern would be addressed if parking space were increased. Council Member Swanson stated he is specifically concerned about density. Discussion centered on the density and accompanying parking ratios of the proposed development and other developments the City Council visited, with Council Member Swanson stating he would be willing to visit additional developments or re-visit developments they favored on the first trip. He added that since this is such a departure from traditional development in the City, he wants to ensure that the City makes the right decisions; the decisions made will impact the City for decades. He stated it would be helpful for him to understand the required parking ratios in cities located 25 miles of the City in all directions. Mr. Scott indicated he will gather that information. Mr. Call noted that density and parking ratios can be used as a negotiation tool in order for the City to incentivize other quality components at the development. Council Member Bailey wondered if the development agreement could include a clause giving the City the first right of refusal to purchase the development in the event that it ever founders. Mr. Call stated that something like that could be included for the commercial property in the event that projects are not completed by certain deadlines. Council Member Bailey stated he would like to include that in the development. Mayor Taylor stated that it is his understanding that the residential development market is currently much more vibrant than commercial, but the developer is committed to recruiting quality businesses to the project. Mr. Scott stated the developer has communicated that to him as well; he has noted that he does not want to begin marketing the commercial component of the project until he is sure he has all approvals from the City. He then stated it may be helpful to develop a vision statement for the project that could be communicated to the developer and through the development agreement. Council Member Bailey stated he likes that idea.

After continued discussion regarding concerns and positive aspects of the project Mayor Taylor concluded that City Administration will update the list of likes and dislikes for the project and be prepared to further discuss the project with the applicant during the joint City Council and Planning Commission work session scheduled for October 6. He asked that the Council think more about the project and email him any suggestions they have for the vision statement for the project prior to that meeting.

## **8. PUBLIC COMMENTS**

Megan Sanders, 2915 N. 875 E., thanked the Mayor and Council for their service to the City. She stated this is the first meeting she has attended and she was very happy to see the length and amount of discussion they had about various issues facing the City. She noted there is much discussion and passion in the community regarding the mixed use development and many have the feeling that it is inevitable that the project is coming to the City. She stated she is somewhat saddened by that because she grew up in a very rural community, which experienced growth that ultimately drove her to move away. She is sad to see some of the same types of development in North Ogden. She asked who the developer is for the project. Mayor Taylor stated the developer is Meritage Companies. Ms. Sanders asked who owns the company, to which Mayor Taylor responded primarily Jack Berrett. Ms. Sanders asked if the City is aware of any other similar developments he has constructed in the area. Mayor Taylor stated he has developed

primarily in Alaska and Arizona. Ms. Sanders stated she is concerned that the City is dealing with an out-of-state developer who is not invested in the community or its families. Mayor Taylor stated that he has owned the property for 15 years and he also completed the Mystery Meadows subdivision and the assisted living facility in the vicinity of the proposed project. Ms. Sanders stated it brought a lot of peace to her to hear the Council ask so many questions about the project, working to ensure that they make the right decision; she is comforted that it is not a decision that is being made lightly. She is also hesitant about the density being proposed and she will likely visit the development in Draper that the Council seems to like. She continued to express her concerns regarding the development by discussing things like crime rate and how increased crime will be handled by the Police Department. Mayor Taylor noted the City charges a public safety impact fee that should aid the City in covering the costs associated with the increase in population. Ms. Sanders asked if there are any RDA funds being used for the project. Council Member Bailey answered no.

Steve Rasmussen, 1092 E. 3250 N., stated that many of the concerns the Council has raised regarding the project are very valid and he appreciates the Council having that discussion. He stated that he has children who have lived in similar developments and parking has always been difficult when going to visit. The streets are also very narrow and there is no room to park; the roads are private and the City has had no control over them. When his daughter has tried to get vehicles moved from the narrow streets she has not been able to find someone from the management company to handle enforcement. He cautioned the Council to work to ensure that the project is not too confined and he would favor a public street in the development that provides connectivity between 1700 North and 1900 North; that street should be the length and width that would be required in any other subdivision. He stated discussions regarding parking ratios should continue and he feels the City should require something over 2.25 parking spaces per unit. The reasons his children have ultimately moved from those developments is not because they didn't like the house, but rather because of the difficulties associated with parking.

Mayor Taylor stated that the process to consider the mixed-use development project has not been a quick one and that has allowed the Council and Planning Commission to have many meaningful discussions regarding the project. He hopes residents understand that the City is working to ensure that the Council is trying to protect them and provide for quality development.

## **9. COUNCIL/MAYOR/STAFF COMMENTS**

Council Member Satterthwaite stated he would like to encourage the Council to continue to work to address the situation with the North Branch of the Weber County Library.

Council Member Swanson asked to have an accounting of the revenue generated by the dog park, also the expenses. He then asked staff to have a detailed conversation with Utah Transit Authority (UTA) about moving the bus stop resting place from its current location between the Times Square strip mall and the 7-Eleven on the north side of 2600 N. He would like it moved to the corner of 400 E. in front of Walgreens. Council Member Swanson asked how the recommendation to allow chickens in the Residential City Center zone for single family homes was coming along. Mr. Scott stated the Planning Commission is working on the issue. Council

Member Swanson then suggested the Council meet every Tuesday with the goal of adjourning by 9:00 p.m. rather than meeting every other Tuesday and meeting late into the evening hours. The schedule could be evaluated again at the beginning of the next calendar year when new Council Members take office. Council Member Satterthwaite stated he would support that recommendation. He added he would like to see the same financial data regarding the dog park and he would like to have additional discussions regarding the budget and the fee charged for the dog park during the budget session.

**10. ADJOURNMENT**

**Council Member Swanson motioned to adjourn. Council Member Satterthwaite seconded the motion.**

**Voting on the motion:**

<b>Council Member Bailey</b>	<b>aye</b>
<b>Council Member Satterthwaite</b>	<b>aye</b>
<b>Council Member Stoker</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 11:20 p.m.**

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Brent Taylor, Mayor

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S. Annette Spendlove, MMC  
City Recorder

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Date Approved