

AGENDA

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, August 11, 2014
7:30 p.m.

Commission Meeting Room
Courthouse Plaza East

(Procedure: Open joint meeting of the Riley County Planning Board/Board of Zoning Appeals.)

I. OPEN PUBLIC COMMENTS

II. CONSENT AGENDA

1. Consider the minutes of the July 14, 2014 meeting.
2. Consider the Report of Fees for the month of July 2014.

(Procedure: Adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and convene as the Riley County Board of Zoning Appeals.)

III. GENERAL AGENDA- RILEY COUNTY BOARD OF ZONING APPEALS

1. Public Hearing to consider the request of Dell Ann Upp, petitioner and Dell Ann & Kelly Upp, owners, for a **Conditional Use Authorization** to permit an Events Center in the "AG" (Agricultural District) zoning designation.

(Procedure: Adjourn as the Riley County Board of Zoning Appeals and convene as the Riley County Planning Board.)

IV. GENERAL AGENDA- RILEY COUNTY PLANNING BOARD

1. **Table** a public hearing at the request of LAWE, LLC (David H. Tegtmeier, Registered Agent), petitioner, and LAWE, LLC (David & Danielle Tegtmeier), owners, to **rezone** a tract of land from "AG" (Agricultural District) to "C-PUD" (Commercial Planned Unit Development) **and plat** a 6.61-acre portion of said tract of land into one (1) lot, all in Wildcat Township, Section 8, Township 10 South, Range 7 East, in Riley County, Kansas. **ACTION NEEDED: Continue to table item to the September 8, 2014 Riley County Planning Board meeting.**
2. Manhattan Urban Area Comprehensive Plan update.
3. Big Blue Floodplain Management Plan update.
4. Flint Hills Area Transportation Plan update.
5. Agritourism Task Force update.

(Procedure: Adjourn the Riley County Planning Board meeting.)

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, July 14, 2014
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Lorn Clement, Chairman
Dr. Tom Taul, Vice-Chair
Diane Hoobler
Julie Henton
John Wienck

Members Absent: None

Staff Present: Monty Wedel – Director, Bob Isaac – Planner, Lisa Daily –
Administrative Assistant

Others Present: Mackenzie DelRosso, Olivia Law-DelRosso, Shonna Zimmer, David
Zimmer, Brandon Yonning, Devin Zimmer, Dylan Zimmer, Bryce
Trumpp, Patrick Brazzle, Cassandra Brazzle, Dustin Olson, Lee Penner,
Jason Burgess and Kaden Burgess

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the June 9, 2014 meeting were presented and approved. The Report of Fees for the month of June (\$5,251.00) were presented and approved.

Julie Henton moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and convene as the Board of Zoning Appeals. Diane Hoobler seconded. Carried 5-0.

BOARD OF ZONING APPEALS

Delrosso – Conditional Use

Lorn Clement opened the public hearing at the request of Mackenzie Delrosso, petitioner and Ron & Barbara Price Trust, owners, for a conditional use authorization to allow for a commercial outdoor recreational facility (motocross track) in the "AG" (Agricultural District) zoning designation.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. He said the applicant designed and constructed a private motocross race track for personal use just north of his residence. He stated the applicant wishes to expand the use of the track and allow others to use the track for training and practice purposes through a paid membership.

Mr. Isaac said it was determined that the applicant was establishing an outdoor recreation facility as per the Table of Allowed Uses in Section 8 of the Riley County Zoning Regulations. He stated a conditional use authorization would be needed to proceed.

Staff recommended approval of the request with the conditions as listed in the staff report.

The applicant handed out a flyer to the Board members that provided a list rules and regulations of the membership which were also required by his insurance company. Mackenzie Delrosso stated that he and his wife purchased the property three and half years ago to live and keep their horses. He stated that he got involved in racing several years ago and created the track for practicing. He stated he would also like to allow others to use the track for practicing.

Mr. Delrosso said he contacted several other race track owners to obtain information on how to set up such a track. He said that in April of 2014, he formed a limited liability company in order to obtain insurance. He said soon after, he received a violation notice from Riley County that he was not in compliance with the Riley County Zoning Regulations. He stated that he intends to put in a wind break to screen the track, reduce noise and wind erosion. He stated that no fill material was brought in to make the track so the land could be converted back to agricultural use.

Diane Hoobler asked if there any residences nearby.

Mr. Delrosso said the nearest neighbors were in attendance tonight, the Zimmer's and both of their sons ride on the track and are members.

Chairman Clement asked if there were any proponents within 1000 feet. There were none.

Chairman Clement asked if there any opponents within 1000 feet. There were none.

John Wienck moved to close the public hearing. Diane Hoobler seconded. Carried 5-0.

Lorn Clement asked if emergency vehicles and helicopters will be able to access the property if needed.

Mr. Delrosso said emergency access is a requirement for insurance and he has a separate gate for this, however, the vehicles will have to drive through the pasture. He said he also has an ATV with a bed on the back if needed.

Tom Taul referred to the rules on the flyer that states non-members may be a guest of a member for riding purposes only. He questioned condition #2 which indicates the maximum number of members permitted at one time is limited to twelve (12) persons.

Mr. Delrosso replied there would only be twelve (12) people total at one time.

Mr. Taul replied the condition says twelve (12) members.

Diane Hoobler asked how this enforcement would be done.

Mr. Delrosso said for insurance purposes he has to be on site at all times when others are using the track. He said that one of the rules is to "call before you haul", so that he can let others know if the track is full.

Bob Isaac stated he will amend condition #2 to include guests in the maximum number allowed at one time.

Tom Taul moved to approve the request for a conditional use authorization to allow for a commercial outdoor recreational facility (motocross track) in the "AG" (Agricultural District) zoning designation with the text amendment to condition #2.

John Wienck seconded. Carried 5-0.

John Wienck moved to adjourn the Board of Zoning Appeals meeting and convene as the Riley County Planning Board. Julie Henton seconded. Carried 5-0.

RILEY COUNTY PLANNING BOARD

Penner – Plat & Rezone

Lorn Clement opened the public hearing at the request of Lee & Cindy Penner, petitioners, and Orlando L. & Lucinda C. Penner, owners, to rezone a portion of a tract of land from “SF-4” (Single Family Residential) to "AG" (Agricultural District); rezone a portion of the same tract of land from “AG” (Agricultural District) to “SF-4” (Single Family Residential) and plat a portion the same tract of land into one (1) lot all in Wildcat Township, Section 30, Township 9 South, Range 7 East, in Riley County, Kansas.

Bob Isaac presented the request. Mr. Isaac described the background, location and physical characteristics of each proposed

The Applicant, Lee Penner, said they purchased the property to preserve the prairie and put the land back into the original quarter section. He said that his daughter and son-in-law have since purchased the home.

There were no other proponents or opponents in attendance of the meeting.

Tom Taul moved to close the public hearing. John Wienck seconded. Carried 5-0.

Staff recommended that the Planning Board forward a recommendation to the Board of County Commissioners to approve the request to rezone a portion of a tract of land from “SF-4” (Single Family Residential) to “AG” (Agricultural District); rezone a portion of the same tract of land from “AG” (Agricultural District) to “SF-4” (Single Family Residential) for reasons listed in the staff memo. Staff also recommended that the Board approve the of the concurrent plat of Huckleberry Hollow, as it has been determined to meet the minimum requirements of the Riley County Subdivision Regulations, Zoning Regulations and the Sanitary Code.

Tom Taul moved to approve petitions #14-12, #14-13 rezonings and #14-14 the concurrent plat of Huckleberry Hollow, for reasons listed in the staff report. Diane Hoobler seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on July 31, 2014, at 9:30 am, in the Commission Chambers.

Trumpp – Residential Use Designator – Extraneous Farmstead & Plat

Lorn Clement opened the public hearing at the request of Bryce Trumpp, petitioner, and Bryce & Lindsey Trumpp, owners, to receive a Residential Use Designator - Extraneous Farmstead and plat a tract of land into one (1) lot, in Bala Township, Section 8, Township 8 South, Range 5 East, in Riley County, Kansas.

Bob Isaac presented the request. Mr. Isaac described the background, location and physical characteristics of the proposed tract.

Staff recommended approval of the request to receive a Residential Use Designator – Extraneous Farmstead as it has been determined that each request meets the minimum requirements of the Riley County Zoning Regulations. Staff also recommended that the Board approve the

concurrent plat of Trumpp Subdivision, as it has been determined to meet all requirements of the Riley County Subdivision Regulations, Zoning Regulations and the Sanitary Code.

Chairman Clement asked if the Applicant wanted to speak. He had no comments.

There were no other proponents or opponents in attendance of the meeting.

John Wienck moved to close the public hearing. Julie Henton seconded. Carried 5-0.

Tom Taul moved to approve petitions #14-15 Residential Use Designator – Extraneous Farmstead and #14-16 the concurrent plat of Trumpp Subdivision, for reasons listed in the staff report. John Wienck seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request to plat the property on July 28, 2014, at 9:00 am, in the County Commission Chambers.

Agricultural Exemptions

Monty Wedel said that John Wienck had called with questions concerning agricultural exemptions. Monty said he decided it would be useful to have a member of the planning board review the agricultural exemption applications with staff and John agreed to do that. Mr. Wedel requested feedback on this procedure. The other Board members approved of the idea.

Manhattan Urban Area Comprehensive Plan update

Monty Wedel wanted to remind the Board members of the next round of meetings which will start Wednesday, July 16th at 7:30 am at the County Shop. He said that this meeting will address development to the north and around the County Shop site. He said owners within the area were notified by mail of this meeting.

The evening of July 16th there are concurrent meetings in Pottawatomie County and City of Manhattan to include the whole Manhattan area, Aggieville (high density housing) and Riley County.

Mr. Wedel said there will be a City-County-County meeting on July 17th to discuss the meetings from the 16th and also a project advisory committee meeting at 6:00 pm.

Big Blue Floodplain Management Plan Update

Monty Wedel stated there will be a City-County-County meeting on August 21, 2014 in the City Commission room in which Brian McNulty, the manager at Tuttle Creek, will be giving a presentation on the 1993 flood and how it was managed. He said the meeting will also provide information on upcoming flood insurance changes.

Flint Hills Area Transportation Plan update

Monty Wedel said as part of the Metropolitan Planning Organization effort, a regional transportation plan needs to be prepared. He said that a consultant has been hired and the plan will be using our land use and the urban area land use which will dictate where transportation needs will be.

Agritourism Task Force update

Monty Wedel stated a meeting is scheduled for August 14, 2014.

Tom Taul said that Prairiewood has expanded their operation to the stone house off Anderson Avenue.

Monty Wedel replied that the site is a limited PUD and staff is currently investigating it.

John Wienck moved to adjourned. Tom Taul seconded. Carried 5-0.
The meeting was adjourned at 8:46 P.M.



**RILEY COUNTY
PLANNING & DEVELOPMENT**

REPORT OF FEES

July 2014

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
07-02-2014	Lundberg, Repair Permit	\$ 75.00
07-02-2014	DJ Carpenter, Building Permit #14-0066 & 14-0067	450.00
07-02-2014	Funk, Radon kit	10.00
07-08-2014	Schenck-Hamlin, Radon kit x 3	30.00
07-08-2014	Leopold, Water Screening Report	8.00
07-08-2014	Foremost, Floodplain Development Permit	75.00
07-09-2014	SMH, Plat-Rezone-Utilities (Tegtmeier)	610.00
07-09-2014	Thomas, Water Screening Report	10.00
07-14-2014	Schapaugh, Water Screening Report	10.00
07-15-2014	Cook, Wastewater system	100.00
07-15-2014	S&J Daycare, Water Screening Report	8.00
07-15-2014	Adams, Water Screening Report	2.00
07-15-2014	Sheffield, Copies	10.75
07-15-2014	Farley, Repair Permit	75.00
07-17-2014	Darrah, Sign Permit x 2	100.00
07-18-2014	SMH, Utilities (Tegtmeier)	60.00
07-18-2014	SMH, Profile hole (Tegtmeier)	150.00
07-21-2014	Brenner, Water Well	75.00
07-21-2014	Andrews, Repair Permit	75.00
07-21-2014	Prochaska, Water Screening Report	8.00
07-22-2014	Patterson, Water Screening Report	20.00
07-22-2014	Roberts, Variance	300.00
07-23-2014	Hargadine, Repair Permit	75.00
07-23-2014	Butler, Repair Permit	75.00
07-24-2014	Springer, Rezoning	450.00
07-25-2014	Carson, New Septic System	150.00
07-31-2014	Hays, Water Screening Report x 2	20.00
	TOTAL	\$3,031.75
<u>DEPOSITS MADE:</u>		
07-11-2014	\$ 1,268.00	
07-15-2014	75.00	
07-25-2014	1,518.75	
07-25-2014	150.00	
07-31-2014	20.00	
TOTAL	\$3,031.75	

Permit #	App Date	Ownr	Type of Bldg	Use of Bldg	Const Cost	Amnt Paid	Property Address	City & Zp
14-0066	07/02/2014	Tuttle Creek Shooting Park LLC	Commercial	Storage facility	\$40,000.00	\$225.00	6364 Tuttle Creek Blvd	Manhattan (66503)
14-0067	07/02/2014	Tuttle Creek Shooting Park LLC	Commercial	Storage facility	\$60,000.00	\$225.00	6364 Tuttle Creek Blvd	Manhattan (66503)
14-0068	07/25/2014	Russell K. Briggs Trust	Commercial	Garage/dog kennel	\$6,000.00	\$0.00	1598 Recreation Dr	Manhattan (66503)



PLANNING & DEVELOPMENT

STAFF REPORT

Conditional Use

PETITION: (#14-18) Conditional Use

APPLICANT: Dell Ann Upp
5104 Grand Vista Ct.
Manhattan, KS 66503

PROPERTY OWNER: Dell Ann & Kelly Upp
5104 Grand Vista Ct.
Manhattan, KS 66502

REQUEST: A conditional use authorization to permit an Events Center in the "AG" (Agricultural District) zoning district.

SIZE OF TRACT: The subject site is approximately 14.78 acres.

LOCATION: Generally located approximately 1,315 feet east of Deep Creek Lane, on the south side of Deep Creek Road; Section 2, Township 11 South, Range 8 East; Zeandale Township.



BACKGROUND: The applicant desires to refurbish and convert an old barn into an events center for the primary purpose of hosting wedding ceremonies and receptions.

DESCRIPTION:

Physical site characteristics: The tract is a 60-acre unplatted, tract that consists of a mix of wide-open grasslands and a heavily-wooded riparian area that runs along School Creek (near the center of the parent tract). The southern boundary of the conditional use area will include a portion of the riparian area.

General character of the area: The area is a mix of pasture, open space and neighboring large-lot single family residential development.

ZONING:

Zoning History: The subject site has been zoned agricultural since at least 1974. In 1979, a Conditional Use was approved for facilities for maintenance of horses for recreational and commercial purposes (Petition #79-25).

Current zoning: The subject property is currently zoned “AG” (Agricultural District).

COMMENTS AND CONCERNS:

ENVIRONMENTAL HEALTH: Environmental Health staff has reviewed the request and found it is in compliance with the Riley County Sanitary Code. These standards include proper food and beverage safety, the provision of an adequate potable water supply and adequate provisions for the disposal of solid waste and wastewater. The organizer must provide a minimum of two (2) sanitary facilities, regardless of the number of participants in the event. If the organizer anticipates more than two hundred (200) participants, a sanitary facility shall be provided for each additional one hundred (100) participants. If the Riley County Environmental Health Specialist finds that additional facilities are necessary to ensure public health, the organizer shall provide the recommended number or shall restrict participants to the number that corresponds to the sanitary facilities available. For events that involve food, one (1) portable hand washing station must be provided per portable sanitary facility (if not part of the port-a-potty unit).

COUNTY ENGINEER: The County Engineer has reviewed the request. He stated that the access drive shall be a minimum of 24 feet wide, with a near-level area extending 25 feet from the edge of Deep Creek Road constructed whereas a vehicle will set nearly level while waiting to enter onto the roadway. He had no other concerns.

RILEY COUNTY FIRE DISTRICT NO. 1: The Director of Riley County Emergency Management has reviewed the request and stated that because the plan is for a place of assembly, the events center (barn) must meet the State of Kansas minimum building and safety codes per the 2006 IBC and the 2000 NFPA 101.

AMPLIFIED SOUND AND FUGITIVE NOISE: One of the most prominent concerns regarding the proposed use of the property is fugitive noise from amplified music/DJ/MC or live bands emanating from the site when weddings, receptions, reunions, etc. are held. Although the City of Manhattan has policies in place that regulate sound/noise levels (City of Manhattan Code of Ordinances Chapter 22 OFFENSES, Article V, Sections 22-54, 22-55, 22-56), Riley County does not. However, in an effort to address these concerns, the applicant has proposed that the list

of conditions include specific language that establishes quiet hours for the entire facility and controls and/or mitigates amplified sound levels so as to not exceed 65dBA at the property line. A Noise/Sound Analysis was completed and submitted by CollectiveTech (Henderson Engineers, Inc.) for the proposed use (see attached). Certain factors and conditions used in completing the analysis were as follows:

- Typical decibel levels for events such as wedding receptions, reunions, etc. for live bands and DJs;
- Low frequency sound absorption provided by the room finishes;
- Sound attenuation due to distance between the barn and property lines.

Based on these factors and conditions, the analysis concluded that the condition which states: “noise levels from amplification of sound shall be controlled and mitigated so as to not exceed 65dBA at the property line” will be met without concern during the periods in which noise levels in the barn reach 110 dBA levels. The estimated noise level at the nearest property line is 45 dBA, and 42 dBA at the west property line with the barn doors closed. The estimated noise level at the nearest property line is 50 dBA, and 47 dBA at the west property line with the doors open.

In regard to overall noise levels, it may be more accurate to state that the potential disruption to the character of the area caused by fugitive sound has more to do with the *change* of sound level and *type* of sound as compared to the ambient noise level of the existing rural/agricultural area (wind, wildlife, etc.) than overall volume levels that exceed a certain decibel level. Even if the decibel level is kept within the maximum allowable limit as per the requirements of the development plan, it is still possible that fugitive sound will still be heard beyond the boundaries of the subject site. On the other hand, it is also possible that even at reasonable levels, the mere *frequency* or number of events causing the sound could increase the annoyance level of surrounding property owners.

Finally, at this time, it has not been ascertained or concluded as to what level of noise to expect from non-amplified sources such as people talking, laughing, yelling, etc. and/or the number of loud vehicles leaving an event. There is the potential that this could negatively effect on surrounding properties.

STAFF RECOMMENDATIONS: Staff recommends the requested Conditional Use be approved with the following conditions:

1. This Conditional Use permit shall only be for an Events Center to host activities and events, such as weddings, wedding receptions, charity fundraising events, corporate retreats, and recreational, social or religious functions. There shall be no overnight lodging.
2. The barn (as shown on the site plan) shall serve as the principal structure of the events center. The barn and associated structures shall comply with the State of Kansas minimum building and safety codes per the 2006 IBC and the 2000 NFPA 101. A code footprint must be submitted to and approved by the Fire Chief before construction/remodeling begins.
3. All requirements of the Riley County Health Department and other health authorities shall be met. These standards include proper food and beverage safety, the provision of an adequate potable water supply, including hand washing stations located in the food preparation areas and adequate provisions for the disposal of solid waste and wastewater. The organizer must provide a minimum of two (2) sanitary facilities, regardless of the number of participants in the event. If the organizer anticipates more than two hundred (200) participants, a sanitary facility shall be provided for each additional one hundred (100) participants. If the Riley County Environmental Health Specialist finds that additional facilities are necessary to

ensure public health, the organizer shall provide the recommended number or shall restrict participants to the number that corresponds to the sanitary facilities available. For events that involve food, one (1) portable hand washing station must be provided per portable sanitary facility (if not part of the port-a-potty unit).

4. Maximum number of motor vehicles allowed on site shall be eighty-six (86).
5. All drives and parking areas (including handicap parking) shall be located within the conditional use boundary and consist of all-weather surfacing. Parking shall only be permitted in designated parking areas and shall be designed to allow for adequate maneuvering of motor vehicles. Event parking along Deep Creek Road shall be prohibited. Parking may not overlap onto adjoining property without advance written consent of the affected landowner.
6. The access drive from Deep Creek Road to the parking area shall be a minimum of 24 feet wide. Additionally, a near-level area extending 25 feet from the edge of Deep Creek Road shall be constructed whereas a vehicle will set nearly level while waiting to enter onto the roadway.
7. Any building or structure, in which dances, playing of music or other amplification of sound will occur, must be reasonably insulated to mitigate the migration of noise to adjoining properties. Noise levels from amplification of sound shall be controlled and mitigated so as to not exceed 65dBA at the property line. dBA shall be equivalent – continuous sound levels (Leq) which shall measure amplified noise generated within the property over a 10 minute period along the involved property line. Quiet hours during which no amplified sound will be permitted shall be posted on site and shall be between the hours of 11:00 PM and 11:00 AM.
8. Emergency services shall be provided the ability to respond to emergency situations, including police, fire and emergency medical response needs.
9. All proposed lighting sources shall be aimed or shielded so the direct illumination is confined to the property on which the use is located. The operation of searchlights or similar lighting sources is prohibited.
10. One non-illuminated sign subject to compliance with all applicable provisions of **Section 15 – Signs and Exterior Lights**. Way-finding signs shall be permitted within the conditional use boundary.
11. The site shall be maintained and left free of debris or litter following any event.
12. Designated personnel from Riley County Police Department, Riley County Fire District No. 1, Riley County Emergency Medical Service, Riley County Health Department and/or Riley County Planning & Development shall be authorized to inspect the events center premises for compliance with the provisions of the conditions of this authorization.
13. Maximum number of persons on site at any given time shall be 275 persons, including patrons, guests, caterers, employees, etc., regardless of age.

ATTACHMENTS:

- Vicinity/site map
- Surrounding zoning map
- Site plan
- Sound Study



VICINITY AND SITE

Upp

Conditional Use #14-18

Permit an Events Center in AG

2-11-8

Legend

-  1000' Buffer
-  Site





SURROUNDING ZONING

Upp

Conditional Use #14-18

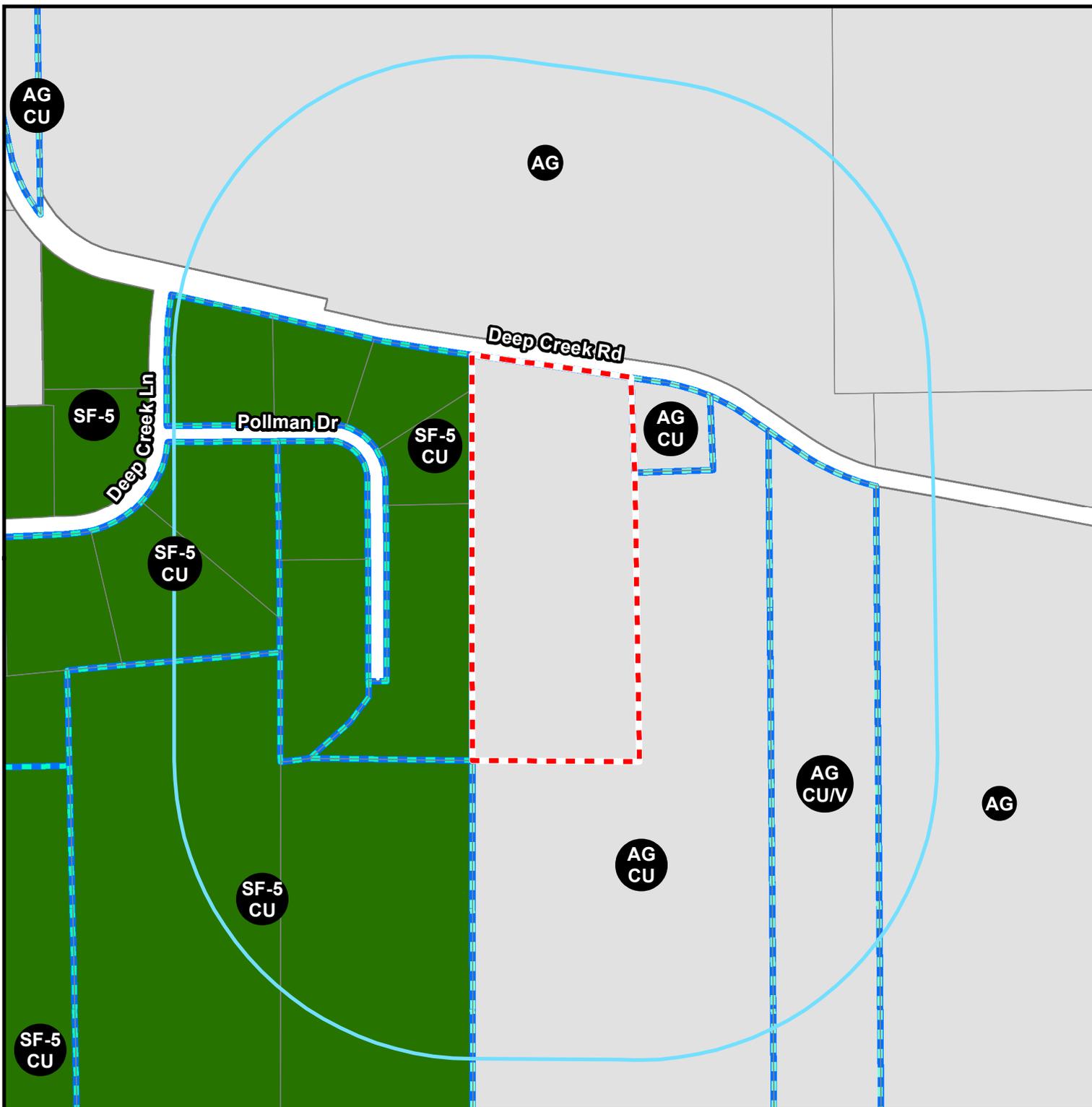
Permit an Events Center in AG

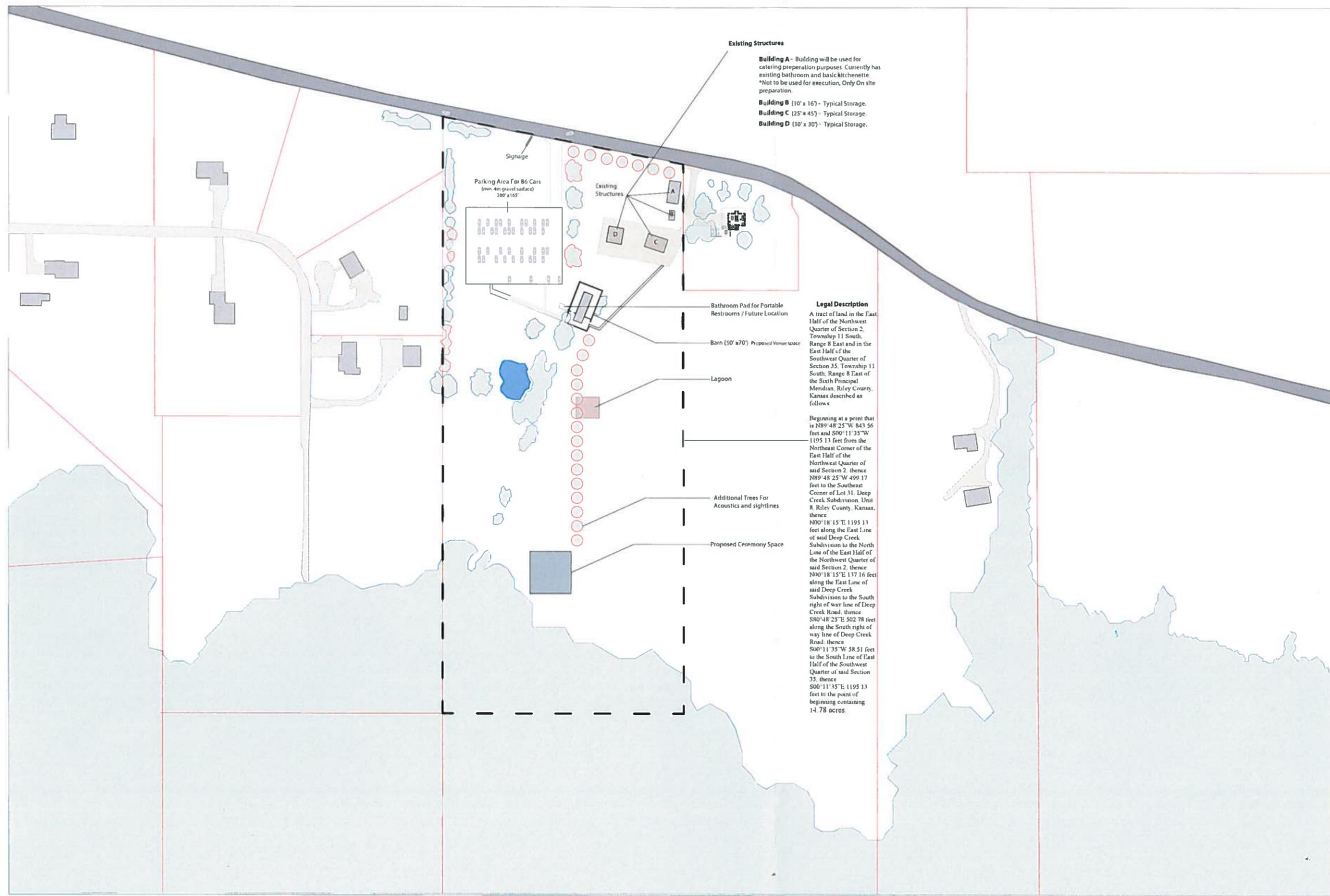
2-11-8

Legend

-  1000' Buffer
-  Site

- | | |
|--|---|
|  SF-1 Single Family |  AG Agricultural |
|  SF-2 Single Family |  N-1 Noise Hazard |
|  SF-3 Single Family |  PUD Planned Unit Dev |
|  SF-4 Single Family |  U University |
|  SF-5 Single Family |  City Boundaries |
|  B-1 Two Family |  Fort Riley |
|  B-2 Multiple Family | |
|  B-3 Mobile Home Park | |
|  C-1 Neighborhood Bus | |
|  C-2 Shopping Dist |  Special Zoning:
Conditional Use
Designator Lot
Special Use
Variance |
|  C-3 General Business | |
|  C-4 Highway Business | |
|  D-1 Industrial Park | |
|  D-2 Light Industrial | |
|  D-3 Heavy Industrial | |
|  D-4 Business Park | |





616 Fort. Riley Blvd.
Manhattan, Ks 66502
785.341.8168
thinkingmodern.com

Upp Barn Restoration
2101 Deep Creek Rd. Manhattan, KS

Date: 7. 30. 14

Job Number :

Revisions :

1" = 100'

A1.1



July 15, 2014

David Miller
M.O.D. Men of Detail
616 Ft. Riley Blvd.
Manhattan, KS 66502
785.341.8168
david@thinkingmodern.com

RE: Deep Creek Event Center
Project No. 1450001608

Dear David:

We have reviewed the site plans for the Deep Creek Event Center in Manhattan, KS for site noise transmission which would occur if the Event Center hosted a live band and/or amplified music for planned functions. The following information is offered in summary.

Ordinance

The Riley County Zoning Regulations addresses site noise for Agricultural District site noise for Rural Resort, Retreat or Event Center in Section 8 Item 6-Q:

The Board of Zoning Appeals shall consider the potential of any use to generate noise that may unreasonably disturb the peace, quiet or comfort of adjacent properties. A benchmark to use in considering annoyance caused by noise shall be whether or not the use generates 65 dBA or greater at the property line, the hours of the day this level of noise is generated and how often this level of noise occurs. If it is determined that such potential for disturbance of adjacent properties exists, the Board shall consider methods to mitigate such noise.

Proposed Site Conditions

The Deep Creek Event Center will be constructed as follows:

The Deep Creek Event Center is approximately 3500 sq. ft. structure that will host wedding receptions and other events that will include amplified music and/or possibly live bands. The structure is comprised of stone walls and a gable roof. The roof construction consists of rigid insulation sandwiched between original corrugated metal and new metal roofing. The gable ends consist of board and batten wood siding. This style of construction, assuming reasonably tight construction and the amplified music being located at the opposite end of the opening, provides an estimated 20 dBA of noise reduction with the sliding doors closed and approximately 15 dBA with the sliding doors open. The doors are assumed to

be the same construction as the gable ends. The closer the amplified music is to the door openings, the less noise reduction the structure offers.

The site plan indicates that the exterior wall of the Deep Creek Event Center is approximately 170 feet away from the nearest property line to the east. This is a residential property line, so our analysis will focus on this location in order to prevent the disturbance of the residences.

The West Property Line, which is 250 feet away, is the next closest property line to the structure. This is also a residential property line, however the increased distance will provide additional attenuation. This property line will be analyzed to prevent the disturbance of neighbors.

Site Noise Analysis

Maximum sound levels that can be expected from sound reinforcement is 100-110 dBA at limited peak times. Our analysis will be based on the worst-case-scenario, so 110 dBA will be used.

After review of the proposed site and preliminary plans for the Deep Creek Event Center and accounting for the conditions, which include:

- Room attenuation by the internal volume of the space;
- Low frequency sound absorption provided by the room finishes; and
- Attenuation due to distance between the event space and the property lines.

The estimated noise level at the nearest property line is 45 dBA, and 42 dBA at the west property line with the garage doors closed. The estimated noise level at the nearest property line is 50 dBA, and 47 dBA at the west property line with the doors open.

Interior Noise Level (dBA)	Noise Reduction of Construction	Exterior Noise Level (dBA)	Distance to Property Line (feet)	Resultant Noise Level at Property Line (dBA)
110	20	90	170	45

East Property Line – Doors Closed

Interior Noise Level (dBA)	Noise Reduction of Construction	Exterior Noise Level (dBA)	Distance to Property Line (feet)	Resultant Noise Level at Property Line (dBA)
110	15	95	170	50

East Property Line – Doors Open

Interior Noise Level (dBA)	Noise Reduction of Construction	Exterior Noise Level (dBA)	Distance to Property Line (feet)	Resultant Noise Level at Property Line (dBA)
110	20	90	250	42

West Property Line – Doors Closed

Interior Noise Level (dBA)	Noise Reduction of Construction	Exterior Noise Level (dBA)	Distance to Property Line (feet)	Resultant Noise Level at Property Line (dBA)
110	15	95	250	47

West Property Line – Door Open

The stated Riley County ordinance of 65 dBA will be met even if the levels reach the peak anticipated levels of 100-110 dBA. In order for the level to reach 65 dBA at the nearest property line, 170 feet away, the level would have to exceed 130 dBA. This level is likely not practical using general sound system equipment without damaging the equipment, as well as the hearing of the listener. As stated above, the closer the amplified music is to the opening, the less noise reduction offered by the space.

The above analysis is based on all amplified music occurring inside.

Please contact me if you have any questions.

Sincerely,

Collective Tech
a division of Henderson Engineers, Inc.



Kevin Butler
 Acoustics Specialist