

Date: May 29, 2025  
To: Weber County Board of Commissioners  
From: Scott Mendoza  
Community Development Department  
Agenda Date: June 3, 2025  
Subject: **Request for approval of the first amendment to the Weber Center parking lot agreement between Weber County and Ogden City**  
Attachments: A – First Amendment To Parking Lot Agreement  
B – Original Parking Lot Agreement, dated May 5, 2020

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**Summary:**

Weber County Corporation demolished the Weber Center's parking structure during the fall of 2020 due to the earthquake that the community experienced during the spring of that same year. As part of that process, the County applied to Ogden City Planning requesting an approval of a site plan that was intended to be "temporary." The reason for requesting approval of a temporary site plan was because it would allow the County to construct a temporary surface parking lot while engaging urban planning professionals that could assist the County with envisioning a larger project that would not only satisfy the parking needs of the Weber Center but could help other businesses in the area which are struggling with parking challenges. The foremost intent behind considering a larger project is to save a large amount of tax pay dollars and to add significantly more value and vibrancy to downtown Ogden.

Ogden City approved the application and facilitated the approval of the temporary site plan, by entering into a "Parking Lot Agreement" with Weber County. The Agreement, dated May 5, 2020, required that the County submit a new and complete application for a permanent site plan approval by May 5, 2025. The County is currently preparing this application; however, it was not completed by the May 5, 2025 deadline due to the complexity of the project. The new application and all supporting documentation will be complete and ready to deliver to the City by May 5, 2026; therefore, the County requested a one-year extension to the original Parking Lot Agreement.

Ogden City approved the request for an extension to the original agreement on May 21, 2025. See attachment A for the amendment. See attachment B for the original parking lot agreement.

## **FIRST AMENDMENT TO PARKING LOT AGREEMENT**

This First Amendment to the Parking Lot Agreement (the "Amendment") is entered into by and between **Weber County**, a body politic of the State of Utah ("the County"), and **Ogden City**, a body politic of the State of Utah ("Ogden").

### **RECITALS:**

WHEREAS, the County and Ogden entered into a Parking Lot Agreement concerning the demolition of the multi-level parking structure at the Weber Center and the construction of a temporary surface parking lot, dated as executed May 5, 2020 (the "Original Agreement"); and

WHEREAS, Paragraph 3 of the Original Agreement requires the County, within five (5) years after full execution of the Original Agreement, to either bring the site into compliance with certain landscaping requirements or submit a good faith application for redevelopment approval; and

WHEREAS, the current deadline under the Original Agreement is **May 5, 2025**; and

WHEREAS, the parties desire to extend the deadline for compliance or submission of a redevelopment application by one year;

### **NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:**

#### **1. Amendment to Paragraph 3**

Paragraph 3 of the Original Agreement is hereby amended to extend the compliance deadline. The revised paragraph shall read:

"Within six (6) years after this agreement is fully executed, the County shall either bring the site into compliance with the standard required 15-foot landscape setback and the standard required 10% onsite landscaping requirement or submit a good faith application to Ogden for approval to redevelop the site. Upon approval of a redevelopment application, County shall diligently pursue the approved application to completion."

Accordingly, the new deadline is **May 5, 2026**.

#### **2. No Other Modifications**

Except as specifically amended herein, all terms and provisions of the Original Agreement shall remain in full force and effect.

#### **3. Effective Date**

This Amendment shall be effective as of the date it is signed by the last party to sign.

**Attachment A**  
2 of 2

**4. Counterparts and Electronic Signatures**

This Amendment may be executed in counterparts and via electronic or digital signature, which shall be valid and binding as originals.

**IN WITNESS WHEREOF**, the parties have caused this First Amendment to be executed by their duly authorized representatives.

**WEBER COUNTY**

\_\_\_\_\_  
Sharon Bolos, County Commission Chair    Date

Commissioner Bolos voted \_\_\_\_\_


Commissioner Froerer voted \_\_\_\_\_

Commissioner Harvey voted \_\_\_\_\_

Attest:

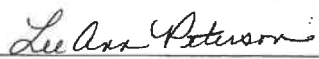
\_\_\_\_\_  
Ricky Hatch, Clerk/Auditor

**OGDEN CITY**

  
Benjamin K Nadolski (May 21, 2025 13:56 PDT)  
Benjamin K. Nadolski, Mayor

05/21/2025  
Date

Attest:

  
City Recorder    05/21/2025



## PARKING LOT AGREEMENT

9  
5/5/2020

This agreement between Weber County ("the County"), a body politic of the State of Utah, and Ogden City ("Ogden"), a body politic of the State of Utah, takes effect on the date it is signed by the last party to sign.

WHEREAS, the Weber Center condominium project is located at the northeast corner of 24<sup>th</sup> Street and Washington Boulevard; and

WHEREAS, the multi-level parking structure associated with the Weber Center is in a state of significant deterioration and is near the end of its projected life expectancy; and

WHEREAS, the County owns a significant share of the condominium project; and

WHEREAS, the County has applied for site plan review for the demolition of the parking structure and the installation of a temporary surface parking lot while the County and other condominium unit owners prepare for the design and construction of a replacement parking structure; and

WHEREAS, the proposed surface parking lot is a permitted use in the Central Business District (CBD) zone; and

WHEREAS, the County seeks modified landscaping, setback, and parking stall requirements which do not comply with the requirements of the CBD zone and require special approval; and

WHEREAS, Ogden's planning commission and mayor approved the proposed site plan, subject to certain conditions to be memorialized in an agreement between the parties;

NOW, THEREFORE, THE PARTIES AGREE TO THE FOLLOWING:

1. The County's right to proceed as described in its site plan review application has vested, subject to the conditions imposed by the planning commission and approved on August 14, 2019, at the Mayor's Administrative Meeting. A copy of the Mayor's approval is attached hereto as Exhibit A and incorporated herein by reference.
2. Conditions which do not meet CBD zone parking requirements include:
  - a. The landscaped parking lot setback of 15 feet has been reduced to 11 feet;
  - b. Onsite landscaping has been reduced from 10% to 0.04%.
3. Within five years after this agreement is fully executed, the County shall either bring the site into compliance with the standard required 15-foot landscape setback and the standard required 10% onsite landscaping requirement or submit a good faith application to Ogden for approval to redevelop the site. Upon approval of a redevelopment application, County shall diligently pursue the approved application to completion.

## Attachment B

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4. The County's failure to take the required actions described in paragraph 3 will be a violation of the conditions of approval and the City may require the County to modify the parking lot to meet all city standards in effect at that time.
5. This Agreement is not intended to alter or amend any of the conditions of approval contained in Exhibit A.
6. The County is required to obtain and comply with all ordinary and necessary permits and approvals in performing any work described or anticipated in this Agreement.
7. This Agreement may be executed in one or more counterparts, each of which, when so executed, shall be deemed to be an original and all such counterparts shall together constitute and be one and the same instrument. To facilitate execution of this Agreement, the parties may execute and exchange and sign this agreement through electronic or digital signatures, electronic mail or mailed counterparts of the signature pages, which shall be valid, binding and admissible as though original.

### WEBER COUNTY

Attest:

*Ricky Hatch*  
RICKY HATCH  
Clerk/Auditor

*Gage Froerer*  
Gage Froerer  
County Commission Chair

Date

*5/5/2020*

Commissioner Froerer voted  
Commissioner Harvey voted  
Commissioner Jenkins voted

☒  
☒  
☒

### OGDEN CITY

Attest:

*Lee Ann Peterson*  
Lee Ann Peterson  
Chief Deputy Recorder

*Mike Caldwell*  
Mike Caldwell  
Ogden City Mayor

Date

