3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES

WEST POINT CITY HALL

March 3rd, 2026

Mayor:
Brian Vincent
City Council:
Trent Yarbrough, *Mayor Pro Tem*
Jerry Chatterton
Annette Judd
Michele Swenson
Jeremy Strong
City Manager:
Kyle Laws

Administrative Session

5:30 PM

Minutes for the West Point City Council Administrative Session held on March 3, 2026, at 5:30 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and livestreamed for the public to view via Zoom. The livestream of the meeting was accessible to view by entering Meeting ID# 811 7093 4439 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Jerry Chatterton, Council Member Annette Judd, Council Member Michele Swenson, Council Member Trent Yarbrough and Council Member Jeremy Strong

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Kenny England, Public Works Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Dave Nielsen, Mike Nielsen, Doug Nielsen, Steve Nielsen, Dave Murdock, Jim Spangler, Andy Oblad, Tim Gooch, Kyle Norton, PJ Roubinet, Jennifer Struhs, Mark & Mary Montgomery. No sign-in is required for those viewing online.

1. **Discussion Regarding the Site Plan for the Nielsen's Frozen Custard – *Mrs. Bryn MacDonald***

   Mrs. MacDonald presented the site plan for the Nielsen's Frozen Custard development, located on the corner of 2000 West and Center Street, just north of Big O Tires. She explained that the applicant would need approval of the site plan from the Council, while the Planning Commission had already approved the conditional use for the restaurant use. She also noted that a subdivision plat is still being worked through separately, as the site involves multiple pieces that will need to be finalized.

   Mrs. MacDonald reviewed the proposed layout, noting that the building would sit toward the front of the lot, the drive-through lane would wrap around the building, and parking would be located on the north and rear portions of the site. She explained that the rear portion of the overall lot is not part of this building pad and is anticipated to be used for a future commercial user. The site exceeds the City's landscaping requirement, with approximately 20% landscaping where 15% is required.

   The Council discussed the proposed building elevations and exterior materials. Mrs. MacDonald explained that the building would use the same general Nielsen's colors and branding, including black tile and white tile, with decorative block on portions of the building. She noted that the City's architectural standards generally require certain masonry and building articulation elements, but the code also allows the Community Development Director to approve alternate materials when the finished product is durable and enhances the building. The applicant and developer explained that the proposed materials include heavy tile and a honed or polished decorative concrete block, and that the design is intended to maintain the Nielsen's identity while also creating a prototype that is more cost-effective for future franchise locations.

   Mayor Vincent and Council Members discussed how the proposed building differs from the more nostalgic curved Nielsen's building design used in other locations. Mr. Nielsen explained that while the proposed building does not include the same curved diner-style architecture, it includes a larger dining room with significant glass and would remain recognizable as a Nielsen's Frozen Custard. The developer explained that the curved design is structurally expensive and that the proposed square design is intended to reduce construction costs while still preserving important brand elements.

   The Council also discussed the landscaping requirement for a five-foot planter around the foundation of the building. Mrs. MacDonald explained that this requirement does not always function well for commercial buildings, particularly where pedestrian areas, patios, and drive-through lanes are involved. Mr. Nielsen explained that the patio area is an important and popular feature for Nielsen's and that landscaping is proposed along the outside of the patio, between the patio and drive-through lane, rather than directly against the building foundation. Council Members indicated that the exception made sense for this site.

Mrs. MacDonald stated that the parking requirement is based on the number of seats in the restaurant and that the site requires 15 parking stalls. The applicant is providing 24 stalls, which exceeds the parking requirement.

Mr. Laws noted that although it is not typical for the Council to discuss and take action on a site plan in the same night, because the next regular meeting with a full agenda would not occur for several weeks, the item had been placed on the General Session agenda for possible action if the Council felt ready to proceed.

2. **Discussion Regarding a Rezone Request for Property Located at Appx. 4200 W 800 N from R-1 to R-2 (*George Wright, Applicant*) – *Mrs. Bryn MacDonald***

Mrs. MacDonald presented the rezone request for approximately 7.6 acres located on the south side of 800 North at approximately 4200 West, near the bottom of the bluff and adjacent to the future West Davis Corridor. She explained that the property is currently zoned R-1 and the applicant is requesting R-2 zoning, which is consistent with the General Plan designation for the property.

Mrs. MacDonald reviewed the proposed concept plan, which includes 13 lots at an overall density of approximately 1.7 units per acre. She explained that the requested R-2 zoning is primarily needed because of frontage requirements, as R-1 zoning requires an average frontage of 100 feet and R-2 zoning allows the applicant to reduce that frontage to 90 feet. Even with the R-2 zoning, the proposed lots are larger than typical R-2 lots and are generally close to half an acre in size.

Mrs. MacDonald explained that the lots would face a new internal road and that Staff has also been coordinating with the property owner on the north side of 800 North to make sure future road alignments make sense. She reported that the Planning Commission held a public hearing in January and that the comments received primarily related to water on the site and concerns regarding flooding. She acknowledged that the property is wet and that drainage has been the primary issue for the property for some time. Mr. Davis explained that the applicant has worked with Staff and UDOT on a drainage solution and now has an easement that will allow stormwater to drain west under the freeway and then toward 300 North. He stated that Staff is comfortable that the development will have adequate surface-water drainage with that easement in place. He also noted that because of the high water table, basements would not be allowed.

The Council discussed safety along 800 North, including the curve at the bottom of the bluff, the proximity of the future freeway improvements, and a trail crossing in the area. Mrs. MacDonald explained that the Planning Commission had required the applicant to remove lots that originally would have faced 800 North, eliminating driveways that would have accessed directly onto that road. Council Member Swenson also noted the importance of lighting and safety measures for the trail crossing, particularly because vehicles come down the hill in that area.

Mrs. MacDonald stated that a development agreement would also be associated with the project, but that it primarily contains the City's standard architectural language and attaches the concept plan. She noted that the applicant is not requesting exceptions through the development agreement. Mr. Laws clarified that a public hearing is required for the rezone request, but a separate public hearing for the development agreement is not required as it does not grant any exceptions.

A public hearing is on the agenda for tonight's General Session. After which, the Council will continue the discussion as it considers approval of the development agreement and rezone request.

3. **Discussion Regarding a Rezone Request for Property Located at Appx. 2650 N 5500 W from A-5 to R-1 (*Rick Scadden, Applicant*) – *Mrs. Bryn MacDonald***

Mrs. MacDonald presented the rezone request for the Ivy Meadows property, located at approximately 2650 North 5500 West. She explained that the property is approximately 38 acres and is within the recently annexed area of the City. The property is currently zoned agricultural, and the applicant is requesting R-1 zoning, which is consistent with the General Plan designation in place when the application was submitted, and therefore considered as vested.

Mrs. MacDonald explained that this application had previously been before the Planning Commission more than a year ago but had been tabled while the City worked through infrastructure studies for the area. She stated that the item returned to the Planning Commission in February after Mr. Davis presented the infrastructure information, and the Planning Commission recommended approval of the rezone request.

Mrs. MacDonald reviewed the concept plan, which showed 84 lots, which is essentially the maximum number of lots that could be developed under the requested zoning. She noted that the overall density would be approximately 2.2 units per acre. The concept plan includes a road connection from 5000 West through to 5500 West, as well as stub streets to the north and south for future connectivity. She also noted that the lots generally meet the minimum lot size requirements, with the smallest lots just over 13,000 square feet and some lots larger than that.

Mr. Scadden clarified that the applicant is purchasing an additional half-acre adjacent to the property, which may allow the project to increase to 85 lots. The Council asked general questions to better understand the location of the property, including its relationship to the Davis/Weber County line and surrounding roads.

Mrs. MacDonald explained that this item was being presented for discussion only and that the next step would be a public hearing. She also noted that a development agreement would be needed to address infrastructure improvements, including which improvements are necessary and how they will be paid for. The applicant confirmed that the Council would want to see the agreement for payment of the necessary improvements, and Mayor Vincent agreed.

The Council indicated that Staff should move forward with scheduling the public hearing for the next meeting.

4. Discussion Regarding a Rezone Request for Property Located at Appx. 4750 W 700 S from A-40 to R-1 (*Gardner Ridge, Applicant*) – *Mrs. Bryn MacDonald*

Mrs. MacDonald presented the rezone request for the Kawaguchi property, with Gardner Ridge as the applicant. The property is located at approximately 4750 West 700 South and contains approximately 17 acres. She explained that the property is currently zoned A-40, with a small portion already zoned R-1, and that the applicant is requesting R-1 zoning consistent with the General Plan.

Mrs. MacDonald reviewed the concept plan, which includes 37 lots. The plan shows access from 700 South and a future second access through the Carlisle subdivision. She explained that if the Carlisle subdivision does not proceed and the road connection is not completed, the development would be limited to 30 lots until that second access is available. She also noted that the plan provides stub streets to the north for future development and that the road network is intended to eventually connect toward SR-193 as that area develops in the future.

A significant portion of the discussion focused on the status and improvement of 700 South. Mrs. MacDonald explained that the City has been discussing for several years whether 700 South is a public or private road. She stated that a recent court judgment determined that 700 South is a 66-foot-wide public road, which allows the applicant to move forward because subdivisions are required to have access to a public road. Mr. Davis explained that the current dirt road is approximately 15 to 20 feet wide and would need to be widened and improved as part of development.

Council Members discussed how the required road improvements would affect the Montgomery home located near the corner. Mr. Davis explained that the established public right-of-way comes within approximately eight to ten feet of the home, so it is already understood that the road design in that area will need to be modified to provide more distance from the house. He stated that potential adjustments could include eliminating park strips and narrowing asphalt, with the goal of providing at least 15 feet of separation, although the final details have not yet been engineered.

Council Member Strong expressed concern that, although the court judgment determined the area to be public right-of-way, the improvement of the road would still feel like a taking to the adjacent property owner and could make the home less desirable. Mr. Laws and Mr. Davis acknowledged that the situation is difficult and that it likely does feel that way for the property owner, but explained that the court determined the area was actually public right-of-way rather than their private property. Mr. Davis noted that similar public right-of-way conditions exist elsewhere in the City where property lines may extend to the center of a road, but the public right-of-way supersedes the private property interest for roadway purposes.

Mr. Davis emphasized that West Point City did not bring the court case regarding the road. He explained that the case was brought by Carlisle and involved the property owners along 700 South, with the City listed only because public rights-of-way fall under the City's jurisdiction. He stated that the City did not participate in defending the case and that the City's recommendation is based on the court's ruling. He also explained that the court relied on an 1877 document establishing 66-foot rights-of-way along section lines.

The developer indicated that they had previously approached the Montgomery's and would continue to work with them on ways to make the transition as reasonable as possible, including landscaping or other improvements. Mary Montgomery stated that she is not willing to move and expressed frustration regarding the situation. Mayor Vincent clarified that the City had not contacted her directly because the project is not a City project, but invited her to raise questions during the discussion.

Mrs. Montgomery raised concerns regarding fire access, drainage, and the effect of the road and subdivision improvements on her property. Mr. Davis explained that the North Davis Fire District Fire Marshal had issued a letter indicating that 30 lots could be counted from each access point because 700 South is a collector road and because future connections are available. He acknowledged that Staff had asked similar questions but stated that the fire access determination belongs to the Fire Marshal. Mr. Davis also explained that development of the road and subdivision would include storm drain infrastructure, with drainage ultimately conveyed through the natural drainage system toward the lake. He stated that the improvements should help address existing drainage issues rather than make them worse.

The Council also discussed whether the future intersection would remain a two-way stop or eventually require a signal. Mr. Davis explained that 4500 West is a state road and that he would need to review the long-term plan, but that in the short term the intersection would function as a two-way stop. Council Members also asked whether any wetlands affected the property, and Mr. Davis indicated that wetlands were not an issue.

Mr. Laws asked the Council whether there were any legal questions they wanted the City Attorney to address before the item returned for a public hearing and possible action, particularly given the potential legal concerns from both the developer's and adjacent property owners' perspectives. Council Members did not identify any specific legal questions at that time. Staff noted that the next step for the rezone request would be a public hearing.

The Council directed Staff to schedule the public hearing for the following meeting.

5. Discussion Regarding a Rezone Request for Property Located at Appx. 3381 W 300 N from A-40 to R-2 (*Kyle Norton, Applicant*) – *Mrs. Bryn MacDonald*

Mrs. MacDonald presented the rezone request for approximately 1.1 acres located at 3381 West 300 North, diagonally across from City Hall. She explained that there is one existing home on the front portion of the property and that the front portion is already zoned R-2. The applicant is requesting that the rear portion of the property also be rezoned to R-2.

Mrs. MacDonald explained that the property is located within the Main Street overlay area. She noted that the City's code requires rezones in that area to be consistent with the General Plan and the applicable small area plan. The Planning Commission held a public hearing on the request and recommended approval, finding that the request was consistent with the General Plan and would not interfere with the future road alignment shown in the small area plan.

The Council discussed how the request relates to the Main Street Small Area Plan and the surrounding properties. Mrs. MacDonald explained that the Small Area Plan shows a future road along the south side of the property and a small-lot detached housing pattern in the area, but that there is not a specific zoning district called a Main Street zone. She stated that for small individual properties like this one, the Council must determine whether the requested zoning is consistent with the General Plan and the concept of the Small Area Plan.

Council Member Strong asked how the Council should evaluate consistency when the Small Area Plan does not identify one specific zoning district. Mrs. MacDonald, Mr. Davis, and Mr. Laws explained that the Small Area Plan includes concepts for lot sizes, density, and land use patterns, but that the Council ultimately decides which zoning is appropriate when a specific application is brought forward. Staff explained that when the larger surrounding area develops in the future, it would likely come forward with a development agreement and a more detailed plan that matches the Small Area Plan.

The Council also discussed whether the property could develop as a flag lot and how future driveway locations would be evaluated. Mrs. MacDonald stated that flag lots are still allowed if the applicable requirements are met, including minimum lot size requirements. Council Member Judd asked that driveway location and spacing from nearby roads be reviewed carefully during the engineering and subdivision review process. Mrs. MacDonald noted that the Planning Commission had also discussed that the home could potentially orient or access toward the future road when that road is constructed.

Mrs. MacDonald stated that the next step would be a public hearing. Mayor Vincent asked whether the Council felt comfortable moving the item forward to that step, and Council Members indicated that they were comfortable proceeding and directed Staff to schedule a public hearing for the next meeting.

6. Other Items

Mayor Vincent reminded the Council that the next meeting is planned as a combined meeting with the Planning Commission beginning at 6:00 p.m. He stated that the plan is to cancel the General Session for that night and use the time for a longer joint meeting, although that may change if an item arises that must be placed on the agenda.

Council Member Chatterton asked about the two houses located south of Big O Tires and whether Staff had taken steps to amend the General Plan designation to commercial in that area. Staff discussed the matter and indicated that their understanding was that the change would either be developer-driven or considered as part of a future General Plan update. Mayor Vincent agreed that sounded consistent with prior direction.

Council Member Swenson confirmed that the March 17 Council meeting had been canceled because of caucus night. Mayor Vincent confirmed that it had been canceled.

Council Member Strong asked whether there had been any additional communication from Syracuse City regarding the intersection of 700 South and 4000 West. Mr. Davis stated that he had met with the Syracuse City Engineer and that a proposal for a traffic study had already been received, though Staff had requested some changes. Mayor Vincent stated that he had personally observed the intersection on two different mornings and had seen a Syracuse police officer present on multiple mornings, indicating that Syracuse is aware of the concerns. Mr. Laws stated that after Syracuse residents attended a prior West Point City Council meeting regarding that intersection, he suggested that they ask Syracuse City to evaluate whether additional stop signs could be placed along the mile-long stretch from Antelope Drive to 700 South. He explained that the lack of stop signs along that stretch may contribute to drivers failing to recognize the stop at 700 South. Mayor Vincent stated that he had also discussed that concern with the Syracuse Mayor. Council Member Strong suggested that temporary pavement markings or rumble-strip-type improvements may also help. Mr. Davis stated that one of the changes requested are for temporary safety recommendations to be added to the traffic study proposal and that the study would likely take approximately four weeks once the contract is signed.

Council Member Chatterton asked about the removal of fluoride from the water system and whether the City had any remaining funds or equipment associated with fluoridation. Mr. Laws explained that West Point City did not operate its own fluoridation treatment stations or equipment and that fluoridation had come through Weber Basin Water.

No other items were discussed.

The Administrative Session adjourned.

3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
March 3rd, 2026

Mayor:
Brian Vincent
City Council:
Trent Yarbrough, *Mayor Pro Tem*
Jerry Chatterton
Annette Judd
Michele Swenson
Jeremy Strong
City Manager:
Kyle Laws

General Session
7:00 PM

Minutes for the West Point City Council General Session held on March 3, 2026, at 7:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and livestreamed for the public to view via Zoom. The livestream of the meeting was accessible to view by entering Meeting ID# 811 7093 4439 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Chatterton, Council Member Annette Judd, Council Member Michele Swenson, Council Member Trent Yarbrough (attending virtually) and Council Member Jeremy Strong

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Kenny England, Public Works Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Dave Nielsen, Mike Nielsen, Doug Nielsen, Steve Nielsen, Dave Murdock, Jim Spangler, Andy Oblad, Tim Gooch, Kyle Norton, and PJ Roubinet. No sign-in is required for those viewing online.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer or Inspirational Thought** – Given by Council Member Judd
4. **Communications and Disclosures from City Council and Mayor**

   Council Member Yarbrough – None

   Council Member Judd – None

   Council Member Swenson – None

   Council Member Chatterton – None

   Council Member Strong – None

   Mayor Vincent – Reported that the Legislative Session had been very busy, with a record number of bills introduced. He stated that, as of Monday, 1,010 bills had been introduced. However, he also noted that only 196 bills had passed at that point, which was fewer than at the same point in the previous several years. He anticipated that many additional bills would pass during the final week of the session, possibly in the range of 400 to 450. Mayor Vincent stated that he and Mr. Laws had been attending meetings and tracking bills that may affect the City, including bills related to truth in taxation and property taxes. He stated that Staff would keep the Council updated as those items are finalized and as the City better understands their impact.

5. **Communications from Staff**
   Mr. Laws stated that the City's Easter Egg Hunt will be held on Saturday, April 4th, Easter weekend, at 10:00 a.m. sharp. He explained that because the eggs are scattered across the field rather than hidden, the event is more of an "Easter Egg Scramble" rather than an actual hunt and typically lasts less than a minute. He cautioned that anyone who arrives late will likely miss the event.

6. Citizen Comment

Andy Oblad – Farmington, UT: Mr. Oblad introduced himself to the Council and those in attendance, stating that he is running for Davis County Sheriff. He encouraged residents and Council Members to meet each of the four candidates so they can make a fair comparison and decide who is the best fit for the position. He explained that the Sheriff's Office has approximately 350 civilian and sworn employees, making it an important leadership role. Mr. Oblad summarized his law enforcement background, stating that he began in law enforcement in 1996 and worked for the Salt Lake City Police Department for 21 years, retiring as a lieutenant after what he described as a decorated career. He then worked for the Utah Jazz for approximately two seasons as team security, traveling with the team, coaches, and players. He explained that although the position may sound glamorous, it involved significant travel and ultimately was not something he wanted to continue long-term. Mr. Oblad stated that in 2019, Sheriff Sparks appointed him as Chief Deputy over law enforcement for the Davis County Sheriff's Office. Over the last seven years, he has supervised each of the Sheriff's Office bureaus, including law enforcement, administration, and corrections. He stated that Sheriff Sparks has decided not to seek another term after being encouraged to retire by his wife, whom Mr. Oblad described as an influential Davis County voter. Mr. Oblad said Sheriff Sparks encouraged him to run and has endorsed him because he believes Mr. Oblad has the qualifications and experience to serve as the next Sheriff. Mr. Oblad stated that he would remain after the meeting to meet people and answer questions.

PJ Roubinet – West Point, UT: Mr. Roubinet, currently serving as Planning Commission Chair, commented regarding the recognition of Jeff Turner, who had served on the Planning Commission. Mr. Roubinet stated that although Mr. Turner was not present, he wanted to place on the record that the Planning Commission appreciated his service to the City. He stated that he enjoyed working with Mr. Turner, was sorry to see him leave, and appreciated everything he contributed during his time as a Planning Commissioner.

7. Youth Council Update

Abby Spangler, Youth Council Mayor, and Casey Byers, Youth Council Treasurer, provided an update on Youth Council activities. Ms. Spangler reported that since the last update, the Youth Council held a New Year's party where members played games and set goals for the upcoming year. She stated that the Youth Council leadership also had an opportunity to visit the State Capitol, tour the building, and meet with Representative Petersen.

Ms. Spangler stated that for the February activity, Youth Council members prepared "heart attacks" for City employees to thank them for their service. She explained that the youth cut out paper hearts, wrote notes of appreciation, and placed them on employees' desks along with candy. She stated that upcoming activities include helping prepare for the City's Easter Egg Scramble and attending a leadership conference at Utah State University.

Mayor Vincent thanked the Youth Council for the notes and candy provided to the Council and Staff and expressed appreciation for the time they dedicate to the Youth Council in addition to school and other responsibilities. Council Member Swenson also thanked the Youth Council for their work on the Easter Egg Scramble, noting that her grandchildren attend each year and that the event goes very quickly. The Youth Council indicated that they expected to fill more eggs than in previous years, possibly around 14,000 eggs.

8. Recognition of Jeff Turner, West Point City Planning Commissioner – *Mayor Brian Vincent*

Mayor Vincent recognized Jeff Turner for his service on the West Point City Planning Commission. He explained that he had personally spoken with Mr. Turner, who appreciated the recognition but preferred not to be in the spotlight. Mayor Vincent stated that Mr. Turner served on the Planning Commission from 2022 through 2025 and also previously served on the City Council, giving him a unique perspective on both sides of the land use process. Mayor Vincent stated that Mr. Turner brought valuable experience and expertise to the Planning Commission, and the Council applauded his service. Mayor Vincent stated that the City would provide Mr. Turner with his recognition plaque.

9. Consideration of Approval of the Site Plan for the Nielsen's Frozen Custard Development – *Mrs. Bryn MacDonald*

Mrs. MacDonald presented the site plan for Nielsen's Frozen Custard, located on 2000 West and Center Street, just north of Big O Tires. She explained that the Planning Commission had reviewed the site plan and that final approval was now before the Council. She reviewed the site location and noted that the project includes the front commercial lot, with a second commercial lot anticipated to the rear. She stated that an access easement is planned through the rear lot to provide connection to the Big O property.

Mrs. MacDonald reviewed the site layout, explaining that the building meets setback and height requirements. The drive-through lane will wrap around the building, with the pickup window located on the south side. She stated that the site is required to have 15% landscaping and provides close to 20%. She noted that the City code generally requires landscaping around the foundation of the building, but also allows the Council to approve an exception when foundation landscaping does not make sense for a particular site. In this case, the applicant plans to use the area near the building as a patio and to provide landscaping on the outside of the patio area instead.

Mrs. MacDonald reviewed the building elevations and explained that the exterior would include black tile, white tile beneath the windows, stucco, and masonry/CMU materials. She stated that the building will use Nielsen's recognizable black and white branding, even though it is not exactly the same building design as other locations. She further explained that the code requires a certain percentage of masonry product on commercial buildings, but also allows the Council to approve alternative materials. She noted that the proposed materials are consistent with Nielsen's brand and are technically masonry products, although the code does not clearly define masonry.

Mrs. MacDonald stated that the parking requirement is based on the number of seats in the restaurant. With 60 planned seats, the site requires 15 parking stalls, and the applicant is providing 24. She also explained that a restaurant, including fast food, is a conditional use in the commercial zone, and that the Planning Commission had already approved the conditional use. Council Members asked questions regarding the rear access, future parking, and the layout of the parking area. Council Member Chatterton noted that one of the plan sheets referenced "Frost Drive," and Staff acknowledged that the applicant would correct the plan sheet.

The Council had no further questions or concerns.

Council Member Chatterton motioned to approve the site plan with the street name correction as discussed.
Council Member Strong seconded the motion
In Favor: All
Opposed: None
The Council unanimously approved

10. Public Hearing Regarding a Rezone Request for Property Located at 1800 N 4300 W from A-40 to R-4 and C-C (*Foothill Ditch, Applicant*) – *Mrs. Bryn MacDonald*

Mrs. MacDonald presented the rezone request for approximately 11.3 acres located at 1800 North and 4300 West. She explained that the application was originally submitted in 2022 and is therefore vested under the previous R-4 code, which allowed up to eight units per acre, townhomes, single-family units, no minimum lot size, and private lanes. She clarified that the original request included both R-4 and C-C zoning, but the commercial portion was not being discussed or considered at this time because more information regarding the proposed commercial use for that portion needs to be submitted before moving that portion forward for review and consideration.

Mrs. MacDonald reviewed the previously submitted concept plan, which included all townhomes at approximately eight units per acre, and compared it to the revised concept plan. She explained that the revised plan includes 56 total units, or approximately six units per acre, consisting of 32 single-family units and 24 townhomes. She stated that the revised plan is a much different product than the earlier proposal and includes single-family homes on private lanes, townhomes facing the road, and connections to surrounding development.

Mrs. MacDonald explained that the project would connect into the Salt Grass development to the west, to 4500 West through property that was recently discussed by the Council, and to a portion of the overall project located in Clinton City. She noted that the northern portion of the project is in Clinton City and had already been approved by Clinton. She also stated that the applicant has indicated a willingness to include owner-occupancy provisions in the development agreement, similar to requirements in the City's current R-4 code, even though the project is vested under the previous R-4 standards. She stated that the development agreement was still being prepared, which is why the item was only before the Council for a public hearing and not for final action.

Council Members asked questions regarding the colors on the concept plan, the difference between the single-family and townhome areas, and the access points. Council Member Strong expressed concern that the West Point and Clinton portions of the development ultimately rely heavily on 4500 West for access, and Staff noted that while part of the access is technically within Clinton City, it is still on 4500 West. Staff also noted that the Salt Grass connection provides access toward 1800 North.

Mayor Vincent opened the public hearing.

No public comments were made.

Council Member Swenson motioned to close the public hearing
Council Member Chatterton seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

11. Public Hearing Regarding a Rezone Request for Property Located at 4200 W 800 N from R-1 to R-2 (*George Wright, Applicant*) – *Mrs. Bryn MacDonald*

Mrs. MacDonald presented the rezone request for approximately 7.6 acres located on the south side of 800 North at approximately 4200 West. She explained that the property is currently zoned R-1, that the General Plan designation is R-2, and that the applicant is requesting R-2 zoning. She stated that the property is immediately east of the future West Davis Corridor. She reviewed the proposed concept plan, which includes 13 lots at an overall density of approximately 1.7 units per acre. She explained that the proposed density is below the maximum allowed in the R-2 zone and that the applicant is primarily requesting R-2 because the R-2 zone allows 90 feet of frontage compared to the 100-foot frontage requirement in the R-1 zone. She noted that the lots are fairly large, with many shown at over 18,000 square feet, and that the Planning Commission did not want driveways accessing directly onto 800 North.

Mrs. MacDonald explained that the storm drain issue that had delayed the project had been worked out with UDOT. The project will include a storm drain easement under the freeway to the west and then south toward 300 North. She stated that the Planning Commission held a public hearing in January and received comments concerning water on the property, the high water table, and potential flooding. The Planning Commission recommended approval of the rezone to R-2 with the 13 lots as shown.

Mrs. MacDonald also reviewed the associated development agreement, which does not require a public hearing. She stated that the development agreement does not include requested exceptions and primarily includes the City's standard architectural standards, including minimum home sizes, a two-car garage requirement, and other architectural requirements. The concept plan is also attached to the agreement.

Council Members asked questions regarding long-term maintenance of the detention pond, the location of 800 North, the temporary turnaround, and whether one of the lots would still be buildable while the temporary turnaround is in place. Mrs. MacDonald explained that an HOA would be needed to maintain the detention pond and that the affected lot would still be large enough to build on, subject to the temporary turnaround easement. Council Member Swenson also asked about sidewalk improvements along 800 North and the nearby trail access. Mr. Davis stated that curb, gutter, and sidewalk would be installed along the project frontage and that Staff would look at whether the sidewalk connection could be made to the trail, recognizing the existing ditch and grade in the area.

Council Member Strong asked about the drainage shown along the back of the lots. Mr. Davis explained that it is a surface drain intended to address backyard water, not foundation drainage. He reiterated that basements would not be allowed and that the code allows a maximum of 24 inches below back of curb.

Mayor Vincent opened the public hearing.

No public comments were made.

Council Member Swenson motioned to close the public hearing
Council Member Judd seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

11.1. Consideration of Resolution No. 03-03-2026A, Approving a Development Agreement for 4200 W 800 N

Council Member Strong motioned to approve Resolution No. 03-03-2026A
Council Member Chatterton seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

11.2. Consideration of Ordinance No. 03-03-2026A, Approving a Rezone Request for Property Located at 4200 W 800 N from R-1 to R-2

Council Member Judd motioned to approve Ordinance No. 03-03-2026A
Council Member Chatterton seconded the motion
Roll Call:
Council Member Yarbrough – Aye
Council Member Judd – Aye
Council Member Chatterton – Aye
Council Member Swenson – Aye
Council Member Strong – Aye
In Favor: All
Opposed: None
The Council unanimously agreed

12. Consideration of Approval to Award the Bid for the 4000 W Storm Drain Project – *Mr. Boyd Davis*

Mr. Davis presented the bid results for the 4000 West Storm Drain Project, noting that bids had been opened the day before the meeting. He reminded the Council that the project will install storm drain through open fields along 4000 West, crossing 1800 North and continuing north into a Davis County drain located in Clinton. He stated that the project includes approximately 4,000 feet of reinforced concrete pipe, ranging in size from 48 inches to 60 inches in diameter.

Mr. Davis explained that UDOT requested the City consider installing the storm drain now because the West Davis Highway will terminate at 1800 North, and UDOT would like to use the drain for highway drainage. He stated that UDOT contributed $500,000 and the needed right-of-way for the project. The total project budget is approximately $2.5 million, with the remaining City contribution coming from impact fees and the storm water maintenance fund.

Mr. Davis stated that the City received six bids and that Thurgood Excavating submitted the low bid in the amount of $2,218,087. He noted that the bids were very close, with the next lowest bid approximately $31,000 higher. Mr. Davis stated that Staff has worked with Thurgood Excavating many times in the past and recommended awarding the bid to Thurgood Excavating.

In response to Council questions, Mr. Davis stated that the project must be completed this year, with the most difficult portion being the crossing of 1800 North. He also explained that the pipe will be relatively shallow, with only a few feet of cover, and that most of the work should be straightforward once construction begins.

The Council had no further questions or concerns.

Council Member Chatterton motioned to award the bid to Thurgood Excavating in the amount of $2,218,087.
Council Member Yarbrough seconded the motion

In Favor: All
Opposed: None
The Council unanimously agreed

13. Consideration of Approval to Place the Preserve at Willow Bluff Phases 1 and 2 on Warranty – *Mr. Boyd Davis*

Mr. Davis stated that the Preserve at Willow Bluff Phases 1 and 2 is located on 800 North at approximately 3750 West and was developed by Ovation Homes. He stated that all required improvements have been installed and are in good order, and Staff recommends placing the subdivision improvements on a one-year warranty.

The Council had no comments or concerns.

Council Member Swenson motioned to place the Preserve at Willow Bluff Phases 1 and 2 on one-year warranty.
Council Member Chatterton seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

14. Consideration of Approval to Place the Bennett Century Farms Subdivision Phase 3 on Warranty – *Mr. Boyd Davis*

Mr. Davis stated that Bennett Century Farms Subdivision Phase 3 was developed by Craythorne Development and is located near 1300 North and 3775 West. He stated that all required improvements have been installed and are in good order, and Staff recommends placing the subdivision improvements on a one-year warranty.

Council Member Swenson asked for clarification regarding the location of Phase 3 and whether it included the area where a ditch had been covered but curb and gutter had not yet been installed. Mr. Davis explained that the area Council Member Swenson referenced is part of the next phase and that Phase 3 is located on the east half of that field.

The Council had no further discussion.

Council Member Judd motioned to place Bennett Century Farms Subdivision Phase 3 on one-year warranty.
Council Member Strong seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

15. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn
Council Member Strong seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed.

APPROVED THIS 2 **DAY OF** June **, 2026:**

BRIAN VINCENT, MAYOR

CASEY ARNOLD, CITY RECORDER