

Minutes of the Western Weber County Township Planning Commission, Tuesday, April 10, 2007, held in the Weber County Commission Chambers, 2380 Washington Blvd., commencing at 4:30 p.m.

Members Present:

Wayne Andreotti, Vice Chair
Jeffrey Davis (arrived late)
Bruce Ferre
Douglas Hansen
Bruce Nilson (left at 5:40)

Member Excused:

Becky Messerly

Staff Present:

Jim Gentry, Director
Chris Allred, Legal Counsel
Justin Warren, Planner
Iris Hennon, Code Enforcement
Kary Serrano, Secretary

Pledge of Allegiance

Regular Agenda Items

1. Approval of Manufacturing Site Plan MSP #01-07 by Brad Russell located at approximately 9281 W. 900 S., for the development of a dog kennel for breeding all breeds of dogs
 2. Approval of Manufacturing Site Plan MSP #02-07 by Kool Breeze located at approximately 3220 S. 1900 W., Zoning M-1
 3. Approval of Manufacturing Site Plan MSP #03-07 by Marvin E. Jensen located at approximately 3192 South Midland Drive for addition to Jensen's Autobody
 4. Approval of Conditional Use Permit Application CUP #05-07 for Swanson Tactical Training Center located at approximately 2520 N. 1500 W., Zoning M-1
 5. Approval of Conditional Use Permit Application CUP #06-07 for Kyle Farr's Corn Maze located at approximately 2550 N. to 2600 N. and 300 E. To 400 E
 6. Adjourn
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Vice Chair Andreotti moved to lead the Pledge of Allegiance at this time.

MOTION: Commissioner Nilson made a motion to adjust the agenda items to begin with Items 2 through 5 and move Item 1 to the last. Commissioner Hansen seconded the motion. A vote was taken and Vice Chair Andreotti said the motion carried with all members present voting aye.

2. Approval of Manufacturing Site Plan MSP #02-07 by Kool Breeze located at approximately 3220 S. 1900 W., Zoning M-1

Staff presented the following report:

The applicant is requesting site plan approval for MSP #03-07. This building will serve the existing Kool Breeze business by providing storage for vehicles and materials customarily used. This parcel lies within the Manufacturing M-1 Zone and meets the setback and frontage requirements for this zone. The footprint of the proposed building contains approximately 9,000 square feet. The proposed building is located northeast of the main building as shown on the site plan. The architectural design for the proposed building consists of corrugated metal siding. Approximately 15% of the parcel is landscaped with grass and trees.

Conformance to General Plan:

This proposal conforms to the General Plan's Goals & Objectives by meeting the requirements of applicable chapters in the Zoning Ordinance:

1. *Meets the requirements of Chapter 21 - Manufacturing Zone M-1*
2. *Meets the requirements of Chapter 36 - Design Review*

Conditions for Approval:

1. Requirements and recommendations of the Weber County Building Inspection
2. Requirements and recommendations of the Weber County Engineers Office
3. Requirements and recommendations of the Weber County Fire Department
4. Requirements and recommendations of the Weber County Health Department

Staff Recommendations:

Staff recommends approval subject to staff and other agency comments and recommendations.

Vice Chair Andreotti asked if there were additional requirements for fencing or anything around this. Staff replied no.

No public comment was given.

MOTION: Commissioner Nilson made the motion to approve of Manufacturing Site Plan MSP #02-07 by Kool Breeze located at approximately 3220 S. 1900 W., subject to staff and other agency recommendations. Commissioner Hansen seconded the motion. A vote was taken and Vice Chair Andreotti said the motion carried with all members present voting aye.

3. Approval of Manufacturing Site Plan MSP #03-07 by Marvin E. Jensen located at approximately 3192 South Midland Drive for addition to Jensen's Autobody

Staff presented the following report:

The applicant is requesting site plan approval for an addition to his repair shop located at approximately 3192 South Midland Drive, # 15-102-0027. This project lies in a manufacturing (M-1) Zone and meets the set back and frontage requirements for the M-1 Zone. The footprint of the new addition contains approximately 3000 square feet and will be located to the East of the existing repair shop. The architectural design for the new extension will closely resemble the existing building on the parcel and will meet the requirements in Chapter 36 (Design Review) of the Weber County Zoning Ordinance. The existing parking is adequate to serve the new extension. This lot conforms to the current General Plan.

Conditions for Approval:

1. Requirements and recommendations of the County Engineers Office.
2. Requirements and recommendations of the County Fire District.
3. Requirements and recommendations of the Health Department.

Staff Recommendations:

Staff recommends final approval subject to staff and other agency comments and recommendations.

Commissioner Hansen said the engineer indicated that they needed to have a plan for storm water prevention and drainage, had that been submitted or was that to be submitted? Staff replied that it was to be submitted.

Brian Marquart, West Point, stated that he was hired to be the contractor to build this project. This addition was mainly going to be used for their machine shop area and they just wanted to add on to have a clean area to do machine work for their automotive business. Everything is engineered and ready to go.

Commissioner Nilson asked the architecture be seamless an old-new type thing, and would it look the same? Mr. Marquart replied that it would look the same, it would be cinder block with a membrane roof.

MOTION: Commissioner Hansen made the motion to approve Manufacturing Site Plan MSP #03-07 for an addition to Jensen's Autobody by Marvin E. Jensen located at approximately 3192 South Midland Drive subject to agency comments and recommendations. Commissioner Ferre seconded the motion. A vote was taken and Vice Chair Andreotti said the motion carried with all members present voting aye.

4. Approval of Conditional Use Permit Application CUP #05-07 for Swanson Tactical Training Center located at approximately 2520 N. 1500 W., Zoning M-1

Staff presented the following report:

The petitioner is requesting approval of a public safety training facility which is a conditional use in the Manufacturing M-1 zone. The purpose of the Swanson Tactical Training Center is to give local and state agencies the tools to train in a safe and effective environment.

This is the first phase of the proposed training facility. Phase 2 will consist of an outside urban area with roads, facades and an obstacle course. Phase 3 will have an indoor training center, classrooms, student quarters and a SIMUNITION training area. The fourth phase will acquire land for a 6 story fire tower for fire fighter training.

Total acres for the training center are 16.45 with a landscaped area of 7.91 (48%) and a hardscaped area of 8.54 (52%). To provide parking for patrons the current Swanson building has 98 existing stalls and an additional 107 parking stalls are proposed as part of the training facility.

Two live fire ranges, pistol and rifle, are part of the proposal. The pistol range is 50 yards in length and has 36 lanes. The pistol range control house is approximately 1,380 sq ft and will have bathroom facilities. The rifle range measures 300 yards and consists of 12 lanes. The rifle range control house is approximately 2,310 sq ft and will also have bathroom facilities. Both ranges have bullet traps configured in such a manner that bullets cannot exit the range.

A modular armored tactical combat house, running parallel to the rifle range, is approximately 2,146 sq ft and will have walls and a top constructed of armor steel plates. These plates are modular in nature and allow the building to be reconfigured to meet the requirements of training. An illustration of this building is provided in this packet. A storage shed lies parallel with the pistol shooting range measures approximately 861 sq ft. A helicopter landing pad lies at the end of the rifle range and allows for the landing of two Blackhawk sized helicopters.

A video control room is provided, which monitors the entire facility, to ensure the safety of the facility and each person in the locale. An onsite medical facility is capable of handling any first aid response incidents.

Questions to Ask:

1. Chapter 24 (Parking) of the Zoning Ordinance does not specify the number of required parking stalls for a shooting range. Is the number of proposed parking stalls shown adequate for the proposed use?
2. Are the hours of operation for any of the training amenities to be limited? If so, how will night training be provided?
3. Should an exit near the pistol shooting range to 2350 North Street be provided? There is currently only one exit/entrance.
4. How will the noise from the training be managed? How will noise complaints be dealt with?

Conformance to General Plan:

The Swanson Tactical Training Center contributes to the general well-being of the community by giving local and state agencies the tools to train in a safe and effective environment. This proposal conforms to the General Plan's Goals & Objectives by meeting the requirements of applicable chapters in the Zoning Ordinance:

1. *Meets the requirements of Chapter 21 - Manufacturing Zone M-1*
2. *Meets the requirements of Chapter 24 - Parking and Loading Space, Vehicle Traffic and Access Regulations*
3. *Meets the requirements of Chapter 36 - Design Review*

Conditions for Approval:

1. Requirements and recommendations of the Weber County Building Inspection
2. Requirements and recommendations of the Weber County Engineers Office
3. Requirements and recommendations of the Weber County Fire Department
4. Requirements and recommendations of the Weber County Health Department
5. Requirements and recommendations of the Central Weber Sewer Improvement District
6. Requirements and recommendations of the Bona Vista Water Improvement District
7. Recommendations of the Weber Economic Development Corp Chamber

Staff Recommendations:

1. Staff recommends approval subject to staff and other agency comments and recommendations.
2. The decision of the Planning Commission may be appealed to the County Commission by filing such appeal within 15 days after the date of the decision of the Planning Commission.

Commissioner Hansen asked if this was Phase 1 or the total plan. Staff replied it was for Phase I They would have to come back before the Planning Commission since they would be adding on.

The architectural drawings were just showing the concept of what it should look like when they were completely finished with the whole project.

Vice Chair Andreotti asked Chuck Swanson, the petitioner, that when he was here for preliminary approval and mentioned the helicopter pad, his understanding was that Mr. Swanson petitioned the businesses around to make sure it was okay with them, was this correct? Mr. Swanson replied that was correct.

Vice Chair Andreotti asked about the outdoor, the mock up of the towns and buildings, what kind of noise would they be looking at? Mr. Swanson replied in the mockup area there is virtually no noise. The mockup area is strictly a facade and the best way to describe it would be a Hollywood set that you would see on a back lot of a movie studio.

Commissioner Nilson asked what materials are used to build the rifle range walls and how tall are the walls? Mr. Swanson replied that the walls are Texas concrete and they are 12 feet high.

Vice Chair Andreotti asked about the noise, if there were any complaints about this, would they have a complaint center? Mr. Swanson replied that he would be happy to deal with any and all noise issues. They have gone through great lengths to work noise abatement materials into this project as well as landscaping soft scape to also absorb other noise. The estimate would be no louder than a normal street. He brought Mr. Layne Ashby from Action Targets tonight, who they designed the ranges and provided the sound abatement materials.

Layne Ashby, Action Target, stated that the noise material that they would use has a .95% noise reduction coefficient. It's a composite piece that had an outer tectum material and dense insulation underneath, so it allowed the sound to pass through the board and be absorbed in the insulation. They have used this before, i.e., LAPD had used it and were able to knock the reverberation time from 10 seconds to 1 second on the range, so it was very effective.

Chair Davis asked why part of one range wasn't completely enclosed? Mr. Ashby replied that both the pistol and the rifle range weren't enclosed, they were what was known as No Blue Sky design where you couldn't get a bullet out, you couldn't see out of the range, and to the rear is where the sound abatement material would be above the shooters, and down the sidewalls to absorb any energy from the muzzle.

Chair Davis asked if that was completely enclosed? Mr. Ashby replied no, that it was not completely enclosed.

Commissioner Ferre asked if they would be shooting from the east towards the west? Mr. Swanson replied no, the shooting on the rifle range would be from the west to the east. On the pistol range would they would shoot from the south to the north into bullet traps.

Commissioner Ferre asked if there were any schools or churches to the east? Mr. Swanson replied no, that he didn't believe so.

Commissioner Hansen asked about the hours of operation, would this be a full time operation? Mr. Swanson replied that their plan would be to operate 24-7. They have enough interest that they're going to need to operate continually.

Commissioner Nilson clarified that the hours would be 24 hours a day, according to whoever wants to schedule a time? Would it be by appointment only? Mr. Swanson replied that is correct and it would be only by appointment and the site would be closed to civilians. It would only be opened to law enforcement and military.

Commissioner Nilson asked if they would draw from a region or how big a draw they would have? Mr. Swanson replied that he started out that might be it, but what they are talking about would be an international site. They have already been getting interest from outside the country. At full build out, they will be about the sixth highest tech operation in the nation. They are planning on bringing conventions, one being the National Tactical Officers Association Convention that would be currently booked for 2009, and that would bring in about 1,000 officers nationwide and if they bring the International Chiefs of Police there, that would be representation from all over the world.

Vice Chair Andreotti said that the entrance and exits from staff's presentation, it looked like basically there was entrance into the parking area? Mr. Swanson replied that was mostly correct. There was a plan outlined by staff to add an exit gate near the helicopter pad and they would supply the plan for that as they have it in place. The reason there was only one way in, was to control the property and control the live fire areas for safety and containment.

Commissioner Hansen asked what kind of perimeter fence would they have around the whole area to maintain security? Mr. Swanson replied that it would be chainlink with barb wire on top and a high camera. It is planned to be 10 feet and that may vary in places where they start to come closer to the sidewalk where regulation states that it may be lower, and something lower close to the helicopter landing area, but it would be backed by a higher fence.

Vice Chair Andreotti asked if the parking was adequate? Mr. Swanson replied that there were 205 stalls and that should be adequate.

Chair Davis asked if all the ranges were full, how many people would be there? Mr. Swanson replied that if they had 12 people on the rifle range, but they supply the site, they do not do the training, that would be 24 on the range and then 36 doubled. The shoot house it would be hard to judge how many people would be there because it's a very technical apparatus that would only be used by well qualified teams.

Commissioner Hansen asked if they would have a full time staff scheduled to be there to provide security and control? Mr. Swanson replied the security and control would be mostly electronic, about 80% would be electronic with cameras and trip wires. When the site is operating, there would be a control person on every range that would be operating and also in the central control area. A minimum of 4 to 6 people, they are not the trainers, and are simply there for safety and control. Access to this facility would be by card access and would be controlled from the central point.

Commissioner Ferre asked if they have terms for long term housing or hotels? Mr. Swanson replied there had been some discussion, but they would not be in the hotel business. There was some discussion in the final phase to add a barracks inside of a building which would be more like a hostel, but they are 2-3 years away from even worrying about that.

MOTION: Commissioner Hansen made the motion to approve Conditional Use Permit Application CUP #05-07 for Swanson Tactical Training Center located at approximately 2520 N. 1500 W., subject to staff and other agency comments and recommendations. Commissioner Nilson seconded the motion. A vote was taken and Vice Chair Andreotti said the motion carried with all members present voting aye.

5. **Approval of Conditional Use Permit Application CUP #06-07 for Kyle Farr's Corn Maze located at approximately 2550 N. to 2600 N. and 300 E. To 400 E**

Staff presented the following report:

The petitioner is requesting approval of CUP 03-07 for a corn maze on a 9.26 acre parcel of land residing in the A-1 zone. Chapter 5 Agricultural Zone A-1 lists "circus or transient amusement" as a conditional use.

The corn maze will measure approximately 8 acres. Accessible portable bathrooms, a temporary concession stand, a temporary ticket stand and a parking area will be provided in addition to the maze. 110 parking stalls with dimensions of 12' x 20' are provided with a surface of grass. Because of the transient nature of this operation, pavement of the parking is not required per Chapter 24 (Parking and Loading Space, Vehicle Traffic and Access Regulations) of the Zoning Ordinance

The corn maze will open around Labor Day and close around Halloween. From the time it opens until 6:30 pm the maze will be open to families and from 6:30 pm until 10:00 pm it is open to anyone. Large flood lights will be provided near the ticket stand for patrons. According to the petitioner, lights from commercial buildings on adjacent parcels also provide adequate light at sunset hours. Two emergency exits are provided in the maze. The petitioner also plans to use a ticket system to keep track of who enters and leaves the maze.

Questions to Ask:

1. Are the hours of operation acceptable? Should they be limited to daylight hours?
2. Chapter 24 (Parking) of the Zoning Ordinance does not specify the number of required parking stalls for a circus or transient amusement. Is the number of proposed parking stalls shown adequate for the proposed use?

Conformance to General Plan:

This proposal conforms to the General Plan's Goals & Objectives by promoting and maintaining rural character by providing a crop and an enjoyable local and tourist attraction.

Conditions for Approval:

1. Requirements and recommendations of the Weber County Building Inspection
2. Requirements and recommendations of the Weber County Engineers Office
3. Requirements and recommendations of the Weber County Fire Department
4. Requirements and recommendations of the Weber County Health Department

Staff Recommendations:

1. Staff recommends approval subject to staff and other agency comments and recommendations.
2. If the petitioner wishes to build a maze next year a review of this CUP should take place to determine appropriate changes, etc that need to be addressed.
3. Conditional Use Permit approvals/denials are appealable to the County Commission within 15 days of the Planning Commission decision.

Kyle and Dennis Farr, 2559 N. 400 E., are the petitioners for this project. Kyle Farr stated that it would be an 8-acre corn maze and it would open September 27 to November 3, 2007 and would be located at 2550 North to 2600 North and 300 East to 400 East. Part of the proceeds from the maze will be a charitable donation. He had met with numerous people in the Health Department to cover the sanitary and food handlers permit. He has made arrangements for security and the operating hours would be from 4-5 p.m. to 10 p.m., and 10 p.m would be the latest time tickets would be sold.

Vice Chair Andreotti asked how long would they anticipate a person would be there after selling a ticket at 10 p.m.? Kyle Farr replied that it would be about an hour to an hour and a half. Dennis Farr replied that basically they have a one year window where this piece of property is going to be changing in use. They have a young man who wanted to do something worthwhile and meaningful, so he's trying to do that and donate some of those funds to a charitable contribution. We only anticipate this project operating for one year because the property is in the process of being worked through for commercial development. They are conscientious of some of those needs and concerns of the residents of the Three Fountains Condominium project.

The only access to get into the parking would be off of 2550, it is not ideal and it would have been nicer to have gone from the other direction to provide a little barrier to the folks from Three Fountains. That's one reason why they were trying to work out arrangements for security. They knew that there would be concerns over accessibility and getting traffic in and out of there and they are open to work through that.

Commissioner Nilson asked how they would determine how many parking stalls were needed and would they be painted or marked off? Dennis Farr replied that they would be marked off with rope and there would be an attendant to help people park, so as people come in, they would be waved into the spots. The parking stalls are predicated upon the anticipated volume. They know of someone that has done a corn maze for the last several years, and this is 1/3 larger than the one they had, so they have planned 30 additional stalls. They have been in full communication with North Ogden City, which this sits within their city boundary but it's unincorporated Weber County property. They have about 300 parking stalls at the Aquatic Center, so in case of inclement weather or overflow, they have been working with them for an arrangement to allow that to happen. They have not finalized it, but they have openly discussed it with the city.

Commissioner Nilson asked if they could guess on the number of attendees per day or weekends. Dennis Farr replied that they had been told by others that Fridays and Saturdays would be the heaviest attendance. They have anticipated operating on Saturdays from noon until ten and that there could be up to 500 people on that day. During the weekday, that unless they had a youth group attendance would be extremely sparse.

Commissioner Hansen asked if it would be opened on Sundays. Dennis Farr replied no.

Commissioner Hansen asked about the fees and what they were going to charge? Kyle Farr replied that it would be \$8.00 to \$10.00 for adults and group fees would be less, depending on the number of people.

Vice Chair Andreotti asked how they would manage the refuse from the concession stand? Dennis Farr replied the garbage would be thrown in large garbage barrels and those would be hauled off. They have already communicated with some Waste Management as well as the John Company for the human waste disposal. They'll transport those weekly or more frequently depending on what their needs would be. There would be two portable bathrooms.

Commissioner Nilson asked about the safety and security if they have a fence around the project so that people can't exit some other location? Dennis Farr replied that there was a fence there, a net on the lower portion and barb wire on the top. The side that was not fully secured was the south side coming off of 2550 and the access to the parking area.

Commissioner Ferre asked would the lighting go into the perimeter? Dennis Farr replied yes, the neighbor to the west currently had a large barn and there would be a strobe light there that would point into the parking and front of the maze portion. They will have portable light that would be generator operated by the concession area. The light would be facing away from 2550 and into the parking and the maze area.

Commissioner Hansen asked if the resident on the west side of that was agreeable to this? Kyle Farr replied yes.

Mike Dunn, 325 E. 2550 N., #95, Chairman of the Homeowners Association, stated that their only entrance and exit into the complex was off of 2550. If they could find a way to operate off of 2600, it would save a lot of problems. With the increases traffic, there would be a lot of problems, especially on the weekends. Another problem with operating off of 2550 is they are going to have garbage blowing across the street and into their area and they don't need the additional garbage blowing into there. They are also concerned about trespassers. They have "no trespassing signs" but that doesn't stop people. If their parking lot is full, they will be looking for someplace else to park, and the complex being right across the street, would be prime for parking area.

The portable toilets are a concern. They have two complexes that would face the field where those portable toilets would be. If this does get approved, they would ask the board to have some sort of security provided to prevent trespassing into their area.

Kyle Farr replied that as far as the parking, the Aquatic Center has 300 paid stalls, and they have talked with them and North Ogden City. They have also made arrangements for security to keep the people from going into the condominiums. As for the trash, they would have weekly pickups and the staff and volunteers on a daily basis would help pick up around there to make sure none of that got into their property. Dennis Farr replied that there would be an option to put the portable toilets on the lower end, but they didn't think of that because of the gates. However, because both ends were lit, that would be an option and they could make the adjustment. That would make sense and their desire would be to work with leadership parties of the condominium project. They would work with them to resolve or minimize some of their concerns. They have already dealt with security with an off-duty officer, knowing that there was a concern about security on their side of the street.

Vice Chair Andreotti asked about putting something around the Port-o-Potties? Kyle Farr replied that they could that. Dennis Farr stated that based on the new perspective, they would try to put it down in another corner of the parking area as close to the maze as possible. As far as building something over and around, there are some county ordinances and restrictions that they would have to follow as far as compliance with building permits, etc. Anything that would be a semi-permanent structure, they could probably create something that would give an extra outer wall, where you put some posts and some cedar fence where they could create a privacy gate to get in and out of those port-o-potties. That could be done, but they hadn't thought of putting anything on the top of them. They are willing to comply with the best resolutions to those couple of things.

Commissioner Hansen asked if they have talked to North Ogden City to see what duration they would support? Dennis Farr replied that they would provide an increased location as they come through there, and even a presence if they had a break time, they would come in and they would provide a break for them. There would be policeman there on a fairly regular basis. They have communicated with two or three officers to provide that security off-duty, that they would come on given nights to be there as a full-time presence. It would be appropriate, whether it be police or some other person, on the Three Fountain development, there could be a presence on that side of the street that could check any traffic going in there to help restrict or prevent unwanted guests from going into their complex. The important thing when dealing with traffic control is that you have ample help with fluorescent lighting to wave people in so there is no stopping as they come in and out of those parking areas.

Commissioner Ferre asked if any parking would be allowed in the street? Dennis Farr replied no, there is a fire station there, and they will have to have it man powered so they will make sure no one parked on the street.

Chair Davis asked if they had already gone over this with the Fire Department? Dennis Farr replied no, not directly. They have worked indirectly and worked with North Ogden City who has been in communication with North Ogden Fire Department.

MOTION: Chair Davis made a motion to approve Conditional Use Permit Application CUP #06-07 for Kyle Farr's Corn Maze located at approximately 2550 N. to

2600 N. and 300 E. To 400 E. with the conditions for approval with the County Building Inspections Engineer's Office, Health Department, Fire Department, with the clarification that the Port-a-Potties be in the newly discussed location and that some signs for parking at the complex across the street, along the street directing people where they can and cannot park. Commissioner Hansen seconded the motion. A vote was taken and Vice Chair Andreotti said the motion carried with all members present voting aye.

Vice Chair Andreotti stated that Conditional Uses are appealable to the County Commission within 15 days.

1. Approval of Manufacturing Site Plan MSP #01-07 by Brad Russell located at approximately 9281 W. 900 S., for the development of a dog kennel for breeding all breeds of dogs

Staff presented the following report:

Findings of Fact:

The petitioner, Mr. Brad Russell, is requesting Site Plan Approval to develop a Dog Kennel for the keeping and breeding of all breeds of dogs. The property falls within a Manufacturing M-3 zone which list Dog kennels as a permitted use. Mr. Russell is requesting to maintain up to forty dogs above the age of four months and the amount of dogs under the age of four months is to vary depending on how many females are bred at any one time.

The petitioner has violations of the Weber County Junk Ordinance on this site which need to be addressed. A trailer is being used as storage on the site which needs to be removed as it does not meet Building Code. Misc. items such as unused or discarded building materials, etc. should be removed so as not to create a fire or other hazard to public health, safety and welfare. There is a rodent problem on the site and a method should be given to control and maintain cleanliness.

March 22nd the Facility Manager of the Animal shelter and The code enforcement officer made a routine visit; four dogs were observed being housed on site, two Weimaraner's, two Boxers. The dogs were removed but the instruction from The Planning Commission was that there were to be no dogs housed on site until a site plan was reissued and all conditions for approval were met.

Kennel and Dog Area Specifications:

There are three sizes of dog houses, (7) 8'x6', (12) 4'x6', and (1) 5'x16'. Each dog run includes a 16' concrete slab with a 16' gravel area and a 90' long dirt run. Each dog run is fenced. There is also a dog run outside of main Kennel to be used by guard dogs.

Landscaping

The site plan shows 11 (5) Gallon bushes, which will grow to 7' in height and 7' wide. They will be spaced at 12 ft. intervals on the northwest side of the property. Cobble rock is proposed on all sides of the kennel and the driveway. Eighty percent of the Landscaping has been installed.

Parking: Is adequate.

Storm Water Pollution Plan:

The Weber County Engineer has approved a Storm Water Pollution Prevention plan for the entire site requiring the applicant to build dikes whereas necessary to contain the storm water run off. The dog run areas have many low spots and are not level which will trap water and waste run off, for proper drainage, these areas need to be leveled.

Weber County Animal Control's Concerns:

Animal control submitted a list of their comments, concerns and requirements regarding this site plan. Site drainage, breeding techniques-ie. puppy separation, dog comfort methods, kennel cleanliness and adequate medical record keeping. They are also requesting weekly site inspection visits for at least a one-year period.

Weber Fire District Concerns:

Due to the Fire risk in this area the Fire District requires a Thirty Foot "green area" around this structure (all four sides) It shall be grass common to the area and kept watered and mowed to a height not to exceed four(4) inches, to meet Fire Code.

Conditions for Approval:

1. Site Plan requirements and comments and concerns as listed in this staff report including the possibility of limiting the type of dog breeds.
2. Limiting the number of dogs between 20-30 not including Puppies up to four (4) months in age.
3. The entire dog run from the concrete area is to have a pea-gravel surface due to sanitary and drainage concerns
4. The Weber County Engineer's Storm Water Pollution Prevention Plan
5. Weber Fire District requirements which includes a detailed weed prevention plan, and removal of all weeds in and around the Kennel.
6. Weber County Building Inspection requirements
7. Weber County Health Department requirements which outlines the conditions for waste removal.
8. Weber County Animal Control requirements.
9. Satisfaction of Utah Human Society letter of concerns
10. A business license must be obtained and maintained before final occupancy
11. Financial guarantee prior to final occupancy

Staff Recommendations:

Staff recommends The Planning Commission to determine whether all conditions are met and a site plan may be issued.

Commissioner Ferre asked when the license was revoked? Staff replied that it was revoked in November.

Brad Russell, Petitioner, stated that as far as he knew, he had complied with all the issues that he had been given and were in the staff report.

Chair Davis asked staff to clarify that this issue was about the kennel permit and not about the site plan approval? Staff replied the site plan approval was for the kennel permit. He had violations and they would have to be cleaned up before any permits would have to be issued.

Vice Chair Andreotti stated that this has been the third time on this issue, and he would like to see ways to get these things all cleared up.

Commissioner Hansen stated that he would like to see the completion of this and the verification that all these have been taken care before they make a decision to approve or not. There was a lot left to be done and they have discussed for months, and this should have been done a long time ago, and has been motivated by the county for action to be taken care of.

Chris Allred, Legal Counsel stated that they could have staff identify right here and now for the record the specific things so there's no question in Mr. Russell's mind, the Planning Commission's mind, or staff's mind.

Vice Chair Andreotti stated to get this solved right now, what is needed? Let's get the list and get them in the record so that Mr. Russell knows what needed to be done so that they were clear and understand what would be done.

Staff read the Conditions for Approval from one through eleven from the staff report and stated the addition would be the junk that they have talked about was the trailer, which had the same lock that the kennel had. That was item twelve:

12. Trailer must be removed, the junk around the trailer removed.

Staff then handed Mr. Russell a copy of the staff report with the conditions for approval.

Staff stated that Mr. Russell had applied for a business license, but they had not been able to issue him a license because he had not been in compliance with these issues. He would need to get his business license and that can't be done until all of the conditions have been resolved. Staff also stated that Mr. Russell needed to give a financial guarantee to the Engineering

Department, for curb and gutter which was a requirement that the Engineers had asked for because it may not be in place for another 10, 15, 20 years, but there had to be a guarantee. Mr. Russell had been made aware of that from the County Engineer when they talked to him about his Prevention Pollution Plan.

Vice Chair Andreotti asked if this was any different from anybody who gets a waiver at this point? Staff replied that he could approach the County Commission for a deferral to the curb, gutter, and sidewalk.

Staff stated that Mr. Russell had to have a plan to combat the rodents. There was a severe rodent problem in that area, not just with Mr. Russell's Kennel but in that whole general area. That would be part of the animal control issue because the rodents having diseases and biting and/or infecting the dogs. Chris Allred, Legal Counsel, asked if that was required for the kennel permit from animal control? Staff replied yes. Mr. Allred stated that Animal Control would need to get the plan from Mr. Russell, he doesn't know if the Planning Commission wants to spend a lot of time on those requirements because the petitioner was going to straighten that out with them. Regardless if the Planning Commission gave approval today, that still wouldn't obligate Animal Control to give him that license.

Staff stated that Animal Control was asking that they do weekly on-site visits for a year to make sure that compliance was kept.

Vice Chair Andreotti asked if there was anything wrong with limiting the number between 20 and 30 dogs? Mr. Russell replied that when he bought the property, it was with the intention of putting up a dog kennel. He stated that 20 or 30 would not be adequate to pay the bills to make it a profitable venture. He said he had ten acres out there, and he didn't understand why there would be a reason to limit the number of dogs. Staff indicated that originally it was 40, then it went to 100, and now it went back down to 50. The other option the Planning Commission has is to limit the number with the caveat that the Planning Commission would review in a year to see if it was satisfactory.

Vice Chair Andreotti stated that Animal Control would be in charge of the breeds and the number of dogs allowed. Staff stated that Mr. Russell needed to go to these agencies and have them provide a letter saying that he met all these conditions, and they are hereby signing off on the project.

MOTION: Commissioner Hansen made a motion to table the Manufacturing Site Plan MSP #01-07 by Brad Russell located at approximately 9281 W. 900 S., for the development of a dog kennel for breeding all breeds of dogs until the next meeting, due to the concerns that they have and the number of things that were in noncompliance. Chair Davis seconded the motion

DISCUSSION: Commissioner Ferre stated that he hadn't written these items down and he has this list that staff clarified and Mr. Russell would come back and say that he did this, but the Planning Commission didn't tell him about the particulars.

Vice Chair Andreotti stated that it was valid input but if he gets the right documents signed, some of these will not be a problem.

Chair Davis stated that with every requirement there's a letter, either from staff that the debris is gone or a letter from animal control that he had met all the requirements to obtain a kennel permit. There was a document that should come before the Planning Commission for each one of those items and that was pretty clear that he needed to get that signed off by someone else to verify it.

Commissioner Hansen stated that after these many months, he has not taken notes, they have given Mr. Russell the issues, but he had no records of own and depended on other people for

notes and records. For the record, they have clearly stated the issues and have given him the list of 11 items plus a couple of others. Some have been accomplished, plus a couple of others, they stated it, made a discussion of the issues, told him they had to have outside verification either by letter or something that he had accomplished this.

Commissioner Ferre asked if staff could not schedule him if he hadn't met with all of these requirements? Staff replied yes that they wouldn't put him on the agenda until he had the requirements done because it was made very clear what he had to do.

Commissioner Hansen stated that their intent would be to continue to table, until he came into compliance, or that they could in the next meeting disapprove it. That would be an option and if he had the desire and wanted to instead of by inches, he could just get it done. All they want him to do is to comply.

VOTE: A vote was taken and Vice Chair Andreotti said the motion carried with all members present voting aye.

Staff stated that there was a mandatory training on May 31 and June 1. This was for a community planner seminar, and that they needed to contact Sherri by Friday, so they could get signed up and have the requisition drawn up to pay for the training.

The second issue is that Sue Wilkins resigned, and Becky Messerly's and Bruce Ferre's term will expire soon. If they wish to be reappointed, they need to fill out an application. Staff has advertised for members and if they know someone who would be interested they could come to the County building and get a board application.

6. Adjourn

THERE BEING NO FURTHER BUSINESS, the meeting was adjourned at 6:30 p.m.

Respectfully Submitted,

Kary Serrano, Secretary
Weber County Planning Commission