

AGENDA

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, September 12, 2016
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 August 8, 2016 meeting.
2. Consider the Report of Fees for the month of August 2016.
3. Hope Ranch Final Development Plan (Ken & Cathy Scroggs)

(Procedure: Adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and due to no agenda items for the Board of Zoning Appeals, convene as the Riley County Planning Board.)

III. GENERAL AGENDA - RILEY COUNTY BOARD OF ZONING APPEALS

1. No agenda items.

IV. GENERAL AGENDA - RILEY COUNTY PLANNING BOARD

Declaration: At this time the Board Members may declare any conflict of interest or communications they've had that could influence their ability to consider any items on today's agenda impartially.

1. A Public Hearing to consider the request of Richard Llewelyn, petitioner and V. Wesley Llewelyn, owner, to receive a **Residential Use Designator - Extraneous Farmstead** in Jackson Township, Section 36, Township 8 South, Range 4 East, in Riley County, Kansas. **ACTION NEEDED: Approve/deny a Residential Use Designator - Extraneous Farmstead.**
2. A Public Hearing to consider the request of Dave Carlson, petitioner, and Dave & Joy-Lynn Carlson, owners, to **rezone** a tract of land from "C-4" (Highway Business), "SF-1" (Single Family Residential) and "AG" (Agricultural District) to "C-PUD" (Commercial Planned Unit Development) in Jackson Township, Sections 9 & 10, Township 7 South, Range 6 East, in Riley County, Kansas. **ACTION NEEDED: Recommend approval/denial of the rezoning's to the Board of County Commissioners.**
3. Zoning and Subdivision Regulations re-write update
4. Big Blue Floodplain Management Plan update
5. Fort Riley Joint Land Use Study update
6. Corridor Overlay Districts update
7. State of Kansas Agritourism Task Force
8. Public Building Commission

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

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, August 8, 2016
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Lorn Clement, Jr., Chair
Dr. Tom Taul, Vice-Chair
Diane Hoobler
John Wienck
John Osarczuk

Members Absent: None

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

Others Present: Cathy Scroggs, Ken Scroggs and Jay Reppert

OPEN PUBLIC COMMENTS

None

CONSENT AGENDA

The minutes of the May 9, 2016 meeting were presented and approved. The Report of Fees the month of May (\$2,983.00), June (\$5,211.00), and July (\$1,858.00) were presented and approved.

Diane Hoobler moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to reconvene as the Riley County Planning Board. Tom Taul seconded. Carried 5-0.

RILEY COUNTY PLANNING BOARD

Chairman Clement opened the public hearing at the request of Ken & Cathy Scroggs, petitioners and owners, to rezone a tract of land from "AG" (Agricultural District) to "R-PUD" (Residential Planned Unit Development) in Wildcat Township, Section 30, Township 9 South, Range 7 East, in Riley County, Kansas.

Chairman Clement asked the Board Members to declare any ex parte contact they may have had regarding this item and to declare any conflict of interest or communications they've had that could influence their ability to be impartial.

John Osarczuk declared that he knows Ken Scroggs and that his daughter rode horses at the Scroggs farm for three (3) or four (4) years. Mr. Osarczuk stated they have not worked together for about three years and feels this would not create any issues for him.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. He said the applicant received Conditional Use Authorizations in 2007-2008 for a small horse boarding operation and a new indoor equestrian riding facility.

Mr. Isaac explained that due to the proposed development being located within the Fort Riley Noise Zone - Land Use Planning Zone (LUPZ), the Applicant has agreed to file a Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form with the Register of Deeds, as a condition of the proposed Residential Planned Unit Development.

Mr. Isaac stated that planning staff discovered that there was an occupied two-bedroom apartment established in the upper level of the arena and an apartment established over the garage. He stated staff concluded that these uses were in violation of the zoning regulations, the sanitary code and State fire code. Mr. Isaac said the Applicant met with staff to discuss abatement procedures. He stated that due to the combination of a single family residence, two accessory dwelling units (apartments), an indoor riding arena, horse boarding operation, and various agricultural uses, it was advised that a use-specific zoning designation (Residential Planned Unit Development) be utilized and that the site be brought into compliance with the sanitary code and State fire code.

Mr. Isaac said another concern the County received was regarding the fenced area between the driveway and the indoor arena. He explained the area slopes south and drains underneath W. 69th Ave. Mr. Isaac said the combination of a failed or broken lateral field located within this area and an undersized system which serves the riding arena and times when this area becomes a dry lot has created a situation where the soil doesn't properly slope or filter stormwater before it runs off the property onto adjoining properties.

Mr. Isaac stated the Applicant met with staff of the Riley County Conservation District to discuss remediation measures. Mr. Isaac stated it was also recommended that the entire area be reestablished with native or brome grasses and no livestock be allowed in the area. He explained the intent is to lessen the quantity of stormwater leaving the site while simultaneously increasing the quality through natural filtration.

Mr. Isaac reviewed the list of permitted uses, structures and notes.

Staff recommended approval of the request to rezone the proposed property, as it was determined that it met the requirements of the Riley County Zoning Regulations and the Riley County Sanitary Code.

John Osarczuk asked if this request required notifications.

Bob Isaac replied property owners within 1,000 feet are required to be notified of a rezoning.

Diane Hoobler asked if the list of items suggested by Pat Collins had to be completed within a specific time.

Bob Isaac stated the PUD requires the property to be in compliance with the State Fire Code. He explained, as the code is currently written, the entire arena would have to be “sprinkled”. Mr. Isaac stated the list of items suggested by Pat Collins was to assist the Applicant with a written request for a variance to the State Fire Marshal’s Office, to “sprinkler” in the apartment only. He said if granted, the Applicant will have to follow that criteria.

Chairman Clement asked how long the apartments have been on site.

Bob Isaac stated the apartment over the garage was most likely installed by the previous owner back in the 1970’s. He said the apartment within the arena was built at the time the arena was constructed, approximately 2008.

Ken Scroggs, 3841 W. 69th Ave., stated the County informed him the apartment was not on the books (not permitted). He stated he visited with staff and it was recommended that a Planned Unit Development be done to bring the property into compliance.

There were no proponents or opponents.

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

Chairman Clement stated it is good to see that the property is coming into compliance. He said that this type of request is very distasteful for the Board to have to deal with because the Board feels like they are “fixing a problem” that should have not been there in the first place. Speaking directly to the Applicant, Chairman Clement said the Applicant inherited this but we are not inclined to make these approvals without giving people a hard time for what appears on the surface to be ignoring zoning codes, rules and regulations for land development in Riley County. He said that he didn’t think Mr. Scroggs was in that category. Chairman Clement stated he was also very concerned about the barn apartment being a safe place for someone to live.

Ken Scroggs stated there are smoke detectors in every room and fire extinguishers every 50 feet in the barn.

Diane Hoobler asked the Applicant if hay is stored in the barn.

Ken Scroggs replied that one of the workers was storing some hay so he didn’t have so far to go to get it, but has been asked to cease that activity. He stated the barn is no longer used for hay storage.

Tom Taul stated he would like to thank the Applicant for his willingness to try bring the property back into compliance.

Diane Hoobler moved to recommend approval of Petition #16-07 to rezone from “AG” (Agricultural District) to “R-PUD” (Residential Planned Unit Development) for reasons listed in the staff report and the list of permitted uses, structures and notes. John Wienck seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear to rezone the property on August 25, 2016, at 10:00 am, in the County Commission Chambers.

Update on Zoning and Subdivision Regulations re-write

Monty Wedel stated Elizabeth Garvin is continuing to work on the evaluation so there isn’t much to report at this time.

Update on Big Blue Floodplain Management Plan

Monty Wedel said he spoke with Chad Bunger at the City of Manhattan. He said the draft should be ready in a week or two to distribute to the advisory group and our planning staff to finalize and then back to City staff.

Update on Fort Riley Joint Land Use Study

Monty Wedel asked the Board if everyone knew what a Joint Land Use Study was. He said the last study was done in 2005. Mr. Wedel explained it is a study funded by the Office of Economic Adjustment Department of Defense to examine development around military bases and the impact of noise, aircraft, habitat, towers, wind generators, and radar on the surrounding areas. He said surrounding municipalities look at ways to cooperate and possibly tailor developments so they are not impacting the military base mission.

Mr. Wedel said this is an update to the previous study and he would like to focus on implementation this time around. He explained the study in 2005 was the first ever done and a lot of time was spent assuring people that the study was not a “back door” way for Fort Riley to expand.

Mr. Wedel stated this is a regional study working with the cities of Riley, Ogden, Junction City, Milford and Geary County. He said there is a Technical Advisory Committee and Policy Committee. The Policy Committee is made up of an elected representative from each jurisdiction. Mr. Wedel stated he is on the Technical Advisory Committee.

He said there is a Selection Committee that is made up of representatives from both the Policy Committee and Technical Advisory Committee. A Request for Proposals was issued and seven (7) proposals from consultants have been received in response. Mr. Wedel said there will be a meeting on Wednesday, August 10th to go through the selection process. He stated the study will impact the Riley County zoning/subdivision regulation rewrite.

John Osarczuk asked if the study is to satisfy federal concerns about how Riley County is approaching land, or requesting to stay away or are there issues between the different bodies.

Monty Wedel said he doesn't think there are significant issues but there are always concerns. He stated if we enter into another BRAC (Base Realignment and Closure), we want to show we are protecting Fort Riley's ability to carry out their mission. Mr. Wedel explained that it is also protecting citizens who buy property near the base so they are informed of what they are getting.

Update on Corridor Overlay Districts

Bob Isaac stated informational meetings were held on July 21st and July 28th, to get feedback from the general public and steering committee members of the Gateway Plan and the Eureka Valley – K-18 Plan. He said both plans emphasized and recommended to

create corridor overlay districts to focus on building materials, site design and bulk regulations that the underlying zoning districts do not address.

Mr. Isaac explained the whole emphasis is to try to control the aesthetics of new development and redevelopment occurring within the designated boundaries of each corridor, with an effort to blend the built environment with the natural surroundings in an orderly fashion. He said the overlay criteria also includes such things as landscaping, bicycle racks, pedestrian walkways and connectivity.

Mr. Isaac stated staff met with City planning staff to review the concerns and comments gathered from those meetings. He said the biggest concern from both meetings was “grandfathering”. Mr. Isaac mentioned that Monty Wedel was in the audience. He said he asked if there would be a variance option in unique situations when it would be very difficult for a developer to meet the standards. Mr. Isaac said the City recommended using the “exception” process, of which Riley County currently doesn’t have. He said we will be working with Elizabeth Garvin on this for the regulation update.

State of Kansas Agritourism Task Force

Monty Wedel said he has been asked to help on a task force put together by the Department of Wildlife, Parks and Tourism. He said the task force is made up of legislators, one senator and one representative who has an agritourism business in Shawnee County and who was involved in a lawsuit with Shawnee County. Mr. Wedel said there is a subcommittee that is supposed to meet in a few weeks tasked with generating a proposal. He said they hope the proposal is not all about trying to come up with legislation to mandate municipalities.

John Osarczuk said the state staff member that was on the Riley County Agritourism Task Force was very unhappy most of the time.

Monty Wedel said in the beginning, she came in with a position because she had been fighting with other communities, but in the end, he thought she was happy.

John Osarczuk said in his personal opinion, her position was “no rules, just do what you like”.

Monty Wedel said she has been touting Riley County and how we came up with a good balance and a very good compromise. He said, however, he was starting to realize that Johnson County, Wyandotte County and some of other northeast counties have unreasonable regulations. He said that in the opinion of those counties, conditional uses can only be granted for a certain period of time. Mr. Wedel explained that one county had a request for a winery but the conditional use was only granted for four (4) years. He said the arguments start with how do we invest and what will happen to us. He said he is proposing model regulations for agritourism in a joint effort between the State of Kansas, the Kansas Chapter of the American Planning Association and other such entities.

John Wienck moved to adjourn. Tom Taul seconded. Carried 5-0.

The meeting was adjourned at 8:32 P.M.



**RILEY COUNTY
PLANNING & DEVELOPMENT**

REPORT OF FEES

August 2016

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
08-01-2016	Carlson, Rezoning	\$ 450.00
08-02-2016	Fickbohm, Profile Site Evaluation	150.00
08-02-2016	BCL Properties, Environmental Site Evaluation	100.00
08-02-2016	Llewelyn, Water Screening Report	8.00
08-03-2016	Smith, Environmental Site Evaluation	100.00
08-03-2016	Ridder, Water Screening Report	12.00
08-03-2016	Anderson, Copy fee	4.00
08-04-2016	Egan, Environmental Site Evaluation	100.00
08-04-2016	Miley, Repair Permit	75.00
08-11-2016	Lewis, Building Permit #16-0072	150.00
08-15-2016	Associated Drilling Inc., Well Permit	75.00
08-15-2016	Fickbohm, Lagoon Permit	300.00
08-15-2016	Riley, Well Permit	75.00
08-16-2016	Taylor, Building Permit #16-0073	150.00
08-16-2016	Meyer, Water Screening Report	12.00
08-16-2016	Chase, Repair Permit	75.00
08-17-2016	Lanigan, Residential Use Designator	200.00
08-17-2016	Clark, Water Screening Report	10.00
08-18-2016	Snyder, Building Permit #16-0074	150.00
08-18-2016	Dale, Copy fee	1.00
08-16-2016	Centerline Property, Water Screening Report	10.00
08-18-2016	Strauss, Building Permit #16-0075	150.00
08-18-2016	Strauss, Repair Permit	75.00
08-19-2016	Kwapnioski, Building Permit #16-0067	300.00
08-19-2016	Clapp, Water Screening Report (2)	16.00
08-22-2016	Logan, Repair Permit	75.00
08-22-2016	Wilds, Water Screening Report	10.00
08-23-2016	Wagner, Well Permit	75.00
08-23-2016	Llewelyn, Water Screening Report	8.00
08-23-2016	Fickbohm, Building Permit #16-0076	150.00
08-23-2016	Roberts, Environmental Site Evaluation	100.00
08-24-2016	Hinkle, Water Screening Report	10.00
08-24-2016	Pottawatomie County, Water Screening Report	6.00
08-25-2016	Bletscher, Building Permit #16-0077	150.00
08-25-2016	Hufnagel, Replat & Utility fee	270.00
08-26-2016	Orona, Water Screening Report	16.00

08-29-2016	Strutt, Repair Permit	75.00
08-29-2016	Murphy, Water Screening Report	10.00
08-29-2016	Sjo, Environmental Site Evaluation	100.00
08-29-2016	Pottawatomie County, Water Screening Report	6.00
08-30-2016	Sterling, Water Screening Report	10.00
08-30-2016	Allen, Water Screening Report	10.00
08-30-2016	Geisler, Building Permit #16-0080	150.00

TOTAL

\$3,979.00

DEPOSITS MADE:

08-04-2016	\$ 100.00
08-05-2016	899.00
08-19-2016	75.00
08-19-2016	1,674.00
08-25-2016	75.00
08-31-2016	1,156.00

TOTAL \$3,979.00



MEMO

Riley County Planning Board

September 12, 2016

Dear Board members,

The following item has been submitted for your review:

Consider the **FINAL DEVELOPMENT PLAN** of Hope Ranch, a Residential Planned Unit Development generally located approximately 4,350 feet north of Anderson Avenue, on the north side of an easterly curve of W. 69th Avenue (Applicant/Owner: *Kenneth A. & Cathy Scroggs*).

BACKGROUND:

On August 8, 2016, the Riley County Planning Board heard the request and forwarded a recommendation to the Board of County Commissioners of Riley County to approve the request to rezone the proposed property based on the following:

1. The majority of the development shown on the site plan is pre-existing; any land not developed will be left in a natural state;
2. The requirements for conservation efforts on certain portions of the property will improve the existing attributes of stormwater drainage from the property;
3. The proposed zoning district allows for a mechanism to require the filing of a Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form with the Register of Deeds; and
4. With environmentally sensitive design components built into the development plan, the request is in general conformance with the Comprehensive Plan.

On August 25, 2016, the Board of County Commissioners reviewed the Preliminary Development Plan and unanimously approved the rezoning of the subject property from “AG” (Agricultural District) to “R-PUD” (Residential Planned Unit Development).

FINAL RECOMMENDATIONS:

Staff has reviewed the Final Development Plan and found it to be in substantial conformance with the Preliminary Development Plan and recommends that said Final Development Plan be accepted.

Bob Isaac
Planner

Permit #	App Date	Ownr	Property Address	City & Zp	Type of Bldg	Use of Bldg	Type of Permission	Inside DGA	Amnt Paid	Const Cost
16-0071	08/10/2016	Roger Nelson	7271 Toburen Rd	Randolph (66554)	Barn	Pole barn			\$0.00	\$4,600.00
16-0067	08/10/2016	Andrew Kwapnioski	7023 Deer Run	Manhattan (66503)	Miscellaneous	Deck			\$300.00	\$5,000.00
16-0072	08/11/2016	Duane & Karen Lewis	3801 Marlatt Ave	Manhattan (66503)	Miscellaneous	Detached Garage			\$150.00	\$50,000.00
16-0073	08/16/2016	Willie Taylor	3315 Shady Valley Dr	Manhattan (66502)	Storage (residential)	Shed			\$150.00	\$200.00
16-0075	08/18/2016	Dan & Ileene Strauss	10550 Madison Rd	Riley (66531)	Miscellaneous	Dog Kennel			\$150.00	\$11,000.00
16-0074	08/18/2016	Kennith D Snyder	1915 Kientz Dr	Manhattan (66502)	Garage (attached)	Garage			\$150.00	\$29,000.00
16-0076	08/22/2016	Barry & Marcella Fickbohm	7578 Blue River Hills Rd	Manhattan (66503)	House (site built)	Dwelling	Replacement	N	\$150.00	\$242,000.00
16-0078	08/25/2016	Larry & Gina Larson	9470 Melgren Ln	Randolph (66554)	Barn	Tractor & trailer storage			\$0.00	\$26,500.00
16-0077	08/25/2016	Robert & Dorothy Bletscher	3240 Deep Creek Rd	Manhattan (66502)	Addition (residential)	Covered porch			\$150.00	\$600.00
16-0079	08/26/2016	Michael & Sharon Lindell	0000 Sherman Rd	Leonardville (66449)	Hay Barn	Storage			\$0.00	\$10,000.00
16-0080	08/30/2016	Kurtis Geisler	10255 Senn Rd	Leonardville (66449)	Storage (residential)	Boat storage			\$150.00	\$25,000.00



PLANNING & DEVELOPMENT

STAFF REPORT

Residential Use Designator

PETITION: (#16-11) Residential Use Designator – Extraneous Farmstead

APPLICANT: Richard Llewelyn
3025 Conrow Dr
Manhattan, KS 66503

PROPERTY OWNER: V. Wesley Llewelyn
205 N High
Riley, KS 66531

REPRESENTATIVE: Lori Rogge
2029 Vanesta Pl, Ste 22
Manhattan, KS 66503

TYPE OF REQUEST: Receive a Residential Use Designator Lot – Extraneous Farmstead.

SIZE OF TRACT: The subject site is approximately 23.43 acres.

LOCATION: The request is generally located approximately 1600 feet east of Lasita Road, on the south side of Homestead Road; Section 36, Township 8 South, Range 4 East; Bala Township.

JURISDICTION: This application is subject to the requirements of the Riley County Subdivision Regulations.



BACKGROUND: The subject site is an approximately 23.4-acre portion of a larger 190-acre parent tract. The subject site is the developed portion of the parent tract and is naturally partitioned off from the rest of the tract by South Timber Creek. The applicant wishes to sell the existing farmstead separately from the rest of the tract.

DESCRIPTION:

Physical site characteristics: The site has been developed for several years as a farmstead, with several outbuildings and a home, constructed around 1890.

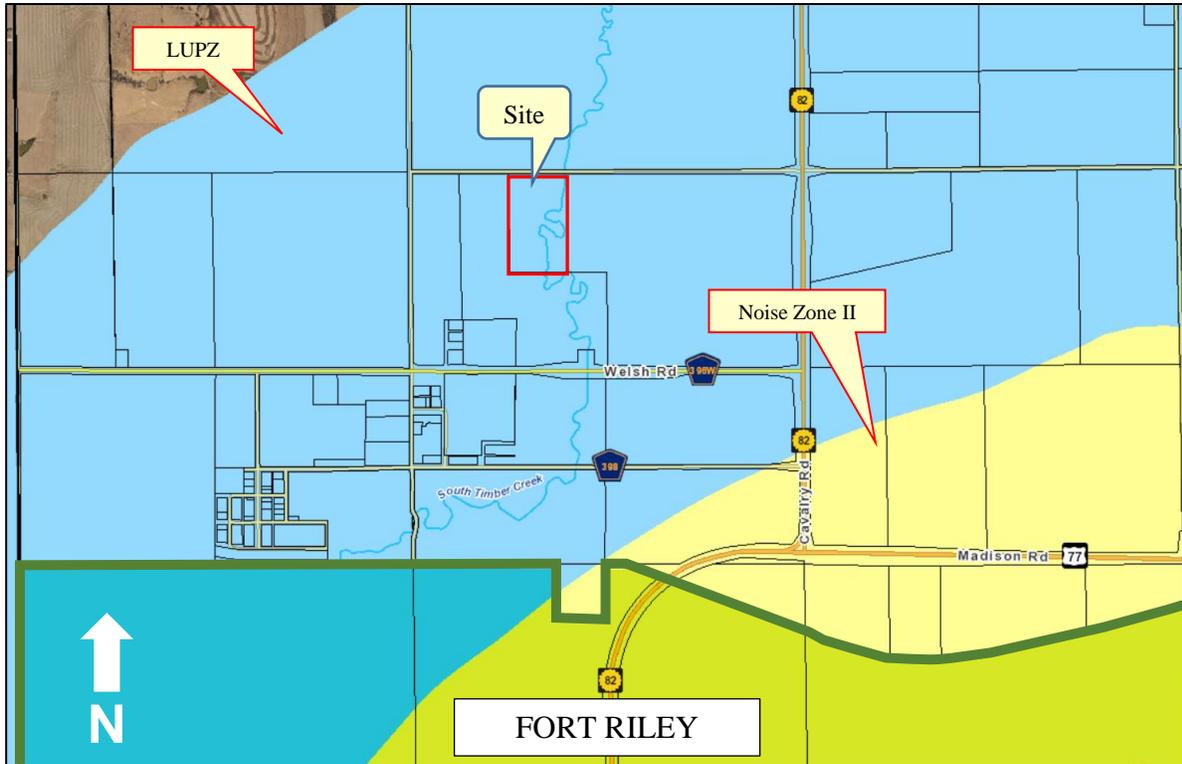


Figure 1. Fort Riley Noise Zones

General character of the area: The general character of the area is extremely rural.

SUITABILITY OF ZONING:

Current Zoning: The tract is zoned “AG” (Agricultural District) and has been zoned as such since at least 1974. There is not a request to rezone the tract at this time.

SURROUNDING ZONING/LAND USE		
	ADJACENT ZONING	LAND USE
NORTH	“AG” (Agricultural District)	Pasture
SOUTH	“AG” (Agricultural District)	Crops
EAST	“AG” (Agricultural District)	Crops
WEST	“AG” (Agricultural District)	Crops

POTENTIAL IMPACT:

Public Facilities and Services:

Streets and bridges: The subject property abuts and has direct access to Homestead Road, a paved two-lane (local) township road. No new entrances are being proposed with this request.

Water and sewer: The subject property is served by a septic system/lateral field and a well. Rural water is unavailable in the area.

Fire: Riley County Fire District #1 will serve the site. The nearest county fire station is the Riley Fire Station (#5), located at 327 N. Main, in Riley. The subject site is not located within five road miles of a fire station and thus, has an ISO rating of 10.

Effect on public facilities and services: It is not anticipated that the proposed residential use designation will have an adverse impact on public facilities and/or services.

CONFORMANCE TO THE LAND USE PLAN:

Goals, Objectives and Policies

Goal for residential:

To allow for the development of a diversity of housing types, sizes and price levels to meet the changing needs of all county residents.

Objective R4: Allow for adequate amounts of single family housing in suitable locations throughout the county.

Policies:

R4.2 Roads serving residential developments should safely accommodate anticipated traffic.

Future Land Use Map

According to the Future Land Use Map North (Figure 11.2) found in the Plan, the subject property is located outside of a designated growth area.

The Land Evaluation/Site Assessment (LESA) Score

Due to the type and nature of the request, a LESA was not generated.

Hardship on the landowner

The Applicant submitted has not indicated a hardship as a reason for the request.

Staff analysis: Due to the character of the existing development and the criteria set forth in the zoning regulations for a Residential Use Designator - Extraneous Farmstead, it is not anticipated that the request will cause conflicts; thus, the request is consistent with the Plan.

RILEY COUNTY ZONING REGULATIONS:

The zoning regulations describe the purpose of a Residential Use Designator - Extraneous Farmstead. The conditions for approval are as follows:

1. The site to be divided from the existing agricultural operation should be the minimum required to accommodate the existing residence and any outbuildings or to accommodate a site that is logically separated from the existing agricultural operation. Conversion of existing productive agricultural land should be avoided.
2. The site shall be large enough to meet sanitary code minimum requirements.
3. A residential use designator for an extraneous farmstead is limited to one per original parent agricultural tract.

4. The site must be platted and must meet all requirements for a plat, including adequate public road access as specified in the subdivision regulations. The platted lot may not be further subdivided unless approved through the standard platting/rezoning process.
5. An Agricultural Protection Easement (APE), as specified in Section 21A, shall be filed with the plat.

Staff analysis: Typically, the request for a Residential Use Designator - Extraneous Farmstead involves a much smaller developed portion of the parent tract. This particular situation demonstrates how topography, soil type, floodplain, road network, etc. can affect the placement and layout of a farmstead, resulting in varying shapes and sizes of the home/yard portion of a farmstead. In this case, the home/yard portion is 23.43 acres, which by the Riley County Subdivision Requirements, does not require platting. Thus, due to the size of the subject site and the way the tract is naturally buffered/separated from surrounding farm ground, staff recommends that the Planning Board waive the requirement for the site to be platted.

COMMENTS AND CONCERNS:

ENVIRONMENTAL HEALTH: The Riley County Environmental Health staff has reviewed the request and made the following determinations:

1. The septic system is in compliance with the Riley County Sanitary Code.
2. Well water screening revealed elevated levels of sulfate. It is recommended that a reverse osmosis system be installed to reduce the levels in drinking water for the home.
3. The well water indicated (tested) positive for coliform bacteria on three separate screenings, two of which were after the remediation step of shocking the well with chlorine. It is recommended a whole house ultraviolet system be installed in the home water system.

STAFF RECOMMENDATIONS:

Staff recommends that the Board approve the request to receive a Residential Use Designator– Extraneous Farmstead, waiving the requirement to plat the subject property, as it has been determined that it meets the minimum requirements of the Riley County Zoning Regulations.

ACTION NEEDED:

- A. Motion to approve the request for a Residential Use Designator as it has been determined that it meets the requirements of the Riley County Zoning Regulations.

OR

- B. Motion to deny the request for a Residential Use Designator as it has been determined that it does not meet the requirements of the Riley County Zoning Regulations.

ATTACHMENTS:

- Vicinity/site map
- Surrounding zoning map
- Fire Stations map
- Floodplain/Topeka Shiner map
- Fort Riley Noise map
- Property Illustration

Prepared by: Bob Isaac, Planner
August 31, 2016



VICINITY AND SITE

Llewelyn

#16-11 Residential Use Designator

Extraneous Farmstead

36-8-4

Legend

 1000' Buffer

 Site





SURROUNDING ZONING

Llewellyn

#16-11 Residential Use Designator

Extraneous Farmstead

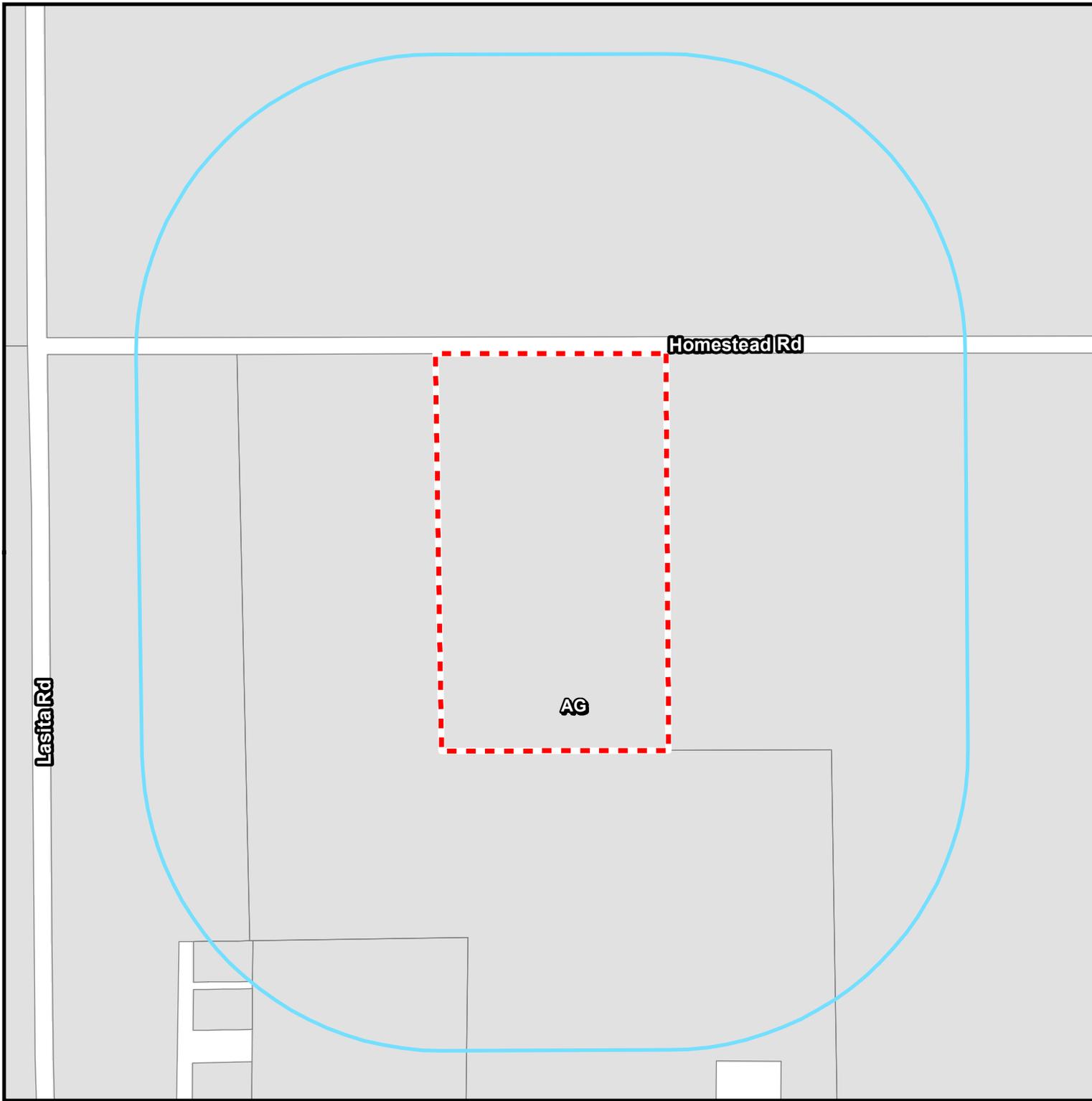
36-8-4

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	



Lasifta Rd

Homestead Rd

AG



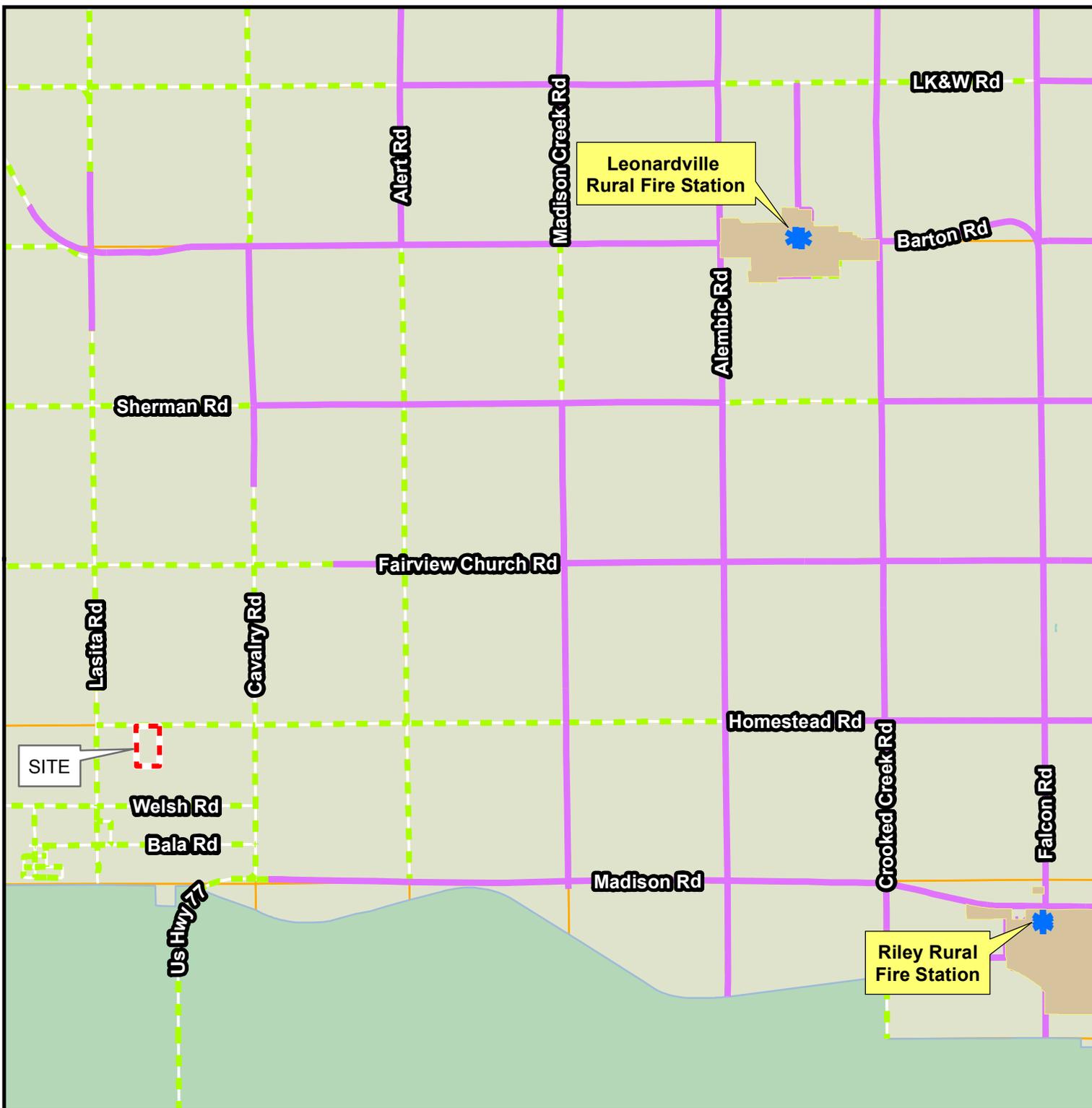
FIRE STATIONS

Petition Name
Llewelyn

#16-11 Residential Use Designator

Extraneous Farmstead

36-8-4



 Fire Station

 Within 5 Miles
of a Fire Station

 Not within 5 Miles
of a Fire Station



FLOODPLAIN

TOPEKA SHINER HABITAT

Llewelyn

#16-11 Residential Use Designator

Extraneous Farmstead

36-8-4

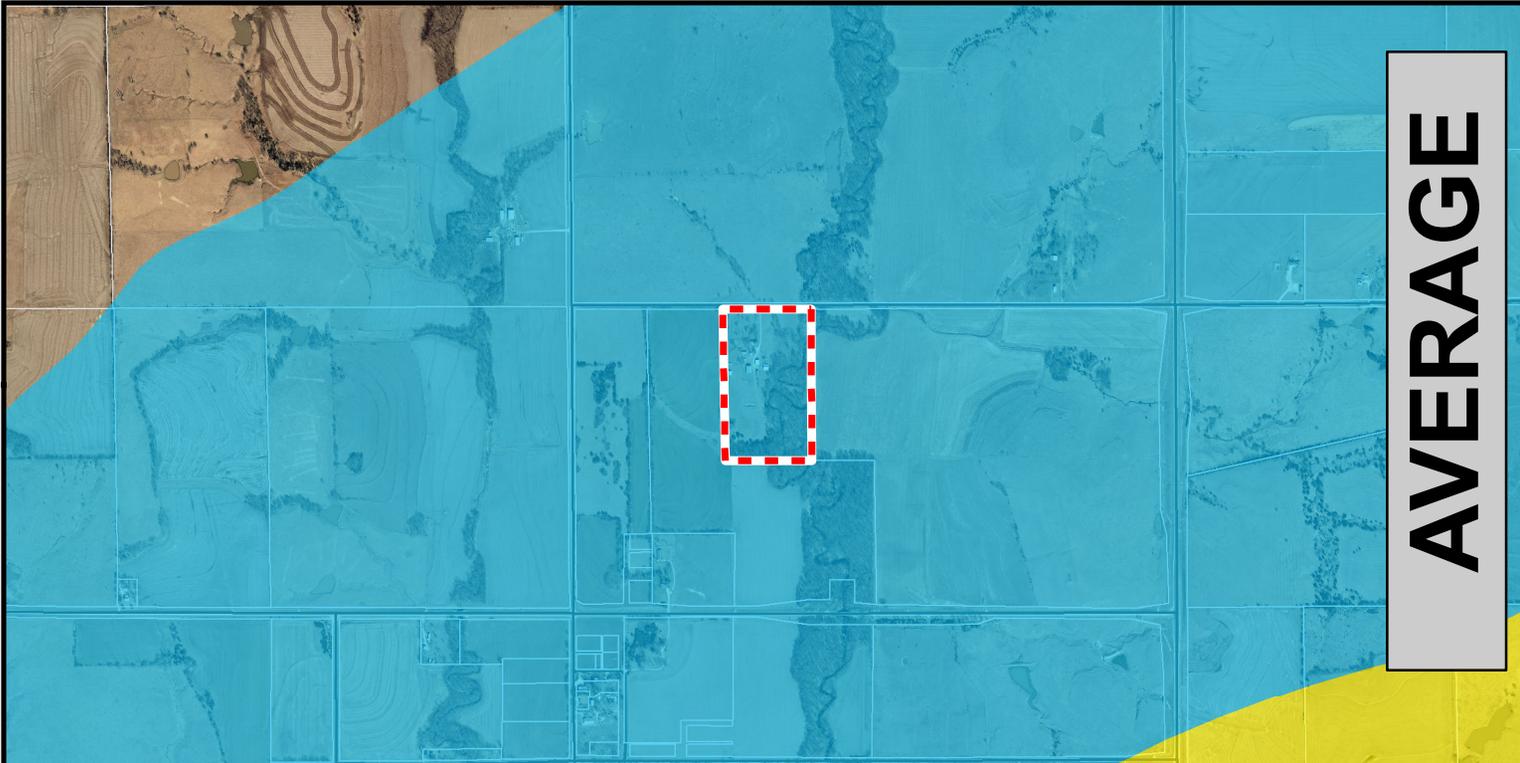
Legend

 Topeka Shiner Habitat

Floodplain

-  1% Annual Chance Flood (Unnumbered)
-  1% Annual Chance Flood (Numbered)
-  Floodway
-  1% Annual Chance Flood (1'-3' Depth)
-  .2% Annual Chance Flood





AVERAGE

**FORT RILEY
NOISE CONTOURS
AVERAGE AND PEAK**

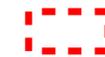
Llewellyn

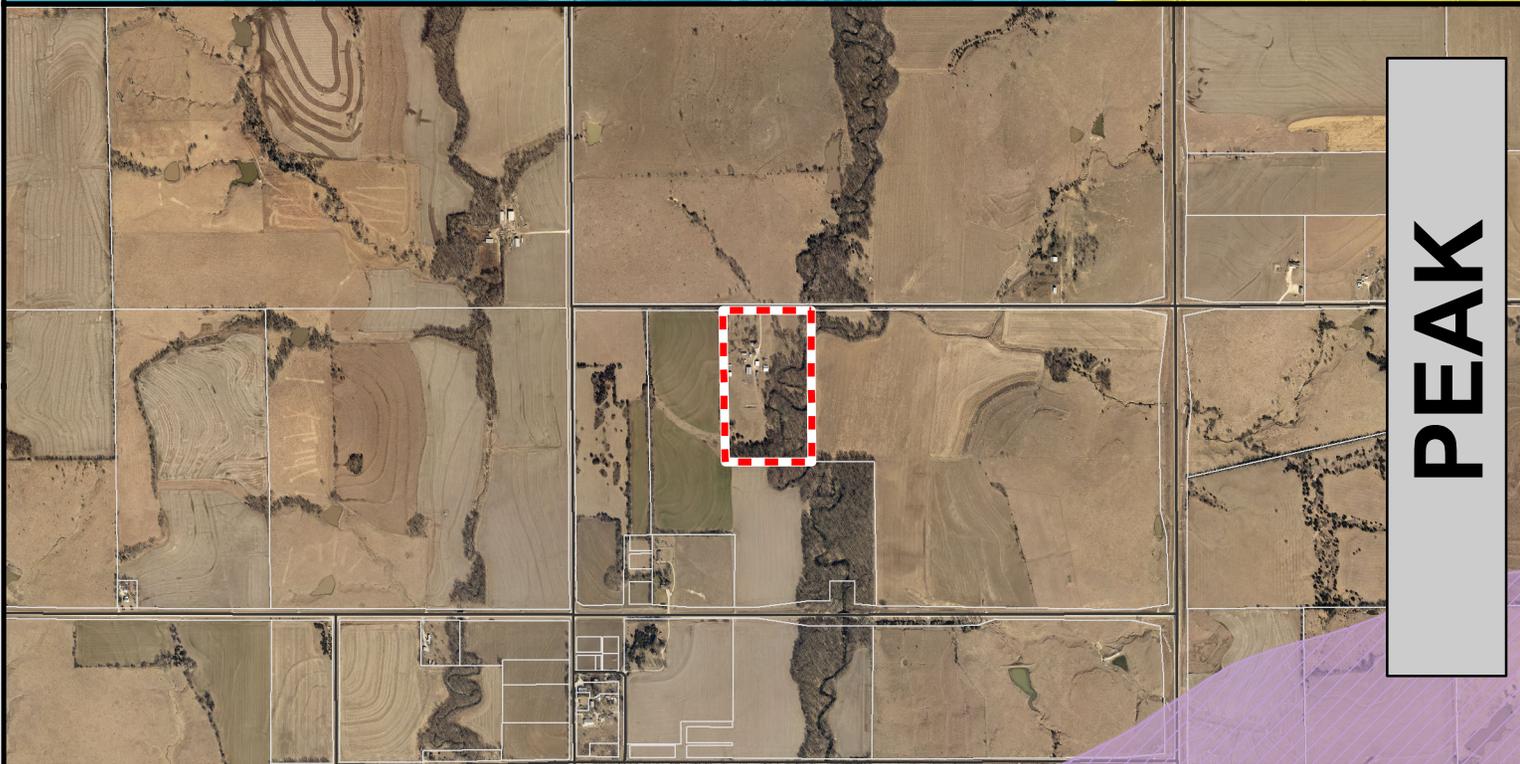
#16-11 Residential Use Designator

Extraneous Farmstead

36-8-4

Legend

 Site



PEAK

Legend

Average Noise Levels

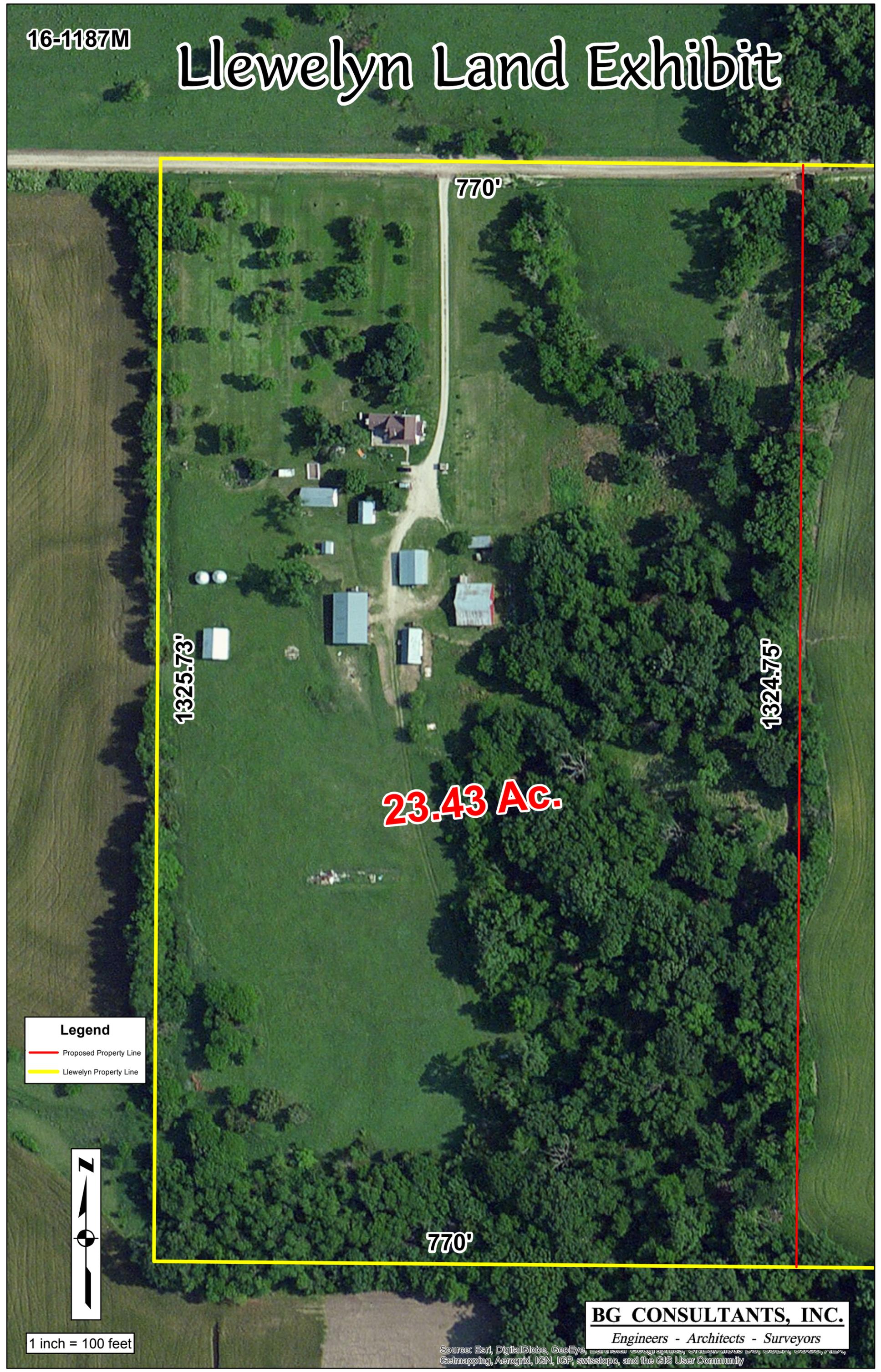
-  CDNL 57 (LUPZ)
-  CDNL 62 (ZONE II)
-  CDNL 70 (ZONE III)

**Peak Noise Levels
Large Caliber**

-  Large Caliber 115
-  Large Caliber 130

16-1187M

Llewelyn Land Exhibit



770'

1325.73'

1324.75'

23.43 AC.

770'

Legend

- Proposed Property Line
- Llewelyn Property Line



1 inch = 100 feet

BG CONSULTANTS, INC.

Engineers - Architects - Surveyors

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, Aero, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



PLANNING & DEVELOPMENT

STAFF REPORT

Rezoning

PETITION: (#16-08) Rezone from “C-4” (Highway Business) and (#16-09) Rezone from “SF-1” (Single Family Residential) and (#16-10) Rezone from “AG” (Agricultural District) to “C-PUD” (Commercial Planned Unit Development)

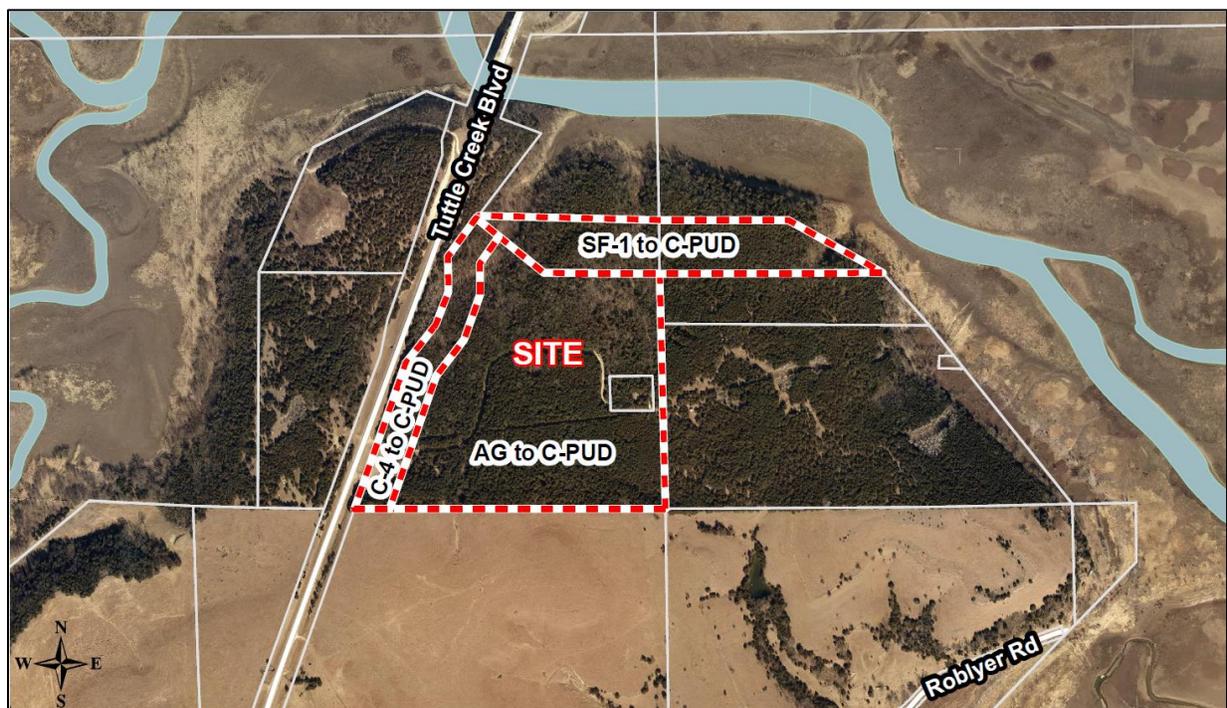
APPLICANT: Dave Carlson
16010 Tuttle Creek Blvd
Randolph, KS 66554

PROPERTY OWNER: Dave & Joy-Lynn Carlson
16010 Tuttle Creek Blvd
Randolph, KS 66554

TYPE OF REQUEST: Rezone a tract of land from “C-4” (Highway Business), “SF-1” (Single Family Residential) and “AG” (Agricultural District) to “C-PUD” (Commercial Planned Development).

SIZE OF TRACT: The subject site is approximately 58.75 acres.

LOCATION: Generally located 1.6 miles north of Green Randolph Rd, on the east side of Tuttle Creek Blvd.; Sections 9 & 10, Township 7 South, Range 6 East; Jackson Township.



BACKGROUND: The subject site consists of two unplatted tracts; approximately 52 acres and 6.85 acres, respectively. Both tracts rezoned to their current zoning designations in the 1974 Countywide Zoning Conversion Process. The “SF-1” (Single Family Residential) zoning designation was affiliated with a multi-lot residential subdivision (Crestview Hills Addition), platted in January 1963 and vacated March 1966. The western portion along K-77 Highway was zoned “C-4” (Highway Business), most likely to accommodate an existing gas/service station; the structure of which, although in poor condition, remains on the site. The applicant wishes to refurbish the structure and incorporate it into the development plan as the gift shop/storage building.

The applicant wishes to take advantage of the natural features of the site and establish a private Outdoor Adventure School, including camping, a primitive village, cabins (see Figure 1), RV slips (limited – no dump stations) and a blacksmith shop. The applicant also wishes to construct a single family residence in order for his family to reside on-site and to effectively manage the operation.



Figure 1. Examples of structures to be built on site.

The applicant has stated that there will be some clearing of cedars, but the majority of the site will not be visible from K-77. The existing and future road network occurring on-site, including parking areas, shall be improved and maintained with all-weather surfacing, so that emergency response vehicles and RVs can safely and effectively traverse the site.

DESCRIPTION:

Physical site characteristics: The tract is a mix of heavily-wooded hills and ravines, situated south and east of Tuttle Creek Reservoir.

General character of the area: The area is predominantly agriculturally inactive, natural open space, with extremely low-density residential development in the area.

SUITABILITY OF ZONING:

Zoning History: The subject site was rezoned to “AG” (Agricultural District), “C-4” (Highway Business) and “SF-1” (Single Family Residential) during the 1974 Countywide Zoning Conversion Process.

Current zoning: The majority of the site is zoned “AG” (Agricultural District), with portions of the site zoned “C-4” (Highway Business) and “SF-1” (Single Family Residential).

Proposed zoning: Due to the proposed mix of a private outdoor survival school with campgrounds and RV slips, gift shop, and single family residence, it was advised the applicant rezone the subject property to “C-PUD” (Commercial Planned Unit Development) in order to combine the uses under a use-specific zoning designation.

SURROUNDING ZONING/LAND USE		
	ADJACENT ZONING	LAND USE
NORTH	“AG” (Agricultural District)	U.S. Army Corps of Engineers
SOUTH	“AG” (Agricultural District)	Haying/grassland
EAST	“AG” (Agricultural District)	U.S. Army Corps of Engineers
WEST	“AG” (Agricultural District)	Vacant/open space/forest

DETAILS OF DEVELOPMENT PLAN:

List of Permitted Structures:

1. Entrance sign – restore and paint existing 4’x5’ sign along roadside in front of existing shop building
2. Training, trail & parking signage – directional signs to assist students
3. Sculpture/Planter – (set on existing concrete sign base to improve the appearance of the site)
4. Split Rail Fence
5. Concession Stand – including a commercial kitchen and serve ready to eat hot food.
6. Retail and Maintenance Shop –for school related maintenance equipment and supplies and retail sales of school related merchandise such as tents, bug spray, snacks, etc.
7. Cabins – including Log Cabin, Hobbit Ferro Cabin, Cordwood Cabin, Rough sawn Board and Batten Cabin, Paper Crete Cabin, Straw Bale Cabin, Cob Cabin (ADA)

8. Gazebo
9. Bath Houses
10. Pump House
11. Pole Shed/Gravel Storage
12. Waste Water Lift Station
13. Registration Adirondack Lean-to
14. Cook Shack/Storage – (8-ft. round storage shed made with cordwood construction for storing cookware and supplies used in our Outdoor Cooking Class)
15. Pavilion
16. Fire Watch Tower
17. Central Gathering Area
18. Observation Deck
19. Garden Shed
20. Single Family Residence – home for the caretaker’s family
21. Wood Shop – accessory building to caretaker’s home
22. Blacksmith Shop – accessory building to caretaker’s home
23. Wood Storage / Barn – accessory building to caretaker’s home
24. Writers Retreat – accessory building to caretaker’s home

List of Permitted Uses:

1. Private Park – A small wooded park area with a view of rolling hills. Amenities would include picnic tables and a fire ring
2. Gate attendant camping – for a gate attendant to set up their campsite or park a camper; no facilities provided, except electricity.
3. Primitive Village – A training and demonstration site consisting of a mock-up primitive village, with tipis, wigwams, hogans, Celtic roundhouse, bark houses, Wattle and Daub and similar styles of shelters.
4. Tent camping
5. Playground for children – including various climbing obstacles, slipper slide, swings and other small structures
6. RV parking – six (6) graveled, approximately 12’x40’ slots; no facilities provided, except electricity.
7. Blacksmithing class
8. Shelters class
9. People-powered tools class
10. Snares and traps class
11. Fire series classes
12. Cordage and lashing class
13. Hide tanning class
14. Water purification class
15. One (1) single family residence and accessory uses
16. Vegetable garden

Notes:

- A maximum of nine (9) cabins set in a semi-circle around a small wooded park area (16). These cabins would be built using various traditional and alternative construction methods such as Log, Straw Bale, Cordwood and Cob. Cabins would be used for school demonstrations, rentals and classes.

- Cabins shall be approximately 12'x16', and include electricity, heat and cooling as needed. Cabins will not be served by water or sewer.
- Driveways serving the park shall consist of all-weather surfacing and shall be maintained to meet or exceed the minimum vertical (13.6 feet) and width (18-20 feet) clearances.
- Owners shall resurface and maintain all drives and parking areas so as to be traversable by visitors and emergency vehicles.
- Directional signage shall be provided at appropriate points along driveway to assist visitors and emergency responders.
- The terminus of the eastern end of the driveway serving the park shall be provided with an adequate turnaround to allow for emergency response vehicles (e.g., a loop, cul-de-sac or T-turnaround).
- Site shall be in compliance with the Riley County Sanitary Code.
- Bath houses shall include adequate number of toilets, lavatories, showers to serve the site and shall be provided electricity, heat/cooling and plumbing.
- Playground(s) shall include various climbing obstacles, slipper slide, swings and other small structures
- Current stormwater drainage patterns shall not be altered as to negatively impact surrounding properties.
- There are no areas to be dedicated for public use.
- Mobile homes are prohibited.
- Advertising (billboard) signs are prohibited.
- All commercial structures shall meet the minimum building code requirements as per the State Fire Marshal.
- No habitable structures may be constructed within areas labeled U.S. Army Corps of Engineers "perpetual flowage easement". All other improvements within these areas, such as roadways, outbuildings, ponds, sewage disposal facilities, lateral lines, etc., shall require prior consent from the Corps.

POTENTIAL IMPACT:

Public facilities and services:

Streets and bridges: The site has direct access to Tuttle Creek Boulevard, a paved two-lane State Highway (K-77), via an existing loop entrance. The completion of a traffic study was not required by the County Engineer as part of the proposed development. No new entrances are proposed.

Water and sewer: The applicant is proposing that the development will be served by an existing on-site well and wastewater lagoon.

Fire: Riley County Fire District #1 will serve the site. The nearest County Fire Station is the Randolph Fire Station, located at 111 S. Front Street in Randolph. The subject site is located within five (5) road miles of a fire station. Due to the proposed commercial use of certain structures, a determination will be needed by Pat Collins, Director of Riley County Emergency Management/Riley County Fire Chief that said structures shall be subject to the State of Kansas minimum building and life safety codes, including the submittal of a code footprint.

Effect on public facilities and services: It is not anticipated that the proposed development will have an adverse impact on public services.

Effect on nearby property: It is the general purpose of zoning to protect the health, safety and welfare of the general public. Regulations must be written with reasonable considerations of the character of the district and its peculiar suitability for particular uses. Furthermore, they must also maintain a view toward conserving the value of buildings and lands and encouraging the efficient and best use of land. The factors that go into the decision to rezone a property appear to be more than the list of concerns stated herein. For example, certain criteria spelled out in the Kansas Supreme Court case Golden vs. Overland Park, 224 K. 591, 584 P. 2d 130, also examine the following:

1. Is the rezoning compatible with the character of the neighborhood?
2. Is the rezoning compatible with the zoning and uses of properties nearby?
3. Will removal of the current restrictions by rezoning detrimentally affect nearby property?
4. Will the gain to the public health, safety and welfare by denying rezoning not be as great as the hardship imposed upon the individual landowner?

With the specific use limitations noted on the Preliminary Development Plan, restricting the type and intensity of the commercial activity, it is not anticipated that the proposed development will have an unreasonable adverse impact on nearby property.

CONFORMANCE TO THE LAND USE PLAN:

The request was reviewed with the 2009 Vision 2025 Riley County Comprehensive Plan, specifically the Development Guidance System (Chapter 12). The analysis is as follows:

Conformance to the Goals, Objectives and Policies

Goal for residential:

To allow for the development of a diversity of housing types, sizes and price levels to meet the changing needs of all county residents.

Objective R4: Allow for adequate amounts of single family housing in suitable locations throughout the county.

Policies:

R4.2 Roads serving residential developments should safely accommodate anticipated traffic.

Future Land Use Map

According to the Future Land Use Map North (Figure 11.2) found in the Plan, the subject property is not located within a designated growth area.

The Land Evaluation/Site Assessment (LESA) Score

According to the final score of the LESA analysis, the subject property achieved 3507 points (Moderate for Development). No bonus points were factored into the analysis.

Hardship on the landowner

The Applicant expressed that Riley County is his family's home and they have spent the last five years building the outdoor adventure school business. He stated that the business is well branded that has customers worldwide. If the application is denied, it would be detrimental to their business and crushing to the family who wish to make the subject property their home.

Staff analysis: The request to rezone the subject property is consistent with goals and objectives of the Plan.

RILEY COUNTY ZONING REGULATIONS:

Agricultural Buffer: As part of this development, the Applicant is proposing a single family residence to be used as a caretaker's home. An adequate existing natural buffer (trees and other vegetation) and a rock wall currently exist between the haying operation on the property south of

the subject site and any structures meant for human or animal habitation, as proposed on the development plan.

COMMENTS AND CONCERNS:

ENVIRONMENTAL HEALTH: Environmental Health staff has reviewed the request and found it to be in compliance with the Riley County Sanitary Code.

RILEY COUNTY CONSERVATION DISTRICT: Riley County Conservation District staff has reviewed the request and cautioned that the applicant be cognizant of agricultural use on surrounding properties which may do prescribed burning and to take necessary precautions to reduce fuel loads on the subject property.

COUNTY ENGINEER: The County Engineer has reviewed the request and reported that the property is directly served by a state highway – no issues.

EMERGENCY MANAGEMENT: The Riley County Rural Fire Chief reviewed the request and stated he was very concerned about access and egress during some kind of fire. He said he would not support the request without the following:

1. All access roads need to be maintained year around and provide at least a 20-ft. clear driving surface.
2. All access roads must provide at least 13’6” of overhead (vertical) clearance for the driving surface.
3. Alternate fire access roads must be maintained and be open for exit egress to the adjoining property line; and
4. All permanent structures should maintain at least a 30-foot wildfire buffer around them.

STAFF RECOMMENDATIONS:

Staff recommends approval of the request to rezone the proposed property, as it has been determined that it meets the requirements of the Riley County Zoning Regulations and the Riley County Sanitary Code.

POSSIBLE MOTION(S)

ACTION NEEDED FOR REZONING:

- A. Move to approve the request to rezone the subject property from “C-4” (Highway Business), “SF-1” (Single Family Residential) and “AG” (Agricultural District) to “C-PUD” (Commercial Planned Unit Development) for the following reasons:
- The rezoning is compatible with the character of the neighborhood.
 - The rezoning is compatible with the zoning and uses of properties nearby.
 - The subject property is not suitable for the uses allowed by the current zoning.
 - Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
 - The subject property has remained vacant as zoned for a substantial time period.
 - The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
 - The rezoning is consistent with the recommendations of permanent or professional staff.
 - The rezoning conforms to the adopted comprehensive plan.
 - The rezoning will not detrimentally affect the conservation of the natural resources of the County.
 - The rezoning will result in the efficient expenditure of public funds.

- The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

Or

B. Move to deny the request to rezone the subject property for the following reasons:

- The rezoning is incompatible with the character of the neighborhood.
- The rezoning is incompatible with the zoning and uses of properties nearby.
- The subject property is not suitable for the uses allowed by the proposed zoning.
- Removal of the current restrictions by rezoning will detrimentally affect nearby property.
- The subject property is developed or utilized as zoned for a substantial time period.
- The gain to the public health, safety and welfare by denying rezoning is greater than the hardship imposed upon the individual landowner.
- The rezoning is inconsistent with the recommendations of permanent or professional staff.
- The rezoning does not conform to the adopted comprehensive plan.
- The rezoning may detrimentally affect the conservation of the natural resources of the County.
- The rezoning will result in the inefficient expenditure of public funds.
- The rezoning will diminish the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

ATTACHMENTS:

- Vicinity/site map
- Surrounding zoning map
- CAFOs map
- Fire Stations map
- Floodplain/Topeka Shiner map
- LESA results
- Preliminary Development Plan

Prepared by: Bob Isaac, Planner
August 31, 2016



VICINITY AND SITE

Carlson

Rezone C-4 to C-PUD #16-08

Rezone SF-1 to C-PUD #16-09

Rezone AG to C-PUD #16-10

9-7-6, 10-7-6

Legend

-  1000' Buffer
-  Site





SURROUNDING ZONING

Carlson

Rezone C-4 to C-PUD #16-08

Rezone SF-1 to C-PUD #16-09

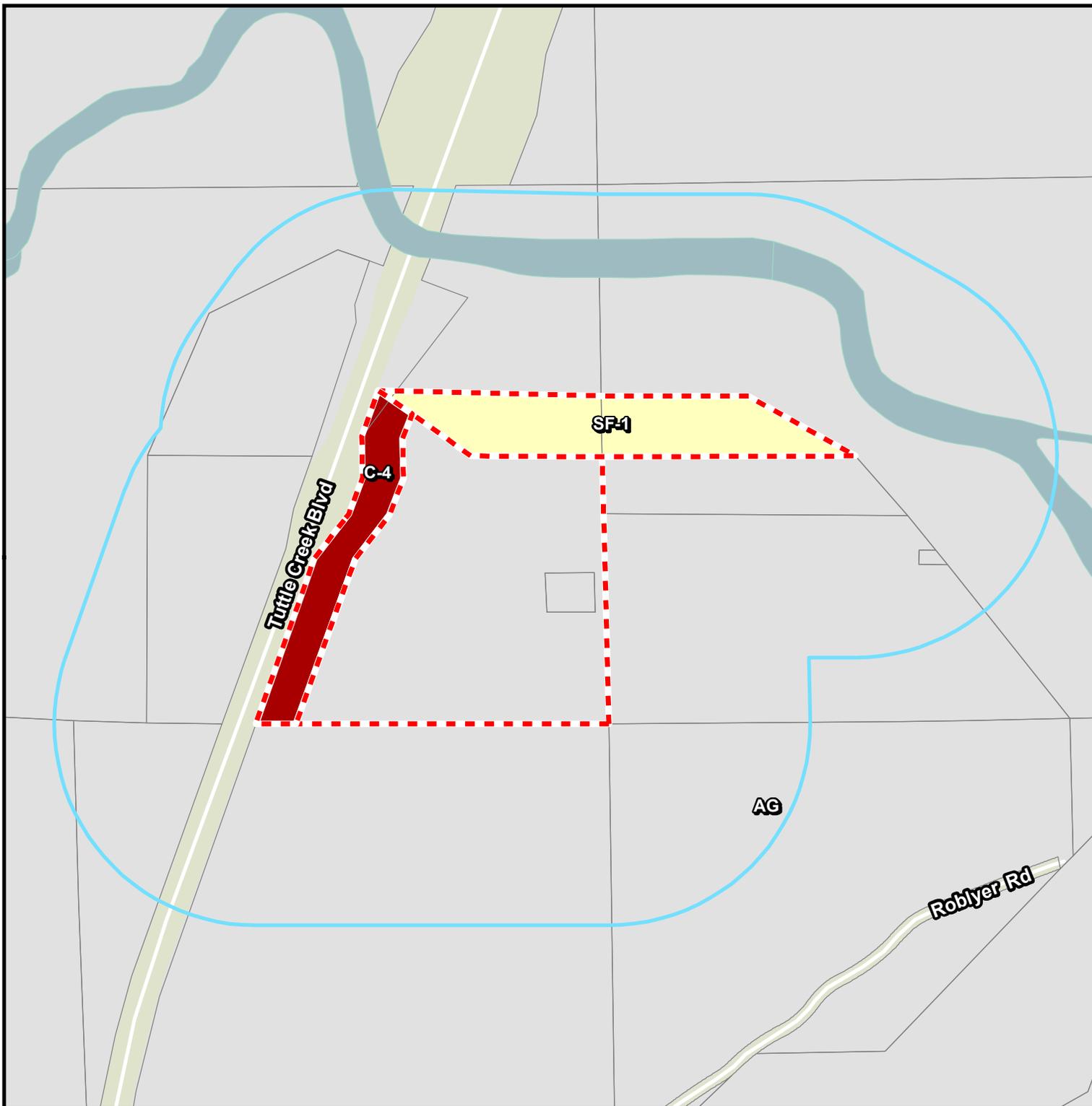
Rezone AG to C-PUD #16-10

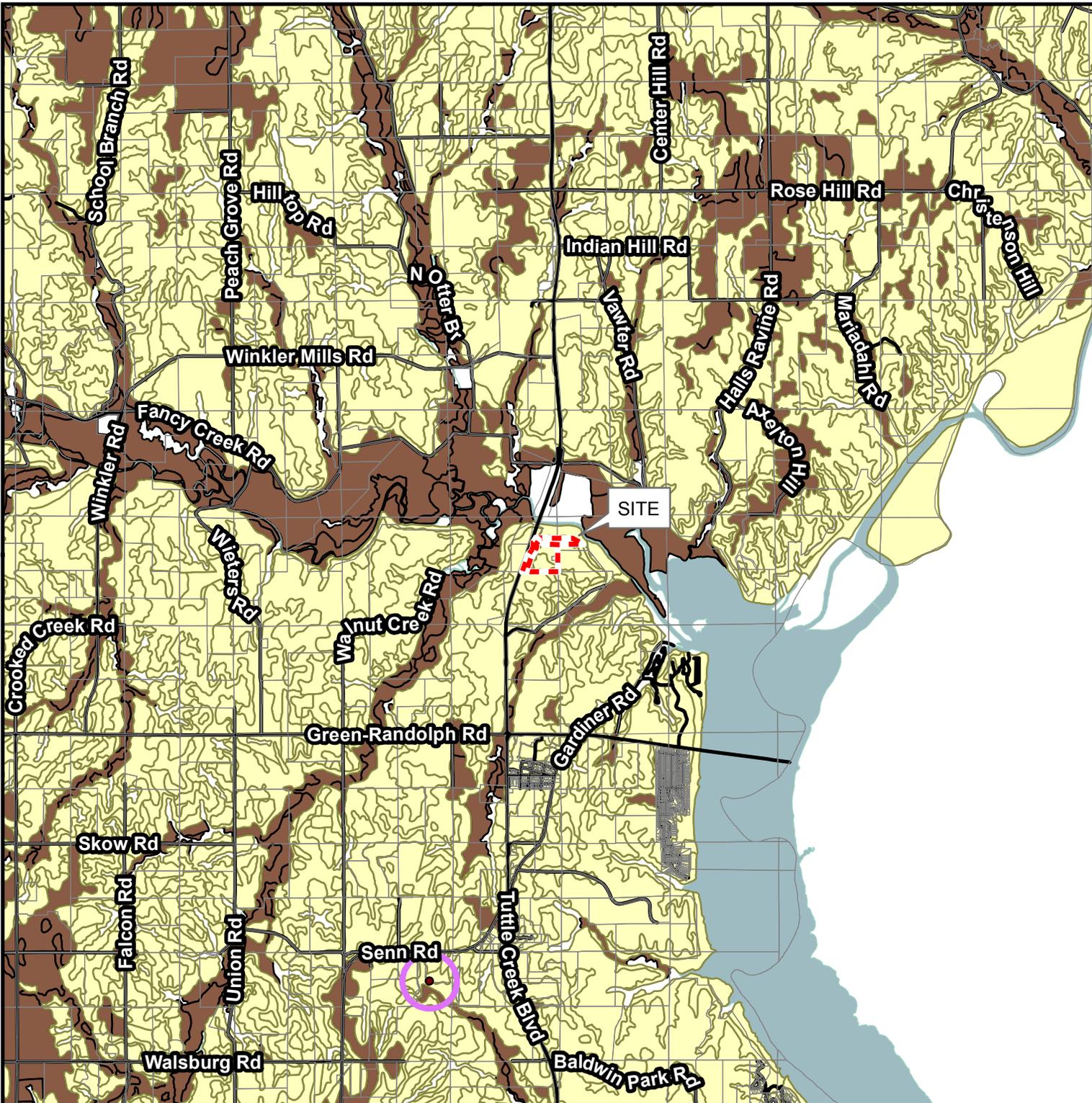
9-7-6, 10-7-6

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 | Special Zoning:
Conditional Use
Designator Lot
Special Use
Variance |
| C-2 Shopping Dist | |
| C-3 General Business | |
| C-4 Highway Business | |
| D-1 Industrial Park | |
| D-2 Light Industrial | |
| D-3 Heavy Industrial | |
| D-4 Business Park | |





Confined Animal Feeding Operation (CAFO)

Carlson

Rezone C-4 to C-PUD #16-08

Rezone SF-1 to C-PUD #16-09

Rezone AG to C-PUD #16-10

9-7-6, 10-7-6

Legend

Buffer Distance

-  1320' (1 - 999 Units)
-  4000' (1000+ Units)

KDHE Animal Units

-  1 - 999
-  1000+

Soils (NRCS)

-  Statewide Importance
-  Prime Soils



FIRE STATIONS

Carlson

Rezone C-4 to C-PUD #16-08

Rezone SF-1 to C-PUD #16-09

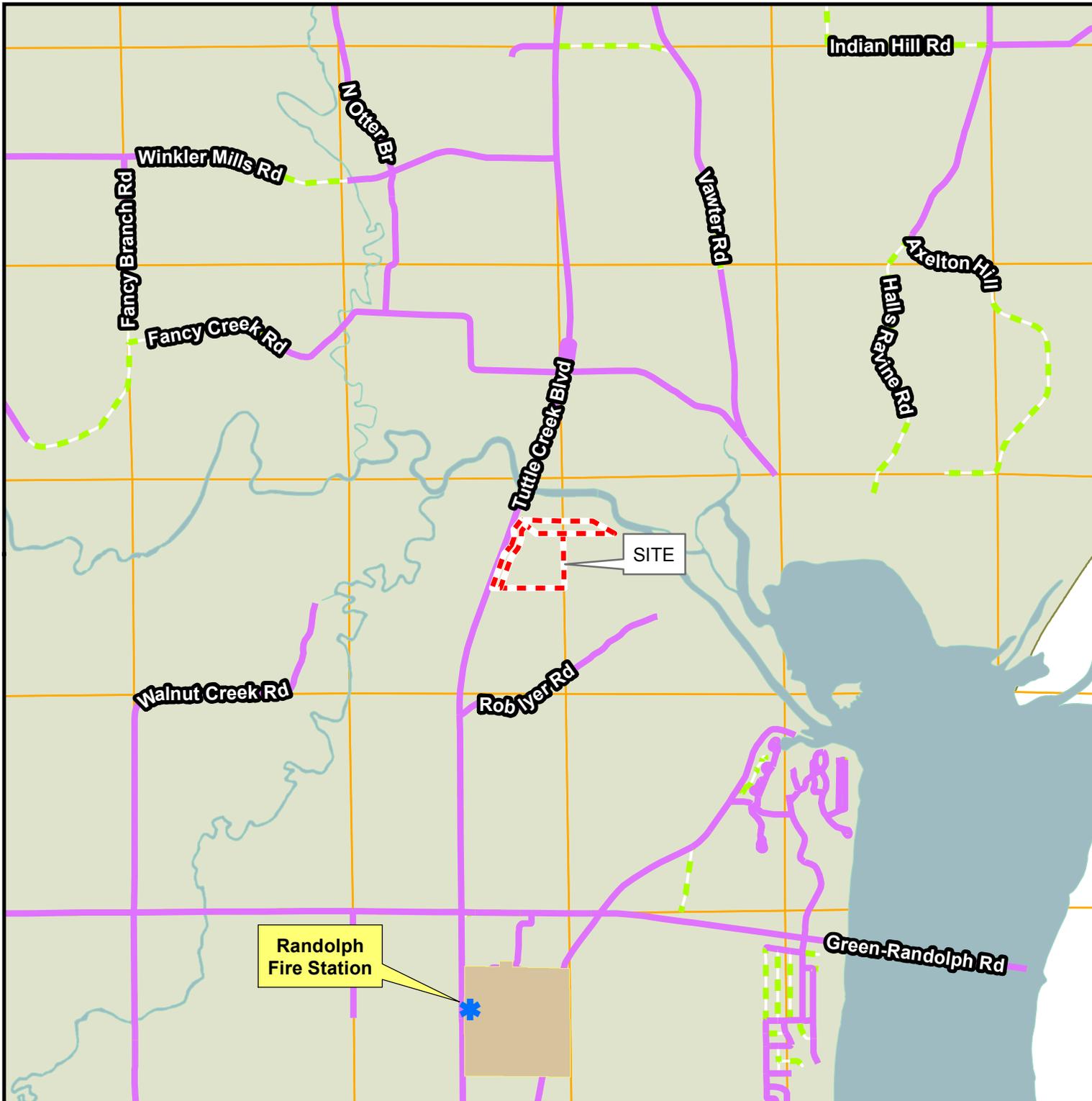
Rezone AG to C-PUD #16-10

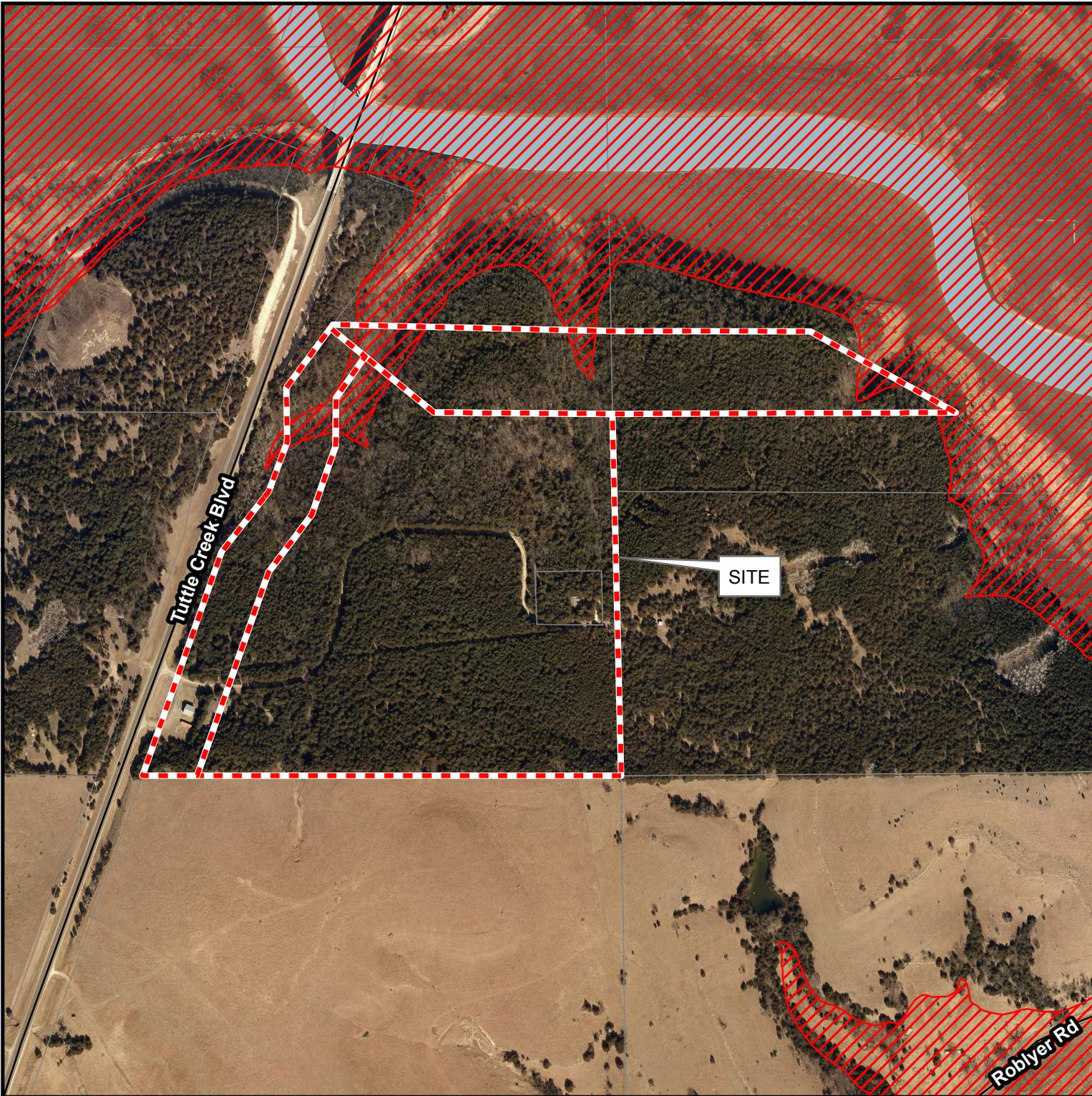
9-7-6, 10-7-6

 Fire Station

 Within 5 Miles
of a Fire Station

 Not within 5 Miles
of a Fire Station





FLOODPLAIN

**TOPEKA SHINER
HABITAT**

Carlson

Rezone C-4 to C-PUD #16-08

Rezone SF-1 to C-PUD #16-09

Rezone AG to C-PUD #16-10

9-7-6, 10-7-6

Legend

-  Topeka Shiner Habitat
- Floodplain**
-  1% Annual Chance Flood (Unnumbered)
-  1% Annual Chance Flood (Numbered)
-  Floodway
-  1% Annual Chance Flood (1'-3' Depth)
-  .2% Annual Chance Flood

FACTOR 1

CHARACTER OF THE NEIGHBORHOOD (Surrounding Area within 1/4 Mile)

Agricultural Character Test

	Points	Score
● Percent of Cropland/Grassland		
<input type="checkbox"/> More than 95%	0	
<input type="checkbox"/> 80% to 95%	80	
<input checked="" type="checkbox"/> 60% to 79.99%	165	165
<input type="checkbox"/> Less than 60%	250	
	TOTAL	165
● Overall Housing Density		
<input checked="" type="checkbox"/> Greater than 160 acres/residence	0	0
<input type="checkbox"/> 80 to 160 acres/residence	65	
<input type="checkbox"/> 40 to 79.99 acres/residence	130	
<input type="checkbox"/> 20 to 39.99 acres/residence	195	
<input type="checkbox"/> Less than 20 acres/residence	250	
	TOTAL	0
● Number of Non-Farm Residences		
<input checked="" type="checkbox"/> 0	0	0
<input type="checkbox"/> 1	50	
<input type="checkbox"/> 2	100	
<input type="checkbox"/> 3	150	
<input type="checkbox"/> 4	200	
<input type="checkbox"/> 5 or more	250	
	TOTAL	0
● Number of Tracts Less Than 20 acres		
<input type="checkbox"/> 0	0	
<input type="checkbox"/> 1	50	
<input type="checkbox"/> 2	100	
<input type="checkbox"/> 3	150	
<input type="checkbox"/> 4	200	
<input checked="" type="checkbox"/> 5 or more	250	250
	TOTAL	250
GRAND TOTAL		415

	SCALE	Points
Strongly Agricultural		0
Moderately-Strong Agricultural		50
Moderately Agricultural		100
Moderately-Mild Agricultural		150
Mildly Agricultural		200
Mildly Non-Agricultural		250
Mildly Non-Ag Residential		300
Moderately-Mild Non-Ag Res.		350
Moderately Non-Ag Res.		400
Moderately-Strong Non-Ag Res.		450
Strongly Non-Ag Residential		500
		550
		600
		650
		700
		750
		800
		850
		900
		950
		1000

Rural Character Test

● Development conforms to rural character guidelines		
	Bonus	
	Points	Score
<input checked="" type="checkbox"/> Conforms to guidelines	500	500
<input type="checkbox"/> Does not conform to guidelines	0	
	TOTAL	500

TOTAL POINTS AVAILABLE:
(Not Including Bonus Points)

1000 Points

FACTOR 2

THE ZONING AND USES OF NEARBY PROPERTY (Surrounding Area within 1 Mile)

Compatible Zoning Test

Perimeter Component

- Percent of Perimeter Adjacent to Similar Zoning

	Points	Score
<input checked="" type="checkbox"/> No Adjacency	0	0
<input type="checkbox"/> 1% - 9.99%	50	
<input type="checkbox"/> 10% - 24.99%	100	
<input type="checkbox"/> 25% - 50%	200	
<input type="checkbox"/> Over 50%	250	
TOTAL		0

Proximity Component

- Number of Acres of Similar Zoning Within Certain Distances

Acres	Points	Within 1000'	Between 1000' and ½ mile	Between ½ mile and 1 mile	
0	0				
.1-2	10				
2.1-5	20				
5.1-10	30				
10.1-15	40				
Over 15	50				
Weighting		2.5	1.5	1	
SUBTOTAL		0	0	0	
TOTAL					0

Compatible Land Use Test

Perimeter Component

- Percent of Perimeter Adjacent to Similar Land Use

	Points	Score
<input checked="" type="checkbox"/> No Adjacency	0	0
<input type="checkbox"/> 1% - 9.99%	50	
<input type="checkbox"/> 10% - 24.99%	100	
<input type="checkbox"/> 25% - 50%	200	
<input type="checkbox"/> Over 50%	250	
TOTAL		0

Proximity Component

- Number of Acres of Similar Land Use Within Certain Distances

Acres	Points	Within 1000'	Between 1000' and ½ mile	Between ½ mile and 1 mile	
0	0				
.1-2	10				
2.1-5	20				
5.1-10	30				
10.1-15	40				
Over 15	50				
Weighting		2.5	1.5	1	
SUBTOTAL		0	0	0	
TOTAL					0

TOTAL POINTS AVAILABLE:

1000 Points

FACTOR 3

THE SUITABILITY OF THE PROPERTY FOR THE USES ALLOWED UNDER THE CURRENT ZONING

Crop Capability Test

LAND CAPABILITY CLASS	RELATIVE VALUE (RV)	NUMBER OF ACRES IN SITE	PRODUCT OF RV & NO. OF ACRES
1	0		
2	25		
3	50		
4	75	18.19342	1364.5065
5	150		
6	225	34.91894	7856.7615
7	300	6.726206	2017.8618
8	375		
TOTALS		59.838566	11239.1298

Product of RV & Acres / Number of Acres in Site = Average Site Value

Average Site Value 188

Rangeland Productivity Test

TOTAL DRY WEIGHT PRODUCTION - NORMAL YEAR (lbs)	RELATIVE VALUE (RV)	NUMBER OF ACRES IN SITE	PRODUCT OF RV & NO. OF ACRES
8500+	0		
7500-8499	50		
6500-7499	100		
5500-6499	150		
4500-5499	225	1.153048	259.4358
3500-4499	300	54.35829	16307.487
2500-3499	375	4.327227	1622.710125
TOTALS		59.838565	18189.63293

Product of RV & Acres / Number of Acres in Site = Average Site Value

Average Site Value 304

Site Suitability Test

- Attributes Reducing Agricultural Site Suitability

Size of site (in acres)

- 0-3
- 3.1-5
- 5.1-10
- Over 10

Points	Score
125	
90	
45	
0	0
TOTAL	0

Isolation of site from other agricultural land

(Site must be < than 10 acres; isolation may be created by ownership or physical features, e.g. riparian areas, roads, topography, etc.)

- Isolated
- Not Isolated

Points	Score
125	
0	0
TOTAL	0

TOTAL POINTS AVAILABLE:

1000 Points

FACTOR 4

Agricultural Conflict Test

• Proximity of Residence to Confined Animal Feeding Operation (CAFO)

	Points	Score
<input checked="" type="checkbox"/> More than 1 mile from CAFO	250	250
<input type="checkbox"/> Between 1 mile and 1/4 mile	0	
<input type="checkbox"/> Within 1/4 mile	-250	
TOTAL		250

• Proximity of Site to Other Agricultural Activities

DISTANCE	POINTS	Permanently Preserved Land	Cropping Operation	Grassland Tract (>20 acres, no home)
Over 1000'	125	125	125	125
500 - 1000'	100			
250 - 499'	75			
50 - 249'	50			
Less than 50'	0			
SUBTOTALS		125	125	125
				TOTAL
				375

DISTANCE	POINTS	Livestock Enclosure (No)
Over 2000'	125	125
1000 - 2000'	100	
500 - 999'	75	
100 - 499'	50	
Less than 100'	0	
TOTAL		125

Non-Agricultural Conflict Test

• Proximity of Site to Fort Riley Noise Zones

	Points	Score
<input checked="" type="checkbox"/> Outside of Noise Zone II and LUPZ	250	250
<input type="checkbox"/> Within LUPZ	125	
<input type="checkbox"/> Within Noise Zone II	0	
TOTAL		250

ADDITIONAL POSITIVE/NEGATIVE POINTS FOR MITIGATIVE/DETRIMENTAL IMPACTS

• Effect of Rezoning on Valuation of Adjoining Property*

	Points	Score
<input type="checkbox"/> Evidence that rezoning will increase value of adjoining property	250	
<input type="checkbox"/> Evidence that rezoning will not devalue adjoining property	125	
<input checked="" type="checkbox"/> No evidence that rezoning will/will not devalue adjoining property	0	0
<input type="checkbox"/> Evidence that rezoning will devalue adjoining property	-250	
TOTAL		0

* Evidence must be from a professional source

TOTAL POINTS AVAILABLE: **1000 Points**

FACTOR 5

Public Health Test

• Availability of and Connection to Public Sanitary Sewer System

	Points	Score
<input type="checkbox"/> Available at site	200	
<input type="checkbox"/> Within 400'	175	
<input type="checkbox"/> 400' - .24 mile	150	
<input type="checkbox"/> .25 - .49 mile	100	
<input type="checkbox"/> .5 miles - .99 mile	50	
<input checked="" type="checkbox"/> More than 1 mile	0	0
TOTAL		0

• Availability of and Connection to Public Water Systems

	Points	Score
<input type="checkbox"/> Available at site	200	
<input type="checkbox"/> Within 400'	175	
<input type="checkbox"/> 400' - .24 mile	150	
<input type="checkbox"/> .25 - .49 mile	100	
<input type="checkbox"/> .5 miles - .99 mile	50	
<input checked="" type="checkbox"/> More than 1 mile	0	0
TOTAL		0

BONUS POINTS

• Development will result in the creation/extension of new/additional public sewer system

Points	Score
500	0

• Development will result in the creation/extension of new/additional public water system

150	0
-----	----------

Public Safety Test

• Public Protection Classification (Fire Insurance Rating)

	Points	Score
<input type="checkbox"/> Within ISO Class 7	200	
<input type="checkbox"/> Within ISO Class 9	100	
<input checked="" type="checkbox"/> Within ISO Class 10	0	0
TOTAL		0

• Location of building site relative to floodplain

	Points	Score
<input checked="" type="checkbox"/> Not in the floodplain	200	200
<input type="checkbox"/> Within 500-year floodplain	0	
<input type="checkbox"/> Within 100-year floodplain	-200	
TOTAL		200

• Access to building site relative to floodplain

	Points	Score
<input checked="" type="checkbox"/> Not in the floodplain	200	200
<input type="checkbox"/> Within 500-year floodplain	0	
<input type="checkbox"/> Within 100-year floodplain	-200	
TOTAL		200

• Expected Impact of Proposed Development on Existing Road*

	Points	Score
<input checked="" type="checkbox"/> Current Road Adequate, No Changes Required	150	150
<input type="checkbox"/> Minor Improvements Needed	0	
<input type="checkbox"/> Major Improvements Needed	-150	
<input type="checkbox"/> Additional Off-Site Improvements Needed**	-150	
TOTAL		150

* Determination of anticipated traffic impacts from traffic study using assumed trip generation models. Minor/major improvements determined by County Engineer based on evaluation of degree of surface alterations required to meet the impact. Maximum points given for improvements funded by developer.

** Additional off-site improvements include addition of turning lanes, improvement of drainage structures and similar improvements that are not re-surfacing improvements. If alteration of surface and additional off-site improvements are needed, both point totals shall apply. No points subtracted for improvements funded by developer.

TOTAL POINTS AVAILABLE: **1150 Points**

FACTOR 6

Transportation Test

• Adequacy of the Access Road Surface

	Points	Score
<input checked="" type="checkbox"/> Paved	150	150
<input type="checkbox"/> Gravel w/ 24' roadbed	100	
<input type="checkbox"/> Gravel w/ 22' roadbed	50	
<input type="checkbox"/> Gravel w/ 20' roadbed	0	
<input type="checkbox"/> Gravel w/ 18' or less roadbed	-50	
<input type="checkbox"/> Unimproved	-100	
<input type="checkbox"/> Trail or Undeveloped	-150	
TOTAL		150

• Distance from site to Paved Road

	Points	Score
<input checked="" type="checkbox"/> Direct access onto paved road	150	150
<input type="checkbox"/> Within .25 mi	100	
<input type="checkbox"/> .25 to .49 mi	50	
<input type="checkbox"/> .50 to .99 mi	0	
<input type="checkbox"/> 1-3 miles	-50	
<input type="checkbox"/> Over 3 miles	-100	
TOTAL		150

• Distance from site to major/minor trafficway

	Points	Score
<input checked="" type="checkbox"/> Direct access onto major/minor trafficway or frontage road	150	150
<input type="checkbox"/> Within .5 mi	100	
<input type="checkbox"/> .5 to .99 mi	50	
<input type="checkbox"/> 1 to 2.9 mi	0	
<input type="checkbox"/> 3-5 miles	-50	
<input type="checkbox"/> Over 5 miles	-100	
TOTAL		150

Efficient Development Test

• Distance from a City*

	Points	Score
<input type="checkbox"/> Contiguous to City Limit	200	
<input type="checkbox"/> Within .25 mile of City Limit	150	
<input type="checkbox"/> .26 to .5 mile from City Limit	100	
<input type="checkbox"/> .51 to 1 mile from City Limit	50	
<input checked="" type="checkbox"/> 1.1 to 3 miles from City Limit	0	0
<input type="checkbox"/> Beyond 3 miles from City Limit	-50	
TOTAL		0

* Any Incorporated City within Riley County

• Distance from Nearest Public School*

	Points	Score
<input type="checkbox"/> Within 1 mile	200	
<input checked="" type="checkbox"/> 1.1 mile - 2 miles	100	100
<input type="checkbox"/> 2.1 miles - 3 miles	0	
<input type="checkbox"/> Beyond 3 miles	-100	
TOTAL		100

* Distance to Either Elementary or Secondary School
Using the Shortest Travel Distance Via Improved Roads

TOTAL POINTS AVAILABLE: **850**

FACTOR 7

CONFORMANCE TO THE COMPREHENSIVE PLAN

Future Land Use Map Test

• Conformance of the Proposal to the Future Land Use Map

- Within a Designated Growth Area (DGA)
- Within ¼ mile of DGA
- Between ¼ and ½ mile of DGA
- Over ½ mile from DGA

Points	Score
1000	
500	
250	
0	0
TOTAL	0

TOTAL POINTS AVAILABLE:

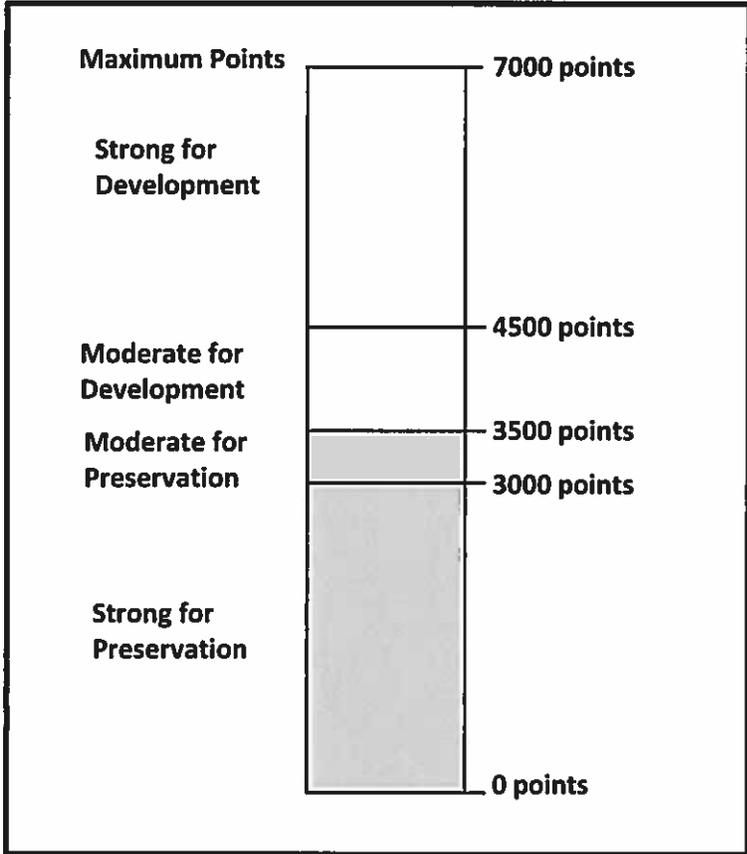
1000 Points

SUMMARY SCORESHEET

Factor	Score
1 <u>Agricultural Character Test</u>	
Percent of Cropland/Grassland	165
Overall Housing Density	0
Number of Non-Farm Residences	0
Number of Tracts Less Than 20 acres	250
2 <u>Compatible Zoning Test</u>	
Perimeter Component	0
Proximity Component	0
<u>Compatible Land Use Test</u>	
Perimeter Component	0
Proximity Component	0
3 <u>Crop Capability Test</u>	188
<u>Rangeland Productivity Test</u>	304
<u>Site Suitability Test</u>	
Site Size	0
Site Isolation	0
4 <u>Agricultural Conflict Test</u>	
Proximity to CAFO	250
Proximity to Other Ag Activities	375
Proximity to Livestock Enclosures	125
<u>Non-Agricultural Conflict Test</u>	
Proximity to Fort Riley Noise Zones	250
5 <u>Public Health Test</u>	
Availability of Sewer	0
Availability of Water	0
<u>Public Safety Test</u>	
Fire Protection Rating	0
Site to Floodplain	200
Access in Floodplain	200
6 <u>Transportation Test</u>	
Adequacy of Road Surface	150
Distance to Paved Road	150
Distance to Trafficways	150
Impact on Existing Road	150
<u>Efficient Development Test</u>	
Distance to City Limits	0
Distance to Schools	100
7 <u>Future Land Use Map Test</u>	0
SUBTOTAL	3007
ADDITIONAL POSITIVE/NEGATIVE POINTS	
1 <u>Rural Character Test</u>	500
4 <u>Additional +/- Points</u>	
Effect on Valuation	0
5 <u>New/Additional Public Sewer System</u>	0
<u>New/Additional Public Water System</u>	0
SUBTOTAL:	500
GRAND TOTAL:	3507
FINAL LESA DETERMINATION:	Moderate for Development

Final Score:
3507

Final Scoring Chart



Description:

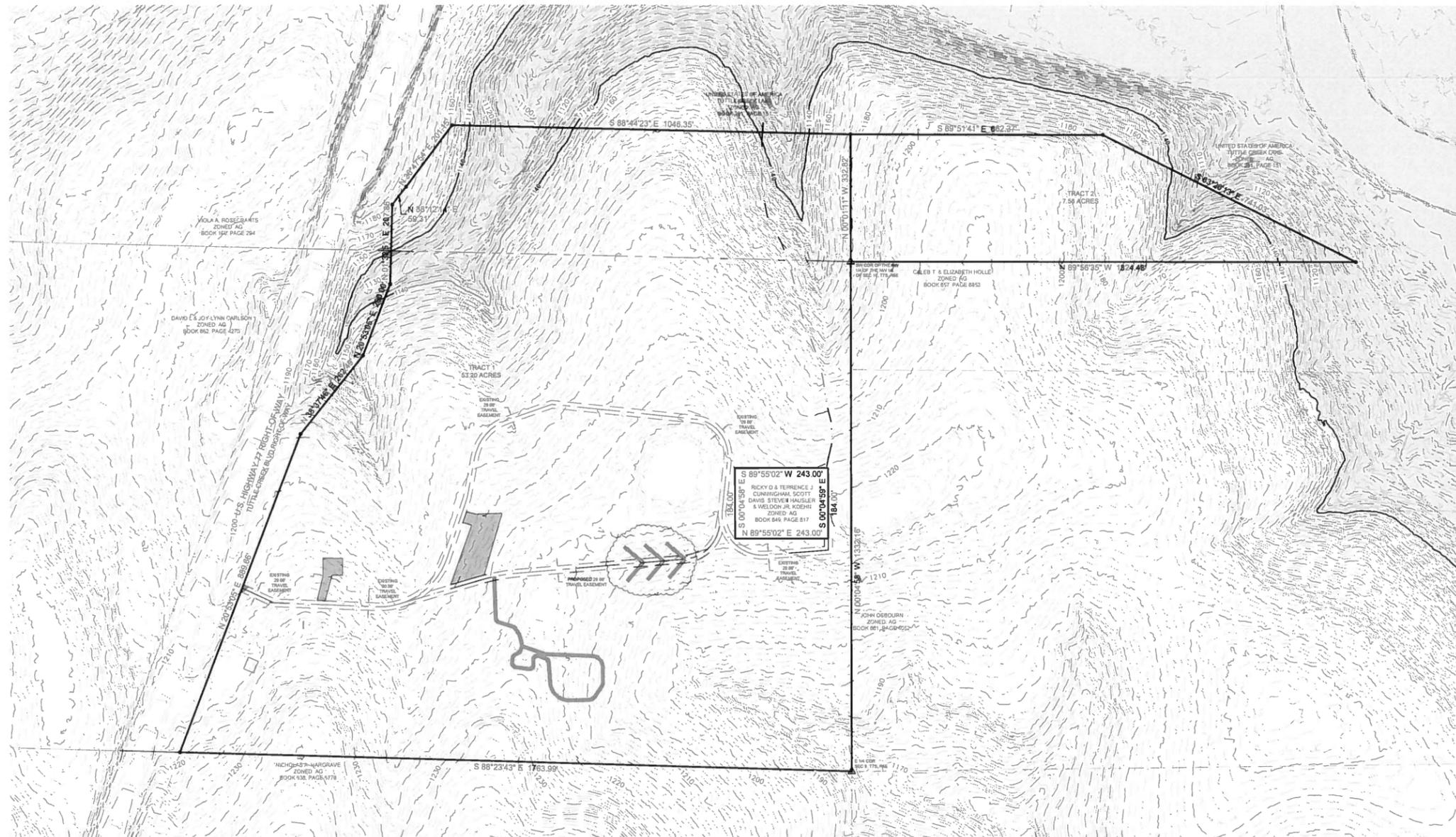
A tract of land in the Northeast Quarter of Section 9 and the Northwest Quarter of the Northwest Quarter of Section 10, Township 07 South, Range 06 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 9; thence N88°23'43"W 1763.99 feet to the East right of way line of US 77 Highway; thence

Along the East right of way line of US 77 Highway the following 6 courses,

- Course 1: N 20°53'05" E 889.66 feet,
 - Course 2: N 38°37'46" E 262.49 feet,
 - Course 3: N 20°53'05" E 200.00 feet,
 - Course 4: N 01°33'51" E 207.86 feet; thence
 - Course 5: N 38°12'14" E 59.31 feet; thence
 - Course 6: N 36°47'54" E 201.15 feet; thence
- S 88°44'23" E 1046.35 feet to the East Line of the Northeast Quarter of said Section 9; thence S 89°51'41" E 662.37 feet; thence S 63°20'13" E 741.03 feet to the South Line of the Northwest Quarter of the Northwest Quarter of said Section 10; thence N 89°56'35" W 1324.48 feet to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 10; thence S 00°04'58" E 1332.16 feet to the point of beginning, containing 61.78 acres.

Subject to easements and restrictions of record.



FANCY CREEK PUD
PRELIMINARY DEVELOPMENT PLAN
RILEY COUNTY, KANSAS

(STAMP)

REVISION	DATE	DESCRIPTION
000000		



PROJECT #: 1608MN4029
CHECKED BY: JDH
DRAWN BY: ASJ

DATE:
8-23-2016

SHEET #

1

TOTAL SHEETS
2

OVERALL SITE PLAN

STATEMENT OF LANDOWNER'S INTEREST:
 I, DAVID L. CARLSON AND MY WIFE JOY-LYNN CARLSON, WILL BE MANAGERS OF ALL OPERATIONS OF THE OUTDOOR ADVENTURE SCHOOL AT 16010 TUTTLE CREEK BOULEVARD. WE WILL BE RESIDING ON THE PROPERTY AND HAVE THE FINANCIAL CAPACITY TO MANAGE THE LAND AND ALL BUSINESS TO BE CONDUCTED ON THE PROPERTY.

PERMITTED STRUCTURES:

- Entrance sign - restore and paint existing 4"x5" sign along roadside in front of existing shop building
- Training, trail & parking signage - directional signs to assist students
- Sculpture/Planter - (set on existing concrete sign base to improve the appearance of the site)
- Split Rail Fence
- Concession Stand - including a commercial kitchen and serve ready to eat hot food
- Retail and Maintenance Shop - for school related maintenance equipment and supplies and retail sales of school related merchandise such as tents, bug spray, snacks, etc.
- Cabins - including Log Cabin, Hobbit Ferro Cabin, Cordwood Cabin, Rough sawn Board and Batten Cabin, Paper Crete Cabin, Straw Bale Cabin, Cob Cabin (ADA)
- Gozebo
- Bath Houses
- Pump House
- Pole Shed / Gravel Storage
- Waste Water Lift Station
- Registration Adirondack Lean-to
- Cook Shack / Storage - (8-ft. round storage shed made with cordwood construction for storing cookware and supplies used in our Outdoor Cooking Class)
- Pavilion
- Fire Watch Tower
- Central Gathering Area
- Observation Deck
- Garden Shed
- Single Family Residence - home for the caretaker's family
- Wood Shop - accessory building to caretaker's home
- Blacksmith Shop - accessory building to caretaker's home
- Wood Storage / Barn - accessory building to caretaker's home
- Writers Retreat - accessory building to caretaker's home

PERMITTED USES:

- Private park - A small wooded park area with a view of rolling hills. Amenities would include picnic tables and a fire ring
- Gate attendant camping - for a gate attendant to set up their campsite or park a camper; no facilities provided, except electricity.
- Primitive Village - A training and demonstration site consisting of a mock-up primitive village, with tipis, wigwams, hogans, Celtic roundhouse, bark houses, Wattle and Daub and similar styles of shelters.
- Tent camping
- Playground for children - including various climbing obstacles, slipper slide, swings and other small structures
- RV parking - six (6) gravelled, approximately 12'x40' slots; no facilities provided, except electricity.
- Blacksmithing class
- Shelters class
- People-powered tools class
- Snakes and traps class
- Fire series classes
- Cordage and lashing class
- Hide tanning class
- Water purification class
- One (1) single family residence and accessory uses
- Vegetable garden

NOTE:

- ZONING - EXISTING**
 - AG (AGRICULTURAL DISTRICT)
 - SF-1 (SINGLE FAMILY RESIDENTIAL)
 - C-4 (HIGHWAY BUSINESS)

- ZONING - PROPOSED**
 - CPUD: (COMMERCIAL PLANNED UNIT DEVELOPMENT)

FLOOD INFORMATION NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, MAP NUMBER 2016100150G, DATED MARCH 16, 2015, THIS PROPERTY IS LOCATED IN ZONE AE & ZONE X. ZONE AE IS DEFINED AS "BASE FLOOD ELEVATIONS DETERMINED". BASE FLOOD ELEVATION IS 1136. ZONE X IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

OWNER/DEVELOPER:

DAVE CARLSON
 16010 TUTTLE CREEK BOULEVARD
 RANDOLPH, KANSAS 66554

SCHEDULE OF IMPROVEMENTS:

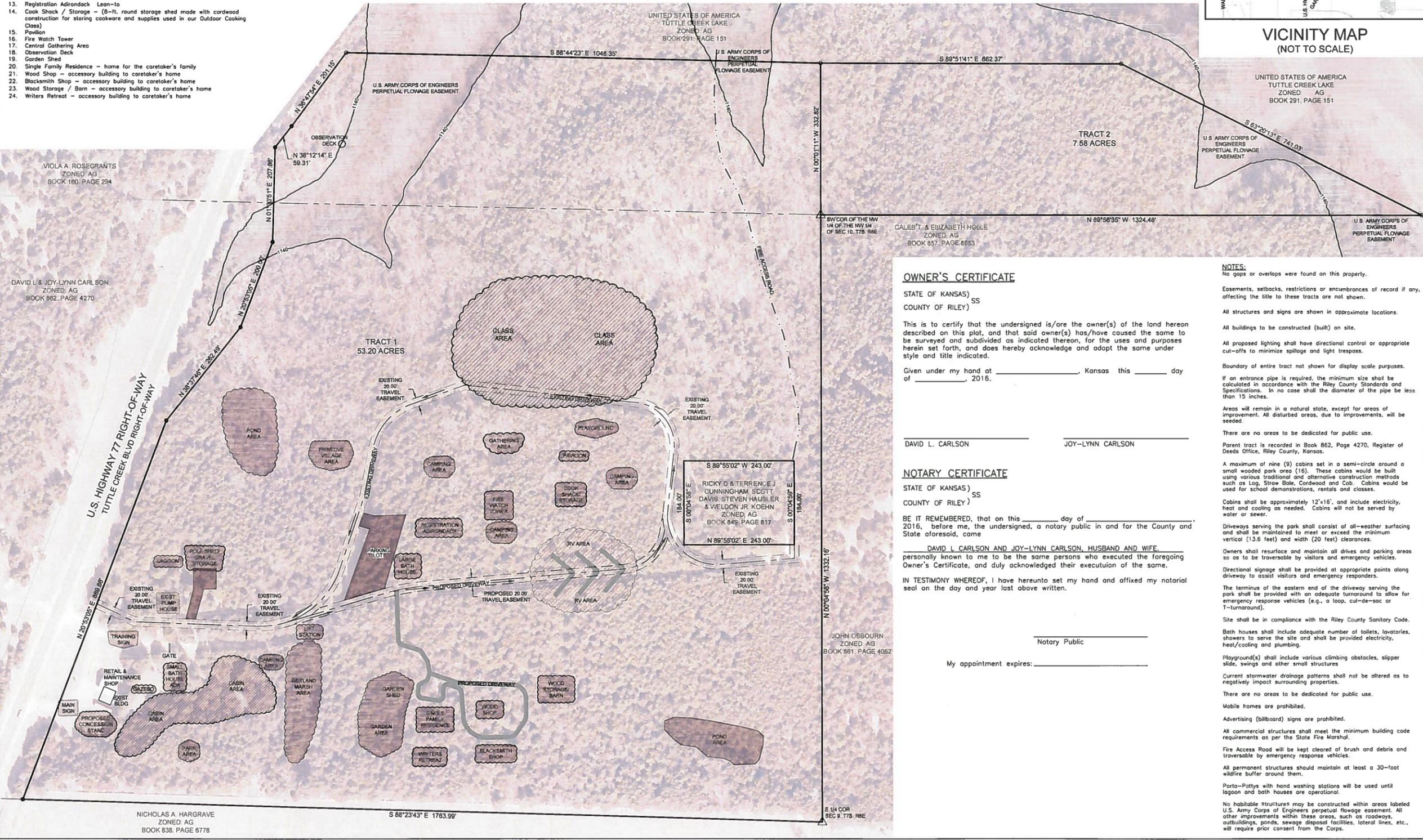
- WASTEWATER LAGOON - END 2016
- PARKING LOT AND ENTRANCE - END OF 2016
- RETAIL/COFF SHOP/STORAGE BUILDING - END OF 2016
- 2 CABINS & SMALL BATH HOUSE - SPRING/SUMMER 2017
- 2 CABINS - SPRING/SUMMER 2018
- 2 CABINS - 2019
- CONSTRUCTION OF DRIVEWAY LOOP - 2017-2018
- WOODSHOP - SUMMER 2017
- HOUSE - END OF 2018
- LARGE BATH HOUSE - END OF 2018/SPRING 2019

LEGEND

- Monument Found (1/2" Rebar), Origin - Re-Tracement Survey dated April 2015 by SMH Consultants
- 1/2"x24" Rebar w/LS66 Cap Set
- Section Corner, NOTE: All section corner monument origins are unknown unless otherwise noted.
- Existing 20' Travel Easement
- Proposed 20' Travel Easement
- Proposed Driveway
- U.S. Army Corp of Engineers perpetual flowage easement
- Elevation Contour 1140



VICINITY MAP (NOT TO SCALE)



OWNER'S CERTIFICATE

STATE OF KANSAS) SS
 COUNTY OF RILEY)
 This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owner(s) has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.
 Given under my hand at _____, Kansas this _____ day of _____, 2016.

DAVID L. CARLSON JOY-LYNN CARLSON

NOTARY CERTIFICATE

STATE OF KANSAS) SS
 COUNTY OF RILEY)
 BE IT REMEMBERED, that on this _____ day of _____, 2016, before me, the undersigned, a notary public in and for the County and State aforesaid, came
 DAVID L. CARLSON AND JOY-LYNN CARLSON, HUSBAND AND WIFE,
 personally known to me to be the same persons who executed the foregoing Owner's Certificate, and duly acknowledged their execution of the same.
 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public

My appointment expires: _____

NOTES:

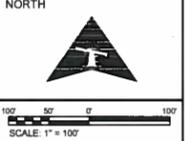
- No gaps or overlaps were found on this property.
- Easements, setbacks, restrictions or encumbrances of record if any, affecting the title to these tracts are not shown.
- All structures and signs are shown in approximate locations.
- All buildings to be constructed (built) on site.
- All proposed lighting shall have directional control or appropriate cut-offs to minimize spillage and light trespass.
- Boundary of entire tract not shown for display scale purposes.
- If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards and Specifications. In no case shall the diameter of the pipe be less than 15 inches.
- Areas will remain in a natural state, except for areas of improvement. All disturbed areas, due to improvements, will be seeded.
- There are no areas to be dedicated for public use.
- Parent tract is recorded in Book 862, Page 4270, Register of Deeds Office, Riley County, Kansas.
- A maximum of nine (9) cabins set in a semi-circle around a small wooded park area (16). These cabins would be built using various traditional and alternative construction methods such as Log, Straw Bale, Cordwood and Cob. Cabins would be used for school demonstrations, rentals and classes.
- Cabins shall be approximately 12'x16', and include electricity, heat and cooling as needed. Cabins will not be served by water or sewer.
- Driveways serving the park shall consist of all-weather surfacing and shall be maintained to meet or exceed the minimum vertical (13.5 feet) and width (20 feet) clearances.
- Directional signage shall be provided at appropriate points along driveway to assist visitors and emergency responders.
- The terminus of the eastern end of the driveway serving the park shall be provided with an adequate turnaround for emergency response vehicles (e.g., a loop, cut-de-sac or T-turnaround).
- Site shall be in compliance with the Riley County Sanitary Code.
- Bath houses shall include adequate number of toilets, lavatories, showers to serve the site and shall be provided electricity, heat/cooling and plumbing.
- Playground(s) shall include various climbing obstacles, slipper slide, swings and other small structures
- Current stormwater drainage patterns shall not be altered as to negatively impact surrounding properties.
- There are no areas to be dedicated for public use.
- Mobile homes are prohibited.
- Advertising (billboard) signs are prohibited.
- All commercial structures shall meet the minimum building code requirements as per the State Fire Marshal.
- Fire Access Road will be kept cleared of brush and debris and traversable by emergency response vehicles.
- All permanent structures should maintain at least a 30-foot wildfire buffer around them.
- Porta-Pottys with hand washing stations will be used until lagoon and bath houses are operational.
- No habitable structures may be constructed within areas labeled U.S. Army Corps of Engineers perpetual flowage easement. All other improvements within these areas, such as roadways, outbuildings, ponds, sewage disposal facilities, lateral lines, etc., will require prior consent from the Corps.

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 www.smhconsultants.com
 Civil Engineering • Land Surveying
 Landscape Architecture

FANCY CREEK PUD
 PRELIMINARY DEVELOPMENT PLAN
 RILEY COUNTY, KANSAS

(STAMP)

REVISION	DATE	DESCRIPTION
1	08/03/2016	ISSUED FOR PERMITTING



PROJECT # 1808MN4029
 CHECKED BY: JQH
 DRAWN BY: ASJ
 DATE: 8-23-2016
 SHEET # 2
 TOTAL SHEETS 2