

MEMORANDUM

To: Ogden Valley Planning Commission
From: Charles Ewert, AICP
Date: June 25, 2018
Subject: Maverik Site Rezone

Maverik has submitted a request to rezone a small area to the rear of their building from AV-3 to the CV-2 zone, the same zone designation as the rest of their site. Their explained reason is to demolish their current store and build a new one to the west.

In early May, Maverik submitted a design review application to tear down and rebuild the store in the same location (proposed designs attached). Their plan also included upgrading the entire site with an expanded gas canopy and another new canopy. During the design review process staff learned that a sizeable portion of their current landscaping along the frontage is not on their property, but rather in the public right-of-way. This landscaping cannot be counted toward their site's code-required street-front landscaping. This landscaping will be removed when the Eden four-way intersection is redesigned/rebuilt in the future and should not be counted toward their required landscaping.

Given the current landscape buffer required for buildings that do not directly front on the street (zero setback buildings have no landscaping required), Maverik has determined that they do not have sufficient parcel width to accommodate their desired configuration. This is why they are seeking additional space on the west side of the parcel.

Even though the area requested to be rezoned is small, the county code still anticipates it's need to comply with the general plan. Typically, commercial buildings have an average lifespan of 30 years. Maverik has suggested that their proposed building's lifespan is probably closer to 20 years. Through the legislative action of a rezone, the County has an opportunity to see this site reconfigured in a manner that helps implement the goals and principles of the general plan.

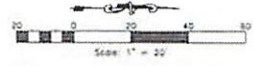
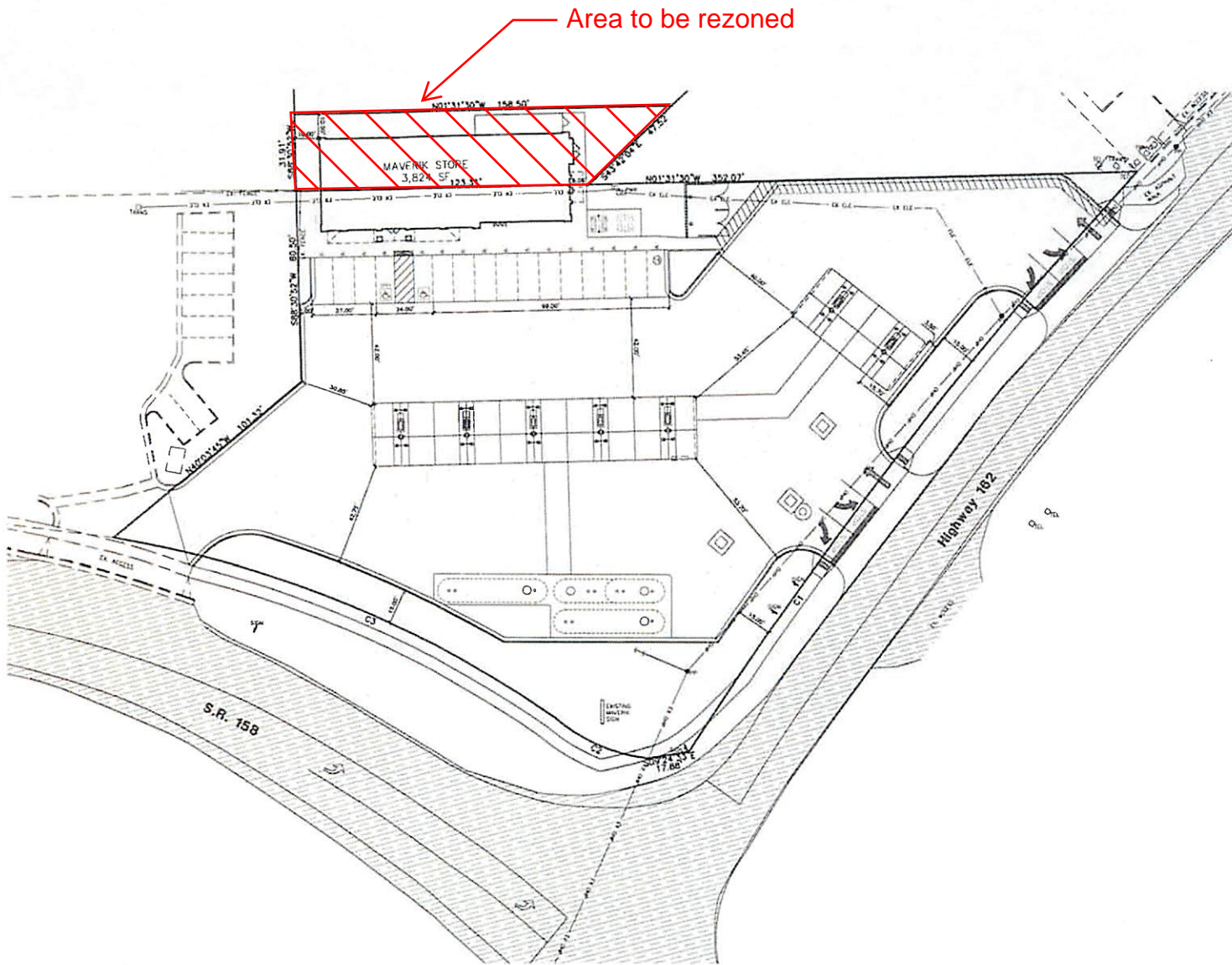
The current Maverik site configuration, as well as the proposed site configuration, perpetuates "strip commercial" in the area, which is specifically described as not desirable by the current general plan. Approving a legislative decision that secures "strip commercial" on this site for another 20-30+ years might be determined by the Planning Commission to be a missed opportunity to implement the plan – especially on a site so critical to the future of "villages" at this corner.

This work session is intended to introduce the Planning Commission to the concept and compare/share ideas about whether this is the "right" opportunity to try to better implement the general plan, and if so, work with the applicant to explore what could/should be implemented.

Included with this memo is staff's initial review of the rezone proposal. Staff's review takes the conservative approach of prioritizing and optimizing the implementation of the general plan for this site. Maverik has expressed concern over the magnitude of what would be required to offer optimal implementation of the general plan.

In the work session the Planning Commission will be asked for general (non-binding) guidance as to what should be expected of Maverik during rezone negotiations. Staff have given Maverik a few alternative ideas on how to help implement the general plan while still generally keeping the site configured as-is. Thus far Maverik appears to be supporting their desired standard-plan configuration and has not offered concessions to help implement the general plan.

Also included are examples of Maverik's from other communities. Each show deviation from the standard Maverik design theme. Staff have annotated design elements that could be implemented in the Eden redesign to help advance the objectives of the general plan.



Curve Table

#	RADIUS	ARC LENGTH	CHORD LENGTH	TANGENT	CHORD BEARING	DELTA
C1	183.73'	107.23'	207.27'	154.25'	153°21'20"	74°02'05"
C2	17.40'	43.07'	42.46'	22.18'	52°34'07"	52°37'18"
C3	455.24'	200.12'	188.54'	101.68'	52°24'24"	24°58'00"



NOTES:

- WHERE PARKING SPACES THAT ARE RESERVED FOR PERSONS WITH DISABILITIES ARE DESIGNATED TO ACCOMMODATE WHEELCHAIR VEHICLES, A "VAN ACCESSIBLE" (RP-201) SIGNAGE SHALL BE MOUNTED BELOW THE RP-8 SIGN.
- SIGNS SHALL BE MOUNTED A MINIMUM OF 60" FROM BOTTOM OF SIGN TO TOP OF SIDEWALK.
- SIGNS TO MEET ALL STATE AND LOCAL REGULATIONS.

ADA Parking Signage

- Legend**
- EXISTING ASPHALT PAVEMENT
 - EXISTING CONCRETE PAVEMENT
 - PROPOSED ASPHALT PAVEMENT
 - PROPOSED CONCRETE
 - PROPOSED CONCRETE PAVING OR ALTERNATE BID PAVING
 - A.D.A. ROUTE - NOT TO EXCEED A FINISHING SLOPE GREATER THAN 2% OR CROSS SLOPE GREATER THAN 1%.
 - A.D.A. PARKING AREA - NOT TO EXCEED A SLOPE OR BATTER THAN 1% IN ANY DIRECTION.
 - DRAINAGE CURBS (SEE GRADING PLAN)

NOTES:

- SEE ELECTRICAL PLANS FOR ALL LIGHT POLES & LIGHT FIXTURES. ALL LIGHT POLE BODIES SHALL BE STRAIGHT AND FINISHED TO THE TOP OF LIGHT BASE SHALL BE 2'-0" ABOVE TOP OF CURB/POLE/BOX. BODIES FINISHED BY C.C. TYPE.
- FACTORY SETBACK ON 30" x 30" CONCRETE PAD. EQUIPMENT PROVIDED BY OWNER. C.C. TO PROVIDE ELECTRICAL SERVICE AND INSTALL AIR SWITCH EQUIPMENT.
- ALL UTILITY DEGREEING ON OTHER DEPENDENT SHALL TAKE IN CONSIDERATION EXISTING SIDEWALKS, CURBS & GUTTERS, AND OTHER STRUCTURES THAT MAY NEED TO BE REPAIRED AND/OR REPLACED AS PART OF THE C.C. BID.

PROJECT NUMBER

ISSUE DATE:
APR. 13, 2016

REVISIONS:

No.	Date	Description

NOTE: Bid documents should not be prepared or issued as printed text to subcontractors. Drawings are responsible for all portions of the documents that contain work covered by permits. Bidder assumes full responsibility for the accuracy of the information received from the local area of existing conditions by field or any other means.

Contractor shall obtain or create field notes in the field and shall be responsible for the accuracy of the information received from the field. The contractor shall be responsible for the accuracy of the information received from the field. The contractor shall be responsible for the accuracy of the information received from the field.



MAVERIK, INC. STORE #250
5100 EAST & 2500 NORTH
EDEN, UTAH

**PROPOSED
SITE PLAN**

C6



Current Maverik Conceptual Proposal



1
PRI.0

PERSPECTIVE



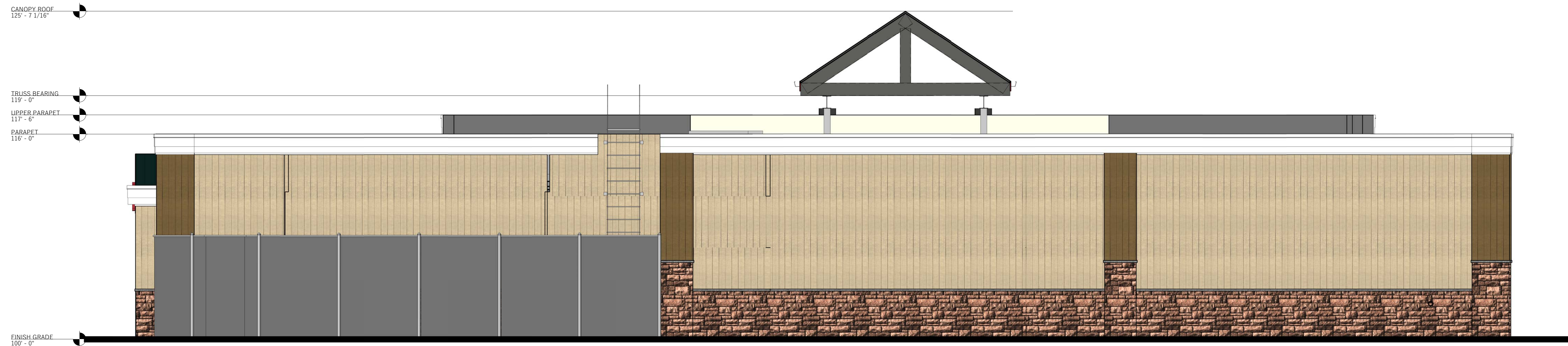
2
PRI.0

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

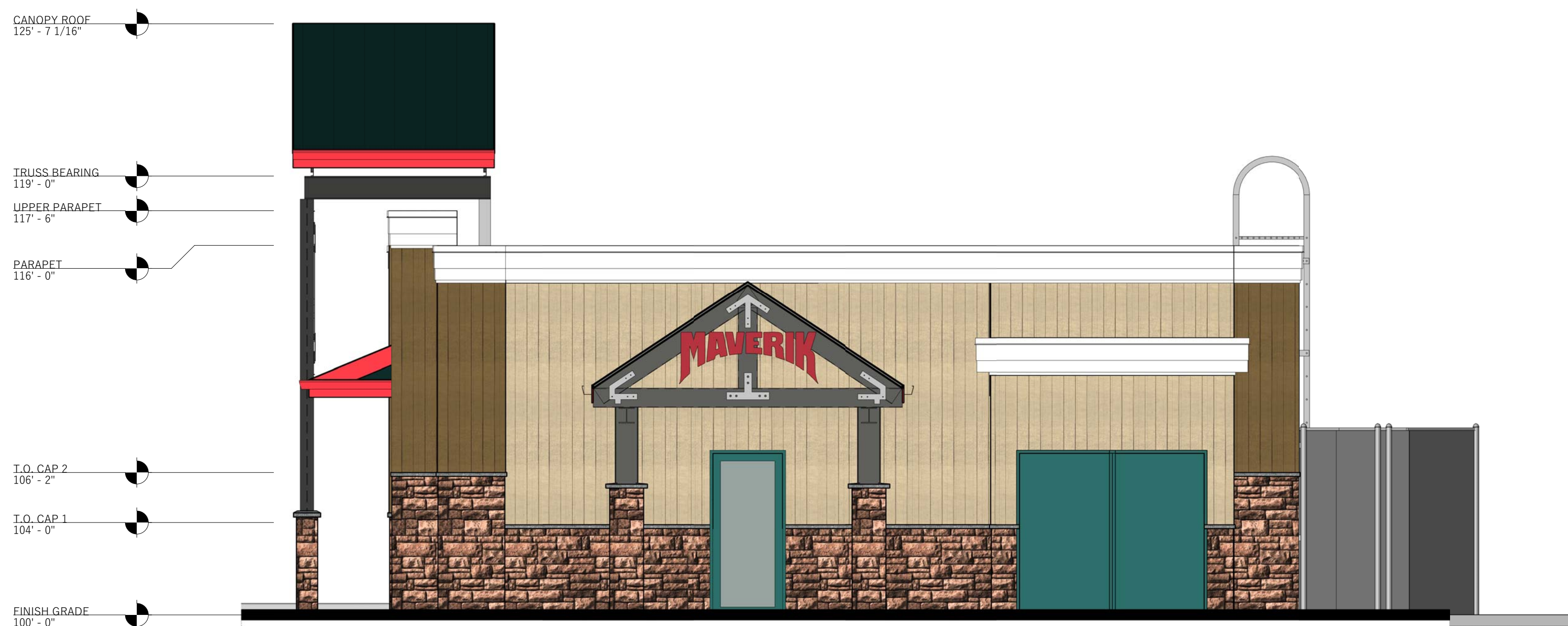
ADVENTURE'S FIRST STOP
MAVERIK

JZW
ARCHITECTS

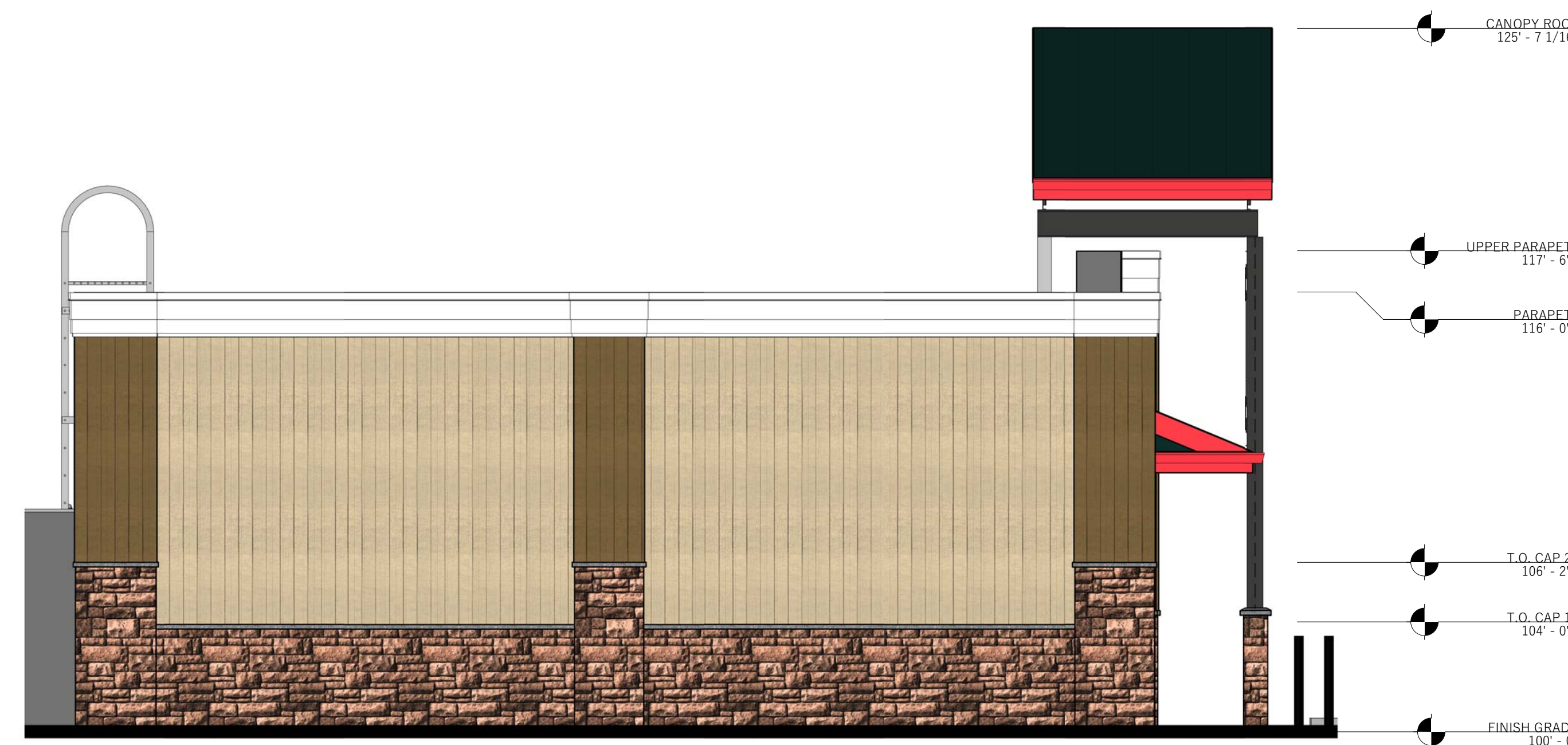
Current Maverik Conceptual Proposal



1
PR1.1 RENDERED REAR ELEVATION
1/4" = 1'-0"



2
PR1.1 RENDERED LEFT SIDE ELEVATION
1/4" = 1'-0"

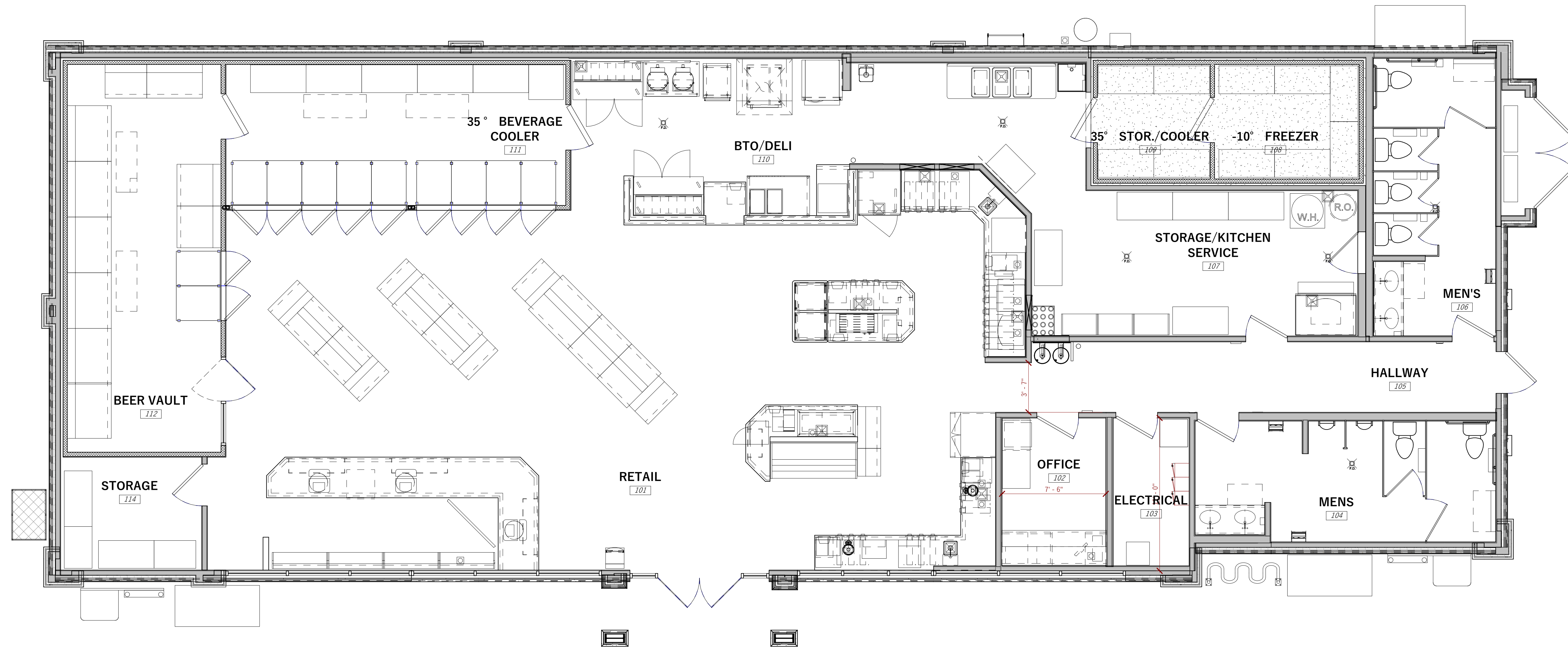


3
PR1.1 RENDERED RIGHT SIDE ELEVATION
1/4" = 1'-0"

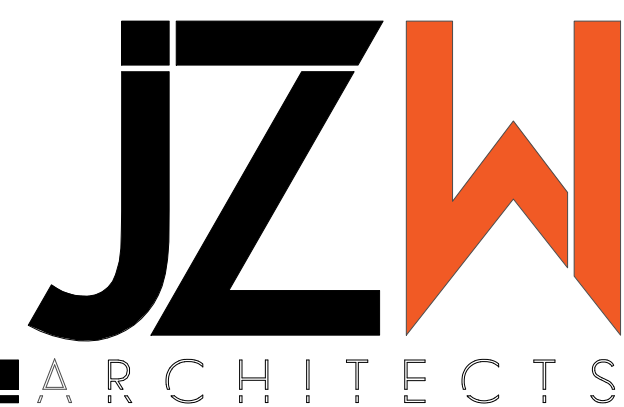
ADVENTURE'S FIRST STOP
MAVERIK

JZW
ARCHITECTS

Current Maverik Conceptual Proposal



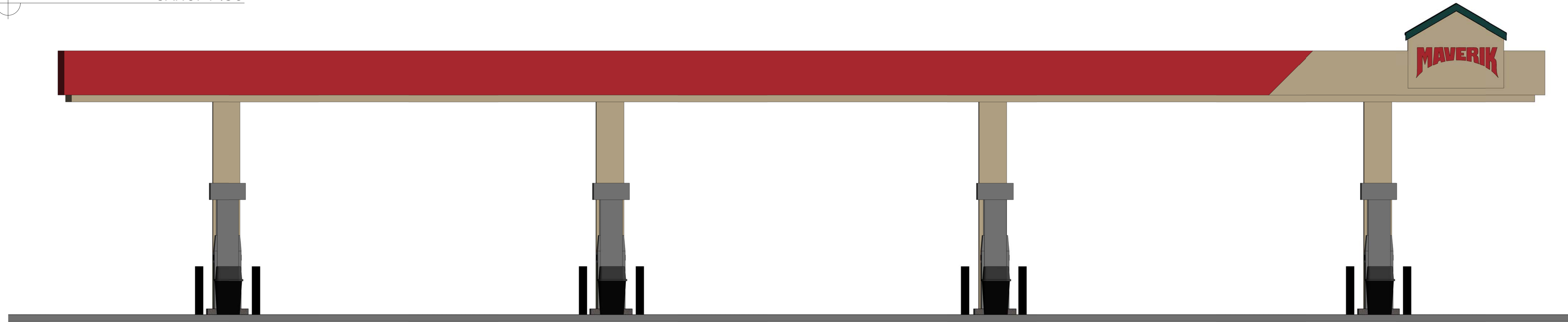
1
PRI.4
STORAGE OPTION
1/4" = 1'-0"



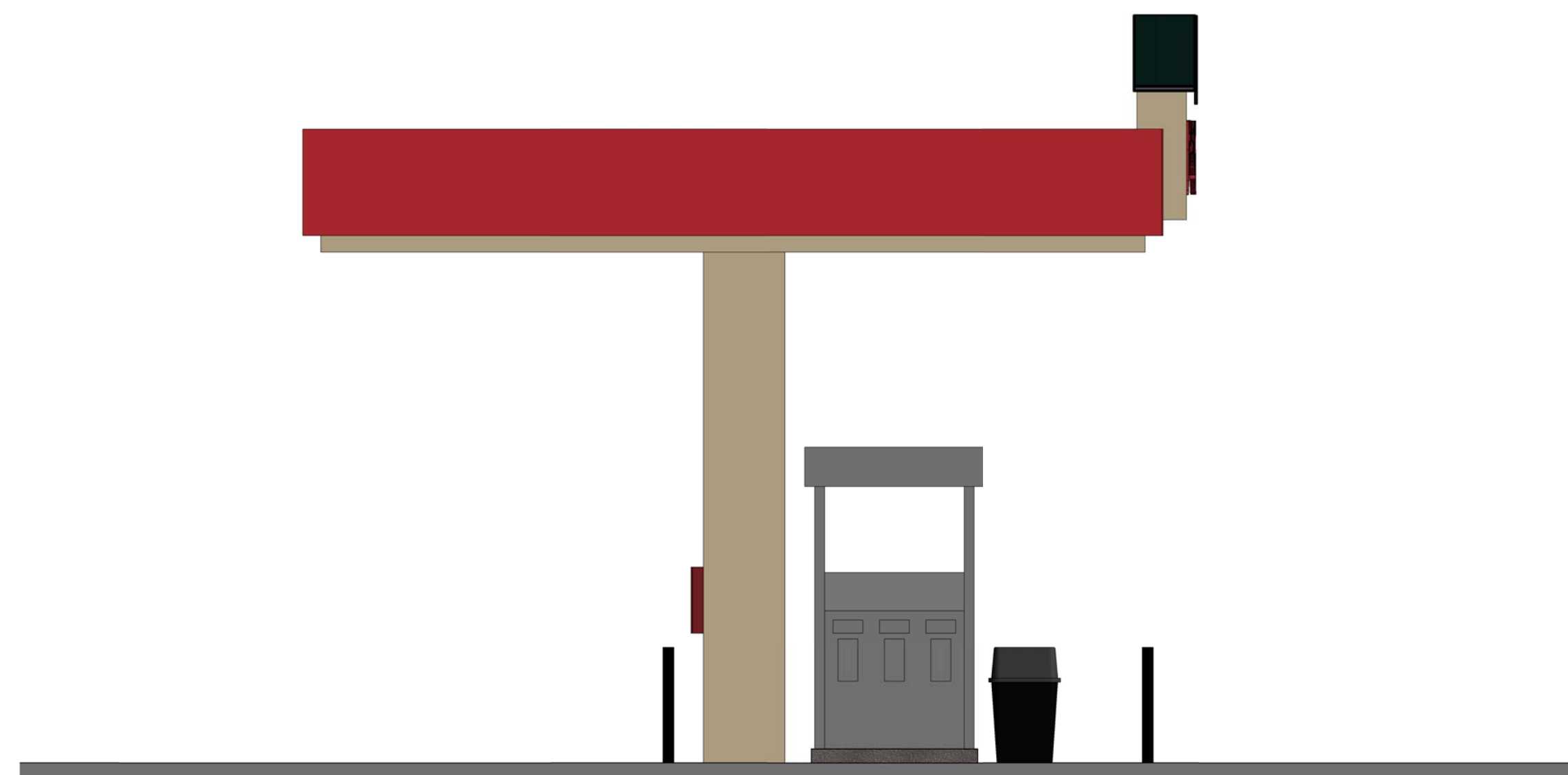
Current Maverik Conceptual Proposal



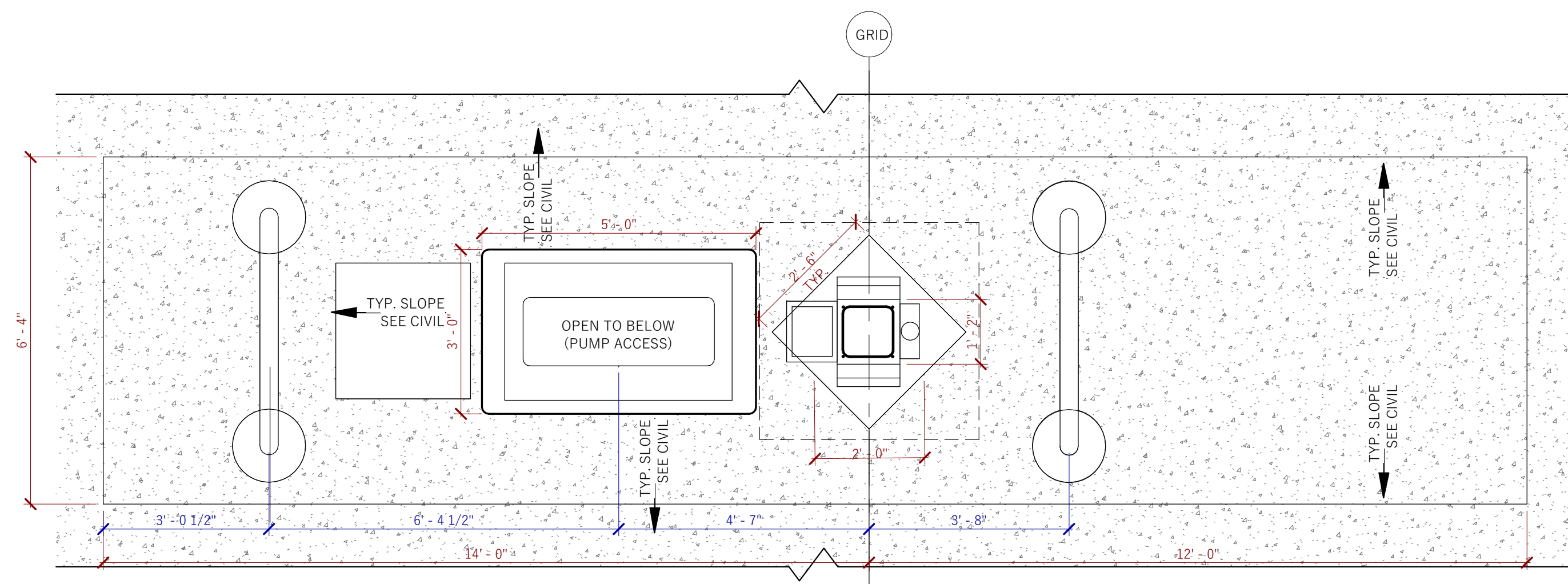
1
PR1.6
CANOPY ISO



2
PR1.6
FUEL CANOPY ELEVATION
1/4" = 1'-0"



3
PR1.6
FUEL CANOPY SIDE
1/4" = 1'-0"



CANOPY COLUMN PLAN
RENDERING
1/2" = 1'-0"

Ewert, Charles

From: Ewert, Charles
Sent: Friday, June 15, 2018 4:49 PM
To: 'leslie.mascaro@maverik.com'
Subject: Maverick General Plan Amendment and Rezone.

Leslie,

I have not had the pleasure of meeting with you yet. I am Weber County's long range planner. I am processing the Maverick rezone application and general plan amendment. I understand that you've been told that if you submitted these applications staff will likely recommend denial based on the proposed site plan. Even though the current building is old, and in need of repair/upgrade, the visual aesthetic of a replacement building following the traditional corner c-store site configuration does not offer the community the desired pedestrian-oriented cluster village their general plan specifies.

I am of the same opinion. But I want to convey that we are not unwilling to work with Maverick to find mutual gain solutions if they can handle bringing the building up to the street, or providing some other significant contribution to the implementation of the general plan.

No matter the recommendation, I am happy to assist you through the process courteously and professionally. If you would like to meet to discuss please let me know. Here is a link to the adopted general plan to assist you as you read the comments below:

<http://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20General%20Plan%202016%20reduced%20size.pdf>

6/15/18 Maverick General Plan Amendment and Rezone Review:

By way of introduction and orientation to the process, the applications that you have submitted require a legislative decision. A legislative decision has very broad discretion. Usually, a legislative decision on zoning ordinances creates a permission, restriction, or prohibition of a property right. You have submitted this application in order to gain approval of a new property right on land where it does not currently exist. As such, planning staff, the Planning Commission, and the County Commission will evaluate these applications based on the effect of the requested change and its implications on the ability for the area to evolve into the future the community is contemplating (as carefully documented in the adopted general plan).

With that in mind, the detailed list below covers both ordinance requirements and general plan goals, policies, and implementation strategies, along with my editorial comments regarding the application's compliance. I also may offer some guidance in these annotations to help make these applications successful.

The first meeting that will be held for this application is on June 27, starting at 4:00. This will be a work session only item. The Planning Commission will help you get a sense of whether this application will get a positive recommendation from them based on what has been submitted.

When the application is ready for final Planning Commission review (at public hearing), Planning staff will offer a recommendation on this application to the Planning Commission, then the Planning Commission will offer a recommendation to the County Commission for final decision. Before I send the application to the Planning Commission with my formal recommendation you will be given the chance to update it with new information.

General Plan Amendment Application.

The County code explains that a rezone should comply with the County's general plan (§102-5-2). It is my understanding that the application you submitted to amend the general plan is intended to change it so your rezone request might be more successful. It seems based on this you are aware that the rezone request does not comply with the general plan. The general plan was years in the making with much public involvement. I suspect an amendment to the general plan will not be received favorably unless it offers the community a benefit that does not already exist. I strongly advise that you amend the rezone application in a manner that does not require a general plan amendment. If you still desire to amend the general plan, then I need you to update the application to explain how you want the plan amended. I need your desired new language and graphics, as may be applicable. A review of my comments on the rezone might be of assistance to help you understand what parts of the plan you might consider trying to amend.

Rezone Application.

1. I am in possession of your concept development plan, but it is incomplete according §102-5-5 of the Weber County Code (making the application incomplete on not ready for substantive review by the Planning Commission).

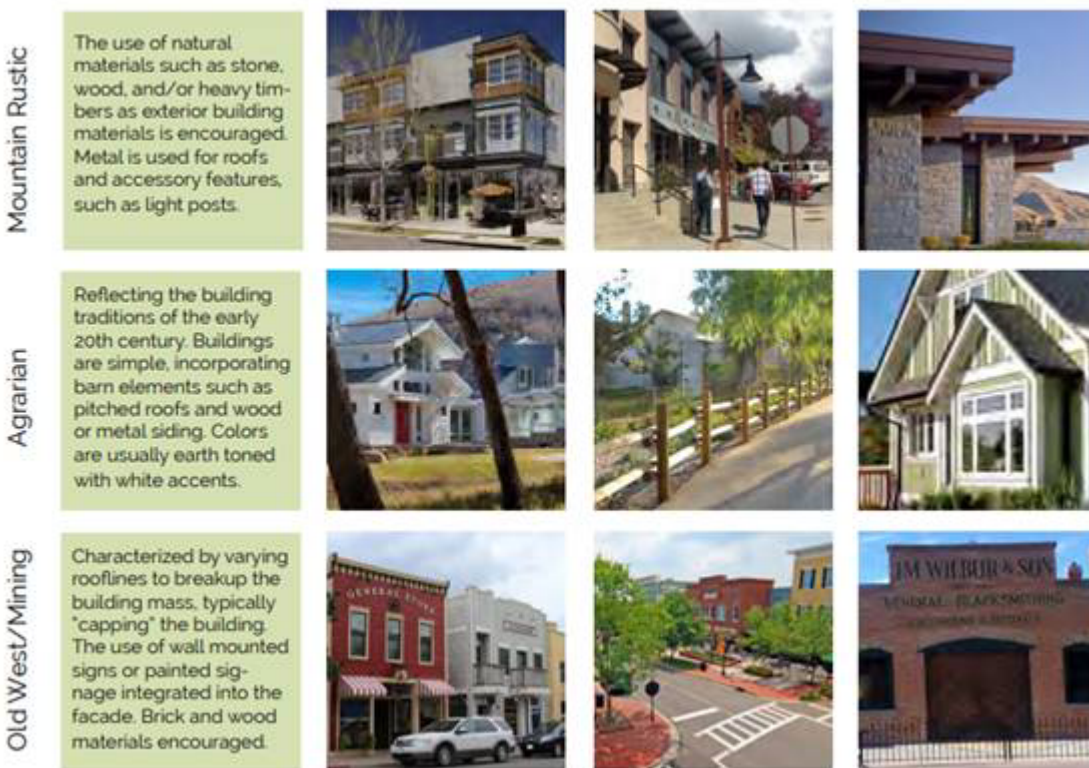
Specifically, the plan is missing the following:

- Architectural rendering of proposed buildings, structures, facilities and open space within the project.
- Written explanation and visual illustration showing project density and mass/scale in comparison to the existing developed area adjacent to the proposed rezone.

Regarding the architectural rendering, the general plan offers significant direction on how to design a structure in compliance with desired architectural standards. Specifically:

- General plan implementation 1.1.3 suggests that all new commercial buildings be architecturally and visually compatible with neighboring historic properties. Please supply building renderings that considers similar architectural styling as other historic buildings in the area. The following figure is offered on page 26 of the plan:

Figure 3: Examples of architectural style elements¹



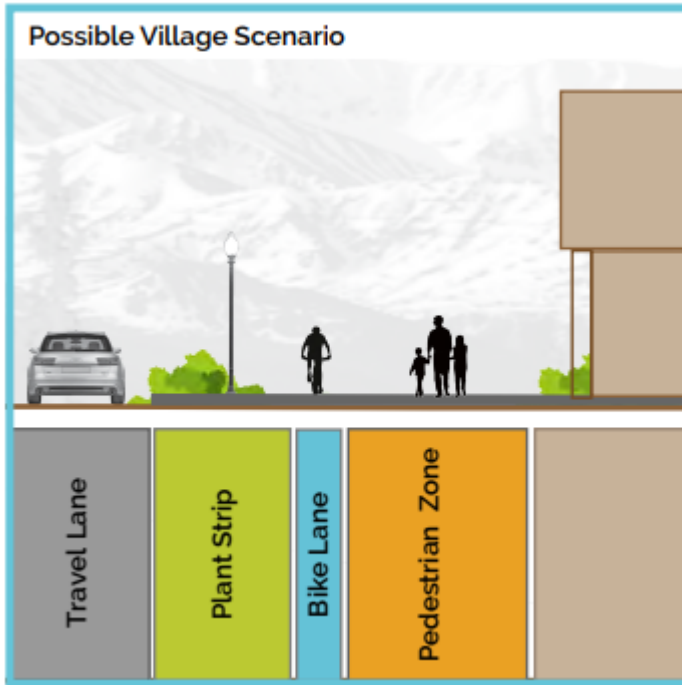
¹ Images are for reference only. Architecture styles should follow goals and principles in this General Plan.

Please note that "Mountain Rustic" would not be appropriate for this site. I think the style that will get you the most traction on a rezone is to commit to a type of old west mine or similar, as can be found down the road surround the Eden Park. The better it celebrates historic buildings the more likely the rezone will be.

See also

2. Regarding the new proposed building location:

- Commercial Development Principle 1.1 of the general plan says to “**avoid scattered and strip commercial** and retail development patterns in the Valley.”
- Commercial Development Implementation 1.1.2 further explains that we should “**avoid rezoning new property to commercial or manufacturing until such time that the community supports it.** Future commercial or mixed-use rezoning should only be considered adjacent to existing commercial or mixed-use zoning in a manner that creates village clusters and **avoids strip commercial along highway corridors.**
- Streetscape Design Implementation 1.1.1 says to “develop and adopt multimodal streetscape cross sections for villages based on the small area plans referenced in Commercial Development Goal 1. The plan also includes a cross section example:



Even though specific small area/village planning is still in progress, including street cross sections, the general plan offers sufficient information on how to get there in its absence. As the center of the future Eden Village, this is an important corner. Any modifications to the site (that is not otherwise entitled by existing law) should be configured to enhance the small-village future specified in the general plan.

The current layout of this site is considered strip-style development, with the building pushed to the back of the lot and parking/hardsurface in the front. The proposed layout is similar. This development pattern does not create the desired Village effect the plan anticipates.

A more appropriate design for this site would be to bring the proposed building (with all architectural considerations previously specified) up to the street frontage, with street-facing retail windows and entrance. We would not discourage another entrance or exit on a non-street side that fronts a gas canopy. In bringing the building up to the street it should be positioned such that other buildings with street-facing retail windows and a zero setback from this building could be established at some point in the future. The street frontage should be improved with curb, gutter, and street trees, along with a sidewalk of sufficient width to safely accommodate future village patrons. If you desire support from staff for this rezone, please reconfigure the site to accommodate this general-plan direction.

I understand the reason you desire to push the building back is due to site area given existing development regulations. Bringing it to the front lot line would offer the same effect on site area. Also, we are more than happy to discuss altering other more strenuous requirements if you choose to negotiate the location of the building with us, provided the overall effect is supported by the general plan.

CHARLIE EWERT, AICP

PRINCIPAL PLANNER

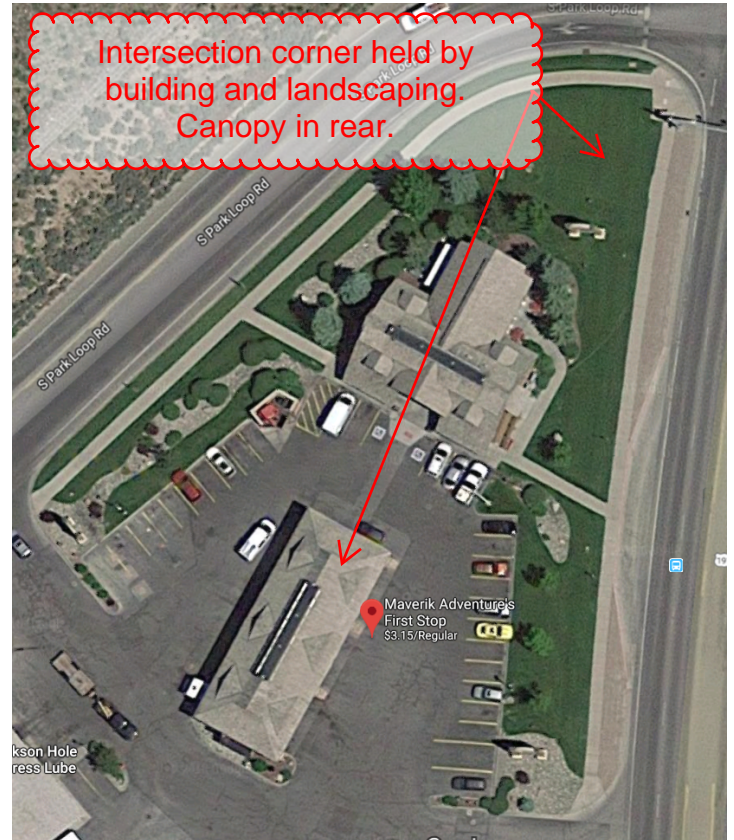
WEBER COUNTY PLANNING DIVISION

2380 WASHINGTON BLVD, SUITE 240

OGDEN, UTAH, 84401-1473

801-399-8763 (OFFICE)

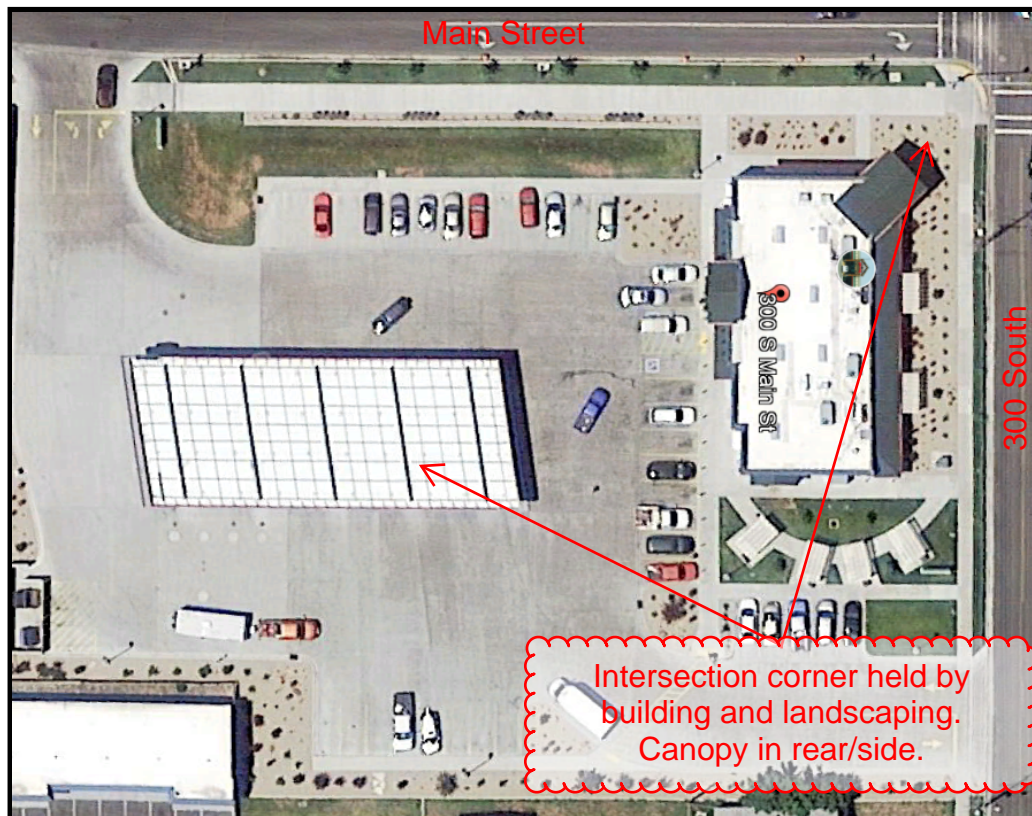
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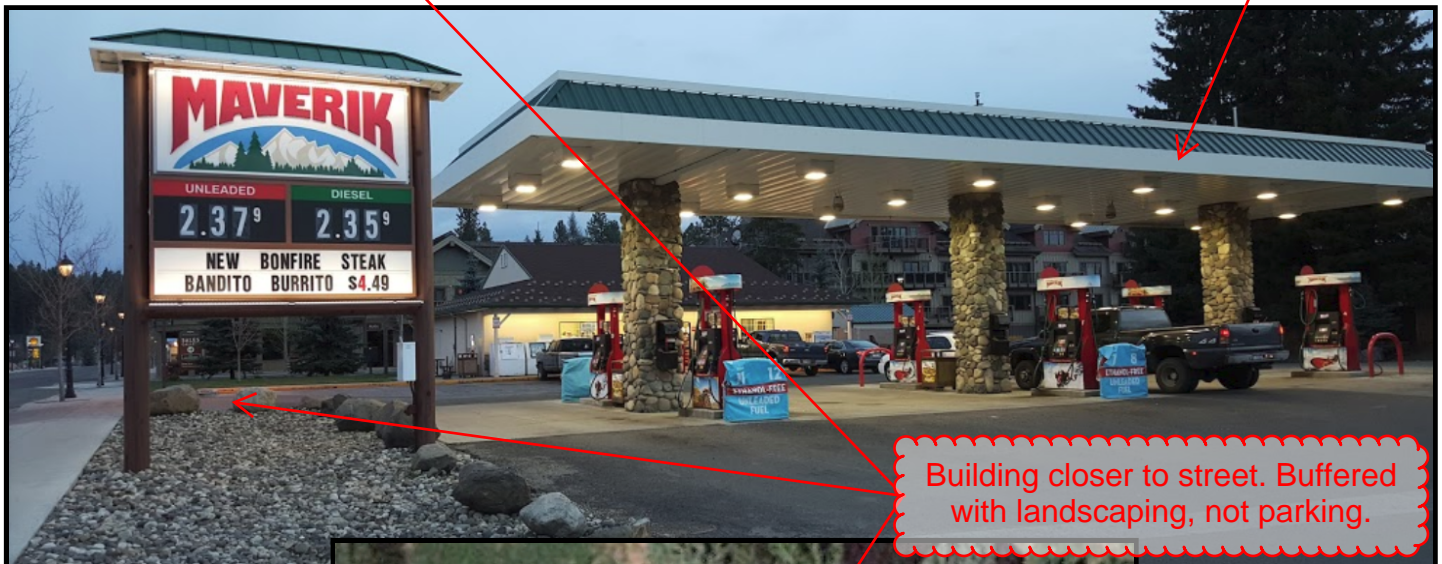
Jackson, WY



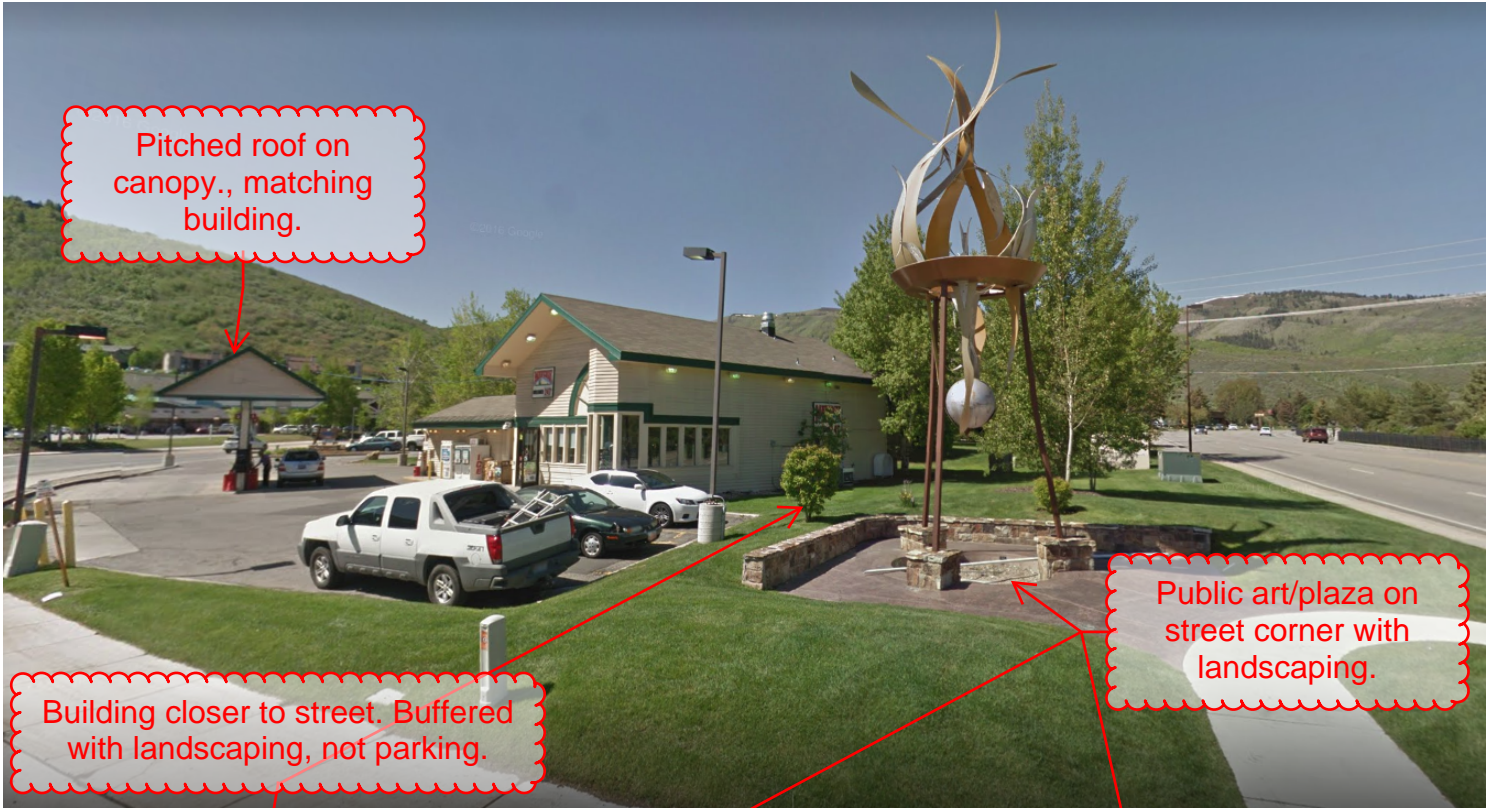
Logan, UT



McCall, ID



Park City, UT





Reno, NV.

Partial pitched roof canopy with shingles consistent with local architectural theming.



Sparks, NV.

Partial pitched roof canopy with gables. Partial pitched roof building. Car wash looks like a barn.



Thayne, ID.

Original Maverik architectural theme: "country store." More consistent with agricultural theme specified in the General Plan.



Eden UT.

Current "country store" same as Thayne, ID. Could be improved with more breaks in the roof/roofline. Even better if canopy creates a street-front "boardwalk" effect.



Alternative entry design on many newer Mavericks.