

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

*Public comment will be received for each item as it is discussed.

WEDNESDAY, JANUARY 23, 2019

4:00 p.m.

-Consider approval of the minutes for January 9, 2019.

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Notice of intent to solicit bids for CIP Project No. 2019-70, Bridge Deck patching and overlay (Keith Browning); and
- (c) Notice of intent to solicit bids for CIP Project No. 2018-52 repainting steel bridge superstructure. (Keith Browning)

REGULAR AGENDA

- (2) Discuss processes for converting a private road to a public road. (Keith Browning)
- (3) Approve a proposal with Travelers for several general property and liability insurance coverages effective February 1, 2019, in an amount not to exceed \$462,889. (Sarah Plinsky)
- (4) Accounts Payable
- (5) Appointments:
 - Board of Zoning Appeals (1) position open 10/17
 - Building Code of Appeals Board (2) positions open 12/16
 - Community Corrections Advisory Board (1) position open 08/31/18 (educator)
 - Criminal Justice Coordinating Council (1) position (District 1 Commissioner Appointee)
 - Douglas County Fair Board (2) positions: Willow Springs and Kanwaka
 - JAAA Advisory Council (2) position
 - JAAA Board of Directors (1) position
 - Joint Economic Development Council (2) positions
 - Lawrence-Douglas County Advocacy Council on Aging (2) open positions
 - Mental Health Board (1) position open 04/18
 - Senior Resource Center (1) position open 12/31/18
- (6) General Public Comment
- (7) Commissioner and/or Administrator Miscellaneous

RECESS

RECONVENE

6:00 p.m.

- (8) Consider approval of application ZAGT-2018-0006 for an Agritourism Tier II request for an Event Center at 1173 N 150 Road, Baldwin City. (Tonya Voigt)
- (9) Adjourn

WEDNESDAY, JANUARY 23, 2019

WEDNESDAY, JANUARY 30, 2019

- Sustainability Annual Report/Food Policy Council Bylaws (Jasmin Moore)
- Douglas County Fairgrounds fee follow up (Jill Jolicoeur)

WEDNESDAY, FEBRUARY 6, 2019

- Joint Ordinance No. 9613/County Resolution for a Comprehensive Plan Amendment (CPA-18-00365) to Horizon 2020, Chapter 14 Specific Plans, to amend the Southeast Area Plan to include the southeast corner of the intersection of E. 23rd Street and O'Connell Road related to development located at 2110, 2120 & 2130 Exchange Ct. (Sandra Day is the Planner)

WEDNESDAY, FEBRUARY 13, 2019

- Consider approval of Emergency Vehicle Permit for Sheriff's Office (Ken McGovern)

WEDNESDAY, FEBRUARY 20, 2019

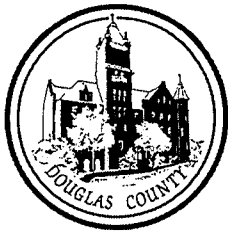
WEDNESDAY, FEBRUARY 27, 2019

WEDNESDAY, APRIL 3, 2019

- Proclamation for "National Service Recognition Day" (Linda Brandenburger)

WEDNESDAY, OCTOBER 2, 2019- cancelled

***Note:** The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and/or 6:00 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*



DOUGLAS COUNTY PUBLIC WORKS

3755 E. 25th Street
Lawrence, KS 66046
(785) 832-5293 Fax (785) 842-1201
dgcopubw@douglascountyks.org
www.douglascountyks.org

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : January 17, 2019

Re : Notice of intent to solicit bids for CIP project
Bridge deck patching and overlays for two bridges
Project No. 2019-70
CIP Project DECKOVR

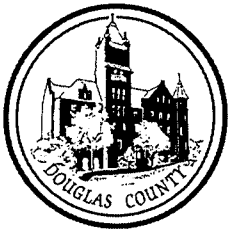
Pursuant to Section 3.13 of the Financial Policy, this is to provide notice of our intent to issue a formal request for bids for a project to patch and overlay two bridge decks. The two bridges are Bridge No. 17.27N-10.00E, located on E 1000 Road (Queens Road) approximately ¼-mile north of the Lawrence city limits, and Bridge No. 17.30N-10.81E, located on N 1750 Road near Martin Park. Both bridges span Baldwin Creek and were constructed in 1976.

The latest inspection reports for both bridges noted significant deck concrete delamination. Unless repaired, the delaminated concrete will lead to concrete spalls that expose and hasten deterioration of the reinforcing steel.

We plan to begin open bids in early- to mid-February. Following the bid opening, approval of a contract will be put on the agenda for BOCC consideration. The work will be scheduled to begin in early- to mid-March and will be completed by July.

The CIP allocates \$175,000 for this work in 2019.

Action Required: None at this time. This is for notification purposes only.



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Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : January 16, 2019

Re : Notice of intent to solicit bids for CIP project
Repainting steel bridge superstructure members for two bridges
Project No. 2018-52
CIP Project BRPAINT

Pursuant to Section 3.13 of the Financial Policy, this is to provide notice of our intent to issue a formal request for bids for a bridge maintenance project to paint the superstructures of two bridges.

The CIP allocated \$165,000 for this work in 2018. You may recall we opened bids last year for this work. The low bidder exceeded the Engineer's Estimate by more than 10%, so, in accordance with statutes, the bids were rejected. We plan to re-bid the work for completion this year.

The two bridges slated for painting are Bridge No. 02.00N-14.80E and Bridge No. 03.06N-10.00E. Both bridges are single span steel bridges. Bridge No. 02.00N-14.80E was constructed in 1932, and Bridge No. 03.06-10.00 was constructed in 1933. The latest inspection reports noted widespread flaking paint with surface corrosion for both bridges.

We will open bids in late-February or early-March. Following the bid opening, approval of a contract will be put on the agenda for BOCC consideration. The work will be scheduled for July and August.

Action Required: None at this time. This is for notification purposes only.

CHARTER RESOLUTION NO. 07-4-1

A Charter Resolution Exempting Douglas County, Kansas From The Provisions of K.S.A. 68-102 Relating to the Laying Out, Altering or Vacating Roads, and Providing Substitute and Additional Provisions Relating Thereto

WHEREAS, K.S.A. 19-101 *et seq.* provides that counties may exercise home rule powers, including adopting charter resolutions which exempt such counties from the acts of the Kansas Legislature.

WHEREAS, the County of Douglas, Kansas ("County") is a county, duly created and organized, under the laws of the State of Kansas.

WHEREAS, K.S.A. 68-101 *et seq.* is an enactment of the Kansas Legislature relating to the opening and laying out of roads, which enactment is applicable to the County, but is not uniformly applicable to all counties within the State of Kansas.

WHEREAS, the Board of County Commissioners (the "Board") desires, by charter resolution, to exempt the County from the provisions of K.S.A. 68-102, and to provide substitute and additional provision thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, MEETING IN REGULAR SESSION AND INTENDING TO EXERCISE ITS POWERS OF CHARTER HOME RULE PURSUANT TO K.S.A. 19-101b, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Exemption. The County, by the power vested in it by K.S.A. 19-101b, hereby elects to exempt itself from and make inapplicable to it, the provisions of K.S.A. 68-102.

Section 2. Substitute Provisions and Additional Provisions. The County, by the power vested in it by K.S.A. 19-101b, hereby provides substitute and alternate provisions for K.S.A. 68-102 as follows:

Laying out, altering or vacating roads. (a) Upon petition of any adjacent landowner, the board of county commissioners may lay out, alter, or vacate a road. The board of county commissioners also may lay out or alter any road when deemed necessary by the board.

(b) The board of county commissioners may vacate any road in the county whenever the board determines such road is not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes such road has become practically impassable and the necessity for such road as a public utility does not justify the expenditure of the necessary funds to repair such road or put the same in condition for public travel.

(c) Notice of the laying out, altering or vacating any road shall be given in the manner provided by K.S.A. 68-102a, and amendments thereto.

(d) As a complete alternative to the procedures set forth in subparagraph (a), (b) and (c) of this section and the procedures set in K.S.A. 68-101, *et seq.* and any other applicable law pertaining to laying out, altering, relocating, widening, or vacating any road, the board of county commissioners may, by resolution and without formal viewing, lay out, alter, relocate, widen, extend, or vacate any road or roads, with or without the presentation of a petition, as the board determines appropriate and in the public interest; provided, however, that the simple widening of road right-of-way shall not require a formal resolution of the board of county commissioners. Any resolution vacating a road pursuant to this subsection shall reserve to the county and utilities such rights-of-way and easements as, in the judgment of the board of county commissioners, are necessary or desirable for public service. All land or right-of-way required for the laying out, altering, relocating, widening, or extending of a road shall be acquired by the board of county commissioners by purchase, donation, dedication or, if the owner or owners of the land shall refuse to sell for an amount acceptable to the board of county commissioners, donate, or dedicate said land, by exercise of the right of eminent domain pursuant to article 5 of chapter 26 of Kansas Statutes Annotated, and amendments thereto. The county surveyor shall prepare a plat of survey or similar document for any road laid out, altered, relocated, widened, or vacated pursuant to this subparagraph, and the county engineer shall record in the public road records the location, relocation, extension, change, or vacation of any such road. Notice of the laying out, altering, relocating, widening, or vacating any public road pursuant to this subparagraph, containing a reasonable description of the proposed changes, shall be given to each owner of property adjoining the road, sent by first class mail to the at the address where the owner's property tax statements are sent; provided that such notice need not be given if the owner has previously granted additional right-of-way or signed any other agreement conveying land or right-of-way with respect to the road project.

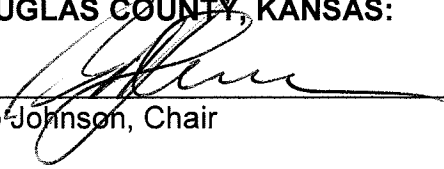
Section 3. Severability. In the event that any provision or section of this Charter Resolution is deemed or ruled unconstitutional or otherwise illegal or invalid by a court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Resolution. In such instance, this Charter Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 4. Revocation. Charter Resolution 94-2-1 is hereby revoked.

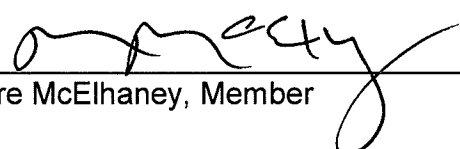
Section 5. Effective Date. The county clerk is directed to cause this Charter Resolution to be published once each week for two consecutive weeks in the official County newspaper. This Charter Resolution shall become effective 60 days after the final publication, unless a petition signed by a number of electors of the Douglas County equal to not less than 2% of the number of electors who voted at the last preceding November general election or 100 electors, whichever is the greater, shall be filed in the office of the county election officer demanding that this Charter Resolution be submitted to a vote of the electors. If such a valid petition is filed, this Charter Resolution shall not take effect until submitted to a referendum and approved by the electors of Douglas County, to be called and held in accordance with K.S.A. 19-101b.

Passed and Approved this 30th day of April, 2007, by the Board of County Commissioners of Douglas County, Kansas.

**BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:**



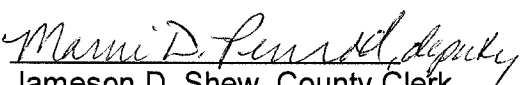
Bob Johnson, Chair



Jere McElhaney, Member

Charles Jones, Member

ATTEST:



Jameson D. Shew, County Clerk

HOME RULE RESOLUTION NO. HR 08-5-2

A HOME RULE RESOLUTION PROVIDING POLICY CONSIDERATIONS WHEN ESTABLISHING OR EXTENDING PUBLIC ROADS BASED UPON LANDOWNER-INITIATED REQUESTS AND REPEALING RESOLUTION HR-07-12-6

WHEREAS, K.S.A. 19-101a, and amendments thereto, authorizes the Board of County Commissioners (hereinafter after the "Board") to transact all County business and perform all powers of local legislation and administration it deems appropriate.

WHEREAS, K.S.A. 68-101 et seq. and Douglas County Charter Resolution 07-4-1 provide for the establishment of new and extension of existing public roads in the unincorporated areas of Douglas County if the Board determines the road will be appropriate and in the public interest or will be of public utility.

WHEREAS, by Resolution HR-07-12-6 the Board imposed a moratorium on establishing or extending public roads based upon the petition or request of one or more landowners, so that the Board could study and develop a policy to guide the Board in determining when the establishment or extension of such roads will be appropriate and in the public interest or of public utility.

WHEREAS, the Board adopts such a policy as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, SITTING IN REGULAR SESSION THIS 21st DAY OF May, 2008, AND INTENDING TO EXERCISE THE POWERS OF HOME RULE LEGISLATION PURSUANT TO K.S.A. 19-101a, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. *Policy on Establishing or Extending Public Roads.* The Board hereby adopts the following policy evaluation & review criteria to use in the deliberation to of a petition from one or more landowners to establish a new public road, or to extend an existing public road right-of-way, and in determining whether the new road is appropriate and in the public's interest, or that it will be of public utility.

The criteria for evaluation of such petitions are provided in the following tables. A petition must be accompanied by written responses to the following criteria before it will be placed on a Commission's agenda for public discussion.

CATEGORY	EVALUATION & REVIEW CRITERIA
I. Economic Considerations	Cost benefit analysis prepared by the petitioner that provides the County Commission with the following information for review: 1. an estimate of the cost of road construction; 2. an estimate of the total maintenance cost to the Township [based on cost figures provided by the County Engineer to the petitioner]; and, 3. a realistic estimate of the tax appraisal value and the number of additional homes to be built with access from the proposed road over a period of no more than 10 years.

CATEGORY	EVALUATION & REVIEW CRITERIA
II. Road Network Considerations	The proposed road will be an improvement to the current road network in the Township it is located in and the appropriate Township Board and the County Engineer have reviewed and recommended approval.

The County Commission may also consider safety and environmental issues when deliberating on a petition for a new road. The landowners petitioning for a new road may also request review under the safety and/or environmental criteria to lend additional support to and/or justification for the request for a new public road. The safety and environmental criteria are in the following table:

CATEGORY	EVALUATION & REVIEW CRITERIA
III. Safety & Environmental Considerations	1. The proposed road will provide a safer way to access existing residential properties than currently exists; 2. The proposed road will improve connectivity across a one-mile square grid by the addition of a through road that would improve emergency and/or safety vehicle response time to residences within the one-mile square grid; 3. The proposed road would eliminate: a steep slope approach, a low water crossing, a railroad crossing, or other similar safety concern; or, 4. The proposed road will create an alternative access to an otherwise developable parcel, which reduces the development impact on environmental features such as FEMA floodplain; jurisdictional wetland; or significant stands of mature trees.

The foregoing evaluation and review criteria are not exclusive and the Board may consider other factors that it deems important to any individual case. The foregoing policy considerations need not necessarily apply to (1) widening existing public roads, (2) accepting the dedication of roads in platted subdivisions, or (3) establishing new or extending existing public roads at the Board's initiative.

SECTION 2. *Revocation of Resolution HR-07-6.* Resolution HR-07-12-6, by which the Board imposed a moratorium on establishing or extending public roads based upon the petition or request of one or more landowners, is revoked.

SECTION 3. *Severability.* If any section, clause, sentence, or phrase of this Resolution is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this Resolution.

SECTION 4. *Publication.* This is a home rule resolution and shall be effective after publication one time in the Official County newspaper.

ADOPTED this 21st day of May, 2008.

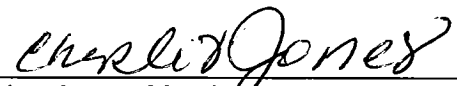
**BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:**



Bob Johnson, Chair



Jere McElhaney, Member



Charles Jones, Member

ATTEST:



Jameson D. Shew, County Clerk



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Douglas County Courthouse
1100 Massachusetts Street, Unit 204
Lawrence, KS 66044-3064
(785) 832-5329 Fax (785) 832-5320
www.douglas-county.com

Sarah Plinsky
Assistant County Administrator

MEMO TO: Board of County Commissioners

FROM: Sarah Plinsky, Interim County Administrator
Julie Clouse, Management and Information Analyst

SUBJECT: Property and Liability Insurance Renewal

DATE: January 17, 2019

Douglas County's General Property and Liability Insurance coverage expires on February 1st. This package includes property, crime, Inland Marine, General Liability, Employee Benefits Liability, Law Enforcement Liability, Public Management Liability, Employment Practice Liability, Machinery and Equipment Breakdown and Business Auto coverage. This does not include liability coverage for first responders and volunteer firefighters.

The County's Insurance broker, Willis, negotiated with Travelers and worked with another carrier, One Beacon, to solicit proposals. Douglas County has had coverage from Travelers for many years. Willis worked with One Beacon to develop a comparison proposal. The One Beacon proposal was less than the Travelers proposal at \$399,899, there were a number of coverages and/or coverage limits that One Beacon could not quote. Additional coverage would need to be secured, leading to increased cost. Overall, the Travelers proposal is a 6% reduction in our 2018 premium of \$492,015. This is an extremely competitive proposal in a tight market. Specifically, automobile coverage is seeing significant rate increases in the market.

Travelers continues to provide Douglas County with excellent customer service, and they have significant market share and experience with public accounts. Staff recommends renewal of the coverage with Travelers. Full copies of the proposals are available for review. Please let me know if you have any questions or concerns.

Recommended Motion: Approve a proposal with Travelers for several general property and liability insurance coverages effective February 1, 2019, in an amount not to exceed \$462,889.



Amy Schmidt, ZUO
Public Sector Services
385 Washington Street
9275-SB03P
St. Paul, MN 55102
651.310.6598

January 17, 2019

Sarah Plinsky, Interim County Administrator
Douglas County
1100 Massachusetts
Lawrence, KS 66044

cc: Anne Cox
Willis of Greater Kansas, Inc.
5700 W 112th St., Suite 100
Overland Park, KS 66211

Re: Three Year Program for Douglas County (the "Insured")

Dear Ms. Plinsky:

The purpose of this letter is to memorialize our mutual understanding with respect to the insurance program ("Program") issued by Travelers to the Insured effective 02/01/19 to 02/01/20 (the "Initial Policy Period").

It is the intention of Travelers to renew the Program for two additional twelve-month policy periods (the "Additional Policy Period") at rates no greater than a 5% annual increase of the Initial Policy Period; except that this intention does not apply to the workers compensation line of business within the Program. It is the intention of the Insured to accept Travelers' proposed renewals and maintain the Program for the Additional Policy Periods.

Travelers may adjust the rates for the Additional Policy Period if any of the following conditions occur:

1. There is a change in the Insured's operations, exposures or risk management controls which substantially increases the chances of a loss so as to allow Travelers' acceptance of the risk of a loss only with different rates, limits, terms or conditions, in accordance with Travelers' standard underwriting practices;
2. The Program has an incurred loss ratio of over 40%;
3. There is a change to or loss of Travelers' treaty reinsurance that would prevent Travelers from renewing the Program at the same rates;
4. The Insured becomes financially insolvent or impaired;
5. There has been a change in law (including insurance regulations) or an applicable Travelers rating plan, or insurance regulatory action which prevents Travelers from renewing the Program at the same rates, limits, terms and conditions; or
6. There has been a significant insurance claim event which prompts industry-wide changes in the U.S. property and casualty insurance industry with respect to insurance availability and pricing, whether the Insured suffers a loss as a result of the event or not.

Any changes to the rates of the Program as a result of one of above conditions occurring will be subject to the mutual agreement of Travelers and the Insured. If the Insured does not agree to the adjustments proposed by Travelers as a result of one of conditions occurring then Travelers may non-renew the Program for one or both of the Additional Policy Periods in accordance with applicable state laws.

Notwithstanding anything to the contrary contained herein, Travelers reserves the right to cancel or non-renew the Program during the Initial Policy Period or the Additional Policy Period in accordance with applicable state laws or regulations if the reason for Travelers' termination is (1) the Insured's failure to pay Travelers any amount when due, (2) the Insured makes any misrepresentations to Travelers or breaches any representations made to Travelers, either orally or in writing, or (3) there is an Act of Terrorism (as defined under the Terrorism Risk Insurance Act of 2002 or any extensions thereof), whether the Insured suffers a loss as a result of the Act of Terrorism or not.

Please sign below to acknowledge your understanding and agreement with the terms of this letter.

Sincerely,



Amy Schmidt
Zone Underwriting Officer
Public Sector Services

Understood and Agreed:

Douglas County

By: _____

Title: _____

Date: _____



DOUGLAS COUNTY ZONING & CODES DEPARTMENT

3755 E 25th Street
Lawrence, Ks 66046
Phone: 785.331.1343

MEMORANDUM

TO: Board of County Commissioners
SUBJECT: Tier 2 Agritourism – Event Venue- 1173 N 150th Rd, Baldwin City – Kyle & Codi Wentzel
DATE: January 23, 2019
FROM: Tonya Voigt, Zoning & Codes Coordinator

REGULATORY AUTHORITY FOR AGRITOURISM APPROVAL PROCESS:

12-319-7.02 b.1 Tier 1 (low intensity) Agritourism uses may be registered administratively by the Zoning and Codes Director. b.2) Registration of Tier 2 (medium intensity) Agritourism uses require approval by the Board of County Commissioners. c.2) If the Directors are unable to make a determination, the registration will be referred to the Board of County Commissioners.

GENERAL INFORMATION

Current Zoning and Land Use	A (Agricultural) Zoning, agricultural and residential use.
Area	Approximately 56 acres
Surrounding Zoning and Land Use	A (Agricultural) Zoning to the north, east, west and south. Land use is agricultural and residential.
Floodplain	This property has Zone A special hazard flood areas on the property

An agritourism use requires registration for the Agritourism business with the Kansas Department of Wildlife, Park and Tourism (KDWP). The County Agritourism use coincides with the State Registration. Re-registration with the County is required when the State registration is reviewed, every 5 years.

Kansas Statute define Agritourism as any activity which allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including, but not limited to, farming activities, ranching activities or historic, cultural or natural attractions.

SUMMARY OF PROPOSED EVENT

The Wetzel's are requesting approval for a proposed event venue. This venue will allow members of the general public, for recreational and entertainment purposes to view and enjoy activities, such as weddings, receptions, work events and family gatherings, while viewing and enjoying a rural setting. The plan is to construct a barn style structure consisting of both an event venue (main floor) and their residence (bottom floor). The proposed application is for a year-round event center, with proposed hours of operation on Friday and Saturday 9am-11pm and Sunday 9am-5pm. The occupancy of the structure is determined by available

seating for up to one hundred fifty people (150). Seventy-five (75) off street parking spaces, including five (5) ADA spaces. ADA restroom facilities will be available inside the proposed event center. The wastewater system and potable water will be approved by the Douglas County health department. Proposed activities include:

- Wedding, reception and similar uses such as corporate and group events and family reunions
- Farm-related exhibits and tours

Proposed Route: US-59 to US-56 W to E 1250 Rd, West on N 150 Rd

SITE PLAN & SUPPLEMENTAL DOCUMENTS

The agritourism site plan does not need to meet all the requirements in Section 12-319A, but must be adequate to illustrate the use and its conformance with the Zoning Regulations as well as the relationship of the use to the surrounding properties or right-of-way. At a minimum, the following items must be included:

- a) All structures to be utilized for the agritourism use identified on the plan with dimensions, including the distance to the nearest property line.
- b) Areas where the agritourism use will occur and any areas where visitors would be allowed marked on the plan.
- c) Access and parking areas shown and dimensioned, noting the number of spaces provided. For determination of parking requirements, parking is calculated at a rate of 1 parking space per 2 attendees.
- d) The water and sanitation facilities provided per the County Health Department approval.
- e) Hours of operation noted.

Anticipated attendance noted. Attendance is limited to that which can be served by available parking, as participants may arrive by bus or alternative forms of transportation.

NOTIFICATION AND MAILING

Written notices were mailed to property owners within 1000' of 1173 N 150 Rd. on Dec. 13, 2018.

DEPT REVIEW/AGENCY COMMENTS

Dept/ Agency Comments Received	
Douglas County Public Works	- The road has suitable width for two opposing traffic lanes, and is in decent condition. The additional traffic will require increased maintenance by Willow Springs Twp, and implementing a speed limit will be a good idea. Other than dust concerns, I have no other concerns about the suitability of the road. I estimate about 3,000 i.f. of dust palliative treatment each year should be ample. At the current price of \$1.45/l.f., this would be about \$4500/year. A new entrance that meets commercial standards will be required.
Willow Springs Township	- No Comments
Willow Springs Fire Dept. & EMS	- No Comments
Lawrence-Douglas County Health Dept	- • It looks like a great project. My department would of course have to evaluate the site plan and size a septic system (out of the flood plan).

REQUIRED STANDARDS FOR TIER 2 AGRITOURISM USE; 12-319-7.04

The operators of the Agritourism use shall be limited to the property owner or operator, his/her family members and employees.

Adequate parking shall be provided on-site for the use, including ADA parking. Parking for Tier 2 is limited to 100 parking spaces. No parking can occur on adjacent roads. For the purpose of calculating parking requirements, parking is calculated at a rate of 1 parking space per 2 attendees.

In order to minimize noise from the agritourism use the following are prohibited:

- 1) Motors or motorized vehicles, with the exception of agricultural machinery and vehicles or electric motors;
- 2) Outdoor amplification of sound: such as auctioneering speakers or amplified music (with the exception of a stereo or radio).
- 3) If Agritourism activity is to occur outside of daylight hours, a plan shall be provided which shows the location of lighting for the activity and the type of lighting fixtures being used as well as means taken to shield the lighting in insure no trespass or glare to adjacent properties.

Sanitary facilities shall be provided in accordance with Lawrence Douglas County Health Department requirements for the use and expected attendance.

With the exception of agricultural activities, no activities associated with the Agritourism use may occur within 50 ft. of a property line of the subject parcel.

The Zoning & Codes shall review the registration application with the criteria noted in this section and provide a report with recommendation to the Commission.

- 1) The proposed arrangement of buildings, off-street parking, access, lighting is compatible with adjacent land uses;
- 2) Adequate screening is provided between the use and adjacent residences or road ROW;
- 3) Vehicular ingress and egress to and from the site provides for safe, efficient movement of traffic including emergency vehicles;
- 4) The nature of the use is compatible with adjacent land uses and enhances or maintains the rural character of the unincorporated portion of the county;
- 5) Suitability of the existing road network system for the traffic expected to be generated by the use; road improvements may be required in some cases.

STAFF REVIEW OF CODE STANDARDS

Staff has received comments from a neighboring property owner, Ross Jones, at 1192 N 100 Rd. The attached concerns have been provided by Ross, in writing, with additional landowner signatures.

County Zoning Regulations were adopted in 1966; this property has been zoned "A (Agricultural)" since that adoption. This property is currently vacant and solely floodplain and agricultural. The surrounding area is predominately agricultural with rural dwellings located to the north, south, east and west.

The BOCC may take one of the following actions on the registration:

1. Approve the registration, including waiving any standard deemed reasonable to waive;
2. Approve the registration with conditions/restrictions such as limitation on the size of the buildings and parking areas, establishment of hours; establishment of buffering, limitation on activities; road improvements; etc.;
3. Return the registration to staff with request for more information; or
4. Deny the registration (Res 14-2).

If approved, staff recommends the following conditions;

- 1) Entrance permit must be obtained by Willow Springs Township and Douglas County Public Works meeting commercial standards. No additional entrances will be permitted.
- 2) Dust palliative program be applied annually and coordinated with DG County Public Works. All costs shall be reimbursed to Douglas County Public Works.
- 3) Implementation of a speed limit and maintenance agreement with Willow Springs Township be implemented.
- 4) If events exceed the number of parking spaces and occupancy rate allowed by Tier 2 standards, a Conditional Use Permit is required.
- 5) Event hours proposed only between the hours of on Fridays and Saturdays 9am-11pm and Sunday 9am-5pm.
- 6) No camping allowed.
- 7) No smoking shall be posted in all areas; a designated smoking area must be established on hard surface using proper receptacles for disposal.
- 8) ADA spaces shall be clearly delineated in the parking areas and designed in accordance with the ADA Guidelines and Zoning Regulations.
- 9) Map of the location of off-premise directional signs and signed forms from each property owner where a sign is located. Signs are not permitted on road rights-of-way and are limited to 30 sq. inches in size. The only information to be displayed on the signs are the event name, contact phone number, and directional arrow. Signs are permitted to be set one day prior to the event and must be removed and properly disposed of the day after the event.
- 10) No fireworks will be permitted. No fires will be allowed if a burn ban is in effect.
- 11) No lighting shall project onto adjoining residential lots. Use of spot lighting or other glaring lighting should be prohibited.
- 12) Applicant shall ensure that only caterers licensed by the State of Kansas are contracted to provide food.
- 13) All applicable liquor and/or cereal malt beverage licenses must be obtained.
- 14) The purchase of alcohol at each event shall be stopped by 10pm.
- 15) Motors or motorized vehicles are prohibited, with the exception of agricultural machinery and vehicles or electric motors.
- 16) Outdoor amplification of sound; such as auctioneering speakers or amplified music is prohibited.
- 17) The wastewater system be approved by the Douglas County Health Department.
- 18) A rural certificate of survey is required prior the obtaining a building permit.
- 19) Registration for the Agritourism business with the Kansas Department of Wildlife, Park and Tourism (KDWPT)

DOUGLAS COUNTY, KS AGRITOURISM REGISTRATION FORM

Following registration of your Agritourism use with the State of Kansas, please provide a copy of the approved State Agritourism Registration form with this completed form to the Douglas County Zoning and Codes Department; 3755 East 25th Street, Lawrence, KS. (785-331-1343)

A meeting with Zoning and Codes staff is highly recommended prior to submittal of registration information for a preliminary determination on the registration process.

(The determination may be revised upon review of the submitted material.)

Business Name: TBD	Website (if any): TBD
Physical Address of Proposed Agritourism Business (or legal description and general location if unaddressed): 1173 1167 N 150TH ROAD BALDWIN CITY, KANSAS 66006	
Business Owner Information	
Name <u>KYLE & LODI WENTZEL</u>	
Mailing Address <u>1235 MAGEL CIRCLE DR. EMPORIA KS. 66801</u>	
Phone Number <u>717-669-1574</u>	
Email Address <u>WENTZEL988@gmail.com</u>	
Property Owner Information (if different than Business Owner)	
Name _____	
Mailing Address _____	
Phone Number _____	
Email Address _____	
Type of Agritourism activity proposed (check all that apply):	
☐ Farmers markets/Roadside Stands	☐ Farm Stays
☐ U-Pick Operations	☐ Bed and Breakfast
☐ Garden, nursery tours	☐ Horseback riding
☐ Farm Winery tours/tastings	☐ Recreation (fishing, hunting, hiking, etc)
☐ Farm-related exhibits and tours	☐ Corn mazes/Pumpkin patches
☐ Petting Zoo	☐ Assembly type use such as fair or festival
☐ Educational and learning experiences	☒ Wedding, reception or similar uses
☐ Ancillary retail sales	
☐ Other (Describe activity. _____)	
Add sheet if necessary). _____	

List services, facilities, and amenities provided (seating area, tables, toilets, etc):	
THE MAIN SERVICE FOR OUR AGRITOURISM BUSINESS IS TO PROVIDE AN ESTABLISHMENT THAT ALLOWS OTHERS TO PARTICIPATE IN ACTIVITIES, WHILE EMBRACING THE BEAUTIFUL LAND SURROUNDING IT. GUEST WILL HAVE ACCESS TO THE FOLLOWING FACILITIES BUT ARE NOT LIMITED TO; MAIN EVENT FLOOR, PARKING LOT, EVENT KITCHEN, BEVERAGE BAR, AND REST ROOMS,	

→ CONT'D

Provide a detailed description of all Agritourism activities available to your guests (attach an additional sheet if necessary):

THE AGRITOURISM ACTIVITIES AVAILABLE AT OUR EVENT CENTER ARE LISTED AS FOLLOWING; WEDDING & RECEPTIONS, CORPORATE OR GROUP EVENTS AND FAMILY REUNIONS.

Provide a plan for the use which provides at a minimum:

- All structures to be used for the activity shown on the plan and dimensioned and the distance from the nearest property line noted.
- Agritourism activity area marked on the plan.
- Access and parking areas shown and dimensioned, with the number of parking spaces provided.
- Water and sanitation facilities provided per the County Health Department approval.
- Hours of operation noted.
- Anticipated attendance noted.

(The plan may be drawn on a scaled aerial photo which can be obtained from the Zoning and Codes Office.)

Additional Information:

1. Will the agritourism business be located on parcel, or one of a group of contiguous parcels under the same ownership as agricultural land uses listed in 12-306-2.01 or a working farm or ranch as determined by the Zoning and Codes Director? Yes ☒ No ☐
2. Will the agritourism business operator reside on the parcel, or on one of a number of contiguous parcels containing the Agritourism business? Yes ☒ No ☐
3. Is the operator of the Agritourism use the property owner or operator, his/her family members and employees (paid or volunteer)? Yes ☐ No ☒
4. If a Farmer's market is proposed will there be 10 or less vendors? Yes ☐ No ☐ N/A
5. If Bed and Breakfast is proposed, will there be 3 or fewer guestrooms? Yes ☐ No ☐ N/A
6. Are 40 or fewer parking spaces planned for the agritourism use? Yes ☐ No ☒
7. Are more than 100 parking spaces planned for the agritourism use? Yes ☐ No ☒
8. Will the agritourism activity utilize any motors or motorized vehicles, with the exception of agricultural machinery and vehicles or electric motors? Yes ☐ No ☒
9. Is outdoor amplification of sound, such as auctioneering speakers or amplified music (with exception of stereo or radio) proposed with the use? Yes ☐ No ☒
10. Is exterior lighting proposed? Yes ☒ No ☐
11. Will any of the agritourism activities occur within a structure? Yes ☒ No ☐
12. What is the nearest paved road to the agritourism property? OLD 59 HIGHWAY
13. What driving route is proposed from the nearest paved road to the agritourism property?
TURN OFF OLD 59 HIGHWAY ONTO N 150 RD. CONTINUE
ON N 150 RD. .5 MILES UNTIL DESIGNATION IS
REACHED.
14. Are there any physical impediments along this route, such as steep slopes, sharp curves, minimum maintenance roads, one-lane bridges, etc?

Provide the following information for required Public Notification:

- A 1000 ft property owner list which has been obtained from the Douglas County Clerk's Office. If the notification area extends within the corporate limits of a city, the list shall include owners within the 1000 ft notification area that extend 200 ft into the city. If the 1000 ft extend into another county, the applicant shall contact that county for a mailing list.
- A sample of the letter which was mailed to all property owners on the list which includes the following information:
"An Agritourism use located at _____ is in the process of being registered with Douglas County. The Agritourism use will consist of _____ (add a brief description of the event) _____. Please contact me at _____ (phone number, and/or email) _____ with any questions regarding this registration or the Douglas County Zoning and Codes Department at 785-331-1343."
- Post office certification of the date the letters were mailed.

Please use this space for additional information:

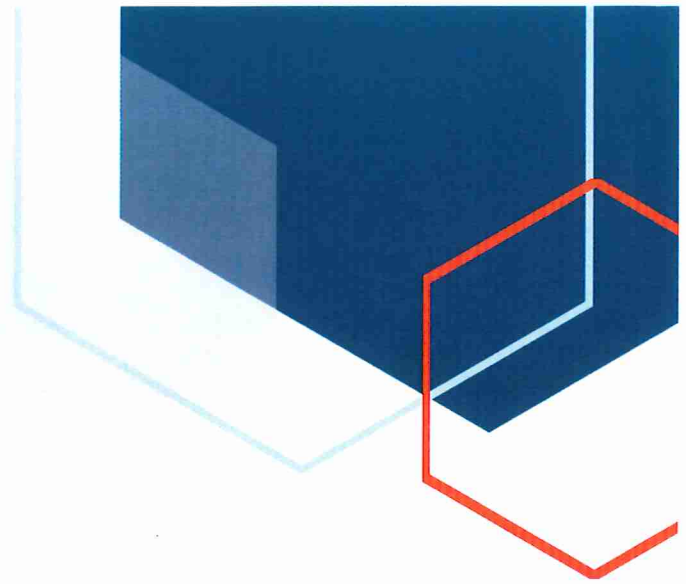
OUR EVENT CENTER IS DESIGNED TO HAVE HANDCRAFTED POST AND BEAMS FOR THE INTERIOR PORTRAYING A RUSTIC BARN ATMOSPHERE. THE GUEST WILL BE PRESENTED WITH BREATHTAKING SCENIC VIEWS THROUGH THE MAIN FLOOR WINDOWS. THE CAPACITY IS FOR ONE HUNDRED FIFTY WITH A SEATING AREA OF 2,745 SQ. FT. EIGHTEEN TO TWENTY TABLES ARE AVAILABLE. REST ROOMS WILL BE LOCATED INSIDE CONSISTING OF ONE BATHROOM PER TWENTY-FIVE GUEST, ROUGHLY A TOTAL COMBINATION OF SIX TO EIGHT STALLS / URINALS. ALL GUEST HAVE THE OPPORTUNITY TO UTILIZE THE EVENT KITCHEN FOR FOOD PREPARATION OR IF A CATERING VENDOR IS SELECTED.

Applicant's Signature :

744 Wentzel

Date :

11-30-18

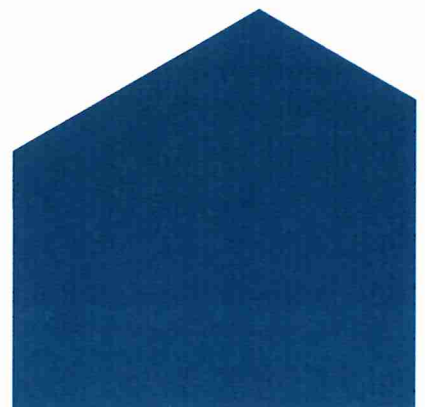
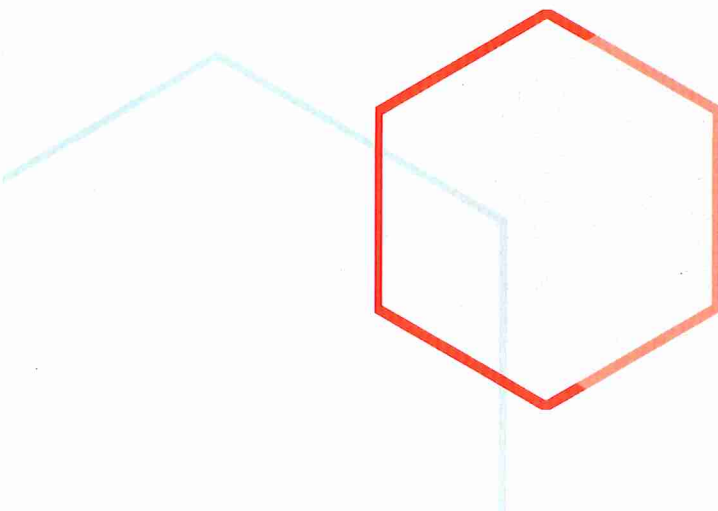


Wentzel Event Venue & Residence



Overview

Our lifetime dream is to be able to reciprocate and provide others an exquisite venue where dreams can come true. As we tend to refer to our property as our oasis, the goal is to continue farming and preserving the fifty-six acres after establishing the venue. Please locate page 2 for the tentative plans.



Wentzel Event Venue & Residence

Tentative Plans

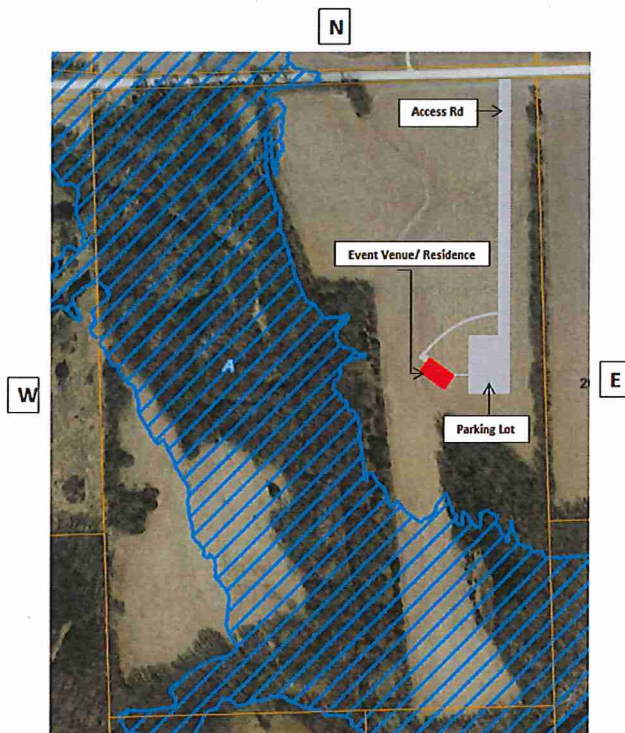
Vision

Our vision is to create an event venue that would allow others to embrace and cherish memories on the scenic property we fell in love with. The event venue makes the vision achievable through agritourism opportunities such as weddings, receptions, work events, and family gatherings.

Event Venue/ Residence

Our plan is to construct a barn style structure consisting of both the event venue and our residence. Other items include an access road onto our land and a parking lot for our visitors. Please see information on the right for more detail.

Location - 1167 N. 150th Rd Baldwin City, KS



Information

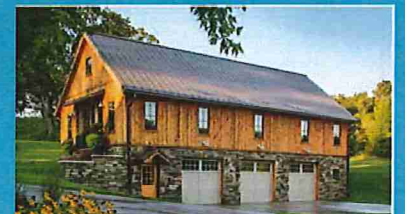
...

Main Floor (Venue)



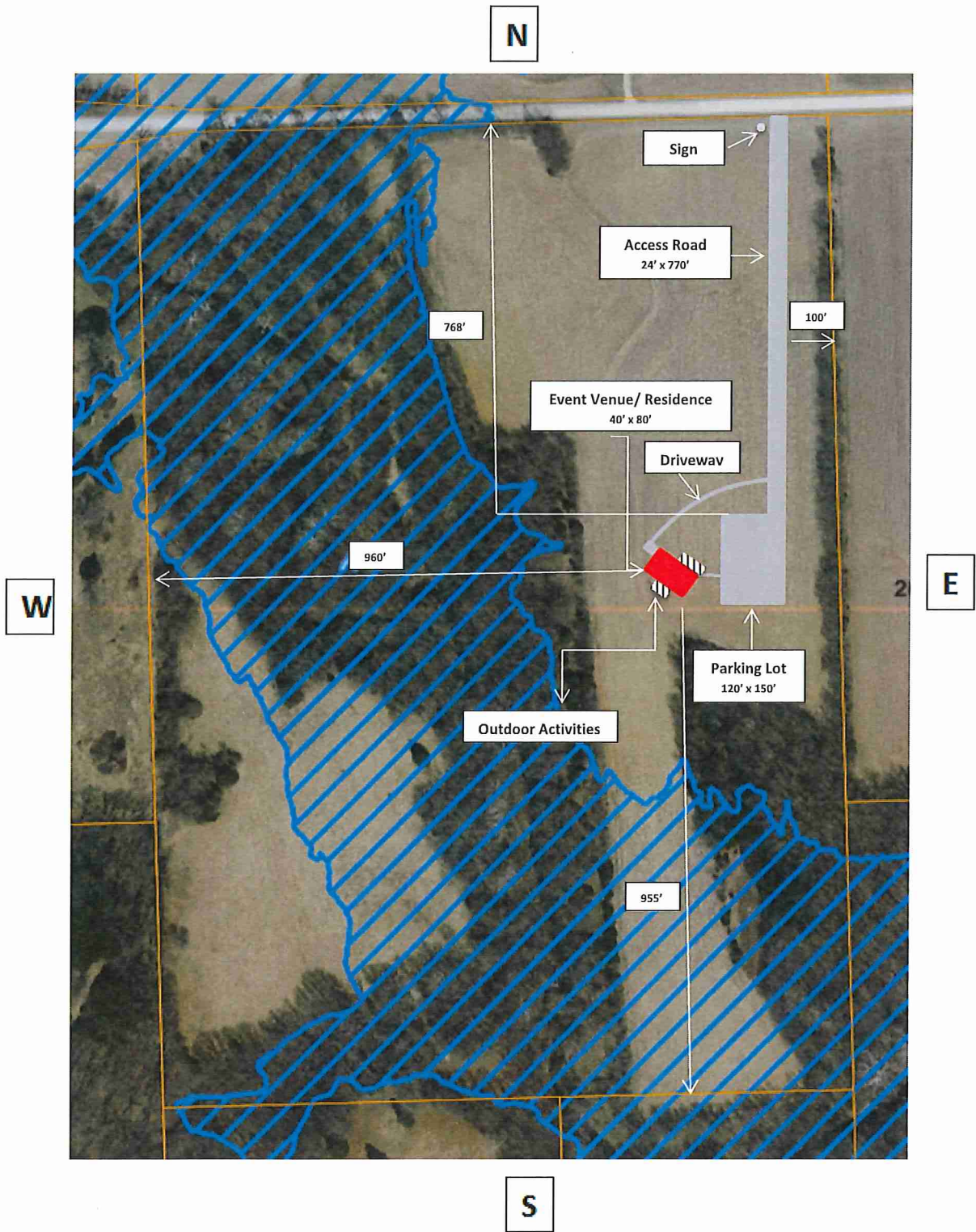
The tentative plan for the building size is 40'x80'. The square footage generates seating for approximately one hundred fifty visitors. Access will be available from both the main floor and bottom floor.

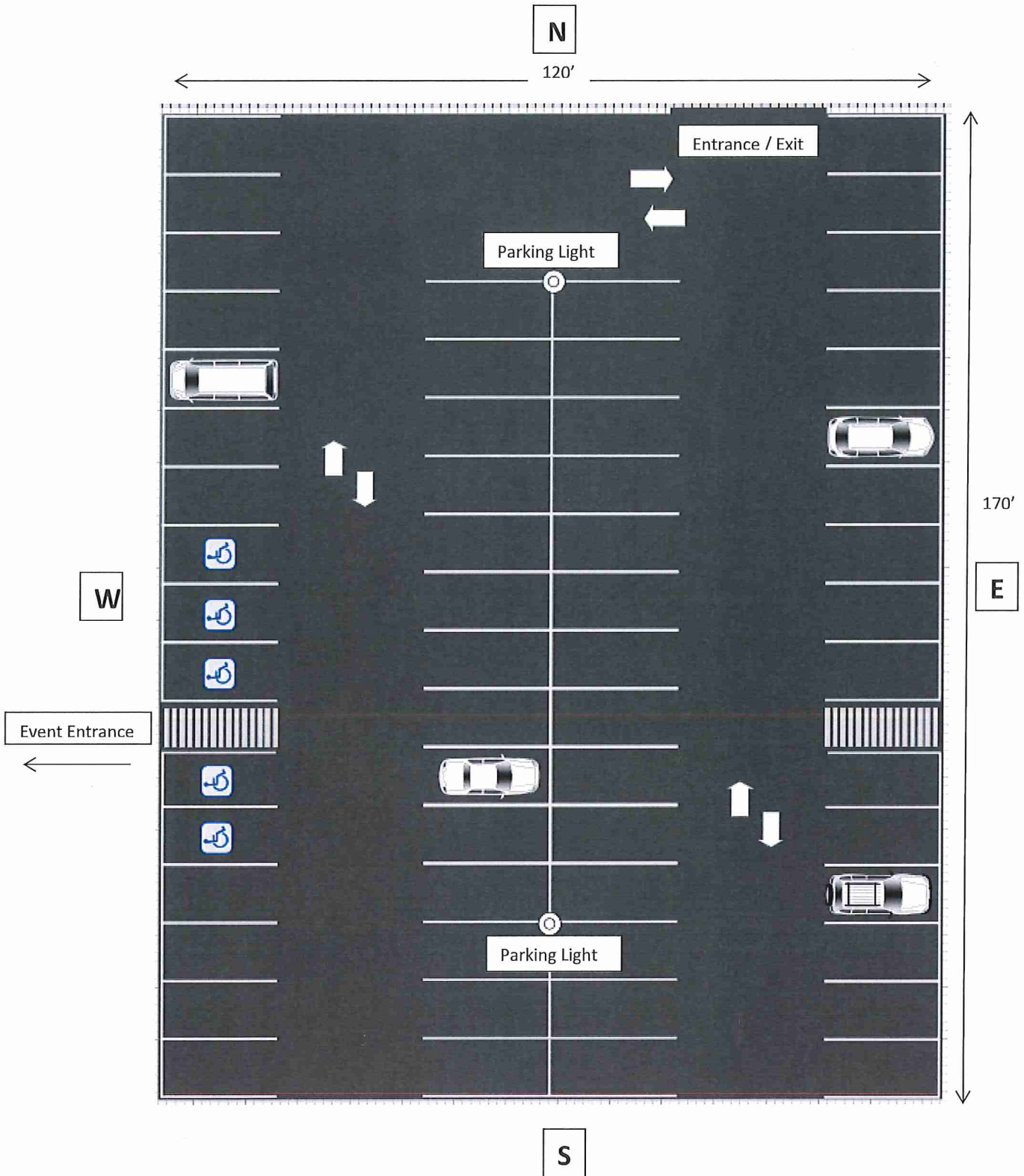
Bottom Floor (Living Quarters)



The bottom floor of the barn will be strictly allocated for the use of our living quarters and garage.

Wentzel Event Venue & Residence Site Plan





- Parking Lot Dimension – 120' x 170' with 24' center aisles.
- Total of 60 parking spaces (10'x18') to accommodate 150 guests with 6 ADA parking spots.
- Lighting- 2 PK1504-20 -LED pole kits with four 150 Watt Led Lights, 20 Ft. Pole

- Hours of Operation – Fri-Sat 9:00 A.M – 11:00 P.M. – Sun - 9:00 A.M – 5:00 P.M.
- Building Dimension – 40' x 80'
- Capacity – 150 Visitors
- Property Lines –North Property Line 768', East 100', South 955' and West 960'
- Parking Lot Dimension – 120' x 170' - 60 Vehicles
- Parking Spaces – 10' x 18'
- Access Road – 24' x 768'
- Driveway- 12'x 275'
- Lighting- Turned off immediately after event and off during non-event times
- Septic System will be installed per the Douglas County Health Department approval
- Public water supply will be available for guest
- Land must be divided with a Certificate of Survey before eligible for a building permit

NOTIFICATION LETTER

November 13th, 2018

Kyle & Codi Wentzel
1235 Magic Circle Drive
Emporia, KS 66801

Dear [Recipient Name]:

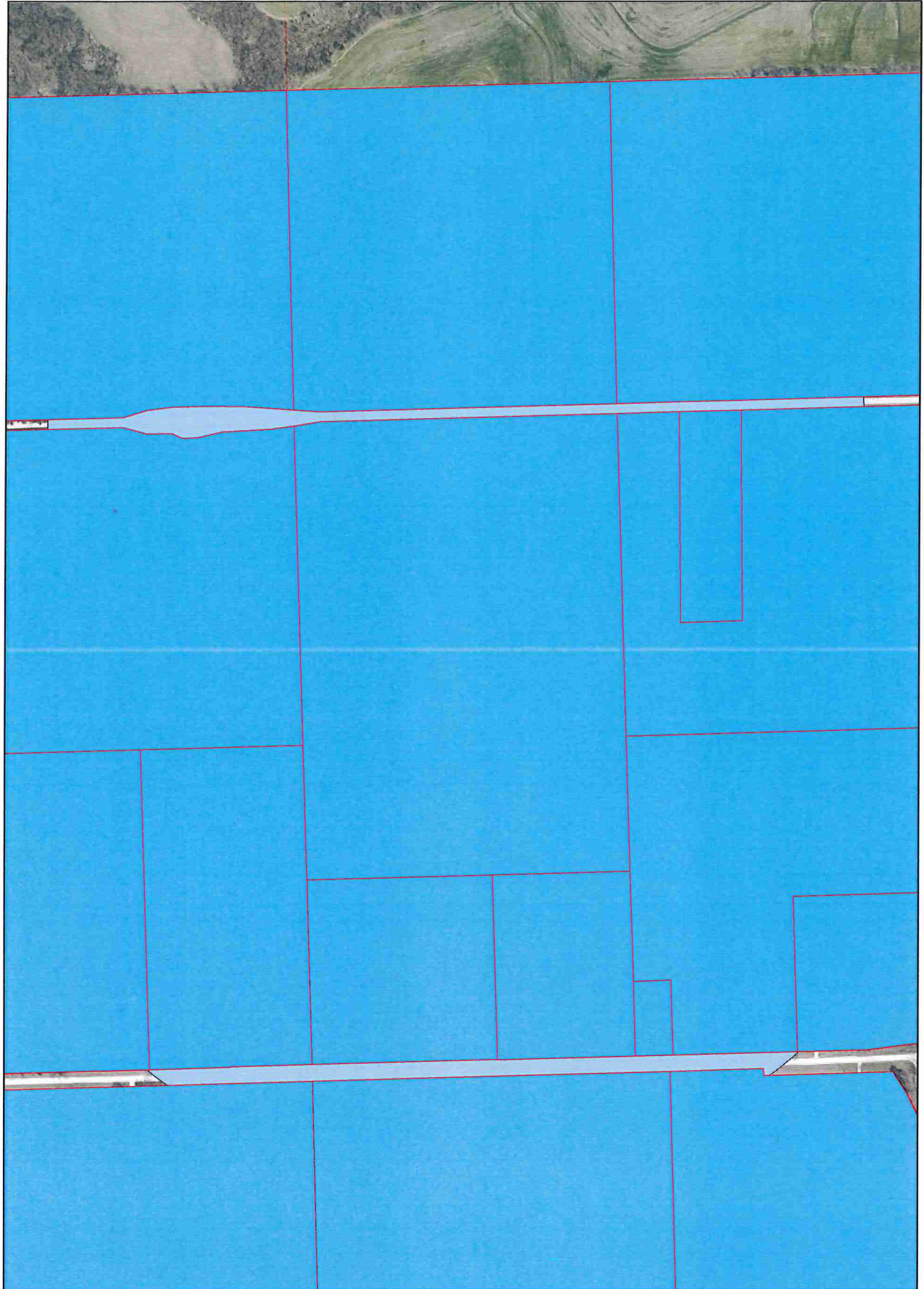
This letter is to inform you that an Agritourism use located at ¹¹⁷³~~1167~~ N. 150th Rd, Baldwin City, KS is in the process of being registered with Douglas County. The Agritourism use will consist of an event venue and serving as our residence.

Please contact my wife or I at 717-669-1574 or by email wentzel988@gmail.com with any questions regarding this registration. Tonya Voigt, planning / zoning coordinator from the Douglas County Zoning and Codes Department and Mary Miller planner from the city of Lawrence has granted permission to contact them for questions or additional information. Their contact information is listed as the following; tvoigt@douglascountyks.org (785) 331-1343, mmiller@lawrenceks.org (785) 832-3147.

In addition of the notice, please review the two-page information package.

Sincerely,

CERTIFIED POL WITHIN 1000 FT OF WENTZEL TRACT
(900413AB)



REC'D JAN 09 2019

We the undersigned have one or more of the following concerns about the perposed change in zoning and the activites this change would enable at the property of 1167 N 150 Rd.

Per the information sent to area land owners possible traffic and personel load will be in exsess of 9000 vehicles and 23000 people per year.

1. The vehicle traffic will greatly increase the dust load in dry weather and the increase road degradetation in wet weather. Who will shoulder this burden? What steps will be taken to insure the saftey of the neighborhood walkers and bike riding children.
2. What steps are proposed to insure that the 23000 guest per year stay on the 1167 property.
3. That the surrounding area is gun country with many land owners having their own on site shooting ranges. This makes item # 2 of much greater importance. And also opens the possibility of a " ruined " wedding due to gunfire.
4. The noise level at night. Even if the plug on the sound system is pulled at 11:00 pm it could easily take an hour for the traffic to die down. Then the dogs and cattle will start to settle.

We appreciate that the Wentzels have a wish to share rural life. To the surrounding community they are simply venture capitalist who are trying to put a "party barn" in a bean field under the guise of the popular phrase, Ag tourism. If allowed this will be to the real detriment and destruction of the oasis that the surrounding community has built for itself.

As such we ask the county commission to vote against the proposed zoning change.

Name

Address

1 Timothy J Versch 1168 N 100th RD

2 Tim Horne 1137 N 100th RD

3 Angie Horne 1137 N 100th Rd

4 Dennis Lehera 1140 N 100 Rd

Name

Address

5

Cary Lee 1134 N 100 RD

6

Janna Johnson 1177 N 200 RD

7

Marvin J. Strong - M-LEAFENS LLC 188 E. 1100 RD
Jeff + Toni Whaley

8

Whaley 1179 N 150 RD
Landon and Chelsy Ausherman

9

Chelsy Ausherman 1192 N 150 RD

10

George + Blaine Cone
1224 N. 150 RD

11

Tom Dillon 1178 N. 100 RD.
BALDWIN

12

Ross R Jones 1192 N 100 Rd

13

14

15

We received a copy of the list of concerns and signatures of our future fellow neighbors and we wanted to start off by addressing those concerns listed and how we plan to help resolve them.

The first section of the list that I would like to address is the comment of us being “capitalist who are trying to put a party barn in a bean field, under the guise of the popular phrase, Ag tourism.” We are in no way capitalist. We are however, a driven couple that wants to invest in our future now so that one day we can retire from our professions and continue to work for ourselves on our land. We have worked very hard to get to the point where we can invest in a property and possible family business. We can ensure you that we have no other investors backing us and this plan is meant to not only benefit our family but also the community. We want to be able to accommodate weddings, family reunions, corporate events, agriculture tours, and hopefully annual neighborhood gatherings to enhance friendships and comradery in our community.

We fell in love with Lawrence several years ago and knew we wanted to settle here. When we walked down Mass. Street we noticed the diversity and the care free nature of the community and we both instantly knew this would someday be our home. My husband started his mission the very next day of finding a beautiful piece of land that we could call ours. Due to our future business plan, we decided to purchase a significant amount of land to help decrease the proximity of neighbors so that we could avoid issues such as noise and accidental trespassing onto another landowner’s property. The area we picked on the land to build our venue is centrally located and surrounded by trees. We have also planted close to 100 new trees on the northern border of the land to help reduce noise, and to also provide privacy to our guests and our neighbors.

I’m glad the topic was brought up about landowners nearby having shooting ranges on their properties. My husband is an avid hunter and we both enjoy target and skeet shooting. We know how fortunate we are to live in an area where we can do just that. We want our neighbors to be able to continue with their everyday activities even when we have events planned. In our contracts we will state that they should expect to hear gunfire from neighboring properties, and why it is important to stay in the allotted area provided during their event. Who knows, maybe we will have guests that will want a shotgun wedding.

This next topic of concern, I feel we have already touched on previously, however, I want to make sure I address every topic individually as well, to ensure we can come to a resolution. We are required to end events by 11 PM to reduce noise disturbances. In the list of concerns, it states that the dogs and cattle will need time to settle after everything has calmed down. I do understand this statement; however, I also want to ask how this is any different than someone shooting guns on their property or having gatherings with friends and family. I honestly do not have a solution for the traffic noise that may occur after an event has ended but like I stated before, we have tried to reduce the amount of noise during the event by planting trees around the property and by trying to centrally locate the venue away from neighbors.

Lastly, the roads have been brought up in the list of concerns which my husband and I were also concerned about. According to the Douglas County Engineer, the road can accommodate the

amount of traffic that the event center may create, however, due to an increase in use of the road, it will require more upkeep than usual. My husband and I will agree to maintain road 150 to a standard deemed acceptable by Willow Township. We are happy to take on this responsibility but want to state that we would only be able to accomplish this goal once the business is up and running. The Douglas County Engineer has also recommended a speed limit be enforced to increase the safety of fellow commuters.

In closing, we would like to thank everybody that is here and that has voiced their concerns so that we could have an opportunity to resolve any issues that may arise. We are hoping that you, as our future neighbors and hopefully friends, will reconsider your opinion on what we are trying to accomplish. We do not want to take away from anyone's oasis, we simply want to share the natural beauty of the land to those that aren't as fortunate as the rest of us that have such beauty in their backyards. We hope this statement helps clear up the concerns that were listed in the petition. If there are any further concerns we like to take the opportunity to address them now.

DOUGLAS COUNTY ZONING & CODES



ZAGT-2018-0006

Tier 2 Agritourism Application

Wedding Venue

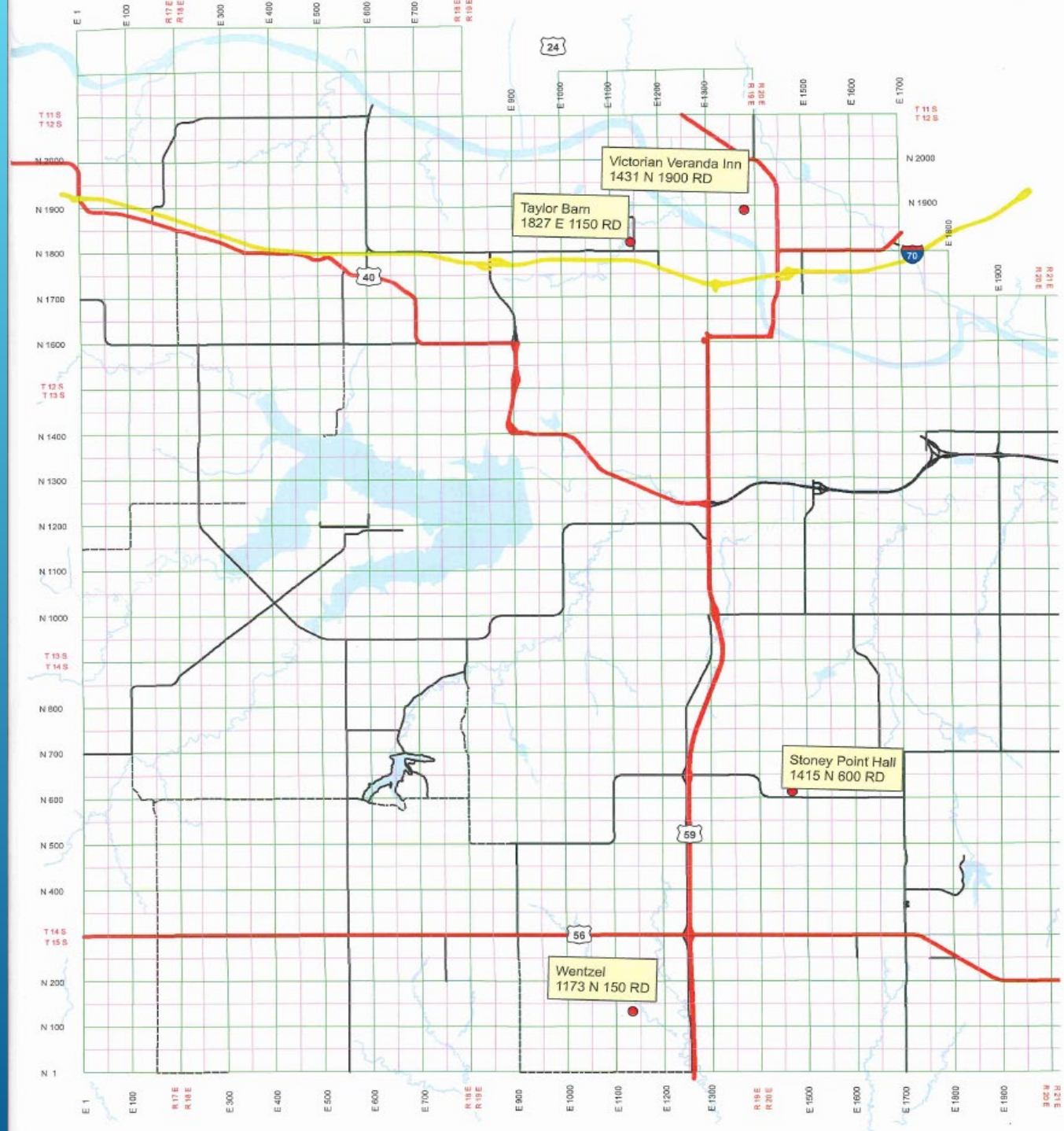
1173 N 150th Rd, Baldwin City, KS

BACKGROUND



Agritourism is recognized as a vital tool for sustaining the family farm and represents significant economic potential for the community in general. Douglas County agritourism regulations are intended to foster and promote agritourism in keeping with the State of Kansas policy of encouraging agritourism, while ensuring that the public health, safety and welfare are protected.

EXISTING VENUES IN DOUGLAS COUNTY



REGULATORY PROCESS FOR AGRITOURISM USES

ARTICLE 12-319-7

12-319-7.02 b.1 Tier 1 (low intensity) Agritourism uses may be registered administratively by the Zoning and Codes Director. b.2) Registration of Tier 2 (medium intensity) Agritourism uses require approval by the Board of County Commissioners. c.2) If the Directors are unable to make a determination, the registration will be referred to the Board of County Commissioners.

Several white lines of varying lengths and angles are positioned in the bottom right corner of the slide, creating a modern, abstract graphic element.

ALLOWED AGRI USES

Farm markets/stands

U- Pick Operations

Farm Wineries

Corn Mazes

Farm-related facilities, exhibits, tours

Historical, cultural, or agriculturally related educational and learning experiences

Farm stays

Recreation-related operations such as bird watching, hiking, fishing, hunting, etc.

Horseback riding

Pumpkin patch visits and activities

Assembly type uses such as fairs, festivals, weddings, receptions which are historical, cultural or agriculturally related

Ancillary Retail Sales

PROPOSAL- KYLE & CODI WENTZEL

Tier 2 event venue agritourism use for weddings, receptions and similar uses such as corporate and group events

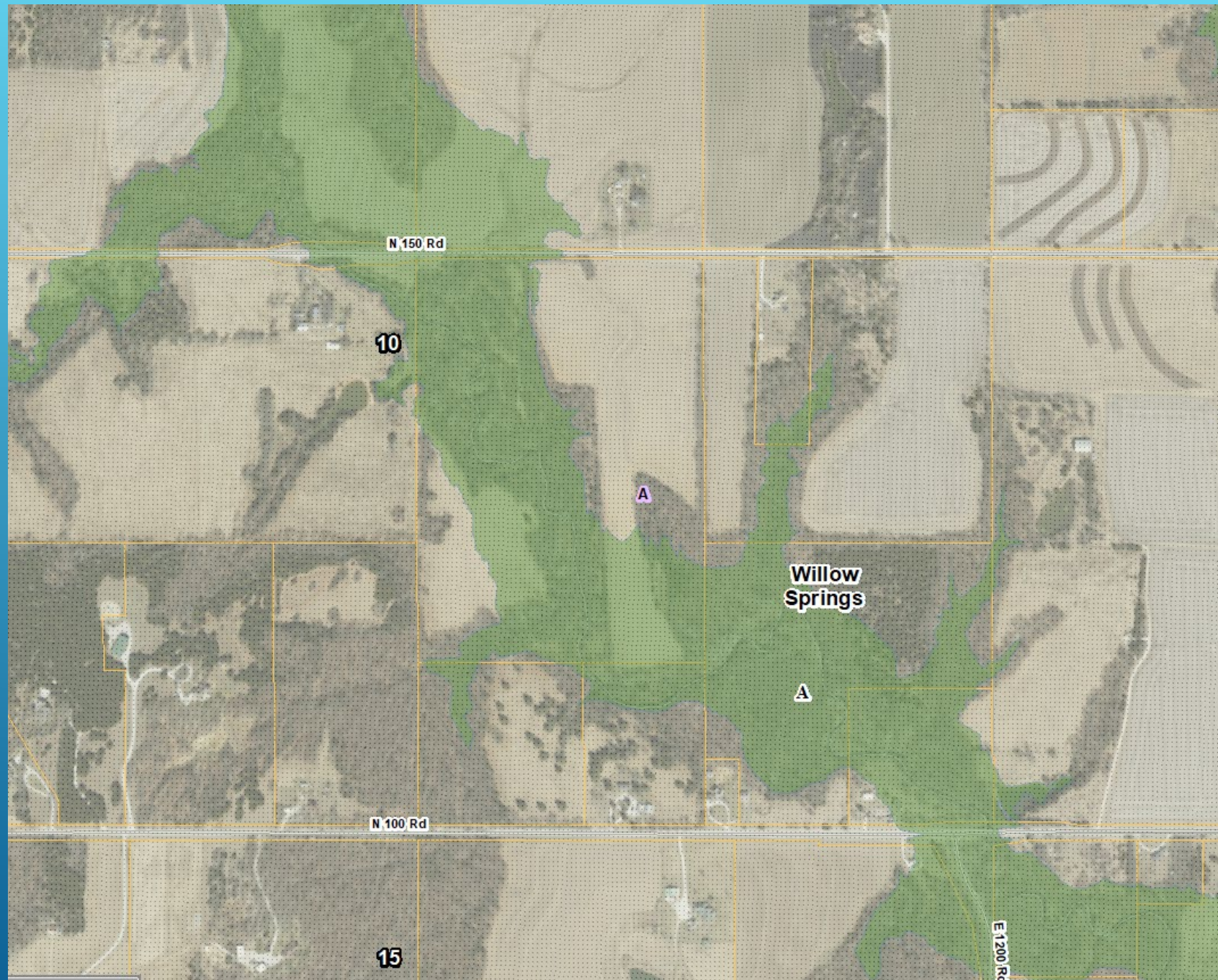
Barn style structure consisting of both an event venue (main floor) and their residence (bottom floor)

Year round on Friday/Saturday 9am-11pm and Sunday 9am-5pm

Parking for Tier 2 is limited to 100 parking spaces. This venue is proposing 75 parking spaces. For the purpose of calculating parking requirement, parking is calculated at a rate of 1 parking space per 2 attendees.

Occupancy 150 people

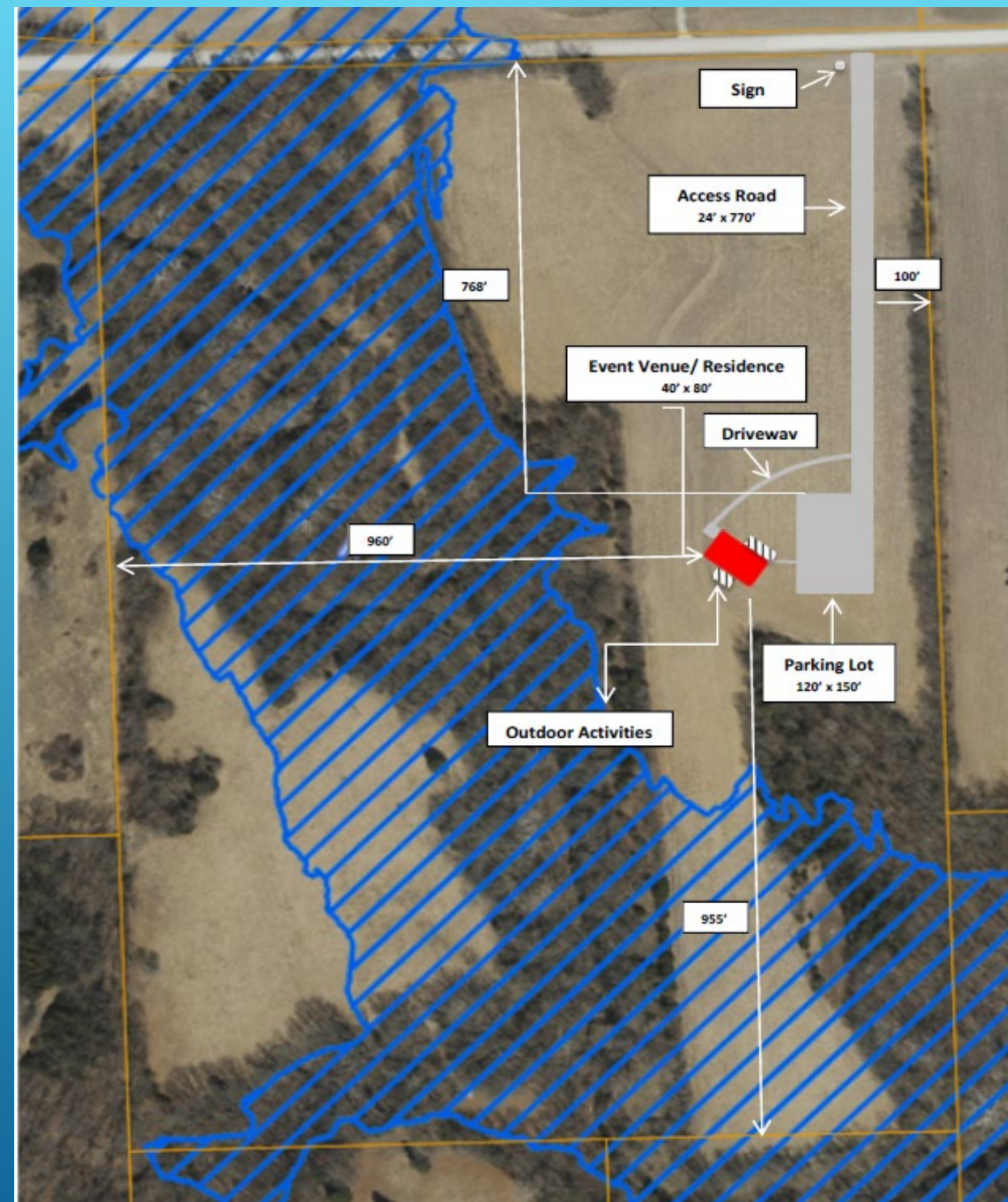
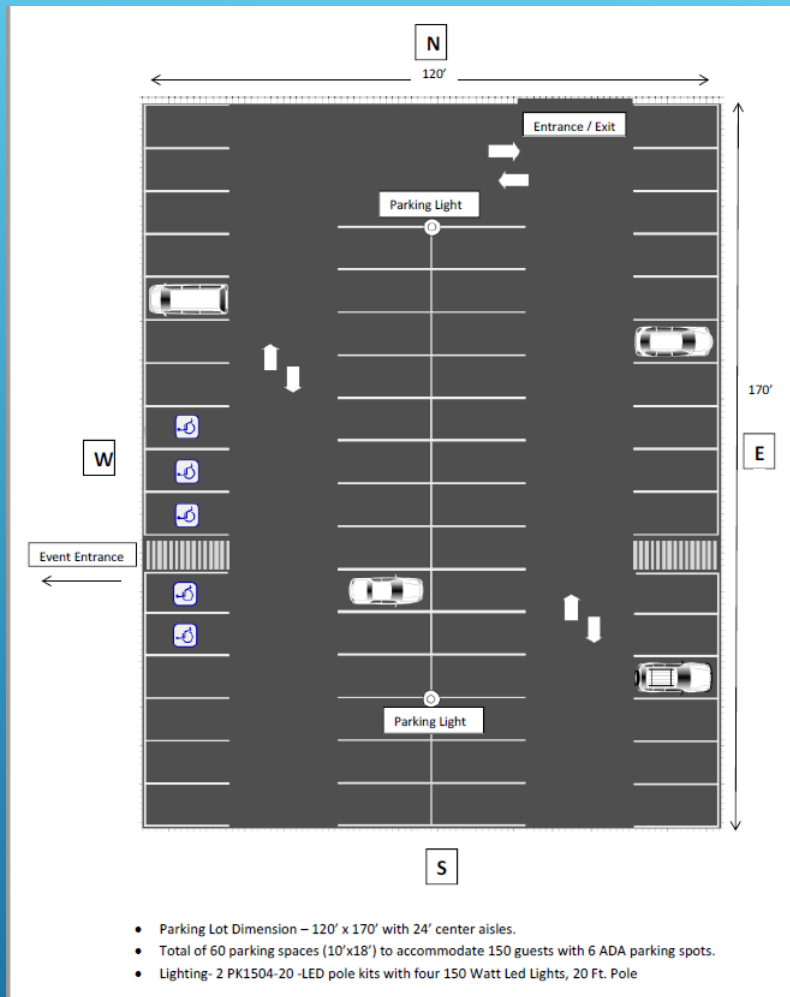
ZONING





WEDDING

VENUE



SITE PLAN

SUMMARY

- Hours of Operation – Fri-Sat 9:00 A.M – 11:00 P.M. – Sun - 9:00 A.M – 5:00 P.M.
- Building Dimension – 40' x 80'
- Capacity – 150 Visitors
- Property Lines –North Property Line 768', East 100', South 955' and West 960'
- Parking Lot Dimension – 120' x 170' - 60 Vehicles
- Parking Spaces – 10' x 18'
- Access Road – 24' x 768'
- Driveway- 12'x 275'
- Lighting- Turned off immediately after event and off during non-event times
- Septic System will be installed per the Douglas County Health Department approval
- Public water supply will be available for guests

REQUIRED STANDARDS

- The operators of the Agritourism use shall be limited to the property owner or operator, his/her family members and employees.
- Adequate parking shall be provided on-site for the use, including ADA parking. Parking for Tier 2 is limited to 100 parking spaces. No parking can occur on adjacent roads. For the purpose of calculating parking requirements, parking is calculated at a rate of 1 parking space per 2 attendees.
- In order to minimize noise from the agritourism use the following are prohibited:
 - 1) Motors or motorized vehicles, with the exception of agricultural machinery and vehicles or electric motors;
 - 2) Outdoor amplification of sound: such as auctioneering speakers or amplified music (with the exception of a stereo or radio).
- If Agritourism activity is to occur outside of daylight hours, a plan shall be provided which shows the location of lighting for the activity and the type of lighting fixtures being used as well as means taken to shield the lighting in insure no trespass or glare to adjacent properties.
- Sanitary facilities shall be provided in accordance with Lawrence Douglas County Health Department requirements for the use and expected attendance.
- With the exception of agricultural activities, no activities associated with the Agritourism use may occur within 50 ft. of a property line of the subject parcel.

“ **DOUGLAS COUNTY PUBLIC WORKS** - THE ROAD HAS SUITABLE WIDTH FOR TWO OPPOSING TRAFFIC LANES, AND IS IN DECENT CONDITION. THE ADDITIONAL TRAFFIC WILL REQUIRE INCREASED MAINTENANCE BY WILLOW SPRINGS TWP., AND IMPLEMENTING A SPEED LIMIT WILL BE A GOOD IDEA. OTHER THAN DUST CONCERNS, I HAVE NO OTHER CONCERNS ABOUT THE SUITABILITY OF THE ROAD. I ESTIMATE ABOUT 3,000 I.F. OF DUST PALLIATIVE TREATMENT EACH YEAR SHOULD BE AMPLE. AT THE CURRENT PRICE OF \$1.45/I.F., THIS WOULD BE ABOUT \$4500/YEAR. A NEW ENTRANCE THAT MEETS COMMERCIAL STANDARDS WILL BE REQUIRED. ”

LAWRENCE-DOUGLAS COUNTY HEALTH DEPT. –

IT LOOKS LIKE A GREAT PROJECT. MY DEPARTMENT WOULD OF COURSE HAVE TO EVALUATE THE SITE PLAN AND SIZE A SEPTIC SYSTEM OUT OF THE FLOOD PLAIN.

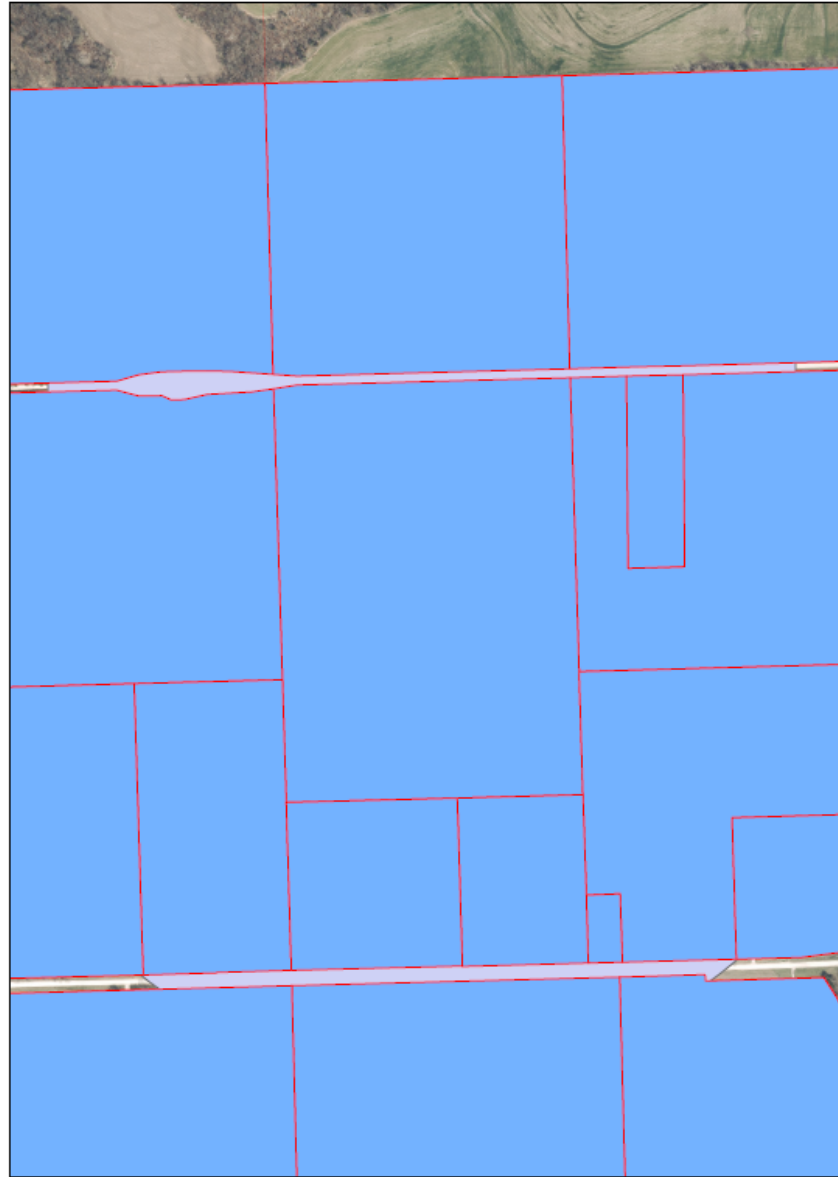
NOTIFICATION

Written notices were mailed to property owners within 1000' of 1173 N 150 Rd. on Dec. 13, 2018.

Concerns from neighbors:

- Traffic
- Property boundaries
- Gunfire
- Noise

CERTIFIED POL WITHIN 1000 FT OF WENTZEL TRACT
(900413AB)



STAFF RECOMMENDATION

If approved, staff recommends the following conditions;

Entrance permit must be obtained by Willow Springs Township and Douglas County Public Works meeting commercial standards. No additional entrances will be permitted.

Dust palliative program be applied annually and coordinated with DG County Public Works. All costs shall be reimbursed to Douglas County Public Works.

Implementation of a speed limit and maintenance agreement with Willow Springs Township be implemented.

If events exceed the number of parking spaces and occupancy rate allowed by Tier 2 standards, a Conditional Use Permit is required.

Event hours proposed only between the hours of on Fridays and Saturdays 9am-11pm and Sunday 9am-5pm.

No camping allowed.

No smoking shall be posted in all areas; a designated smoking area must be established on hard surface using proper receptacles for disposal.

ADA spaces shall be clearly delineated in the parking areas and designed in accordance with the ADA Guidelines and Zoning Regulations.

Map of the location of off-premise directional signs and signed forms from each property owner where a sign is located. Signs are not permitted on road rights-of-way and are limited to 30 sq. inches in size. The only information to be displayed on the signs are the event name, contact phone number, and directional arrow.

STAFF RECOMMENDATION

Signs are permitted to be set one day prior to the event and must be removed and properly disposed of the day after the event.

No fireworks will be permitted. No fires will be allowed if a burn ban is in effect.

No lighting shall project onto adjoining residential lots. Use of spot lighting or other glaring lighting should be prohibited.

Applicant shall ensure that only caterers licensed by the State of Kansas are contracted to provide food.

All applicable liquor and/or cereal malt beverage licenses must be obtained.

The purchase of alcohol at each event shall be stopped by 10pm.

Motors or motorized vehicles are prohibited, with the exception of agricultural machinery and vehicles or electric motors.

Outdoor amplification of sound; such as auctioneering speakers or amplified music is prohibited.

The wastewater system be approved by the Douglas County Health Department.

A rural certificate of survey is required prior the obtaining a building permit.

Registration for the Agritourism business with the Kansas Department of Wildlife, Park and Tourism (KDWPT)