



**Board of Riley County  
Commissioners  
Regular Meeting  
Agenda  
June 02, 2022**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

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**Commission Chambers**

**8:30 AM**

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[District 2 – Greg McKinley, Chair](#)

[District 3 – Kathryn Focke, Vice Chair](#)

[District 1 – John Ford, Member](#)

**8:30 AM**

**Call to Order**

**Pledge of Allegiance**

**Public Comment**

1. Public Comments

**Commission Comments**

2. Commission Comments

**Business Meeting**

3. 2022 Midyear Pay Scale Resolution - Classified and EMS Employees
4. 2022 Midyear Pay Scale Resolution - Professional Employees
5. Highway Use Permit, Larson Construction
6. Action on Portable Communication Device Allowance Form(s)
7. Sign Riley County Personnel Action Form(s)
8. Sign Riley County Personnel Action Form(s)
9. Sign Riley County Position Action Form(s)
10. Approve payroll/accounts payables (when completed)

**Review Minutes**

11. Board of Riley County Commissioners - Regular Meeting - May 26, 2022 8:30 AM

**Review Tentative Agenda**

12. Tentative Agenda

**Press Conference Topics**

13. Discuss Press Conference

**9:00 AM**

**Elizabeth Ward, Human Resource Manager**

14. Human Resource Information System Upgrade

**9:15 AM**

**Michael Boller, Noxious Weed Director**

15. Staff Update

**9:30 AM**

**Anna Burson, Appraiser**

16. Appraiser's Staff Update

**9:55 AM Break**

**10:00 AM Bob Isaac, Planner**

17. Amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development and replat Lot 1 of Tegtmeier Addition Unit 2 into two (2) lots.

**Adjournment**

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In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.





**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

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**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** 2022 Midyear Pay Scale Resolution - Classified and EMS Employees

**PRESENTER:** Elizabeth Ward

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### **BACKGROUND**

See attached resolution

### **FISCAL IMPACT**

Midyear Classified, Professional and EMS positions pay scales for 2nd half of 2022

### **RECOMMENDATION(S)**

Recommendation is to approve Classified, Professional and EMS pay scales for 2nd half of 2022

### **POSSIBLE MOTION(S)**

Move to approve Classified, Professional and EMS pay scales for 2nd half of 2022

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- pay period calendar (PDF)
- 2022 Mid-year Classified \_EMS Pay Scale resolution (DOCX)
- 2022 NonExempt Payscale -Mid-Year Adjustment (PDF)
- 2022 Exempt Payscale -Mid-Year Adjustment (PDF)
- 2022 EMS Payscale -Mid-Year Adjustment (PDF)

# Calendar for Year 2022 (United States)

 pay date

 start of pay period

| Su  | Mo  | Tu   | We   | Th | Fr | Sa |
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Attachment: pay period calendar (12166 : 2022 Midyear Pay Scale Resolution)

**RESOLUTION NO.****A RESOLUTION ESTABLISHING THE PAY SCALE FOR CLASSIFIED  
AND EMS EMPLOYEES OF RILEY COUNTY, KANSAS**

**WHEREAS** K.S.A. 19-101a, as amended, provides that all counties are empowered to transact all county business and perform such powers of local legislation and administration as they deem appropriate when the Legislature of the State of Kansas has not enacted legislation which applies uniformly to all counties.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RILEY COUNTY, KANSAS:**

**Section 1.** Effective July 9, 2022 the pay scales for the classified and EMS employees of Riley County, Kansas, shall be modified and established as shown on Exhibit A, attached.

**ADOPTED AND APPROVED** this 6<sup>th</sup> day of June 2022.

**BOARD OF COUNTY COMMISSIONERS  
OF RILEY COUNTY, KANSAS**

\_\_\_\_\_  
**Greg McKinley, Chair**

\_\_\_\_\_  
**Kathryn Focke, Member**

\_\_\_\_\_  
**John Ford, Member**

**ATTEST:**

\_\_\_\_\_  
**Rich Vargo, Riley County Clerk**

Attachment: 2022 Mid-year Classified \_EMS Pay Scale resolution (12166 : 2022 Midyear Pay Scale Resolution)

## 2022 Pay Scales - Proposed - Mid-Year

| GRADE | Step 01  | Step 02  | Step 03  | Step 04  | Step 05  | Step 06  | Step 07  | Step 08  | Step 09  | Step 10  | Step 11  | Step 12  | Step 13  | Step 14  | Step 15  | Step 16  | Step 17  | Step 18  | Grade |
|-------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|-------|
| Temp  | \$ 9.88  | \$ 10.17 | \$ 10.49 | \$ 10.80 | \$ 11.11 | \$ 11.45 | \$ 11.80 | \$ 12.15 | \$ 12.51 | \$ 12.89 | \$ 13.27 | \$ 13.68 | \$ 14.08 | \$ 14.51 | \$ 14.94 | \$ 15.39 | \$ 15.85 | \$ 16.34 |       |
| TASND | \$ 11.58 | \$ 11.99 | \$ 12.40 | \$ 12.81 | \$ 13.19 | \$ 13.57 | \$ 13.98 | \$ 14.40 | \$ 14.83 | \$ 15.29 | \$ 15.74 | \$ 16.23 | \$ 16.70 | \$ 17.21 | \$ 17.73 | \$ 18.25 | \$ 18.81 | \$ 19.37 |       |
| A     | \$ 13.10 | \$ 13.56 | \$ 14.04 | \$ 14.48 | \$ 14.94 | \$ 15.38 | \$ 15.83 | \$ 16.30 | \$ 16.79 | \$ 17.30 | \$ 17.81 | \$ 18.35 | \$ 18.91 | \$ 19.47 | \$ 20.06 | \$ 20.66 | \$ 21.26 | \$ 21.92 | A     |
| B     | \$ 13.76 | \$ 14.23 | \$ 14.75 | \$ 15.21 | \$ 15.68 | \$ 16.14 | \$ 16.62 | \$ 17.11 | \$ 17.64 | \$ 18.17 | \$ 18.71 | \$ 19.26 | \$ 19.85 | \$ 20.44 | \$ 21.06 | \$ 21.69 | \$ 22.32 | \$ 23.01 | B     |
| C     | \$ 14.45 | \$ 14.95 | \$ 15.48 | \$ 15.97 | \$ 16.47 | \$ 16.95 | \$ 17.46 | \$ 17.97 | \$ 18.52 | \$ 19.09 | \$ 19.63 | \$ 20.23 | \$ 20.85 | \$ 21.46 | \$ 22.12 | \$ 22.77 | \$ 23.44 | \$ 24.16 | C     |
| D     | \$ 15.17 | \$ 15.70 | \$ 16.26 | \$ 16.77 | \$ 17.29 | \$ 17.80 | \$ 18.32 | \$ 18.87 | \$ 19.44 | \$ 20.04 | \$ 20.62 | \$ 21.25 | \$ 21.88 | \$ 22.53 | \$ 23.22 | \$ 23.91 | \$ 24.60 | \$ 25.38 | D     |
| E     | \$ 15.92 | \$ 16.48 | \$ 17.06 | \$ 17.61 | \$ 18.16 | \$ 18.68 | \$ 19.24 | \$ 19.81 | \$ 20.41 | \$ 21.04 | \$ 21.65 | \$ 22.31 | \$ 22.97 | \$ 23.66 | \$ 24.38 | \$ 25.12 | \$ 25.84 | \$ 26.64 | E     |
| F     | \$ 16.72 | \$ 17.30 | \$ 17.92 | \$ 18.49 | \$ 19.07 | \$ 19.62 | \$ 20.20 | \$ 20.80 | \$ 21.43 | \$ 22.09 | \$ 22.74 | \$ 23.43 | \$ 24.13 | \$ 24.85 | \$ 25.60 | \$ 26.36 | \$ 27.14 | \$ 27.98 | F     |
| G     | \$ 17.56 | \$ 18.17 | \$ 18.81 | \$ 19.41 | \$ 20.03 | \$ 20.60 | \$ 21.21 | \$ 21.84 | \$ 22.50 | \$ 23.19 | \$ 23.87 | \$ 24.59 | \$ 25.33 | \$ 26.09 | \$ 26.87 | \$ 27.68 | \$ 28.49 | \$ 29.37 | G     |
| H     | \$ 18.43 | \$ 19.09 | \$ 19.75 | \$ 20.38 | \$ 21.02 | \$ 21.63 | \$ 22.27 | \$ 22.94 | \$ 23.63 | \$ 24.35 | \$ 25.07 | \$ 25.83 | \$ 26.60 | \$ 27.40 | \$ 28.22 | \$ 29.06 | \$ 29.91 | \$ 30.85 | H     |
| I     | \$ 19.36 | \$ 20.04 | \$ 20.74 | \$ 21.40 | \$ 22.07 | \$ 22.71 | \$ 23.39 | \$ 24.08 | \$ 24.81 | \$ 25.57 | \$ 26.32 | \$ 27.11 | \$ 27.93 | \$ 28.77 | \$ 29.63 | \$ 30.53 | \$ 31.41 | \$ 32.38 | I     |
| J     | \$ 20.32 | \$ 21.04 | \$ 21.79 | \$ 22.48 | \$ 23.18 | \$ 23.85 | \$ 24.56 | \$ 25.28 | \$ 26.04 | \$ 26.85 | \$ 27.64 | \$ 28.47 | \$ 29.32 | \$ 30.20 | \$ 31.12 | \$ 32.05 | \$ 32.98 | \$ 34.00 | J     |
| K     | \$ 21.35 | \$ 22.08 | \$ 22.87 | \$ 23.59 | \$ 24.34 | \$ 25.04 | \$ 25.78 | \$ 26.55 | \$ 27.35 | \$ 28.19 | \$ 29.02 | \$ 29.90 | \$ 30.80 | \$ 31.71 | \$ 32.67 | \$ 33.65 | \$ 34.63 | \$ 35.70 | K     |
| L     | \$ 22.42 | \$ 23.19 | \$ 24.01 | \$ 24.77 | \$ 25.56 | \$ 26.29 | \$ 27.08 | \$ 27.87 | \$ 28.72 | \$ 29.60 | \$ 30.47 | \$ 31.39 | \$ 32.33 | \$ 33.30 | \$ 34.31 | \$ 35.33 | \$ 36.36 | \$ 37.49 | L     |
| M     | \$ 23.53 | \$ 24.35 | \$ 25.21 | \$ 26.01 | \$ 26.83 | \$ 27.61 | \$ 28.43 | \$ 29.27 | \$ 30.16 | \$ 31.08 | \$ 31.99 | \$ 32.96 | \$ 33.95 | \$ 34.96 | \$ 36.02 | \$ 37.10 | \$ 38.17 | \$ 39.36 | M     |
| N     | \$ 24.71 | \$ 25.57 | \$ 26.47 | \$ 27.31 | \$ 28.17 | \$ 28.99 | \$ 29.85 | \$ 30.73 | \$ 31.66 | \$ 32.63 | \$ 33.58 | \$ 34.60 | \$ 35.65 | \$ 36.71 | \$ 37.83 | \$ 38.96 | \$ 40.09 | \$ 41.34 | N     |
| O     | \$ 25.95 | \$ 26.85 | \$ 27.80 | \$ 28.68 | \$ 29.59 | \$ 30.44 | \$ 31.35 | \$ 32.27 | \$ 33.25 | \$ 34.27 | \$ 35.27 | \$ 36.34 | \$ 37.43 | \$ 38.55 | \$ 39.72 | \$ 40.91 | \$ 42.10 | \$ 43.40 | O     |
| P     | \$ 27.24 | \$ 28.19 | \$ 29.19 | \$ 30.11 | \$ 31.06 | \$ 31.96 | \$ 32.90 | \$ 33.88 | \$ 34.89 | \$ 35.98 | \$ 37.03 | \$ 38.15 | \$ 39.30 | \$ 40.48 | \$ 41.70 | \$ 42.95 | \$ 44.19 | \$ 45.57 | P     |
| Q     | \$ 28.60 | \$ 29.60 | \$ 30.64 | \$ 31.62 | \$ 32.62 | \$ 33.56 | \$ 34.56 | \$ 35.58 | \$ 36.65 | \$ 37.78 | \$ 38.89 | \$ 40.06 | \$ 41.26 | \$ 42.50 | \$ 43.78 | \$ 45.09 | \$ 46.40 | \$ 47.85 | Q     |
| R     | \$ 30.04 | \$ 31.08 | \$ 32.18 | \$ 33.20 | \$ 34.25 | \$ 35.23 | \$ 36.28 | \$ 37.35 | \$ 38.48 | \$ 39.67 | \$ 40.82 | \$ 42.06 | \$ 43.33 | \$ 44.63 | \$ 45.97 | \$ 47.35 | \$ 48.72 | \$ 50.24 | R     |
| S     | \$ 31.54 | \$ 32.63 | \$ 33.78 | \$ 34.85 | \$ 35.96 | \$ 36.99 | \$ 38.10 | \$ 39.22 | \$ 40.41 | \$ 41.66 | \$ 42.87 | \$ 44.17 | \$ 45.50 | \$ 46.85 | \$ 48.27 | \$ 49.72 | \$ 51.16 | \$ 52.75 | S     |
| T     | \$ 33.11 | \$ 34.26 | \$ 35.48 | \$ 36.60 | \$ 37.76 | \$ 38.85 | \$ 40.00 | \$ 41.18 | \$ 42.43 | \$ 43.74 | \$ 45.01 | \$ 46.38 | \$ 47.77 | \$ 49.20 | \$ 50.68 | \$ 52.20 | \$ 53.71 | \$ 55.39 | T     |
| U     | \$ 34.77 | \$ 35.98 | \$ 37.26 | \$ 38.43 | \$ 39.65 | \$ 40.79 | \$ 42.00 | \$ 43.25 | \$ 44.55 | \$ 45.93 | \$ 47.26 | \$ 48.70 | \$ 50.16 | \$ 51.66 | \$ 53.21 | \$ 54.81 | \$ 56.40 | \$ 58.16 | U     |
| V     | \$ 36.51 | \$ 37.78 | \$ 39.11 | \$ 40.35 | \$ 41.62 | \$ 42.83 | \$ 44.11 | \$ 45.40 | \$ 46.78 | \$ 48.22 | \$ 49.62 | \$ 51.13 | \$ 52.67 | \$ 54.24 | \$ 55.88 | \$ 57.56 | \$ 59.22 | \$ 61.06 | V     |
| W     | \$ 38.33 | \$ 39.67 | \$ 41.07 | \$ 42.37 | \$ 43.70 | \$ 44.97 | \$ 46.31 | \$ 47.67 | \$ 49.11 | \$ 50.62 | \$ 52.11 | \$ 53.68 | \$ 55.30 | \$ 56.95 | \$ 58.67 | \$ 60.43 | \$ 62.18 | \$ 64.12 | W     |
| X     | \$ 40.25 | \$ 41.64 | \$ 43.13 | \$ 44.49 | \$ 45.89 | \$ 47.22 | \$ 48.62 | \$ 50.06 | \$ 51.57 | \$ 53.16 | \$ 54.71 | \$ 56.37 | \$ 58.07 | \$ 59.80 | \$ 61.61 | \$ 63.45 | \$ 65.30 | \$ 67.33 | X     |
| Y     | \$ 42.26 | \$ 43.74 | \$ 45.28 | \$ 46.71 | \$ 48.18 | \$ 49.58 | \$ 51.05 | \$ 52.56 | \$ 54.15 | \$ 55.82 | \$ 57.45 | \$ 59.18 | \$ 60.97 | \$ 62.79 | \$ 64.69 | \$ 66.63 | \$ 68.57 | \$ 70.70 | Y     |
| Z     | \$ 44.37 | \$ 45.91 | \$ 47.54 | \$ 49.05 | \$ 50.60 | \$ 52.06 | \$ 53.61 | \$ 55.19 | \$ 56.85 | \$ 58.61 | \$ 60.31 | \$ 62.15 | \$ 64.01 | \$ 65.93 | \$ 67.92 | \$ 69.96 | \$ 71.99 | \$ 74.23 | Z     |

Attachment: 2022 NonExempt Payscale -Mid-Year Adjustment (12166 : 2022 Midyear Pay Scale

## 2022 Pay Scales - Proposed - Mid-Year

| GRADE | Step 01     | Step 02     | Step 03     | Step 04     | Step 05     | Step 06     | Step 07     | Step 08     | Step 09     | Step 10     | Step 11     | Step 12     | Step 13     | Step 14     | Step 15     | Step 16     | Step 17     | Step 18     | G |
|-------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|---|
| Temp  | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| TASND | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| A     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| B     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| C     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| D     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| E     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| F     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| G     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| H     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| I     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| J     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| K     | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          | NA          |   |
| L     | \$ 1,793.25 | \$ 1,855.09 | \$ 1,920.73 | \$ 1,981.61 | \$ 2,044.40 | \$ 2,103.38 | \$ 2,166.17 | \$ 2,229.91 | \$ 2,297.45 | \$ 2,367.85 | \$ 2,437.30 | \$ 2,511.50 | \$ 2,586.66 | \$ 2,663.71 | \$ 2,744.58 | \$ 2,826.39 | \$ 2,909.16 | \$ 2,999.53 |   |
| M     | \$ 1,882.67 | \$ 1,948.32 | \$ 2,016.81 | \$ 2,080.55 | \$ 2,146.19 | \$ 2,208.98 | \$ 2,274.62 | \$ 2,341.21 | \$ 2,412.56 | \$ 2,486.77 | \$ 2,559.07 | \$ 2,637.08 | \$ 2,716.04 | \$ 2,796.90 | \$ 2,881.57 | \$ 2,968.14 | \$ 3,053.76 | \$ 3,148.89 |   |
| N     | \$ 1,976.86 | \$ 2,045.35 | \$ 2,117.65 | \$ 2,185.20 | \$ 2,253.69 | \$ 2,319.33 | \$ 2,387.83 | \$ 2,458.23 | \$ 2,532.43 | \$ 2,610.44 | \$ 2,686.55 | \$ 2,768.36 | \$ 2,852.08 | \$ 2,936.74 | \$ 3,026.17 | \$ 3,116.54 | \$ 3,206.92 | \$ 3,306.81 |   |
| O     | \$ 2,075.79 | \$ 2,148.09 | \$ 2,224.20 | \$ 2,294.60 | \$ 2,366.90 | \$ 2,435.40 | \$ 2,507.70 | \$ 2,581.90 | \$ 2,659.91 | \$ 2,741.72 | \$ 2,821.63 | \$ 2,907.25 | \$ 2,994.78 | \$ 3,084.20 | \$ 3,177.43 | \$ 3,272.56 | \$ 3,367.69 | \$ 3,472.34 |   |
| P     | \$ 2,179.18 | \$ 2,255.59 | \$ 2,335.51 | \$ 2,408.76 | \$ 2,484.86 | \$ 2,557.16 | \$ 2,632.32 | \$ 2,710.33 | \$ 2,791.42 | \$ 2,878.71 | \$ 2,962.43 | \$ 3,051.85 | \$ 3,144.13 | \$ 3,238.31 | \$ 3,336.30 | \$ 3,436.19 | \$ 3,535.13 | \$ 3,645.48 |   |
| Q     | \$ 2,287.94 | \$ 2,367.85 | \$ 2,451.57 | \$ 2,529.58 | \$ 2,609.49 | \$ 2,684.64 | \$ 2,764.55 | \$ 2,846.37 | \$ 2,931.99 | \$ 3,022.36 | \$ 3,110.84 | \$ 3,205.02 | \$ 3,301.10 | \$ 3,400.04 | \$ 3,502.78 | \$ 3,607.43 | \$ 3,712.08 | \$ 3,828.14 |   |
| R     | \$ 2,403.05 | \$ 2,486.77 | \$ 2,574.29 | \$ 2,656.10 | \$ 2,739.82 | \$ 2,818.78 | \$ 2,902.50 | \$ 2,988.12 | \$ 3,078.49 | \$ 3,173.62 | \$ 3,265.90 | \$ 3,364.84 | \$ 3,466.63 | \$ 3,570.33 | \$ 3,677.83 | \$ 3,788.18 | \$ 3,897.58 | \$ 4,019.35 |   |
| S     | \$ 2,522.92 | \$ 2,610.44 | \$ 2,702.72 | \$ 2,788.34 | \$ 2,876.81 | \$ 2,959.58 | \$ 3,048.05 | \$ 3,137.47 | \$ 3,232.61 | \$ 3,332.50 | \$ 3,429.53 | \$ 3,533.23 | \$ 3,639.77 | \$ 3,748.23 | \$ 3,861.43 | \$ 3,977.50 | \$ 4,092.61 | \$ 4,220.08 |   |
| T     | \$ 2,648.49 | \$ 2,740.77 | \$ 2,838.76 | \$ 2,928.18 | \$ 3,020.46 | \$ 3,107.98 | \$ 3,200.26 | \$ 3,294.44 | \$ 3,394.33 | \$ 3,498.98 | \$ 3,600.77 | \$ 3,710.17 | \$ 3,821.48 | \$ 3,935.64 | \$ 4,054.55 | \$ 4,176.32 | \$ 4,297.14 | \$ 4,431.28 |   |
| U     | \$ 2,781.68 | \$ 2,878.71 | \$ 2,980.51 | \$ 3,074.69 | \$ 3,171.72 | \$ 3,263.05 | \$ 3,360.08 | \$ 3,459.97 | \$ 3,563.67 | \$ 3,674.02 | \$ 3,780.57 | \$ 3,895.68 | \$ 4,012.69 | \$ 4,132.56 | \$ 4,257.18 | \$ 4,384.66 | \$ 4,512.14 | \$ 4,652.94 |   |
| V     | \$ 2,920.57 | \$ 3,022.36 | \$ 3,128.91 | \$ 3,227.85 | \$ 3,329.64 | \$ 3,426.68 | \$ 3,528.47 | \$ 3,632.16 | \$ 3,742.52 | \$ 3,857.63 | \$ 3,969.88 | \$ 4,090.70 | \$ 4,213.42 | \$ 4,339.00 | \$ 4,470.28 | \$ 4,604.42 | \$ 4,737.60 | \$ 4,885.06 |   |
| W     | \$ 3,066.12 | \$ 3,173.62 | \$ 3,285.88 | \$ 3,389.58 | \$ 3,496.12 | \$ 3,597.92 | \$ 3,704.46 | \$ 3,813.87 | \$ 3,928.98 | \$ 4,049.80 | \$ 4,168.71 | \$ 4,294.29 | \$ 4,423.67 | \$ 4,555.90 | \$ 4,693.84 | \$ 4,834.64 | \$ 4,974.48 | \$ 5,129.55 |   |
| X     | \$ 3,220.24 | \$ 3,331.54 | \$ 3,450.46 | \$ 3,558.91 | \$ 3,671.17 | \$ 3,777.72 | \$ 3,889.97 | \$ 4,005.08 | \$ 4,125.90 | \$ 4,252.43 | \$ 4,377.05 | \$ 4,509.29 | \$ 4,645.33 | \$ 4,784.22 | \$ 4,928.82 | \$ 5,076.28 | \$ 5,223.73 | \$ 5,386.41 |   |
| Y     | \$ 3,381.01 | \$ 3,498.98 | \$ 3,622.65 | \$ 3,736.81 | \$ 3,854.77 | \$ 3,966.08 | \$ 4,084.04 | \$ 4,204.86 | \$ 4,332.34 | \$ 4,465.53 | \$ 4,595.86 | \$ 4,734.75 | \$ 4,877.45 | \$ 5,023.00 | \$ 5,175.21 | \$ 5,330.28 | \$ 5,485.35 | \$ 5,655.63 |   |
| Z     | \$ 3,549.40 | \$ 3,673.07 | \$ 3,803.40 | \$ 3,924.22 | \$ 4,047.89 | \$ 4,164.91 | \$ 4,288.58 | \$ 4,415.11 | \$ 4,548.29 | \$ 4,689.09 | \$ 4,825.13 | \$ 4,971.63 | \$ 5,120.99 | \$ 5,274.15 | \$ 5,433.98 | \$ 5,596.65 | \$ 5,759.33 | \$ 5,938.18 |   |

Attachment: 2022 Exempt Payscale -Mid-Year Adjustment (12166 : 2022 Midyear Pay Scale Resolution)

| 2022 EMS Payscale - Proposed Mid-year |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |       |
|---------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
|                                       | Step 01 | Step 02 | Step 03 | Step 04 | Step 05 | Step 06 | Step 07 | Step 08 | Step 09 | Step 10 | Step 11 | Step 12 | Step 13 | Step 14 | Step 15 | Step 16 | Step 17 | Step 18 |       |
| EMT                                   | \$15.42 | \$15.96 | \$16.52 | \$17.10 | \$17.69 | \$18.32 | \$18.90 | \$19.46 | \$20.04 | \$20.65 | \$21.27 | \$21.91 | \$22.56 | \$23.25 | \$23.94 | \$24.66 | \$25.39 | \$26.16 | EMT   |
| EMTPT                                 | \$16.52 | \$17.10 | \$17.69 | \$18.32 | \$18.90 | \$19.46 | \$20.04 | \$20.65 | \$21.27 | \$21.91 | \$22.56 | \$23.25 | \$23.94 | \$24.66 | \$25.39 | \$26.16 |         |         | EMTPT |
| PARAM                                 | \$18.50 | \$19.15 | \$19.82 | \$20.51 | \$21.23 | \$21.97 | \$22.68 | \$23.36 | \$24.06 | \$24.78 | \$25.52 | \$26.29 | \$27.07 | \$27.89 | \$28.73 | \$29.59 | \$30.47 | \$31.39 | PARAM |
| LIEUT                                 | \$22.57 | \$23.36 | \$24.19 | \$25.02 | \$25.90 | \$26.81 | \$27.67 | \$28.50 | \$29.35 | \$30.23 | \$31.13 | \$32.07 | \$33.04 | \$34.02 | \$35.04 | \$36.10 | \$37.18 | \$38.30 | LIEUT |
| CAPT                                  | \$27.99 | \$28.97 | \$29.99 | \$31.03 | \$32.12 | \$33.25 | \$34.31 | \$35.33 | \$36.40 | \$37.49 | \$38.62 | \$39.78 | \$40.96 | \$42.19 | \$43.47 | \$44.76 | \$46.11 | \$47.49 | CAPT  |



**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** 2022 Midyear Pay Scale Resolution - Professional Employees

**PRESENTER:** Elizabeth Ward

---

### **BACKGROUND**

See attached resolution

### **FISCAL IMPACT**

Midyear , Professional positions pay scale for 2nd half of 2022

### **RECOMMENDATION(S)**

Recommendation is to approve Professional pay scale for 2nd half of 2022

### **POSSIBLE MOTION(S)**

Move to approve Professional pay scale for 2nd half of 2022.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to



Enclosures:

- Resolution (PDF)

## RESOLUTION NO.

### A RESOLUTION ESTABLISHING THE SALARIES FOR CERTAIN ELECTED AND APPOINTED OFFICIALS AND OTHER PROFESSIONAL POSITIONS OF RILEY COUNTY, KANSAS

**WHEREAS**, in 1975 Riley County passed Charter Resolution No.1, which provided authority for the Riley County Commissioners, by ordinary resolution, to establish the salaries of the Riley County Attorney, County Clerk, County Treasurer, Register of Deeds, County Counselor and County Commissioners; and

**WHEREAS**, Charter Resolution No. 1 authorized the Riley County Board of County Commissioners, by ordinary resolution, to modify those officials' salaries at any time; and

**WHEREAS**, K.S.A. 19-101a, as amended, provides that all counties are empowered to transact all county business and perform such powers of local legislation and administration as they deem appropriate when the Legislature of the State of Kansas has not enacted legislation which applies uniformly to all counties; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RILEY COUNTY, KANSAS:**

Effective June 25, 2022 the salaries of the following elected and appointed County officials and other professional positions of Riley County, Kansas, shall be established as shown in the below chart.

**All salaries of appointed County officials and other professional positions are conditional upon a satisfactory or above performance evaluation.**

| <b><u>Appointed/Elected Official/ Other Professional Position</u></b> | <b><u>2022 Adjusted Annualized Salary</u></b> |
|-----------------------------------------------------------------------|-----------------------------------------------|
| County Commissioner (District 1)                                      | \$ 50,218.61                                  |
| County Commissioner (District 2)                                      | \$ 50,218.61                                  |
| County Commissioner (District 3)                                      | \$ 50,218.61                                  |
| Museum Director                                                       | \$ 88,626.20                                  |
| County Attorney                                                       | \$ 176,506.44                                 |
| Assistant Attorney – 1                                                | \$ 99,768.69                                  |

|                                             |    |            |
|---------------------------------------------|----|------------|
| Assistant County Attorney – 2               | \$ | 103,057.14 |
| Assistant Co Attorney – Deputy              | \$ | 137,818.08 |
| Assistant County Attorney – 4               | \$ | 143,118.95 |
| Assistant County Attorney – 5               | \$ | 146,473.35 |
| Assistant County Attorney – 3               | \$ | 107,355.08 |
| Noxious Weed Director                       | \$ | 91,878.26  |
| Public Works Director                       | \$ | 147,120.53 |
| Assistant County Engineer PE                | \$ | 102,866.13 |
| Community Corrections Director              | \$ | 107,024.79 |
| Information Technology Director             | \$ | 113,670.11 |
| Health Department Admin                     | \$ | 115,626.16 |
| Advanced Register Nurse Practitioner (ARNP) | \$ | 157,203.44 |
| Emergency Services Director/Fire Chief      | \$ | 119,412.65 |
| Planning & Development Director             | \$ | 122,655.95 |
| EMS/Ambulance Director                      | \$ | 124,052.93 |
| Assistant EMS/Ambulance Director            | \$ | 97,473.58  |
| EMS Staff Development Specialist            | \$ | 84,335.65  |
| Register of Deeds                           | \$ | 129,583.67 |
| County Treasurer                            | \$ | 136,258.27 |
| County Clerk                                | \$ | 158,258.36 |
| Human Resource Manager                      | \$ | 86,427.15  |
| Budget and Finance Officer                  | \$ | 94,725.04  |
| County Appraiser                            | \$ | 121,037.58 |
| County Counselor                            | \$ | 187,344.62 |
| Deputy County Counselor*                    | \$ | 146,894.65 |

*\*Deputy positions indicated with \* also receive a deputy stipend of \$3,000 annually.*

ADOPTED this 2<sup>nd</sup> day of June 2022.

**BOARD OF COUNTY COMMISSIONERS  
OF RILEY COUNTY, KANSAS**

\_\_\_\_\_  
**Greg McKinley, Chair**

\_\_\_\_\_  
**Kathryn Focke, Member**

\_\_\_\_\_  
**John Ford, Member**

**ATTEST:**

\_\_\_\_\_  
**Rich Vargo, Riley County Clerk**

(Seal)

Attachment: Resolution (12168 : Midyear Pay Scale Resolution)



**PUBLIC WORKS**  
*Permit*

**John Ellermann**  
Public Works  
Director/County Engineer  
6215 Tuttle Creek Blvd  
Manhattan, KS 66503  
Phone: 785-537-6330

## COMMISSION AGENDA REPORT

---

**FROM:** Shannon Sterling, Administrative Assistant II

**MEETING:** June 2, 2022

**SUBJECT:** Highway Use Permit, Larson Construction

**PRESENTER:** John Ellermann, PE, Director of Public Works

---

### **BACKGROUND**

Larson Construction is requesting permission to work in the right of way to bore new water service under Pleasant Valley Road.

### **RECOMMENDATION(S)**

Staff recommends approval of the Highway Use Permit as presented

### **POSSIBLE MOTION(S)**

Move to approve the Highway Use Permit granting the Larson Construction permission to complete the work as outlined on the Permit.

The Board agreed by consensus to

#### Enclosures:

- 05.25.22\_Larson Construction\_Pleasant Valley Rd (PDF)

**Riley County Public Works Department  
Highway Use Permit - Document Management Form**

**Project Number: New Water Line at Pleasant Valley Rd**

**Requesting Party: Larson Construction, 2616 Eureka Terr., Manhattan, KS 66503**

**Processing Procedure:** Date and initial completed steps.

1. The public works department sends a copy of the document management form and permit to Operations Manager (OM) & Assistant County Engineer for recommendation.

Comments: Ensure all areas are backfilled, re-establish elevations and repair the existing right of way profiles within the work area. Maintain proper traffic control procedures during construction. **PROPERLY REPAIR ANY DAMAGE TO ROCK OR ASPHALT SURFACES.**

Signature: \_\_\_\_\_

*[Handwritten Signature]* 6/26/22

2. The public works department sends a copy of Highway Use Permit to Township for recommendation. Township will call Public Works with any recommendations, if applicable.

Comments:

The public works department attaches document management form to permit and gets recommendation signature from County Engineer. If recommended proceed by submitting scanned .pdf file (to include: Doc. Management Form and Original Highway Use Permit, with County Engineer signature and any additional maps or pages) to Minute Traq for scheduling of Commission meeting agenda. Place "Sign Here" post-it on original and deliver original to County Clerk's designated employee. Keep one copy here for our files.

Date \_\_\_\_\_ by \_\_\_\_\_

3. County Clerk via Minute Traq schedules permit to be signed by Chairman during next BOCC business meeting.
4. BOCC Chairman signs and dates permit. County Clerk produces 2 copies of permit including attached maps and sends to Administrative Clerk Public Works **the next business day**. County Clerk keeps original.
5. The public works department distributes copies of permit received from County Clerk.
 

|                                                                 |                                                |
|-----------------------------------------------------------------|------------------------------------------------|
| CC: Petitioner                                                  | <input type="checkbox"/>                       |
| Operations Manager                                              | <input type="checkbox"/>                       |
| Township Trustee: _____                                         | (if on Township Road) <input type="checkbox"/> |
| Highway Use Permit filed with Document Management Form attached | <input type="checkbox"/>                       |

Date \_\_\_\_\_ by \_\_\_\_\_

Submitted by: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Attachment: 05.25.22\_Larson Construction\_Pleasant Valley Rd (12164 : Highway Use Permit)

Permit No. \_\_\_\_\_

# APPLICATION FOR HIGHWAY USE PERMIT

## Riley County, Kansas

Larson Construction

Installing water service line and new meter via road bore

Applicant Name

Type of Construction

2616 Eureka Terr.

Manhattan

KS

66503

Applicant Mailing Address

City

State

Zip

Applicant hereby requests permission to Occupy the R.C. ROW to complete a bore across Pleasant Valley Rd for new water service to 1440 Pleasant Valley Rd.

along and/or across the public roads of Riley County, Kansas, according to the details and route shown on the attached plans and standards for said construction.

### A \$100 Application Fee and a detailed map of location (include an aerial when possible) are required.

In support of its application, the Applicant states it is in the best interest of the residents of Riley County to allow construction of said facility. In addition, Applicant agrees as follows:

- Facility shall be installed in conformance with all items on approved plans, pertinent national codes/standards and the Riley County Highway Use Permit Requirements and Procedures. Any request for variance shall be an addendum to this application. Any utility sharing facilities with another entity is required to obtain a separate Highway Use Permit for their installation.
- A refundable deposit as specified in the Riley County Highway Use Permit Requirements and Procedures, made payable to Riley County, Kansas, shall accompany this application to guarantee satisfactory performance of the conditions of this permit.
- The County Engineer and/or the Township Trustee shall have the authority to require any needed repairs resulting from such construction in the road right-of-way for a period of one year from date of completed construction.
- In the event of road improvement or maintenance within the right-of-way, the applicant or its assigns will be responsible for the relocation of the facility at no cost to Riley County or the Township.
- Applicant shall notify the County Engineer at least 2 business days prior to the beginning of construction and upon completion of construction at 785-537-6330.
- It is understood, the work shall commence within three (3) months of the permit approval and be completed within thirty (30) days of the estimated duration of construction otherwise, the permit becomes null and void, unless an extension of time is approved.
- Applicant further represents it shall comply with and abide by any rule, regulation or condition of the permit made by the County Engineer and/or the Township Trustee.

Submitted by: \_\_\_\_\_

5/24/2022

Submitter's signature

Date

Dusty Heller - PM

Printed Name &amp; Title

785-708-8171

Larson Construction

Submitter's Telephone Number

Contractor Name

dheller.larson@gmail.com

785-537-0160

Submitter's Email Address

Contractor Telephone Number

6/8/2022

3 weeks

Proposed Date of Construction

Estimated Duration of Construction

RECOMMENDED BY: \_\_\_\_\_

*John Elk*  
Riley County Engineer

Permit granted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BOARD OF COUNTY COMMISSIONERS  
RILEY COUNTY, KANSAS

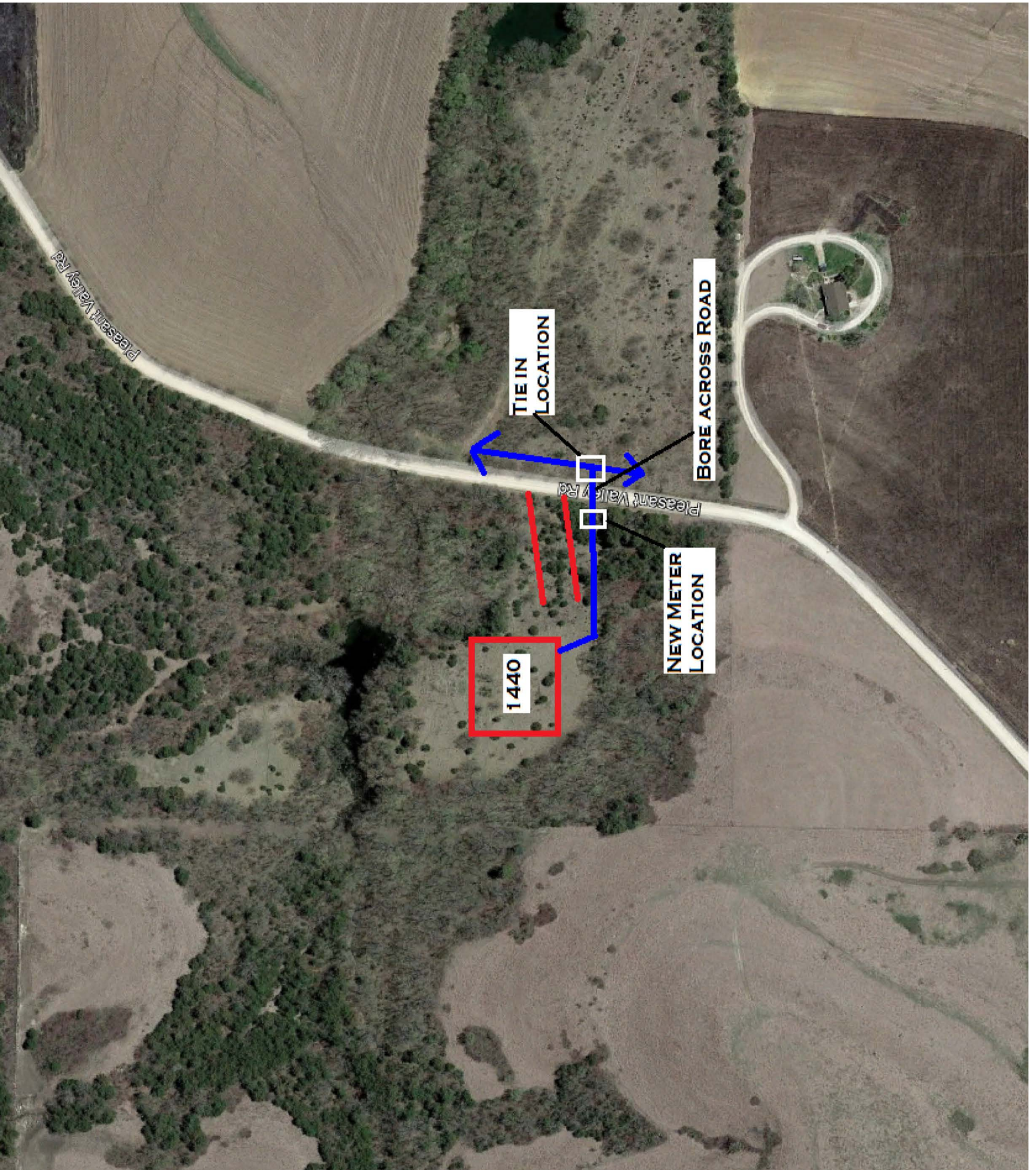
Chairperson

Page 1 of 2

## OFFICE USE ONLY:

Application Fee: 100.00\$1,000 Deposit \_\_\_\_\_ Bond X Letter \_\_\_\_\_Receipt No. 12828 Date: 5-24-22Signature: SS





Attachment: 05.25.22\_Larson Construction\_Pleasant Valley Rd (12164 : Highway Use Permit)



**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** Action on Portable Communication Device Allowance Form(s)

**PRESENTER:** Elizabeth Ward, Human Resource Manager

---

### **POSSIBLE MOTION(S)**

Move to approve the Portable Communication Device Allowance Form(s).

Move to deny the Portable Communication Device Allowance Form(s).

Move to table the Portable Communication Device Allowance Form(s).

**Enclosures:**

- DOC005 (PDF)



**PORTABLE COMMUNICATION DEVICE ALLOWANCE FORM**

**EMPLOYEE CERTIFICATION:** I have read and understand the requirements stated above and agree to adhere to them. I will fully cooperate with the County in making its response to any open record request directed to my personal portable communication device. I will immediately advise the County Counselor of any electronic or written open record request I receive which is directed to my personal portable communication device.

Please indicate if you wish to continue with existing phone number as currently issued by the county.

YES ☒ NO ☐ If, yes, please list the phone number: (316) 249-8596

Portable Communication Device Allowance Plan: ☐ \$25 ☒ \$40 ☐ \$65 Data Enabled

☐ Authorized to use personal portable communication device for business use reimbursed at a rate of \$.25/minute.

Name of Authorized User: Jacob Clarke  
(Please print)

[Signature]  
Signature of Authorized User

5/16/2022  
Date

Phone # (316) 249-8596

Department Head Approval: [Signature]

Board of County Commission Approved Data Enabled Portable Communication Device

\_\_\_\_\_  
Signature of Chairman

\_\_\_\_\_  
Date

*Note: Please keep a copy of this certificate for your records and send the original to the County Human Resource Manager.*

Revised December 2011, Effective January 2012

Attachment: DOC005 (12170 : Cell Phone Allowance Form)



**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** Sign Riley County Personnel Action Form(s)

**PRESENTER:** Elizabeth Ward, Human Resource Manager

---

Enclosures:

- 2022-05 EMS K Beckwith (green) (PDF)
- 2022-05 EMS R Loring(green) (PDF)
- 2022-05 EMS J Watiti (green) (PDF)

# RILEY COUNTY PERSONNEL ACTION FORM

|                                         |                        |                              |
|-----------------------------------------|------------------------|------------------------------|
| <input checked="" type="checkbox"/> Add | Supervisor:            | Fill Request Date: 5-20-2022 |
| <input type="checkbox"/> Change         | Dept Head: David Adams | Employee #                   |

|                                              |                                        |                                   |                                    |                                          |
|----------------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> New Hire | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change         | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                           |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|          |       |  |  |
|----------|-------|--|--|
| Beckwith | Kayla |  |  |
|----------|-------|--|--|

Name: Last First Middle Home Phone

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

Address: Street City State Zip

|         |               |            |
|---------|---------------|------------|
| PRN-EMT | Ambulance/EMS | 0001-00020 |
|---------|---------------|------------|

Position Title Department Fund

|          |                          |                                     |  |                                         |                             |
|----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|
| 6-2-2022 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|

Effective Date Exempt Non-Exempt Ending Date For Temporary Is this a budgeted position?

|     |   |         |                                          |    |                                    |                             |                          |
|-----|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| EMT | 2 | \$14.44 | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
|-----|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|

Grade/Step Pay Rate Hours Per Workweek

Approvals:

Department: *[Signature]* Date: 5/17/22

Personnel: *[Signature]* 5/26/2022

BOCC  
Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_

# RILEY COUNTY PERSONNEL ACTION FORM

|                                         |                        |                              |
|-----------------------------------------|------------------------|------------------------------|
| <input checked="" type="checkbox"/> Add | Supervisor:            | Fill Request Date: 5-20-2022 |
| <input type="checkbox"/> Change         | Dept Head: David Adams | Employee #                   |

|                                              |                                        |                                   |                                    |                                          |
|----------------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> New Hire | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change         | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                           |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|        |       |  |  |
|--------|-------|--|--|
| Loring | Riley |  |  |
|--------|-------|--|--|

Name: Last First Middle Home Phone

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

Address: Street City State Zip

|         |               |            |
|---------|---------------|------------|
| PRN-EMT | Ambulance/EMS | 0001-00020 |
|---------|---------------|------------|

Position Title Department Fund

|           |                          |                                     |  |                                         |                             |
|-----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|
| 5-26-2022 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|-----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|

Effective Date Exempt Non-Exempt Ending Date For Temporary Is this a budgeted position?

|     |   |         |                                          |    |                                    |                             |                          |
|-----|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| EMT | 2 | \$14.44 | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
|-----|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|

Grade/Step Pay Rate Hours Per Workweek

Approvals:

Department: *[Signature]* Date: 5/11/22

Personnel: *ER AWad* 5/22/

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_



# RILEY COUNTY PERSONNEL ACTION FORM

|                                         |                        |                              |
|-----------------------------------------|------------------------|------------------------------|
| <input checked="" type="checkbox"/> Add | Supervisor:            | Fill Request Date: 5-20-2022 |
| <input type="checkbox"/> Change         | Dept Head: David Adams | Employee #                   |

|                                              |                                        |                                   |                                    |                                          |
|----------------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> New Hire | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change         | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                           |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|        |       |  |  |
|--------|-------|--|--|
| Watiti | James |  |  |
|--------|-------|--|--|

Name: Last First Middle Home Phone

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

Address: Street City State Zip

|         |               |            |
|---------|---------------|------------|
| PRN-EMT | Ambulance/EMS | 0001-00020 |
|---------|---------------|------------|

Position Title Department Fund

|           |                          |                                     |  |                                         |                             |
|-----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|
| 5-26-2022 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|-----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|

Effective Date Exempt Non-Exempt Ending Date For Temporary Is this a budgeted position?

|     |   |         |                                          |    |                                    |                             |                          |
|-----|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| EMT | 2 | \$14.44 | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
|-----|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|

Grade/Step Pay Rate Hours Per Workweek

Approvals:

Department:  Date: 5/11/22

Personnel:  5/22/22

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_



**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** Sign Riley County Personnel Action Form(s)

**PRESENTER:** Elizabeth Ward, Human Resource Manager

---

**Enclosures:**

- 2022-05 HD S German (green) (PDF)
- 2022-05 HD J Yuen (green)(PDF)
- 2022-05 HD P Gatica(green) (PDF)
- 2022-05 HD R Cuthbert(green) (PDF)
- 2022-05 HD M Miller(green) (PDF)
- 2022-05 HD L Dolehide (green) (PDF)



# RILEY COUNTY PERSONNEL ACTION FORM

|                                            |                        |                              |
|--------------------------------------------|------------------------|------------------------------|
| <input type="checkbox"/> Add               | Supervisor:            | Fill Request Date: 5/26/2022 |
| <input checked="" type="checkbox"/> Change | Dept Head: Julie Gibbs | Employee #                   |

|                                      |                                        |                                   |                                    |                                                     |
|--------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> New Hire    | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input checked="" type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                                      |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|            |        |        |            |
|------------|--------|--------|------------|
| German     | Skylar |        |            |
| Name: Last | First  | Middle | Home Phone |

|                 |      |       |     |
|-----------------|------|-------|-----|
|                 |      |       |     |
| Address: Street | City | State | Zip |

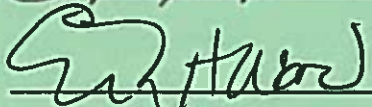
|                                    |                   |                  |
|------------------------------------|-------------------|------------------|
| RADxUP Community Health Specialist | Health Department | 0030-000400-0126 |
| Position Title                     | Department        | Fund             |

|                |                                 |                                                |                           |                                         |                             |
|----------------|---------------------------------|------------------------------------------------|---------------------------|-----------------------------------------|-----------------------------|
| 6/10/2022      | <input type="checkbox"/> Exempt | <input checked="" type="checkbox"/> Non-Exempt |                           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Effective Date | Exempt                          | Non-Exempt                                     | Ending Date For Temporary | Is this a budgeted position?            |                             |

|            |   |          |                                          |    |                                    |                             |                          |
|------------|---|----------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| I          | 1 | \$17.52  | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
| Grade/Step |   | Pay Rate |                                          |    |                                    | Hours Per Workweek          |                          |

Approvals:

Department:  Date: 5-26-22

Personnel:  5/31/22

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_

# RILEY COUNTY PERSONNEL ACTION FORM

|                                            |                        |                              |
|--------------------------------------------|------------------------|------------------------------|
| <input type="checkbox"/> Add               | Supervisor:            | Fill Request Date: 5/26/2022 |
| <input checked="" type="checkbox"/> Change | Dept Head: Julie Gibbs | Employee #                   |

|                                      |                                        |                                   |                                    |                                                     |
|--------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> New Hire    | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input checked="" type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                                      |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|            |       |        |            |
|------------|-------|--------|------------|
| Yuen       | Jenny |        |            |
| Name: Last | First | Middle | Home Phone |

|                 |      |       |     |
|-----------------|------|-------|-----|
|                 |      |       |     |
| Address: Street | City | State | Zip |

|                        |                   |                  |
|------------------------|-------------------|------------------|
| RADxUP Program Manager | Health Department | 0030-000400-0126 |
| Position Title         | Department        | Fund             |

|                |                                            |                                     |                           |                                         |                             |
|----------------|--------------------------------------------|-------------------------------------|---------------------------|-----------------------------------------|-----------------------------|
| 6/10/2022      | <input checked="" type="checkbox"/> Exempt | <input type="checkbox"/> Non-Exempt |                           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Effective Date | Exempt                                     | Non-Exempt                          | Ending Date For Temporary | Is this a budgeted position?            |                             |

|            |   |          |                               |             |                                               |                             |                          |
|------------|---|----------|-------------------------------|-------------|-----------------------------------------------|-----------------------------|--------------------------|
| Q          | 4 | \$       | <input type="checkbox"/> Hour | \$ 2,289.21 | <input checked="" type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
| Grade/Step |   | Pay Rate |                               |             | Hours Per Workweek                            |                             |                          |

Approvals:

Department: [Signature] Date: 5-26-22

Personnel: [Signature] AWard 5/31/22

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_



# RILEY COUNTY PERSONNEL ACTION FORM

|                                            |                        |                              |
|--------------------------------------------|------------------------|------------------------------|
| <input type="checkbox"/> Add               | Supervisor:            | Fill Request Date: 5/26/2022 |
| <input checked="" type="checkbox"/> Change | Dept Head: Julie Gibbs | Employee #                   |

|                                      |                                        |                                   |                                    |                                                     |
|--------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> New Hire    | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input checked="" type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                                      |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|            |         |        |            |
|------------|---------|--------|------------|
| Gatica     | Paulina |        |            |
| Name: Last | First   | Middle | Home Phone |

|                 |      |       |     |
|-----------------|------|-------|-----|
|                 |      |       |     |
| Address: Street | City | State | Zip |

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Covid 19-Contact Tracer | Health Department | 0030-000400-0337 |
| Position Title          | Department        | Fund             |

|                |                                 |                                                |                           |                                         |                             |
|----------------|---------------------------------|------------------------------------------------|---------------------------|-----------------------------------------|-----------------------------|
| 6/10/2022      | <input type="checkbox"/> Exempt | <input checked="" type="checkbox"/> Non-Exempt | Ending Date For Temporary | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Effective Date | Exempt                          | Non-Exempt                                     | Ending Date For Temporary | Is this a budgeted position?            |                             |

|            |   |          |                                          |    |                                    |                             |                          |
|------------|---|----------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| B          | 9 | \$15.96  | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
| Grade/Step |   | Pay Rate |                                          |    |                                    | Hours Per Workweek          |                          |

Approvals:

Department: [Signature] Date: 5-26-22

Personnel: [Signature] A. W. W. 5/31/22

BOCC  
Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_

# RILEY COUNTY PERSONNEL ACTION FORM

|                                            |                        |                              |
|--------------------------------------------|------------------------|------------------------------|
| <input type="checkbox"/> Add               | Supervisor:            | Fill Request Date: 5/26/2022 |
| <input checked="" type="checkbox"/> Change | Dept Head: Julie Gibbs | Employee #                   |

|                                      |                                        |                                   |                                    |                                                     |
|--------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> New Hire    | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input checked="" type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                                      |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|            |         |        |            |
|------------|---------|--------|------------|
| Cuthbert   | Randall |        |            |
| Name: Last | First   | Middle | Home Phone |

|                 |      |       |     |
|-----------------|------|-------|-----|
|                 |      |       |     |
| Address: Street | City | State | Zip |

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Covid 19-Contact Tracer | Health Department | 0030-000400-0337 |
| Position Title          | Department        | Fund             |

|                |                          |                                     |                           |                                         |                             |
|----------------|--------------------------|-------------------------------------|---------------------------|-----------------------------------------|-----------------------------|
| 6/10/2022      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Effective Date | Exempt                   | Non-Exempt                          | Ending Date For Temporary | Is this a budgeted position?            |                             |

|            |   |          |                                          |    |                                    |                             |                          |
|------------|---|----------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| B          | 9 | \$15.96  | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
| Grade/Step |   | Pay Rate |                                          |    |                                    | Hours Per Workweek          |                          |

Approvals:

Department: \_\_\_\_\_ Date: 5-26-22

Personnel: 227 Anna 5/31/22

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_



# RILEY COUNTY PERSONNEL ACTION FORM

|                                            |                        |                              |
|--------------------------------------------|------------------------|------------------------------|
| <input type="checkbox"/> Add               | Supervisor:            | Fill Request Date: 5/26/2022 |
| <input checked="" type="checkbox"/> Change | Dept Head: Julie Gibbs | Employee #                   |

|                                      |                                        |                                   |                                    |                                                     |
|--------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> New Hire    | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input checked="" type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                                      |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|            |       |        |            |
|------------|-------|--------|------------|
| Miller     | Mark  |        |            |
| Name: Last | First | Middle | Home Phone |

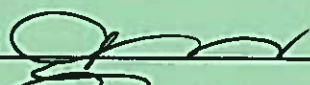
|                 |      |       |     |
|-----------------|------|-------|-----|
|                 |      |       |     |
| Address: Street | City | State | Zip |

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Covid 19-Contact Tracer | Health Department | 0030-000400-0337 |
| Position Title          | Department        | Fund             |

|                |                                 |                                                |                           |                                         |                             |
|----------------|---------------------------------|------------------------------------------------|---------------------------|-----------------------------------------|-----------------------------|
| 6/10/2022      | <input type="checkbox"/> Exempt | <input checked="" type="checkbox"/> Non-Exempt | Ending Date For Temporary | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Effective Date | Exempt                          | Non-Exempt                                     | Ending Date For Temporary | Is this a budgeted position?            |                             |

|            |   |          |                                          |    |                                    |                             |                          |
|------------|---|----------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| B          | 9 | \$15.96  | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
| Grade/Step |   | Pay Rate |                                          |    |                                    | Hours Per Workweek          |                          |

Approvals:

Department:  Date: 5-20-22

Personnel:  Awar 5/31/22

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_

# RILEY COUNTY PERSONNEL ACTION FORM

|                                            |                        |                              |
|--------------------------------------------|------------------------|------------------------------|
| <input type="checkbox"/> Add               | Supervisor:            | Fill Request Date: 5/26/2022 |
| <input checked="" type="checkbox"/> Change | Dept Head: Julie Gibbs | Employee #                   |

|                                      |                                        |                                   |                                    |                                                     |
|--------------------------------------|----------------------------------------|-----------------------------------|------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> New Hire    | <input type="checkbox"/> Rehire        | <input type="checkbox"/> Transfer | <input type="checkbox"/> Promotion | <input checked="" type="checkbox"/> Separation from |
| <input type="checkbox"/> Step Change | <input type="checkbox"/> Status Change | <input type="checkbox"/> Demotion | <input type="checkbox"/> Other     | County Service                                      |

|                                    |                                       |                                               |                                    |
|------------------------------------|---------------------------------------|-----------------------------------------------|------------------------------------|
| <input type="checkbox"/> Full Time | <input type="checkbox"/> Regular      | <input checked="" type="checkbox"/> As-Needed | <input type="checkbox"/> Seasonal  |
| <input type="checkbox"/> Part Time | <input type="checkbox"/> Grant Funded | <input type="checkbox"/> Intern               | <input type="checkbox"/> Temporary |

|          |        |  |  |
|----------|--------|--|--|
| Dolehide | Lauren |  |  |
|----------|--------|--|--|

Name: Last First Middle Home Phone

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

Address: Street City State Zip

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Covid 19-Contact Tracer | Health Department | 0030-000400-0337 |
|-------------------------|-------------------|------------------|

Position Title Department Fund

|           |                          |                                     |  |                                         |                             |
|-----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|
| 6/10/2022 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|-----------|--------------------------|-------------------------------------|--|-----------------------------------------|-----------------------------|

Effective Date Exempt Non-Exempt Ending Date For Temporary Is this a budgeted position?

|   |   |         |                                          |    |                                    |                             |                          |
|---|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|
| B | 9 | \$15.96 | <input checked="" type="checkbox"/> Hour | \$ | <input type="checkbox"/> Bi-weekly | <input type="checkbox"/> 40 | <input type="checkbox"/> |
|---|---|---------|------------------------------------------|----|------------------------------------|-----------------------------|--------------------------|

Grade/Step Pay Rate Hours Per Workweek

Approvals:

Department:  Date: 5-26-22

Personnel:  5/3/22

BOCC

Chairman: \_\_\_\_\_

Member: \_\_\_\_\_

Member: \_\_\_\_\_





**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** Sign Riley County Position Action Form(s)

**PRESENTER:** Elizabeth Ward, Human Resource Manager

---

Enclosures:

- 2022-05 Comm Corr UA Tech(gold) (PDF)

Department Community Corrections Date 5/23/2022 Job Title Urinalysis Technician (UA Tech)

|                                               |                                    |                                   |                                                  |           |                                                              |            |      |                                                |
|-----------------------------------------------|------------------------------------|-----------------------------------|--------------------------------------------------|-----------|--------------------------------------------------------------|------------|------|------------------------------------------------|
| <input type="checkbox"/> Full Time            | <input type="checkbox"/> Regular   | <input type="checkbox"/> Seasonal | <input checked="" type="checkbox"/> Grant Funded | Pay Grade | B                                                            | Start Date | ASAP | <input checked="" type="checkbox"/> Non-Exempt |
| <input checked="" type="checkbox"/> Part Time | <input type="checkbox"/> As Needed | <input type="checkbox"/> Intern   | <input type="checkbox"/> Temporary               | Hours per | <input type="checkbox"/> Week <input type="checkbox"/> Month | End Date   |      | <input type="checkbox"/> Exempt                |

## TYPE OF REQUEST

(Check one box and follow instructions in box -- attach new job description if applicable)

| Budgeted Position Request                                                                                                       |                                                                                                                                                    | Non-Budgeted Position Request                                                                                                                                                        |                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Request to hire replacement-same duties                                                                | <input type="checkbox"/> Request to change budgeted hours                                                                                          | <input type="checkbox"/> Request to create a new position for current fiscal year only                                                                                               | <input checked="" type="checkbox"/> Request to create a new position which will be included in future annual budgets                                       |
| <input type="checkbox"/> Request to hire replacement-new duties                                                                 | <input type="checkbox"/> Request to change position status                                                                                         | <input type="checkbox"/> Request for current non-budgeted position to be included in future annual budgets                                                                           |                                                                                                                                                            |
| 1. Name of former incumbent or current employee:                                                                                | 2. Effective date of promotion, transfer, termination, or change:                                                                                  | 1. Are there current budgeted funds available to pay for this position?<br><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Grant Funded | 2. Requested hours per year:                                                                                                                               |
| 3. If requesting a change in budgeted hours, estimated change in cost per year:                                                 | 4. Would the position require re-evaluation for classification and pay grade purposes?<br><input type="checkbox"/> Yes <input type="checkbox"/> No | 3. Estimated cost per year (financial impact):<br>\$                                                                                                                                 | 4. Would the position require evaluation for classification and pay grade purposes?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. Has this position been "On Hold"? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If yes, date placed "On Hold": | 6. Any special conditions regarding this position:                                                                                                 | 5. If applicable, what is the ending date for the position?:                                                                                                                         | 6. Any special conditions regarding this position:                                                                                                         |

1. Why is it necessary to fill this position or change its status?

2. Is it possible to fill this position internally? If no, why not? Entry Level Position

For hiring purposes, briefly state necessary and/or desirable education, training, and/or certification required as well as desirable experience and/or skills: 21+ yrs of age; be qualified for access to any KS Criminal Justice Info System (KCJIS) data; Not be registered on the KS child/abuse registry

Additional comments: valid drivers license

Approval by:

Department Head:

Personnel:

BOCC Chairman:

BOCC Member:

BOCC Member:

Date:



**Board of Riley County  
Commissioners  
Regular Meeting  
TENTATIVE Agenda  
June 06, 2022**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**8:30 AM**

[District 2 – Greg McKinley, Chair](#)

[District 3 – Kathryn Focke, Vice Chair](#)

[District 1 – John Ford, Member](#)

**8:30 AM**

**Call to Order**

**Pledge of Allegiance**

**Public Comment**

**Commission Comments**

**Business Meeting**

1. Command Post to Wamego July 4th

**Review Minutes**

**Review Tentative Agenda**

**Press Conference Topics**

**9:00 AM**

**Clancy Holeman, Counselor/Director of Administrative Services**

2. Administrative Work Session

**9:20 AM**

**Break**

**9:30 AM**

**Press Conference**

4. RCPD update - Captain Greg Steere (3-5 minutes)

**9:45 AM**

**Jan Scheideman, Child Care Supervisor**

5. New position description upgrade

**10:00 AM**

**Russel Stukey, Emergency Management Director**

6. Staff update

**10:15 AM**

**Amanda Webb, Planning/Special Projects Director**

7. Staff update

**10:30 AM**

**Elizabeth Ward, Human Resource Manager**

8. New position requests

Attachment: 06-06-22 tentative agenda (11664 : Tentative Agenda)

**11:00 AM Elizabeth Ward, Human Resource Manager and Josh Gering, Assistant EMS/Ambulance Director**

9. EMS staffing

**11:45 AM Lunch**

**1:15 PM Shilo Heger, Treasurer**

10. 2023 Treasurer, Motor Vehicle & Tech Fund Budget Requests

**2:05 PM Amy Manges, Register of Deeds**

11. 2023 Register of Deeds & Tech Fund Budget Requests

**2:35 PM Amanda Webb, Planning/Special Projects Director**

12. 2023 Planning and Development Budget Request

**Adjournment**

---

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Attachment: 06-06-22 tentative agenda (11664 : Tentative Agenda)





**Board of Riley County  
Commissioners  
Regular Meeting  
TENTATIVE Agenda  
June 09, 2022**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**8:30 AM**

[District 2 – Greg McKinley, Chair](#)

[District 3 – Kathryn Focke, Vice Chair](#)

[District 1 – John Ford, Member](#)

**8:30 AM**

**Call to Order**

**Pledge of Allegiance**

**Public Comment**

**Commission Comments**

**Business Meeting**

1. Discuss Joint City/County/County Meeting

**Review Minutes**

**Review Tentative Agenda**

**Press Conference Topics**

**9:00 AM**

**Clancy Holeman, Counselor/Director of Administrative Services**

2. Administrative Work Session

**9:30 AM**

**Shilo Heger, Treasurer**

3. Monthly Revenue Reports

**9:45 AM**

**Jason Smith, Manhattan Area Chamber of Commerce**

4. Economic development update

**10:00 AM**

**Julie Gibbs, Health Department Director**

5. Out of State Travel Request
6. Staff update

**10:30 AM**

**Breva Spencer, Maternal and Child Health Supervisor**

7. Program update

**11:00 AM**

**Budget and Planning Committee - Darell Edie, Budget and Finance Officer**

8. Monthly Cash Flow Reports

Attachment: 06-09-22 tentative agenda (11664 : Tentative Agenda)

- 11:20 AM**      **Vickie James, Food and Farm Council Coordinator**  
 9.      Discussion and approval of the Master Food Plan
- 1:15 PM**      **Gina Snyder, Downtown Manhattan Executive Director**  
 10.      Downtown Manhattan
- 1:30 PM**      **Gary Fike, County Extension Director**  
 11.      2023 Riley County Extension & Fair Appropriation Requests
- 2:00 PM**      **Scott Carmichael, Riley County Conservation District Director**  
 12.      2023 Riley County Conservation District Appropriation Request
- 2:10 PM**      **John Ellermann, Public Works Director/County Engineer**  
 13.      2023 Public Works/Parks, 1/2 Sales Tax, Auction, County Building,  
             and Solid Waste Budget Requests
- 2:30 PM**      **Robbin Cole, Pawnee Mental Health Services Director**  
 14.      2023 Pawnee Mental Health Services Appropriation Request
- Adjournment**

---

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.



**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resource Manager

**MEETING:** June 2, 2022

**SUBJECT:** Human Resource Information System Upgrade

**PRESENTER:** Elizabeth Ward

---

### **BACKGROUND**

In 2014 Riley County transitioned to ADP for its HR Management Software. The price quote at that time was \$43,052 annually, plus a \$10,000 implementation fee.

The services included:

- Time and Attendance
- Payroll
- Human Resource Management

Since a Career/Applicant portal and Application tracking, Performance Management, and Benefits Management were not included in this service agreement, based on cost, those items were purchased from additional vendors.

- CivicHR
- ReviewCloud
- Yearli

Furthermore, there was no service for Employee Engagement or Learning Management, and those services were foregone at that time.

### **DISCUSSION**

In late 2021, Derick Schroller identified several discrepancies in the ADP invoice and HR and IT started investigating the costs of ADP. It was discovered that there were significant

discrepancies in what ADP was quoting for per person, per service costs and what we were being charged.

Further, the customer service from ADP was consistently declining. The software is difficult for managers and employees to use, and the response time for customer service had grown significantly.

A workgroup started investigating costs, service, efficiency, usability and overall performance of ADP as well as several other HR Information Systems. This group not only worked with ADP to receive a demo of all services, as well as a new quote for those services, but also investigated several other HRIS vendors.

Paycom, Paylocity and ADP were chosen as the best fits for Riley County, and a service and cost proposal was received from each.

HR also spoke with users of each of these software programs to find out how well they liked the program and what issues existed. We spoke with:

- Manhattan Surgical Center - current Paycom, previous Paylocity user
- Leavenworth County - current Paycom, previous ADP user
- City of Manhattan - current Paylocity, previous internal system user
- Adams County, IL - current Paycom, previous ADP user
- City of Erie - current Paycom, previous ADP user
- K-State Foundation- current Paylocity, previous Paycom user
- Geary County - Paylocity, previous ADP user

Overall, the decision to propose Paylocity over the other 2 vendors was made. The fit for our unique situation, to include all regular employees as well as volunteer fire and election staff, made Paylocity the best solution.

### **FISCAL IMPACT**

Riley County currently has \$90,300 budgeted in 2022 for the various systems used for HR information management. This proposed change would cost \$82,066.64 annually, plus \$9,062.37 for implementation in 2022 only.

Therefore, there would not be an increase in the requested budget.

### **RECOMMENDATION(S)**

Recommendation is for the Commissioners to approve changing our ADP HRIS to Paylocity HRIS with a tentative timeline starting June 15, 2022.

### **POSSIBLE MOTION(S)**

Move to approve changing our ADP HRIS to Paylocity HRIS with a tentative timeline starting June 15, 2022.

Move to deny

Move to modify

Move to table

Enclosures:

- HRIS Proposal - Commissioners 2022-5 (PPTX)





# HR Software Proposal

Presented by Elizabeth Ward 2022

# Vendor Comparison

- ADP
  - current software provider
  - several issues- Customer Service, usability, no enhanced services
  - Expensive
  - no customer follow up since quote
- Paycom
  - Concerns with customer service and follow up throughout process
  - Competitive price
  - all components internal – no integration
- Paylocity
  - Best implementation process - customer follow up throughout process
  - Professional
  - Competitive price
  - Seamless integration – suite comprised of several components which “talk” to each other

# Background on Issues

- Late 2021 - IT and HR identified several billing and operating issues with ADP
  - Unexplained additional fees
  - Random employee number generation on invoices
  - Disproportionate rate increases over several year period
  - Compromised Customer Service
  - Disconnect between HRIS and Time and Attendance

Associated issues with other HR Software products as well

# Current HR Software Solutions

HR services currently utilize the following:

- ADP – HR Management and Payroll
  - \$75,000 budget
- CivicHR – Career Portal and Applicant Tracking
  - \$6,200 budget
- ReviewCloud – Employee Performance Management
  - \$7,500 budget
- Yearli – ACA reporting
  - \$1,569 budget

# Evaluation and References

A small workgroup reviewed current vendor (ADP) and other competitors

- HR, Finance, IT and County Clerk – reviewed invoice history and asked for re-evaluation of service agreement

We spoke with:

- Manhattan Surgical Center – Paycom and previous Paylocity user
- Leavenworth County – Paycom and previous ADP user
- City of Manhattan – Paylocity user
- Adams County – Paycom and previous ADP user
- City of Erie – Paycom and previous ADP user
- K-State Foundation – Paylocity and previous Paycom user
- Geary County – Paylocity and previous ADP user



# Paylocity beat ADP and Paycom

## Key Functionality

- Customer Service
- Payroll
- Reports
- Benefits
- Applicant
- Onboarding
- Performance
- General Ledger
- Stipends

## Additional Functions

With ADP, we don't have any of the following:

- EE Engagement
- Learning Management
- Performance Reviews
- ACA Reporting

|                                                                                                  | Employee # | Base Fee | Per Ck Fee | W-2/<br>employee | W-2 Base | ACA Report<br>Fee/employee | ACA Base | Implementation<br>Fee | Total                          |                          |                              |
|--------------------------------------------------------------------------------------------------|------------|----------|------------|------------------|----------|----------------------------|----------|-----------------------|--------------------------------|--------------------------|------------------------------|
| <b>PayCom</b>                                                                                    |            |          |            |                  |          |                            |          | 7,099.47              | 7,099.47                       |                          |                              |
|                                                                                                  | 579        |          |            | 6.95             | 75.00    | 6.95                       | 75.00    |                       | 5,911.55                       |                          |                              |
| (per pay period)                                                                                 | 318        | 142.85   | 8.64       |                  |          |                            |          |                       | 75,149.62                      | 81,061.17                |                              |
| <b>Paylocity-MONTHLY FEES</b>                                                                    |            |          |            |                  |          |                            |          |                       |                                |                          |                              |
| Reg EE                                                                                           | 278        |          | 22.23      | 7.00             | 1,996.04 | included                   | included | 7,552.38              | 76,162.04                      |                          |                              |
| Election/Fire                                                                                    | 324        |          | 0.92       | 7.00             | 2,316.60 |                            |          | 1,509.99              | 5,904.60                       | 82,066.64                |                              |
| <b>ADP</b>                                                                                       |            |          |            |                  |          |                            |          |                       |                                |                          |                              |
| Enhanced Payroll                                                                                 | 579        | 59.85    |            | 3.93             | -        |                            | 19.80    | (4) n/a               | 3,910.77                       |                          |                              |
| (per pay period)                                                                                 | 318        |          | 1.10       |                  |          |                            |          |                       | 9,094.80                       |                          |                              |
| election                                                                                         | 200        |          | 1.10       |                  |          |                            |          |                       | 880.00                         |                          |                              |
| Fire                                                                                             | 25         |          | 1.10       |                  |          |                            |          |                       | 715.00                         |                          |                              |
| Workforce Now                                                                                    | 318        |          | 2.35       |                  |          |                            |          |                       | 19,429.80                      |                          |                              |
| election                                                                                         | 200        |          | 2.35       |                  |          |                            |          |                       | 1,880.00                       |                          |                              |
| Fire                                                                                             | 25         |          | 2.35       |                  |          |                            |          |                       | 1,527.50                       |                          |                              |
| Time & Attendance                                                                                | 579        |          | 6.00       |                  |          |                            |          |                       | 41,688.00                      |                          | without<br>deactivatio       |
| Benefit Admin, Premium Content,<br>Onboarding, Learning, Recruitment,<br>Analytics, Benchmarking |            |          |            |                  |          |                            |          | 6600                  |                                |                          | with<br>enhanced<br>services |
|                                                                                                  | 377        | 46566.12 |            |                  |          |                            |          |                       | 46,566.12                      | 125,691.99               |                              |
|                                                                                                  |            |          |            |                  |          |                            |          |                       | <b>Current Budgeted Funds:</b> |                          |                              |
|                                                                                                  |            |          |            |                  |          |                            |          |                       | 7,500.00                       | IT budget-ReviewCloud    |                              |
|                                                                                                  |            |          |            |                  |          |                            |          |                       | 6,200.00                       | IT budget-Civic HR       |                              |
|                                                                                                  |            |          |            |                  |          |                            |          |                       | 75,000.00                      | IT budget-ADP (6300 x 12 |                              |
|                                                                                                  |            |          |            |                  |          |                            |          |                       | \$1,600                        | Yearli- ACA reporting    |                              |
|                                                                                                  |            |          |            |                  |          |                            |          |                       | <b>\$ 90,300.00</b>            |                          |                              |

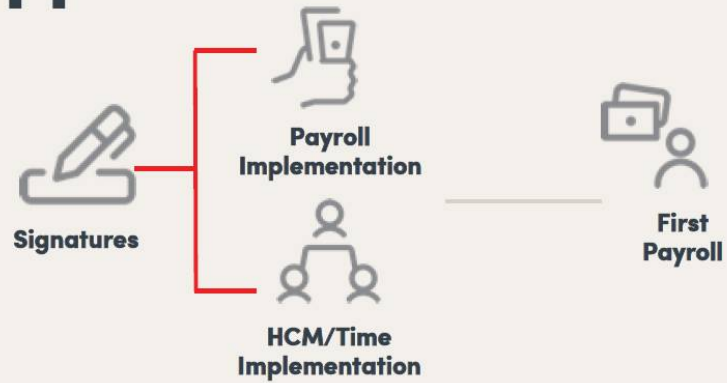
Attachment: HRIS Proposal - Commissioners 2022-5 (12169 : HRIS System Upgrade)

# Implementation - Paylocity

## Enterprise Implementation

### Timeline Approach

#### Evolving Implementation Model



#### Traditional Implementation Model



HUMAN RESOURCES



**NOXIOUS WEED/HHW**  
*Staff Update*

**Michael Boller**  
Noxious Weed Director  
6245 Tuttle Creek Blvd  
Manhattan, KS 66503  
Phone: 785-539-3202

## STAFF REPORT

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**FROM:** Michael Boller, Director Riley County Noxious Weed

**MEETING:** June 2, 2022

**SUBJECT:** Staff Update

**PRESENTER:** Michael Boller, Director Riley County Noxious Weed

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Enclosures:

- 6-2-2022 Staff Report (DOC)

## Riley County Noxious Weed/HHW Department

Michael Boller, Director

June 2, 2022

### Staff Report

#### Noxious Weed/Mowing:

- Spring spraying began in mid-April with bare ground applications on county roads. Spraying around all signs, bridges and guardrails is behind this year due to weather. Hopefully will be complete in next couple weeks.
- Solid spraying on county roads began late last month and Section 1 from last year and Section 2 this year have all been completed.
- Spot spraying for musk thistle and field bindweed will begin this week and will continue during month of June.
- Township contracts and the KDOT contract will begin this month and will continue during month of June. Currently, we have 6 township contracts which is double the amount from last year.
- Spring seeding projects on county right-of-way began in late March. All seeding projects were completed. Weather has been very favorable and most areas have a good grass growth. Rain has been steady which has prevented washouts so conditions have been ideal.
- County roadside mowing began in May. There are 3 cycles of mowing during the summer and the first round is 30% complete. Vegetation is growing at a very rapid rate as conditions are favorable for growth. We stopped chemical mowing several years ago and we are starting to see a more dense level of native grass alongside the roadway.
- Musk Thistle, a noxious weed in Kansas, is at the stage of growth where it needs to be sprayed in order to get optimum control. Riley County has cost-share chemical for sale to landowners for treatment of noxious weeds in the county and sprayers that can be rented. Contact our office at 785-539-3202 for assistance.

#### HHW:

- Next HHW collection at Howie's Recycling is Saturday, June 11, 2022 from 8:00am to 12:00 noon. No business waste or truck loads of material will be accepted at this event.
- The Riley County HHW Facility has many recycled products free to the public. We have one gallon and five gallon containers of latex paint as well as many household cleaners, etc. Our office is open Monday – Friday from 7:30am to 4:00pm for assistance.

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**COUNTY APPRAISER'S OFFICE**  
*Staff Update*

**Anna Burson**  
County Appraiser  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-537-6310

## STAFF REPORT

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**FROM:** Anna Burson- Appraiser  
**MEETING:** June 2, 2022  
**SUBJECT:** Appraiser's Staff Update  
**PRESENTER:** Anna Burson

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### Appraiser's Office Report

BOCC  
June 2<sup>nd</sup>, 2022

- Friday the 27<sup>th</sup> we certified Personal property value of \$47,464,175 to the Clerk's Office. We are working to scan the notice of values and doing quality control of the taxpayer files. Mobile home annual review will begin soon. Our personal property department is down 1 position currently, the position is now posted and we hope to have it filled soon.
- Residential is currently working on annual review all informal appeals have been completed. We are waiting for results on two small claims appeals relating to 2022 values and have no active BOTA appeals. As of 5/27/22 we have 552 sales of which 464 are residential properties with a current ratio of 91%. We received 110 permits so far in 2022 with 23 being new dwellings. Our AG appraiser is working through the AG maps, making changes in delineation with homesites, going to the field for annual review, and verifying agricultural use.
- Commercial is working on annual review, and plans to start land use a little earlier this year than in prior years. Our Commercial analyst is working on revamping the apartment cap rate study. We have several Commercial BOTA cases not yet scheduled but noted as pending. I will be reaching out to Mike Montoya this week to touch base on the next steps with the 2018 Home Depot case.



- Summary of things I've completed or I'm working on.
  - Job descriptions
  - Meetings with staff
  - Meetings with commissioners and other County Staff
  - Meeting with the Manhattan Mercury,
  - Budget
  - Laser Measures- Leica Disto
  - Vehicle purchase update
  - Staff tablets due for update
  - Coop plan
  - EOC Plan
  - Payroll/ADP

Enclosures:



**PLANNING & DEVELOPMENT**  
Public Hearing

**Amanda Webb**  
Planning/Special Projects  
Director  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-537-6332

## RESOLUTION

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**FROM:** Lisa Daily, Administrative Asst II

**MEETING:** June 2, 2022

**SUBJECT:** Amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development and replat Lot 1 of Tegtmeier Addition Unit 2 into two (2) lots.

**PRESENTER:** Bob Isaac, Planner

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### **BACKGROUND**

See staff report.

### **DISCUSSION**

See staff report.

### **FISCAL IMPACT**

None is anticipated

### **ALTERNATIVES**

- . Approve the measure
- . Deny the measure
- . Modify or develop alternatives if other concerns or factors arise
- . Schedule work session to discuss issue further

### **RECOMMENDATION(S)**

On May 9, 2022, the Riley County Planning Board heard the request. After evaluating the information given and considering the concerns of property owners living along Wildcat Creek Road, the Planning Board, with a 4-1 vote, forwarded a recommendation of approval for the

following amendments to the preliminary and final development plans of the existing Agri-Business Planned Unit Development:

1. Additional residential lot for the purposes of constructing a single-family residence.
2. Conversion of a portion of the existing winery building into a full service restaurant;
3. Addition of 12 RV pads to served by electricity, water and sewer;
4. A small 4,000 sf event center (no restaurant);
5. Twelve 200-300 sf one-room cabins.
6. Expanded all-weather surfaced parking area.

The Planning Board also forwarded a recommendation of denial for the proposed 3,000 seat amphitheater, based on concerns regarding post-event traffic, particularly with congestion along Wildcat Creek Road (stacking), increased fugitive dust, and a decreased level of service (LOS) at the intersection of Wildcat Creek Road and Scenic Drive.

The Planning Board also approved the Final Plat of Tegtmeier Addition Unit 3, as it was determined that it met the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

#### **STAFF RECOMMENDATIONS:**

Based on the fact that the majority of the proposed uses are amenities or activities directly associated with an existing agritourism operation, the approved agritourism facility, or existing agricultural operation, it is the professional opinion of planning staff that the proposed amendments to the development plan are elements of a permitted use that were approved in 2014. Staff recommends the Board of County Commissioners approve all of the proposed amendments to the preliminary and final development plans for the Tegtmeier Winery Planned Unit Development, as submitted, with the added recommendations submitted by Riley County Emergency Management/Rural Fire.

Also, Staff recommends the Board acknowledge the approved Final Plat of Tegtmeier Addition Unit 3, and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat, as it has been determined, as it has been determined to meet the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

#### **POSSIBLE MOTION(S)**

##### **ACTION NEEDED FOR AMENDING DEVELOPMENT PLAN:**

- . **Move** to approve the amendments to the Preliminary and Final Development Plans associated with the existing Agri-Business Planned Unit Development, as submitted.
- . **Move** to deny the requested amendments, as submitted, to the Preliminary and Final Development Plans associated with the existing Agri-Business Planned Unit Development.
- . **Move** to table the request to a specific date, indicating the reasons for tabling.

##### **ACTION NEEDED FOR PLAT:**

A. **Motion** to approve Resolution 060222-\_\_\_ acknowledging the approved Final Plat of Tegtmeier Addition Unit 3 and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat, as it has been determined it has met the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

Or

B. **Motion** to sign Resolution 060222-\_\_\_ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Tegtmeier Addition Unit 3 and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat, as it has been determined it has met the minimum requirements of the Riley County Land Development Regulations and Sanitary Code have not been met.

### **ATTACHMENT(S):**

- Staff report
- Maps
- Preliminary Development Plan
- Final Development Plan
- Final Plat
- Excerpt of Planning Board minutes
- Resolution for PUD Amendment
- Plat Resolution
- Public comment letters/emails

### **Enclosures:**

- Staff Report BOCC (PDF)
- Maps(PDF)
- Preliminary Development Plan 05-26-2022 (PDF)
- Final Development Plan 05-26-2022 (PDF)
- Final Plat 04-22-2022 (PDF)
- Excerpt RCPB minutes May 9, 2022 Tegtmeier (PDF)
- Resolution PUD Amendment (PDF)
- Plat Resolution (PDF)
- Letters from Property Owners within 1000' combined (PDF)
- Letters of Support combined (PDF)
- Emails\_letters combined (PDF)
- Letters\_emails combined 2 (PDF)
- emails (PDF)



# PLANNING & DEVELOPMENT

## STAFF REPORT

### Replat and Development Plan Amendment

**PETITION:** #22-0022

**APPLICANT:** Lawe LLC  
1745 Wildcat Creek Rd  
Manhattan, KS 66503-9818

**PROPERTY OWNER:** David H & Danielle B Tegtmeier, Lawe LLC  
1929 Wildcat Creek Rd  
Manhattan, KS 66503-9818

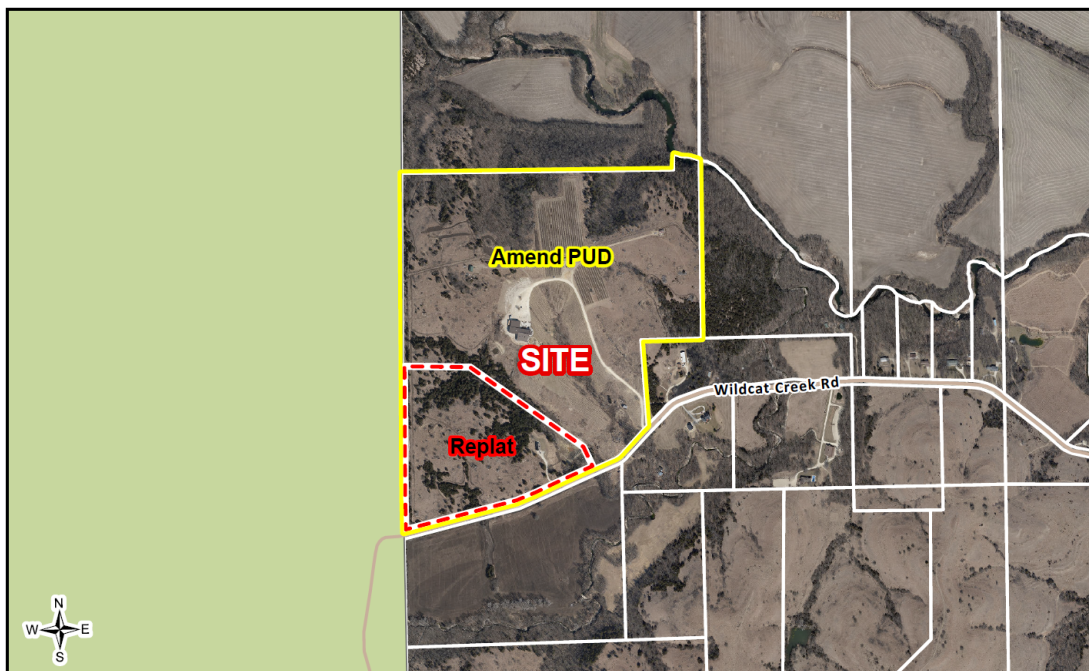
**REPRESENTATIVE:** David H. Tegtmeier  
1929 Wildcat Creek Rd  
Manhattan, KS 66503-9818

**REQUEST:** Amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development and replat Lot 1 of Tegtmeier Addition Unit 2 into two (2) lots.

**SIZE OF TRACT:** The subject site is approximately 157.26 acres.

**LOCATION:** Generally located approximately 9800 feet west of Scenic Drive, on the north side of Wildcat Creek Road; Sections 8 and 17, Township 10 South, Range 7 East; Wildcat Township.

**JURISDICTION:** This application is subject to the requirements of the Riley County Land Development Regulations.



**BACKGROUND:** In September 2014, the applicants successfully platted Lot 1 of Tegtmeier Addition and **rezoned** the lot and surrounding parent tract from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in order to establish a viticulture operation, with a winery and events center. The applicants developed Lot 1 with a new home, garage and a one-bedroom studio apartment over the garage. For financing purposes, the applicants requested, at the time, to plat the residential portion of the proposed planned unit development into a separate lot (Lot 1 Tegtmeier Addition). In 2021, the applicants discovered that a portion of the parent (winery) tract surrounding the subject lot, owned by LAWE, LLC, became available for purchase. The applicants purchased said portion and replatted it with Lot 1 Tegtmeier Addition into Lot 1 Tegtmeier Addition Unit 2 and amended the Final Development Plan to reflect the lot configuration of the proposed replat.

**Today**, the applicants wish to replat Lot 1 Tegtmeier Addition Unit 2 into two lots and amend the preliminary and final development plans associated with the existing Agri-Business Planned Unit Development. **The applicants are not requesting to rezone the property.** The proposed changes include an additional residence (proposed Lot 1) and several agritourism/agritourism facility amenities such as an outdoor amphitheater, a 4,000 sq. ft. indoor event facility, 12 one-room cabins, a 12-pad RV parking area (water, sewer and electricity) and the conversion of a portion of the large event center into a full-service restaurant. These particular uses are already permitted under the umbrella of agritourism and an agritourism facility. Following the public hearing before the Planning Board, staff became convinced these agritourism uses did not require approval of the Planning Board. Further, these agritourism uses do not require approval by the Board of County Commissioners. But, the Preliminary and Final Development Plans had to be reviewed by the Planning Board. And the Planning Board’s decision must be reviewed by the Board of County Commissioners. The updated development plans show the new configuration of the replatted lot and show the new layout of the property

The role of the Board of County Commissioners will be to acknowledge the approved Final Plat of Tegtmeier Addition Unit 3 and accept or deny any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat and approve or deny proposed amendments to the Final Development Plan not determined to be uses/structures for agricultural or agritourism. Such structures are subject to the Riley County Sanitary Code and may be subject to the State Fire Code.

## **DESCRIPTION:**

Physical site characteristics: The subject site is a mix of hills covered with grasslands and heavily wooded ravines developed with a single-family residence. The proposed density of the property is consistent with the rural residential land use category described in Chapter 3 of the Manhattan Urban Area Comprehensive Plan (Table 3.1- Land Use Category Definitions). The site boasts an existing on-site retention pond which serves as post-development stormwater drainage control, as recommended through the Stormwater Drainage Study originally submitted by SMH Consultants.

General character of the area: The character of the area is a mix of low-density suburban and rural, large-lot single family residential development, with open pasture/natural grasslands, situated just west of the city limits of Manhattan. According to the applicant, the site is a perfect blend between sloping topography and soil type to grow grapes.



**SUITABILITY OF ZONING:**

Zoning History: The subject site was rezoned from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in September 2014. There are no variances, conditional uses or special uses associated with the property.

Current Zoning: The subject property is currently zoned “A-PUD” (Agri-Business Planned Unit Development).

| SURROUNDING ZONING/LAND USE |                                                 |                       |
|-----------------------------|-------------------------------------------------|-----------------------|
|                             | ADJACENT ZONING                                 | LAND USE              |
| <b>NORTH</b>                | “A-PUD” (Agricultural Planned Unit Development) | Winery/Event Center   |
| <b>SOUTH</b>                | “AG” (Agricultural District)                    | Grassland/Residential |
| <b>EAST</b>                 | “AG” (Agricultural District)                    | Residential           |
| <b>WEST</b>                 | N/A Fort Riley Military Installation            | National Defense      |

**DETAILS OF DEVELOPMENT PLAN:**

Due to the subject site being modified, the Final Development Plan needed to be updated to reflect those changes, including the map and the list of permitted uses/permitted structures. The changes to the text are as follows, with additions in bold and deletions struck through:

List of Permitted Uses:Tract A:

1. Viticulture.
2. **Agritourism** (as defined by Article 9 of the Riley County Land Development Regulations).
3. Manufacturing, bottling, and sale of wine and cider.
4. Wine and cider tasting.
5. Sale of promotional and products accessory to wine.
6. Catered events.
7. Large Events Center **with Restaurant (800-980 sf)** for the conduct of conferences, meetings, business or professional training, retreats, and recreational, social, or religious functions, activities, and dining. Events Center use shall be subject to the following restrictions and limitations:
  - a. Parking shall only be permitted in designated areas. Event parking along Wildcat Creek Road shall be prohibited.
8. **Small Events Center (See Large Events Center - no restaurant).**
9. **RV parking (40'x20', 12 pads max) with access to potable water, sewer disposal, and electricity.**
10. **Lodging accommodations (cabins) intended for participants/guests.**
11. **Outdoor amphitheater approximately 3,000 seats.**
12. Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties.
13. A maximum indoor occupancy for the Large Events Center shall be established by code footprint as per the State Fire Code.

Lot 1:

- a. All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
- b. Accessory structures, as per Section 5.3 of the Riley County Land Development Regulations.

**Lot 2:**

- a. **All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.**
- b. **Accessory Structures, as per Section 5.3 of the Riley County Land Development Regulations.**

**List of Permitted Structures:****Tract A:**

- 1. Winery/ Large Events Center/Restaurant.
- 2. Accessory structures associated with agricultural activities, including implement storage.
- 3. Entrance sign.
- 4. **Small Events Center approximately 4,000 square feet, with the maximum indoor capacity of 250 persons.**
- 5. **12 one-room cabins 200-300 square feet.**
- 6. **Outdoor amphitheater stage and seating capacity approximately 3,000.**

**Lot 1:**

- a: One single family residential dwelling (subject to the restrictions of the "SF-1" Single Family Residential zoning district).
- b: Accessory structures as per Section 5.3 of the Riley County Land Development Regulations.

**Lot 2:**

- a: **One single family residential dwelling (subject to the restrictions of the "SF-1" Single Family Residential zoning district.**
- b: **Accessory structures, subject to Section 5.3 of the Riley County Land Development Regulations.**

**Notes:** *(The following notes are as listed on the Final Development Plan with the same numbering sequence. Notes 1 thru 3 are not listed here as they are surveyor notes not pertinent to the use of the property.)*

- 4. If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case shall the diameter of the pipe be less than 15 inches.
- 5. All drives and parking areas shall consist of all-weather surfacing. The drives accessing the cabins, small events center, large events center and parking area shall be at least 20 feet wide in accordance with State Fire Code and to provide two-way traffic.
- 6. The gravel driveway to the events center and winery shall be maintained in condition that is traversable by emergency response vehicles.
- 7. Owners will resurface and maintain all drives and parking area surfaces on a regular schedule or as needed to provide overall good-looking appearance for visitors. The road will be fully maintained for complete access to all vehicles year round.
- 8. Site and all uses therein shall be in compliance with the Riley County Sanitary Code.  
Proposed Lot 1 shall be served by Rural Water District #1 and an on-site wastewater lagoon.  
Proposed Lot 2 is currently served by Rural Water and sanitary lateral field. Tract A is

currently served with potable water by Rural Water District #1 and an on-site wastewater lagoon.

9. Location(s) and extent(s) of fencing and trails may be modified at the owner's discretion as required to serve the permitted uses.
10. Buildings and structures shall comply with State of Kansas minimum building and life safety codes per the 2006 IBC and the 2000 NFPA 101. Maximum permitted occupancy shall be posted in the winery/events center building and the small events center.
11. The winery/event center buildings shall meet the minimum building code requirements as per the State Fire Marshall.
12. All structures and signs are shown in approximate locations.
13. All proposed lighting shall have directional control or appropriate cut-offs to minimize spillage and light trespass.
14. Existing riparian areas and native tree stands shall remain intact as much as possible to act as an audio and visual buffer to surrounding properties. All areas, unless improved, will remain agricultural.
15. All stormwater drainage from the developed areas of Lot 2 and the winery/events center tract shall be directed to the existing pond.
16. All signs shall be subject to Section 6.12 - Signs of the Riley County Land Development Regulations.
17. A Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form, provided by Riley County Planning & Development, has been signed and filed in the Office of the Register of Deeds. Bk. 860, Pg. 6207. Implementing noise attenuation construction methods for residential uses, as described in this document, are strongly recommended.
18. The landowner has 100% interest in the land to be developed. The landowner controls the land and is financially capable to effectuate the proposed plan.
19. Areas marked as riparian zones are subject to the requirements of Section 6.3 - Riparian Buffer Riley County Development Regulations.
20. Noise levels from amplification of sound (indoor or outdoor) shall be controlled and mitigated so as to not exceed 65 dBA at the property line (dBA shall be Equivalent-Continuous sound levels (Leq) which shall measure amplified noise generated within the property over a 10-minute period along the involved property line.
21. Quiet hours, ~~during which no amplified sound will be permitted,~~ shall be between 11:00 PM and 8:00 AM for Friday and Saturday and 9:00 PM and 8:00 AM for Sunday-Thursday and shall be posted on site. **Quiet hours for the cabin sites shall be 10:00 PM and 8:00 AM for Friday and Saturday and 9:00 PM and 8:00 AM for Sunday-Thursday and shall be posted in each cabin (this additional restriction was suggested by Applicant).**

#### Schedule of Improvements:

The following is the proposed schedule of improvements, as shown on the Final Development Plan. NOTE: Those items listed 1 thru 5 were approved as part of the original A-PUD in 2014 and completed since that time; those items listed 6 thru 9 are proposed to be completed by the approximate date shown:

1. An Events Center and Winery (Completed)

2. The parking lot and drive associated with the Events Center and Winery will be constructed on Tract A by August of 2015. (Completed)
3. An entrance sign will be constructed on Tract A by August 2015. (Completed)
4. Grape vines will be planted on Tract A by August 2016. (Completed)
5. Single family residence constructed on Lot 2. (Completed)
6. Amphitheater and parking lot expansion will be constructed on Tract A - 2022.
7. 12 cabins will be constructed on Tract A by April 2025.
8. RV Parking will be constructed on Tract A by April 2025.
9. Small Events Center will be constructed on Tract A by April 2027.

## POTENTIAL IMPACT:

### Public Facilities and Services:

Streets and bridges: The site has direct access to Wildcat Creek Road, a gravel two-lane county road. There are no new entrances being proposed at this time.

Water: The site is located outside of the Manhattan Urban Service Area. Lot 1 Tegtmeier Addition Unit Two is currently served by rural water. A 2.5-inch rural water district line runs east/west, along the south right-of-way of Wildcat Creek Road, extending from an 8-inch line, that extends southward past the airport and into the City of Ogden (see Figure 2).

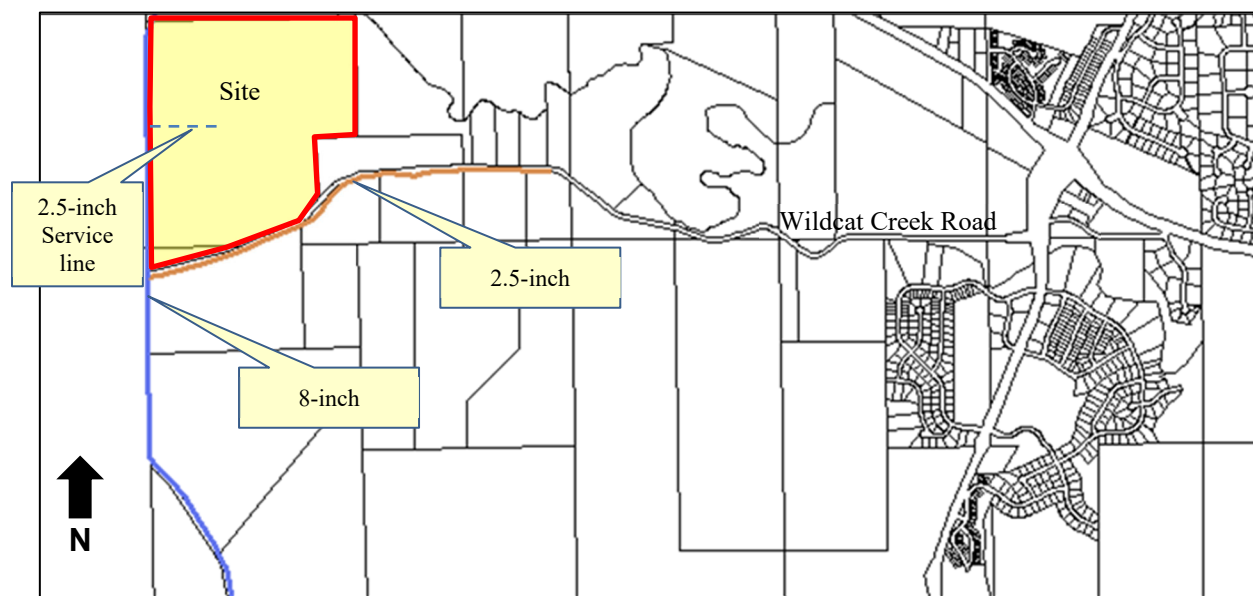


Figure 2. Rural water lines

Sewer: Lot 1 of Tegtmeier Addition Unit 2 served by an on-site private wastewater system consisting of a septic tank and lateral field, while the unplatted portion is served by a wastewater lagoon. The site is in compliance with Riley County Sanitary Code.

Fire: Riley County Fire District #1 will serve the site. The nearest County Fire Station is the Keats Station, located at 3141 69<sup>th</sup> Avenue. The subject site is not located within five (5) road miles of a fire station. Consequently, this results in the property receiving the highest ISO rating of 10 and increased response times. Due to the proposed uses of the proposed structures, there was a determination made by Riley County Emergency Management that the aforementioned structures were subject to the State of Kansas minimum building and life safety codes and required code footprints to be submitted.

In order to provide an adequate volume of water and pressure for supplemental fire protection, 100,000-gallon storage tank has been installed by the owner, along with a dry hydrant connection. Additional sources for supplemental fire protection may be necessary.

Stormwater Drainage: Although the total area proposed to be disturbed (cleared/developed) is relatively small in relation to the size of the entire site, the parent tract is extremely hilly and spans across six different watersheds. Thus, depending on the location and intensity of such disturbance, certain areas could be negatively impacted by erosion and increases of peak run-off during storm events. Considering that the applicant is proposing additional all-weather surfaced (gravel) access drives and parking areas, a small amphitheater, 12 one-room cabins with parking, and a 4,000-sf. event center, adding to the existing impervious developed areas of the site, staff recommended that an updated stormwater drainage study be completed.

Thus, a stormwater drainage study was completed and submitted by SMH Consultants (see attached). The study found that the subject site rests upon along a ridge and consists of 6 partial watersheds. Watershed 1 (the northwest watershed), watershed 2 (the northeast watershed), watershed 3 (the southeast watershed), watershed 4 (central southeast watershed) and watershed 6 (the southwest watershed) drain offsite. Watersheds 1, 2 and 3 drain directly into Wildcat Creek; watershed 4 drains to a stone culvert, 4ft by 2.5ft, underneath Wildcat Creek Road; watershed 5 drains to an onsite retention pond; and watershed 6 drains to a culvert underneath Wildcat Creek Road. Most of the land remains in a natural state or used for cultivating grapes. The study concluded:

*“given the pre- and post-planned development characteristics of the Liquid Art Winery and Estate PUD Amendment, there are no negative impacts created from the perspective of stormwater. The North Basin calculates to no net increase in the rate of runoff. The West and East Basins show small increases in the rates of runoff from each, but these increases are abated through an existing pond on the site.”*

Sound/Noise: One of the most prominent concerns regarding the proposed amendments of the development plan is fugitive noise emanating from the site. Although the City of Manhattan has policies in place that regulate sound/noise levels (City of Manhattan Code of Ordinances Chapter 22 OFFENSES, Article V, Sections 22-54, 22-55, 22-56), Riley County does not. However, in an effort to address these concerns, language from the original approved development plan has been retained, requiring noise levels from the amplification of sound be controlled and mitigated so as to not exceed 65dBA at the property line. This standard is consistent with the use-specific standards for a Rural Resort, Retreat or Event Center, as per Section 5.2 of the Riley County Land Development Regulations, which suggests that when considering approval of such uses, the Board should:

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

A Noise/Sound analysis was completed and submitted by Henderson Engineers, Inc. (see attached) for the proposed indoor and outdoor uses. After reviewing the proposed preliminary development plan and general construction and design plans for the additional event center and



amphitheater, certain factors and conditions were used in completing the analysis and are as follows:

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

The analysis concluded that at a peak level of 110 dBA occurring inside of the new event center, the resultant sound level experienced at the nearest property line would be 27 dBA. The study concluded that:

*“The requirement for a of 65 dBA will be met even if the levels reach the peak anticipated levels of 100-110 dBA. In order for the level to reach 65 dBA at the nearest property line, 780 feet away, the level would have to exceed 140 dBA. This level is likely not practical using general sound system equipment without damaging the equipment, as well as the hearing of the listener.”*

The analysis also evaluated the noise impact of the proposed outdoor amphitheater and concluded that:

*“If peak levels of 100-110 dBA are reached at the location of the new amphitheater stage, the level at the property line is expected to be 68 dBA at the nearest property line, which is in excess of the Riley County ordinance of 65 dBA. The study also concluded that in order to keep noise levels consistent with the 65 dBA ordinance requirement, noise levels on the stage would need be limited to 106 dBA maximum.”*

Finally, the existing final development plan, approved September 2014 and amended November 2021, included language establishing “quiet hours” for the winery facility. The note has been retained but relocated on the list of permitted uses, so it is clear that the “quiet hours” standard applies to all of Tract A, not just the existing winery building.

Traffic: A Traffic Impact Study was completed by SMH Consultants (see attached) and reviewed by the County Engineer. Although the complete study is attached for review, it concluded the following:

*“From the entry to Liquid Art Winery and Estate, Wildcat Creek Road intersects with Scenic Drive about 1.8 miles to the east and to Eureka Drive about 3 miles to the south. Wildcat Creek Road is a gravel road between Scenic Drive and Eureka Drive. The posted speed limit on Wildcat Creek Road is 30 miles per hour. During heavy traffic and dry conditions Wildcat Creek Road, throughout this section, can produce a lot of dust creating an annoyance and sometimes compromising safety. In addition to dust, the geometrics of the roadway and accompanying clear zones also create some safety concerns. For these reasons the County currently treats the roadway with dust control chemicals and has plans, as part of their sales tax projects, to improve Wildcat Creek to a paved section and a more desirable standard geometry between Scenic Drive and the drive of the facility. Although a date or these improvements has not been set, discussions have centered around sometime in the next 5-7 years.”*

The study provided the following background of the site and proposed improvements:

*“The site is the location of the Liquid Art Winery and Estate which includes an event center, wine making facility, vineyard, and native areas. The owners are planning for additional improvements on the site to include RV parking, cabins, a second events center, an outdoor amphitheater, and additional locations for outside ceremonies. In addition to*



*these improvements the drive up to the gravel parking area for the existing primary event space will likely be paved at some point in the future, likely when Wildcat Creek Road is paved. The biggest driver of the required Traffic Impact Analysis seems to be additional traffic related to the Amphitheater, which is planned to accommodate 2,000 to 3,000 attendees. The remainder of the improvements planned on the site generate small amounts of traffic generally spread over large periods of time not impacting peak hours or how the traffic operates today."*

The study concluded that:

*There are no metrics or standards for determining the impacts of event traffic, the type of traffic expected with the Amphitheater; and as a matter of practice roadways are not designed for event traffic. Several assumptions can be made and qualitative conclusions drawn as a result of event traffic.*

*Assuming 2.5 to 3 people per vehicle (based on a poll of 7 people in our office) attending an event at the amphitheater, the number of vehicles involved would be somewhere between 1,000 and 1,200 based on a maximum capacity of 3,000 attendees at the venue. Arrivals would be coming from both Scenic Drive and Eureka Drive, with the vast majority likely coming from Scenic Drive. Given arrivals over a relatively large period of time, it is not envisioned for arrival traffic to be of concern.*

*Assuming again, all 1,000 to 1,200 vehicles leave the venue at generally the same time at the end of an event, there are some traffic concerns, mainly as traffic heads east toward Scenic Drive. First, this amount of traffic on Wildcat Creek Road could create a lot of dust reducing visibility and creating some safety concerns, particularly given the geometrics of the existing roadway. This can be addressed with chemicals in the short term (which the County is already doing) and in the long term, as already discussed, the plan is to pave Wildcat Creek Road at least up to the drive of the facility.*

*Once the east departing traffic from an event reaches Scenic Drive the Level of Service of the intersection of Scenic Drive and Wildcat Creek Road will drop to F, the worst, based on the delay associated with the left turn movement from Wildcat Creek Road to Scenic Drive. This will cause drivers to wait a considerable amount of time to enter Scenic Drive. A Level of Service F equates to over 1 minute and 20 seconds waiting to enter Scenic Drive. If the intersection is manually controlled for traffic by a traffic director (police officer or contracted director) temporarily placed at the intersection, the situation will be better for some and worse for others at the intersection, but overall, the intersection will continue to operate at a level of service F until the event traffic exits the area.*

*It is assumed only a minimal amount of traffic will go south to Eureka Drive and once at Eureka Drive or points further south and east along Skyway Drive, the cross traffic is much less concerning with more free flow movements. These circumstances would tend to cause significantly less delay at Eureka Drive and Wildcat Creek Road, at Eureka Drive and Skyway Drive, and at Wildcat Creek Road and Skyway Drive.*

*There is no way to reasonably address the delay at the intersection of Wildcat Creek Road and Scenic Drive, which is the very reason why roadways are not designed for event traffic. During event departures, drivers are generally agreeable with and expect some delay. Locally this happens several times a year in Manhattan during football games and less often during basketball games.*

Effect on public facilities and services: Although it is anticipated that the volume of traffic on Wildcat Creek Road will increase as a result of the proposed enhancements of the development, the studies that have been submitted and reviewed conclude that the existing public facilities will adequately handle such increases. Although the site is currently beyond five (5) road miles from a fire station, 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.

With the specific use limitations noted on the Preliminary Development Plan, it is not anticipated that the proposed development will have an unreasonable adverse impact on nearby property. Furthermore, as per the requirement listed on the development plan, the property owner has signed and filed with the Register of Deeds a “Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form”.

### **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).

Staff analysis: The request is consistent with goals and objectives of the Plan.

### **RILEY COUNTY LAND DEVELOPMENT REGULATIONS:**

Agricultural Buffer: N/A

Riparian Buffer: There are two first order streams located on the property. These are essentially ravines that collect and distribute storm water that eventually feeds into Wildcat Creek. As per Section 6.3-Riparian Buffer of the Riley County Land Development Regulations, all new development shall be required to provide a riparian buffer along any perennial, intermittent, or ephemeral stream in Riley County. Thus, for a first order stream a 50-ft. buffer, measured perpendicularly from each bank of the stream, shall be established and shown on the plan. Uses within the buffer zone shall be limited to those listed in Table 6-2: Uses and Activities Permitted by Buffer Zone, of the Riley County Land Development Regulations.

### **COMMENTS AND CONCERNS:**

ENVIRONMENTAL HEALTH: The Environmental Health Specialist reviewed the request. He stated that he has no objections regarding subdividing 1929 Wildcat Creek Road (existing Lot 1 Tegtmeier Addition Unit 2) as shown on the final plat. The newly created lot will require a wastewater stabilization pond; the water source will be rural water district #1. He said the proposed replat is in compliance with the Riley County Sanitary Code.

Regarding 1745 Wildcat Creek Road, the current event center, proposed full-service restaurant will require a 1,000-gallon grease interceptor installed prior to existing septic tank for kitchen plumbing. An additional M-35 lagoon would need built and tied to existing lagoon. This will also accommodate the proposed RV park. For the new (small) event center, the site will need a 1500-gallon dual-compartment septic tank, with a 500-gallon pump tank w/high water float alarm, piped to M-35 lagoon on east side of proposed cabins. Additionally, the cabins will be connected to this lagoon as well. This site is currently in compliance with the Riley County Sanitary Code.

COUNTY ENGINEER: The County Engineer has reviewed the request and stated that Public Works has no concerns with the replat of lots 1 & 2. He advises that the property owners contact Public Works when ready for an entrance approval. He stated that, for the improvement for the PUD, since there is only one way in or out of the development, care should be given to ensure room for two-way traffic. He said that it is preferable to have a 24' wide driveway well-maintained to keep runoff from the driveway from cutting across Wildcat Creek Road. He explained that as the parking and driveway become paved, as much of the stormwater runoff as possible will need to be directed to the detention pond on proposed Lot 2 (this was mentioned in the stormwater drainage analysis). He said that with total buildout of all of the improvement planned, traffic on Wildcat Creek Road will be greatly affected at times. He said there may be a need for additional traffic control or flaggers at the winery entrance and Wildcat Creek Road intersection and at the intersection of Wildcat Creek Road and Scenic Drive.

EMERGENCY MANAGEMENT: The petition was made available for Rural Fire/Emergency Management Services to review. Emergency Management staff recommended that specific requirements be included on the Final Development Plan. Those requirements were discussed with and found acceptable by the applicants. They are as follows:

1. NFPA driveway standards shall be met for all roadways that have adjacent structures which will provide ample entrance and exit for emergency vehicles.
2. The proposed parking spaces (500) shall not interfere with the ability to access the existing water supply tank. The access to the water supply tank shall be a maintained all weather surface. NFPA driveway standards shall not be compromised in the design of the RV Parking areas or Passenger vehicle areas.
3. Fire lanes along the adjacent winery structure and proposed event center shall be designated as such and be free and clear from passenger vehicles, RVs, or other hazards preventing adequate access for emergency vehicles.
4. Due to the surrounding landscapes, wildland fire mitigation and best practices should be used to mitigate fire fuels and limit spread per NFPA Firewise Community recommendations. Liquid Art Winery Estate outside property shall be managed to mitigate aggressive wildfire behavior and provide a defensible space to staff and visitors.
5. The proposed future event center shall be properly identified with signage and a Fire Department Connection (FDC) to supply required hose cabinets and sprinkler system. A centralized alarm panel shall be installed per NFPA and in accordance with the Office of the State Fire Marshal.
6. Proposed cabins shall be required to have a fire extinguisher and sufficient defensible space of decorate rock and a non-combustible roof material in the event of a wildland fire. Adequate NFPA emergency vehicle access shall be required to each cabin.
7. Proper visibility, addressing, and reflective identification in low light shall be made between the roadway and water storage tank.
8. A Knox box will be required for property to provide Fire Department access to keys for all structures on the complex.
9. Long-term planning efforts should be considered for the need of additional water tank for any additional required fire flow for new structures added to the complex.

FORT RILEY: A development memo was sent to Fort Riley Public Works; a response was received by our office May 3rd. Fort Riley officials stated that this site is located near the Fort Riley Military Installation which generates noise by the firing of weapons systems and detonation of explosives on the installation. The site lies entirely within what is known as the Land Use Planning Zone (shown in blue) and is located within an area modeled to be at a "Moderate Complaint Risk". The property is located approximately 225 yards from noise Zone II

and 1.30 miles from noise Zone III. According to Fort Riley's Installation Operational Noise Management Plan 2015, noise-sensitive land uses are generally acceptable within the area of the LUPZ. However, communities and individuals often have different views regarding what level of noise is acceptable or desirable.

In 2014, upon approval of the existing PUD, a Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form, provided by Riley County Planning & Development, was signed and filed in the Office of the Register of Deeds. Bk. 860, Pg. 6207, by the applicant. The noise disclosure document applies to the entire site.

Additionally, a multi-jurisdictional document entitled Notice of Potential Noise Impacts from Fort Riley, Kansas military installation and recommended noise attenuation building methods was filed with the Office of the Register of Deeds in August 2020, Book 881 Page 7017, serves as an official noise disclosure notice for all properties that may be located in the Noise Zone II or Land Use Planning Zone. As stated, the document also includes recommendations on noise attenuation construction methods for residential uses.

#### **RILEY COUNTY PLANNING BOARD:**

On May 9, 2022, the Riley County Planning Board heard the request. After evaluating the information given and considering the concerns of property owners living along Wildcat Creek Road, the Planning Board, with a 4-1 vote, forwarded a recommendation of approval for the following amendments to the preliminary and final development plans of the existing Agri-Business Planned Unit Development:

1. Additional residential lot for the purposes of constructing a single-family residence.
2. Conversion of a portion of the existing winery building into a full-service restaurant;
3. Addition of 12 RV pads to served by electricity, water and sewer;
4. A small 4,000 sf event center (no restaurant);
5. Twelve 200-300 sf one-room cabins.
6. Expanded all-weather surfaced parking area.

The Planning Board also forwarded a recommendation of denial for the proposed 3,000 seat amphitheater, based on concerns regarding post-event traffic, particularly with congestion along Wildcat Creek Road (stacking), increased fugitive dust, and a decreased level of service (LOS) at the intersection of Wildcat Creek Road and Scenic Drive.

The Planning Board also approved the Final Plat of Tegtmeier Addition Unit 3, as it was determined that it met the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

#### **STAFF RECOMMENDATIONS:**

Considering staff's re-evaluation of the proposed changes/additions to the development plan for the site and the corresponding studies to address potential concerns, staff offers the following:

1. The Kansas Agritourism Promotion Act was signed into law in 2004. The purpose of the Act is to promote the growth of the agritourism industry in Kansas. The Act deems agritourism activities 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."
2. The applicants own and operate a working farm (vineyard), which is included in the definition of "Agriculture" in Article 9 of the Riley County Land Development Regulations.

3. As per the 2012 Kansas Statutes Chapter 32 WILDLIFE, PARKS AND RECREATION Article 14 TOURISM, Section 32-1433 - Registration of agritourism operators, the applicants/property owners are currently registered with the State of Kansas as an Agritourism Operator and have been since at least 2014.
4. Article 9 of the Riley County Land Development Regulations defines “agritourism” as:  
*“Activities conducted on and accessory to a working farm, ranch, vineyard, or other agricultural operation conducted for the enjoyment and/or education of visitors, guests or clients to view or enjoy rural, farming or ranching activities; and/or historic, cultural or natural attractions. A working farm, ranch, vineyard or other agricultural operation shall be determined by using the analysis for granting an agricultural exemption for a residence specified in these regulations. To be considered an agritourism activity, the company, business, or entity sponsoring the activity must also be registered with the State of Kansas as an Agritourism Operator.”*
5. Article 9 of the Riley County Land Development Regulations defines “agritourism facility” as:  
*“A building that is part of an agritourism operation that is solely or periodically used for conferencing, training, educational, recreational or social activities, which may include meeting facilities, kitchen and dining facilities, recreational amenities and lodging accommodations intended for participants/guests and not for the transient general public.”*
6. As per the existing Final Development Plan, the principal use of the site is agriculture (viticulture), which is a use that is exempt through state statutes from the application of local zoning regulations. The applicants/property owners are registered with the State of Kansas as an Agritourism Operator, with a direct association to a working farm (vineyard), with as-of-right ability to provide agritourism activities and amenities, as determined to be consistent with the aforementioned definition of agritourism. The winery/events center is fundamentally an “agritourism facility” predicated on the agritourism associated with a working farm (vineyard). It is not necessary to list “agritourism” as a permitted use on a development plan for it to be an allowable use. Thus, the existing and proposed uses, including the proposed cabins, additional event center, RV pads, full-service restaurant (within the existing winery building), amphitheater are consistent with the definition of agritourism, which includes live entertainment, weddings/events, lodging and meals). These uses are already permitted, the applicant is simply updating the development plan to illustrate the new configuration.

Other things to consider:

1. The subject property was rezoned from AG (Agricultural District) to A-PUD (Agri-Business Planned Unit Development) in 2014, pre-dating the addition of “agritourism facility” to the Zoning Regulations in 2015; hence, the necessity for the zoning change. However, the current PUD is meeting or exceeding the licensing requirements for such a facility that’s allowed in the general agricultural zoning district.
2. The proposed cabins, RV pads and additional residence are inherently noise sensitive uses. Whether for business or personal purposes, the proximity to Fort Riley Noise Zone II, noise from daily military activities on Fort Riley may have a negative impact on such uses. However, the property owner has signed and filed with the Register of Deeds a “Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form” in 2014, which includes the entire site. The applicant is proposing to locate the cabins as far away from Fort Riley’s border as possible.



3. All new development, including the proposed cabins, additional event center, RV pads, full-service restaurant (within the existing winery building), amphitheater and new residence, shall be served by rural water and shall be in compliance with the Sanitary Code, including the construction of one additional wastewater lagoon and the planned expansion of the existing one.
4. The requirement regarding noise levels *“from amplification of sound (indoor or outdoor) shall be controlled and mitigated so as to not exceed 65 dBA at the property line (dBA shall be Equivalent-Continuous sound levels (Leq)), which shall measure amplified noise generated within the property over a 10-minute period along the involved property line”* is not changing. Note that this standard does not prohibit outdoor amplification of sound; the sound just has to be controlled and/or mitigated to meet the existing standard. This includes the proposed amphitheater, as described in the Site Noise Assessment.
5. Although the site is hilly and has several watersheds, the proposed change in the ratio of developed or impervious areas to natural areas is negligible. The Stormwater Drainage Analysis concludes that there will be minimal if not imperceptible impact to stormwater runoff.
6. The Traffic Impact Analysis describes the current status and maintenance aspects of Wildcat Creek Road and the potential adverse impacts the proposed amphitheater could have on the Level of Service at certain intersections caused by event traffic, particularly following an event. However, anticipating larger events (as they are typically scheduled), the applicant can coordinate weeks or months in advance with the Riley County Police Department for assistance with event traffic control, which could relatively quickly mitigate traffic delays and congestion along Wildcat Creek Road caused by post-event traffic. It is presumed that not all events held at that winery or amphitheater will be large enough to elicit the assistance of the RCPD for traffic control. The submitted traffic analysis concluded that no improvements are recommended to the roadway network in response to the proposed use, because *“it is generally not efficient nor reasonable to design roadways to accommodate event traffic.”* The County Engineer has stated that Wildcat Creek Road will be paved and geometrically improved as part of a sales tax revenue project within the next 3-5 years.
7. The site is currently equipped with a 100,000-gallon water tank, fitted with a dry hydrant connection in order to provide supplemental fire protection. Riley County EMS/Rural Fire has submitted its recommendations/requirements of which may include an additional water tank to provide for a sprinkler system in the proposed small events center building.
8. A “code footprint” must be submitted by a licensed architect and reviewed by Riley County Emergency Management/Rural Fire Department, for the proposed 4,000-sf (small) event center and the new restaurant, as these structures/uses will be subject to the State Fire Code.
9. Porta-Potties will be used during events held at the proposed amphitheater in order to provide adequate, temporary restroom facilities. This is consistent with the Sanitary Code and is a generally accepted practice for such uses.

Based on the fact that the majority of the proposed uses are amenities or activities directly associated with an existing agritourism operation, the approved agritourism facility, or existing agricultural operation, it is the professional opinion of planning staff that the many of the proposed amendments to the development plan are elements of a permitted use that were approved in 2014. Staff recommends the Board of County Commissioners approve all of the proposed amendments to the preliminary and final development plans for the Tegtmeier Winery Planned Unit Development, as submitted, with the added recommendations submitted by Riley County Emergency Management/Rural Fire.



Also, Staff recommends the Board acknowledge the approved Final Plat of Tegtmeier Addition Unit 3, and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat, as it has been determined, as it has been determined to meet the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

### **POSSIBLE MOTION(S)**

#### **ACTION NEEDED FOR AMENDING DEVELOPMENT PLAN:**

- A. **Move** to approve the amendments to the Preliminary and Final Development Plans associated with the existing Agri-Business Planned Unit Development, as submitted.
- B. **Move** to deny the requested amendments, as submitted, to the Preliminary and Final Development Plans associated with the existing Agri-Business Planned Unit Development.
- C. **Move** to table the request to a specific date, indicating the reasons for tabling.

#### **ACTION NEEDED FOR PLAT:**

- A. **Motion** to approve Resolution 060222-\_\_\_ acknowledging the approved Final Plat of Tegtmeier Addition Unit 3 and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat, as it has been determined it has met the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

Or

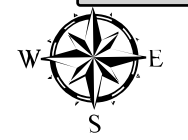
- B. **Motion** to sign Resolution 060222-\_\_\_ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Tegtmeier Addition Unit 3 and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat, as it has been determined it has met the minimum requirements of the Riley County Land Development Regulations and Sanitary Code have not been met.

#### **ATTACHMENTS:**

- Vicinity/site map
- Surrounding zoning map
- Fire Station map
- Amended Preliminary Development Plan
- Amended Final Development Plan
- Final Plat map
- Traffic Impact Analysis
- Site Noise Assessment
- Stormwater Drainage Analysis
- Letters of Support

Prepared by: Bob Isaac, Planner  
May 13, 2022





VICINITY AND SITE

Tegtmeier  
LAWE LLC

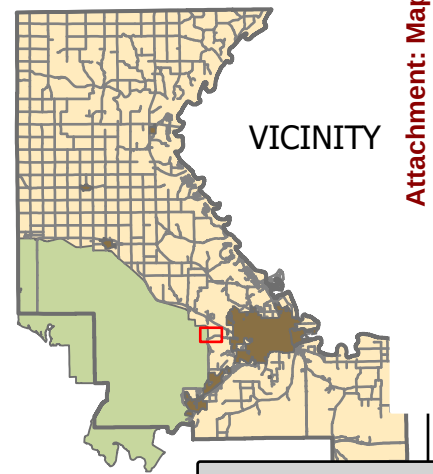
#22-0022  
Replat

Tegtmeier Addition Unit 3

Final Development  
Plan Amendment

8-10-7  
17-10-7

- 1000' Buffer
- Replat
- Amend PUD



VICINITY

Attachment: Maps (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)





SURROUNDING ZONING

Tegtmeier  
LAWE LLC

#22-0022  
Replat

Tegtmeier Addition Unit 3

Final Development  
Plan Amendment

8-10-7  
17-10-7

- 1000' Buffer
- Replat
- Amend PUD

- AG Agricultural
- AG-R AG/Residential
- C-1 General Business
- C-2 Highway Business
- Fort Riley
- I-1 Light Industrial
- I-2 Heavy Industrial
- MF Multi-Family
- MHP Manufactured Home Park
- PUD Planned Unit Development
- SF-1 Single Family
- SF-2 Single Family
- SF-3 Single Family
- TF Two-Family
- U University
- Special Zoning

Attachment: Maps (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)





# FLOODPLAIN

Tegtmeier  
LAWE LLC

#22-0022  
Replat

Tegtmeier Addition Unit 3

Final Development  
Plan Amendment

8-10-7  
17-10-7

SITE

Wildcat Creek Rd

## Floodplain

- 1% Annual Chance Flood (Unnumbered)
- 1% Annual Chance Flood (Numbered)
- Floodway
- 1% Annual Chance Flood (1'-3' Depth)
- 0.2% Annual Chance Flood

Attachment: Maps (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)





# STREAM ORDER RANK

Tegtmeier  
LAWE LLC

#22-0022  
Replat

Tegtmeier Addition Unit 3

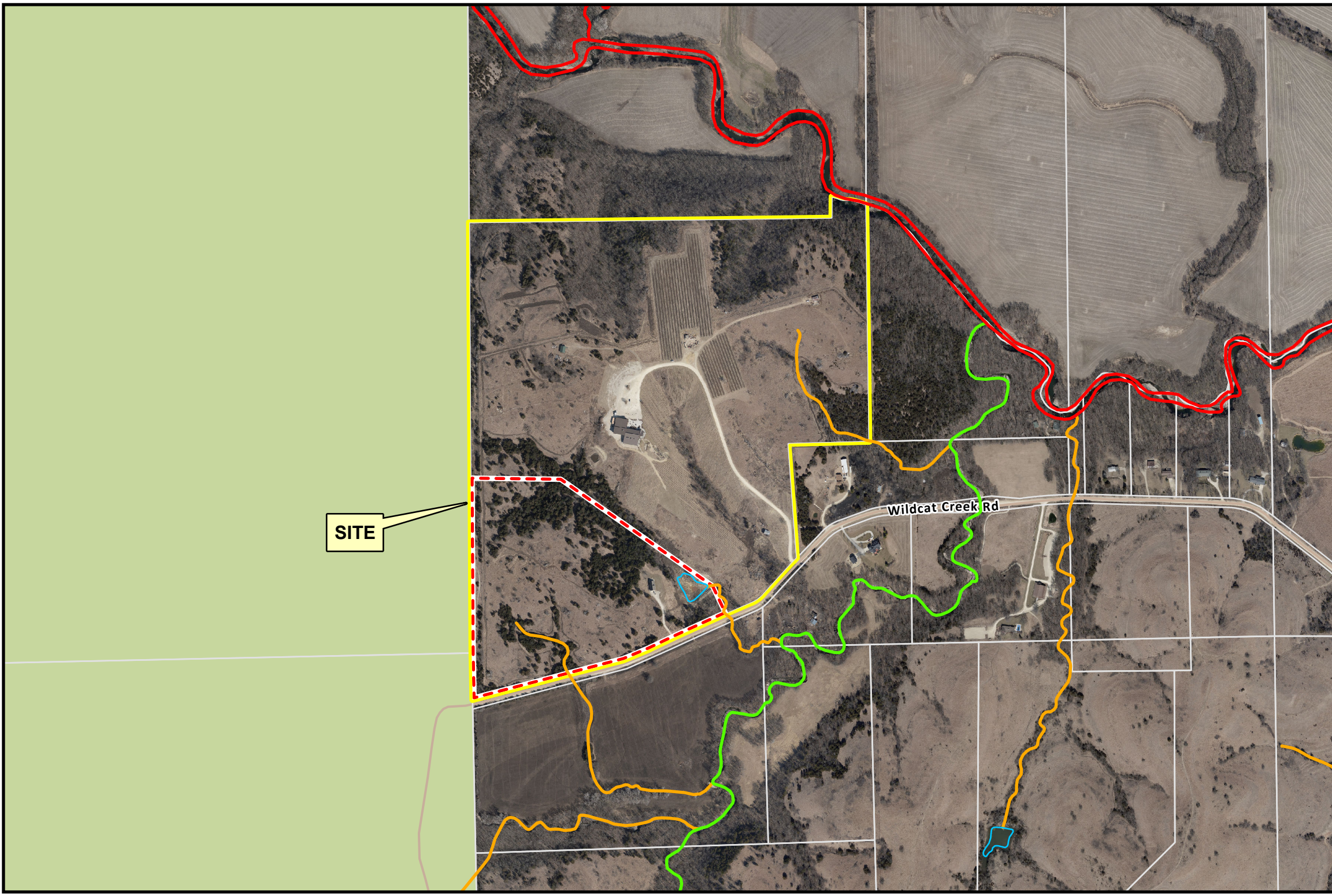
Final Development  
Plan Amendment

8-10-7  
17-10-7

## Stream Order

- 1
- 2
- 3
- 4
- 5
- 6

Attachment: Maps (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)







# FIRE STATIONS

Tegtmeier  
LAWE LLC

#22-0022  
Replat

Tegtmeier Addition Unit 3

Final Development  
Plan Amendment

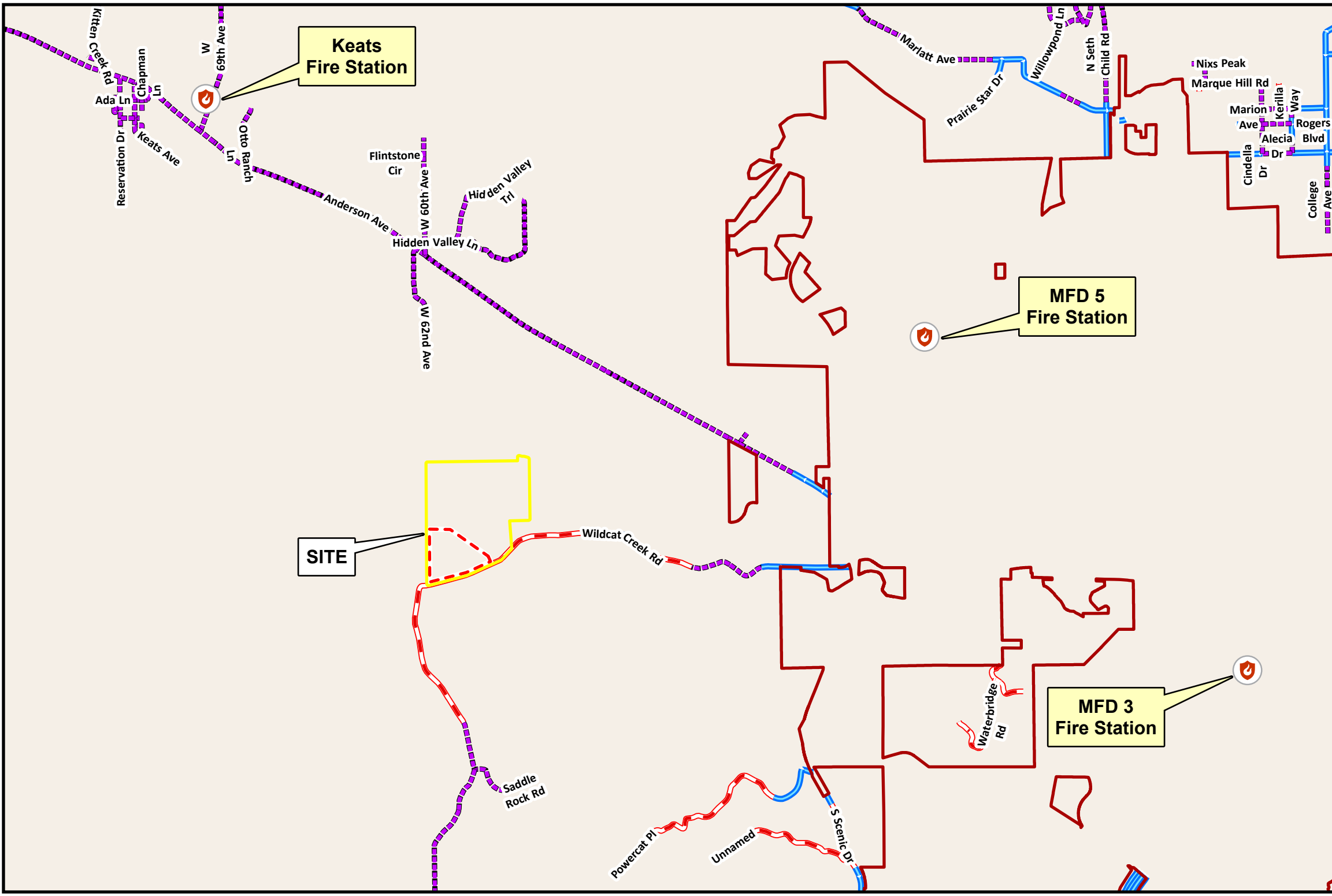
8-10-7  
17-10-7

 Fire Stations

## ISO Rating

-  5 (within 1000' of a hydrant)
-  6 (within 5 road miles of 6 fire station)
- 10 (outside 5 road miles
-  OR road is not paved/gravel)

Attachment: Maps (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)







# FORT RILEY NOISE CONTOURS AVERAGE AND PEAK

Tegtmeier  
LAWE LLC

#22-0022  
Replat

Tegtmeier Addition Unit 3

Final Development  
Plan Amendment

8-10-7  
17-10-7

Site

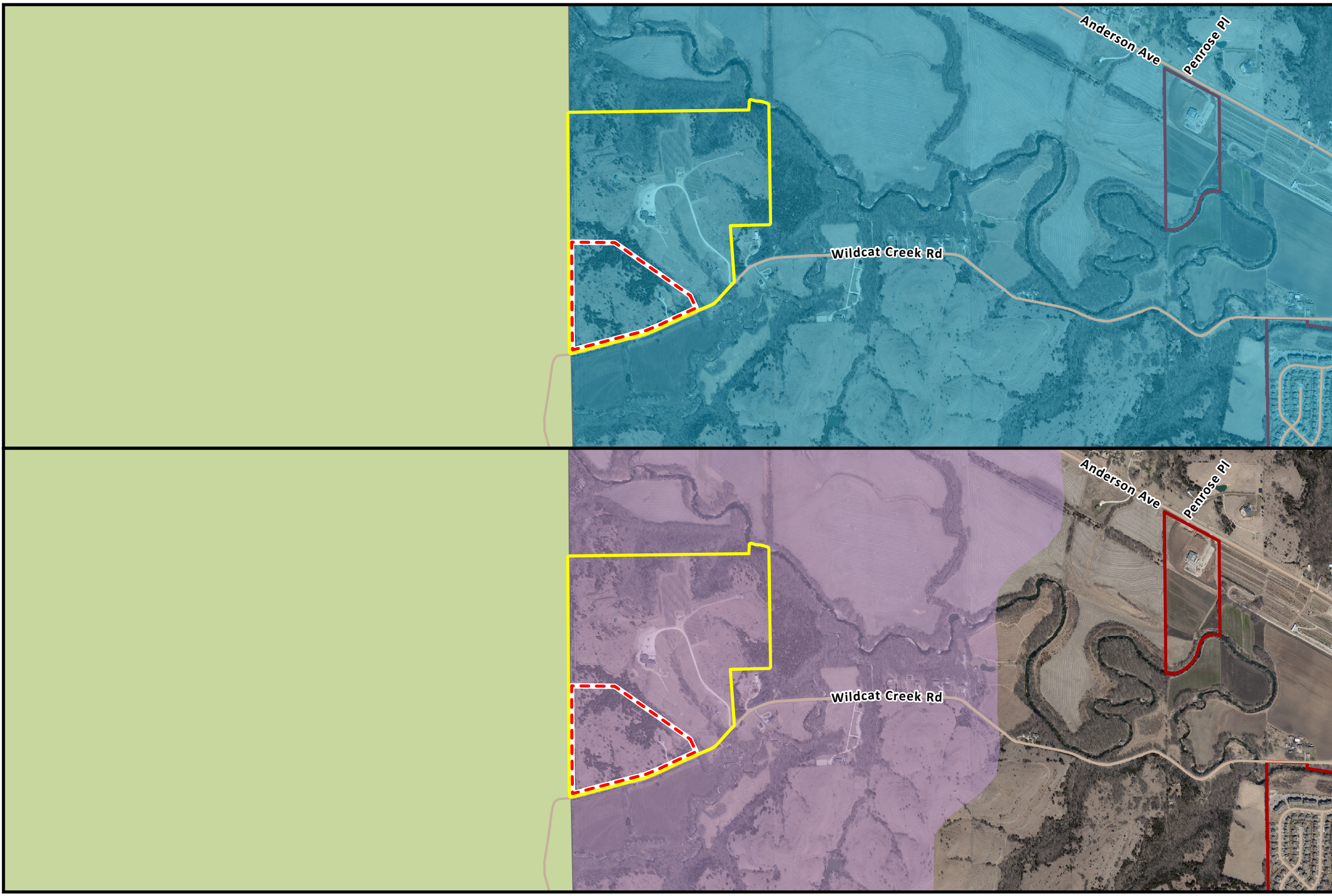
## Legend

### 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



Attachment: Maps (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



DESCRIPTION:

A tract of land in the Northwest Quarter (NW¼) of Section 8, Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, described as follows: Beginning at the Southwest corner of the Northwest Quarter of Section 8; thence North on Section line 3 Chains; thence East 36 Chains; thence North to the left bank of Wildcat Creek; thence in a southeasterly direction along left bank of Wildcat Creek to the Quarter Section line, running North and South in Section 8; thence South of the Quarter Section line 3 ½ chains to Southeast Corner of the Northwest Quarter of Section 8; thence West on Quarter Section line 40 chains to point of beginning; and

All that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, which lies North of the township road;

LESS the following:

All that part of the following described tract which lies in said Southwest Quarter to-wit: A tract of land in the SW¼ of the SE¼, and the SE¼ of the SW ¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., in Riley County, Kansas, described as follows: Beginning at the Northwest corner of said SW¼ of the SE¼ being Corner 1, marked by a 3/8 inch iron bar; thence North 88°32'13" East 1321.71 feet along the North line of said SW¼ of the SE¼ to the NE Corner thereof being Corner 2, marked by a 3/8 inch iron bar; thence South 2°16'40" East 397.45 feet along the East line of said SW¼ of the SE¼ to the Center of a township road being Corner 3, marked by a ½ inch iron bar; thence continuing along the Center of said township road the following courses: South 88°20'42" West 123.06 feet to Corner 4, marked by a ½ inch iron bar, South 85°05'09" West 225.78 feet to Corner 5, marked by a ½ inch iron bar, South 83°09'53" West 224.90 feet to Corner 6, marked by a ½ inch iron bar, South 88°36'49" West 525.85 feet to Corner 7, marked by a ½ inch iron bar, on a curve to the left having a radius of 1246.01 feet, an arc distance of 396.62 feet, the chord being South 79°29'41" West 394.94 feet to Corner 8, marked by a ½ inch iron bar, South 70°22'33" West 8.08 feet to Corner 9, marked by a ½ inch iron bar on a curve to the left having a radius of 961.81 feet, an arc distance of 264.98 feet, the chord being South 56°51'50" West 262.53 feet to Corner 10, marked by a ½ inch iron bar, South 43°21'08" West 162.73 feet to Corner 11, marked by a ½ inch iron bar; thence leaving said township road North 3°07'06" West 749.95 feet to Corner 12, marked by a ½ inch iron bar; thence North 88°32'13" East 528.34 feet to the point of beginning; and

LESS a tract of land lying in the SW¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., Riley County, Kansas, surveyed by Richard M. Haynie, Land Surveyor, and recorded in Quitclaim Deed, dated October 27, 2000, from Robert W. Clack, Jr. and Maria T. Clack, husband and wife, to Robert W. Clack, Jr. and Maria T. Clack, husband and wife, filed November 29, 2000, and recorded in Book 788, Page 218, in the office of the Register of Deeds of Riley County, Kansas;

Lot 1, Tegtmeier Addition, Unit 2, Riley County, Kansas.

Subject to easements and restrictions of record.

STATEMENT OF LANDOWNER'S INTEREST:

I, DAVID TEGTMEIER AND MY WIFE, DANIELLE TEGTMEIER WILL BE MANAGERS OF ALL OPERATIONS OF THE WINERY AND RELATED BUSINESS AT 1345 WILDCAT CREEK ROAD. WE WILL BE LIVING ON THE PROPERTY AND ARE CO-OWNERS OF THE LAND AND ALL BUSINESS TO BE CONDUCTED ON THE PROPERTY

PERMITTED USES:

- Tract A:
1. Viticulture
  2. Agritourism as defined by Article 9 of the Riley County Land Development Regulations.
  3. Manufacturing, bottling, and sale of wine and cider
  4. Wine and cider tasting
  5. Sale of promotional and products accessory to wine
  6. Catered events
  7. Large Events Center with Restaurant (800-980 Sq Ft) for the conduct of conferences, meetings, business or professional training, retreats, and recreational, social, or religious functions, activities, and dining. Events Center use shall be subject to the following restrictions and limitations:
    - a. A maximum indoor occupancy for the Large Events Center shall be as required by state Fire Marshal.
  8. Parking shall only be permitted in designated areas. Event parking along Wildcat Creek Road shall be prohibited.
  9. Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties.
  10. Small Events Center (See Large Events Center - no restaurant).
  11. RV parking (40'x20'; 12 pads max) with access to potable water, sewer disposal, and electricity.
  12. Lodging accommodations (cabins) intended for participants/guests.
  13. Outdoor amphitheater approximately 3,000 seats.
- Lot 1:
- a. All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
  - b. Accessory structures, as per Section 5.3 of the Riley County Land Development Regulations
- Lot 2:
- a. All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
  - b. Accessory Structures, as per Section 5.3 of the Riley County Land Development Regulations.
  - c. Accessory apartment, as defined in Article 9 of the Riley County Land Development Regulations.

PERMITTED STRUCTURES:

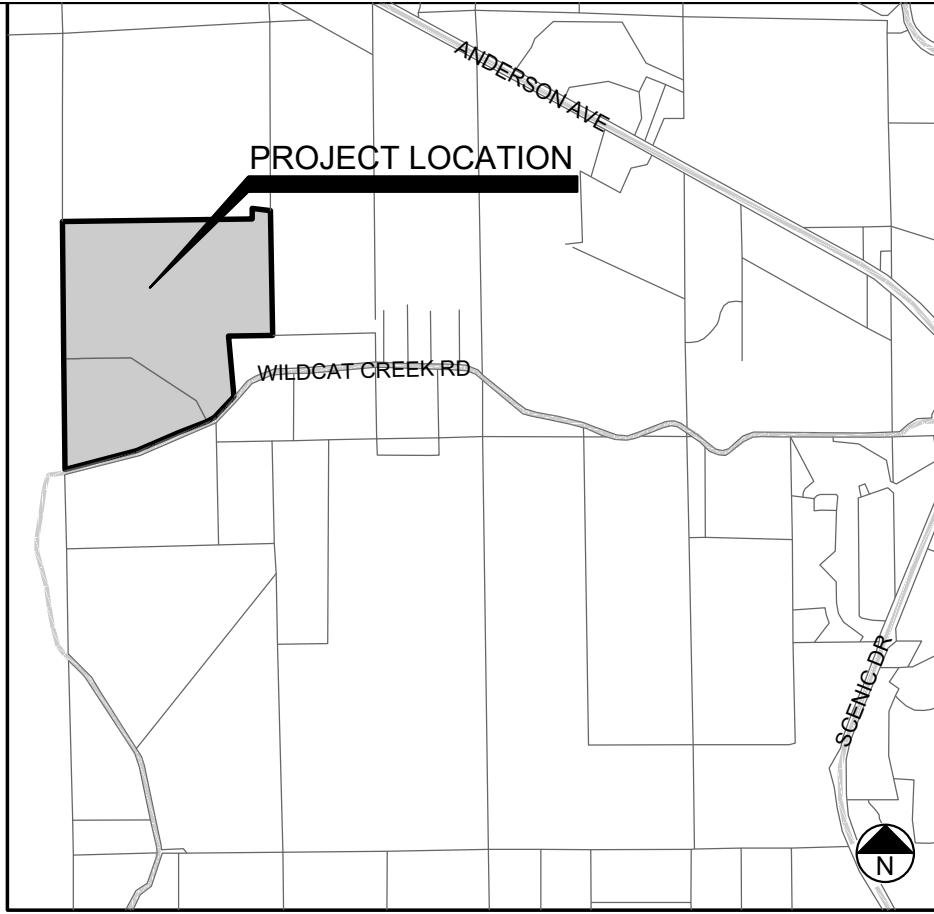
- Tract A:
1. Winery/ Large Events Center/Restaurant.
  2. Accessory structures associated with agricultural activities, including implement storage.
  3. Entrance Sign
  4. Small Events Center approximately 4,000 square feet with the maximum indoor capacity of 250 persons.
  5. 12 one-room cabins 200-300 square feet.
  6. Outdoor amphitheater stage and seating approximately capacity 3,000

- Lot 1:
- a. One single family residential dwelling (subject to the restrictions of the "SF-1" Single Family Residential zoning district).
  - b. Accessory structures as per Section 5.3 of the Riley County Land Development Regulations.
- Lot 2:
- a. One single family residential dwelling (subject to the restrictions of the "SF-1" Single Family Residential zoning district).
  - b. Accessory structures, subject to Section 5.3 of the Riley County Land Development Regulations.
  - c. One accessory apartment, as defined in Article 9 of the Riley County Land Development Regulations.

SCHEDULE FOR IMPROVEMENTS:

Proposed improvements shown or described herein will be completed and in place based on the following schedule:

1. A garage with living space above will be constructed on Lot 2. (Completed)
2. An Events Center and Winery (Completed)
3. The parking lot and drive associated with the Events Center and Winery will be constructed on Tract A by August of 2015. (Completed)
4. An entrance sign will be constructed on Tract A by August 2015. (Completed)
5. Grape vines will be planted on Tract A by August 2016. (Completed)
6. Single family residence constructed on Lot 2. (Completed)
7. Amphitheater and parking lot expansion will be constructed on Tract A 2022
8. 12 Cabins will be constructed on Tract A by April 2025
9. RV Parking will be constructed on Tract A by April 2025.
10. Small Events Center will be constructed on Tract A by April 2027



VICINITY MAP  
(NOT TO SCALE)

NOTES:

1. Bearings used on this survey are based on deed description.
2. No Gaps and overlaps were found on this property.
3. Easements, setbacks, restrictions or encumbrances of record if any, affecting the title to this tract are not shown.
4. If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case shall the diameter of the pipe be less than 15 inches.
5. All drives and parking areas shall consist of all-weather surfacing. The drives accessing the cabins, small events center, large events center and parking area shall be at least 20 feet wide in accordance to fire code and to provide two-way traffic.
6. The gravel driveway to the events center and winery shall be maintained in condition that is traversable by emergency response vehicles.
7. Owners will resurface and maintain all drives and parking area surfaces on a regular schedule or as needed to provide overall good-looking appearance for visitors. The road will be fully maintained for complete access to all vehicles year round.
8. Site and all uses therein shall be in compliance with the Riley County Sanitary Code. Proposed Lot 1 shall be served by Rural Water District #1 and an on-site wastewater lagoon. Proposed Lot 2 is currently served by Rural Water District #1 and an on-site wastewater lagoon.
9. Location(s) and extent(s) of fencing and trails may be modified at the owner's discretion as required to serve the permitted uses.
10. Buildings and structures shall comply with State of Kansas minimum building and life safety codes per the 2006 IBC and the 2000 NFPA 101. Maximum permitted occupancy shall be posted in the winery/events center building and the small events center.
11. The winery/event center building(s) shall meet the minimum building code requirements as per the State Fire Marshal.
12. All structures and signs are shown in approximate locations.
13. All proposed lighting shall have directional control or appropriate cut-offs to minimize spillage and light trespass.
14. Existing riparian areas and native tree stands shall remain intact as much as possible to act as an audio and visual buffer to surrounding properties. All areas, unless improved, will remain agricultural.
15. All stormwater drainage from the developed areas of Lot 2 and the winery/events center tract shall be directed to the existing pond.
16. All signs shall be subject to Section 6.12 - Signs of the Riley County Land Development Regulations.
17. A Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form, provided by Riley County Planning & Development, has been signed and filed in the Office of the Register of Deeds. Bk. 0860, Pg. 6207. Implementing noise attenuation construction methods for residential uses, as described in this document, are strongly recommended.
18. The landowner has 100% interest in the land to be developed. The landowner controls the land and is financially capable to effectuate the proposed plan.
19. Areas marked as riparian zones are subject to the requirements of Section 21C-Development Standards of the Riley County Zoning Regulations.
20. Noise levels from amplification of sound (indoor or outdoor) shall be controlled and mitigated so as to not exceed 65 dBA at the property line (dBA shall be Equivalent-Continuous sound levels (Leq) which shall measure amplified noise generated within the property over a 10 minute period along the involved property line.
21. Quiet hours shall be between 11:00 PM and 8:00 AM for Friday and Saturday and 9:00 PM and 8:00 AM for Sunday-Thursday and shall be posted on site. Quiet hours for the cabin sites shall be 10:00 PM and 8:00 AM for Friday and Saturday and 9:00 PM and 8:00 AM for Sunday-Thursday and shall be posted in each cabin.

NOTE:

ZONING - EXISTING

PUD: (PLANNED UNIT DEVELOPMENT)

OWNER/DEVELOPER:

LAWE, LLC  
3091 STATE HIGHWAY 63  
BERN, KS 66408

David and Danielle Tegtmeyer  
1929 Wildcat Creek Road  
Manhattan, KS 66503

FLOOD INFORMATION NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, MAP NUMBER 200298 0333 F, DATED FEBRUARY 4, 2005, THIS PROPERTY IS LOCATED IN ZONE X. ZONE X IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

Amended Preliminary Development Plan  
TEGTMEIER WINERY

Riley County, Kansas



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

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Overland Park, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Drawn By:RNC Project # 2202-0041 TDS# 86

MARCH 2022



DESCRIPTION:

A tract of land in the Northwest Quarter (NW¼) of Section 8, Township Ten (10) South, Range Seven (7) East of the 6th P.M., in Riley County, Kansas, described as follows: Beginning at the Southwest corner of the Northwest Quarter of Section 8; thence North on Section line 3 Chains; thence East 36 Chains; thence North to the left bank of Wildcat Creek; thence in a southeasterly direction along left bank of Wildcat Creek to the Quarter Section line, running North and South in Section 8; thence South of the Quarter Section line 3 ½ chains to Southeast Corner of the Northwest Quarter of Section 8; thence West on Quarter Section line 40 chains to point of beginning; and

All that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, which lies North of the township road;

LESS the following:

All that part of the following described tract which lies in said Southwest Quarter to-wit: A tract of land in the SW¼ of the SE¼, and the SE¼ of the SW ¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., in Riley County, Kansas, described as follows: Beginning at the Northwest corner of said SW¼ of the SE¼ being Corner 1, marked by a 3/8 inch iron bar; thence North 88°32'13" East 1321.71 feet along the North line of said SW¼ of the SE¼ to the NE Corner thereof being Corner 2, marked by a 3/8 inch iron bar; thence South 2°16'40" East 397.45 feet along the East line of said SW¼ of the SE¼ to the Center of a township road being Corner 3, marked by a ½ inch iron bar; thence continuing along the Center of said township road the following courses: South 88°20'42" West 123.06 feet to Corner 4, marked by a ½ inch iron bar, South 85°05'09" West 225.78 feet to Corner 5, marked by a ½ inch iron bar, South 83°09'53" West 224.90 feet to Corner 6, marked by a ½ inch iron bar, South 88°36'49" West 525.85 feet to Corner 7, marked by a ½ inch iron bar, on a curve to the left having a radius of 1246.01 feet, an arc distance of 396.62 feet, the chord being South 79°29'41" West 394.94 feet to Corner 8, marked by a ½ inch iron bar, South 70°22'33" West 8.08 feet to Corner 9, marked by a ½ inch iron bar on a curve to the left having a radius of 561.81 feet, an arch distance of 264.98 feet, the chord being South 56°51'50" West 262.53 feet to Corner 10, marked by a ½ inch iron bar, South 43°21'08" West 162.73 feet to Corner 11, marked by a ½ inch iron bar; thence leaving said township road North 3°07'06" West 749.95 feet to Corner 12, marked by a ½ inch iron bar; thence North 88°32'13" East 528.34 feet to the point of beginning; and

LESS a tract of land lying in the SW¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., Riley County, Kansas, surveyed by Richard M. Haynie, Land Surveyor, and recorded in Quitclaim Deed, dated October 27, 2000, from Robert W. Clack, Jr. and Maria T. Clack, husband and wife, to Robert W. Clack, Jr. and Maria T. Clack, husband and wife, filed November 29, 2000, and recorded in Book 788, Page 218, in the office of the Register of Deeds of Riley County, Kansas;

Lot 1, Tegtmeier Addition, Unit 2, Riley County, Kansas.

Subject to easements and restrictions of record.

OWNER'S CERTIFICATE

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

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.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at \_\_\_\_\_, Kansas this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

LAWE, LLC, a Kansas Limited Liability Company

David H Tegtmeier, as Resident Agent  
of LAWE, LLC, a Kansas Limited  
Liability Company

Danielle B Tegtmeier, as Resident  
of LAWE, LLC, a Kansas Limited  
Liability Company

David H Tegtmeier, owner

Danielle B Tegtmeier, owner

NOTARY CERTIFICATE

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned, a notary public in and for the County and State aforesaid, came

\_\_\_\_\_  
David and Danielle Tegtmeier  
owners and Resident Agents of LAWE, LLC, a Kansas Limited Liability Company

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

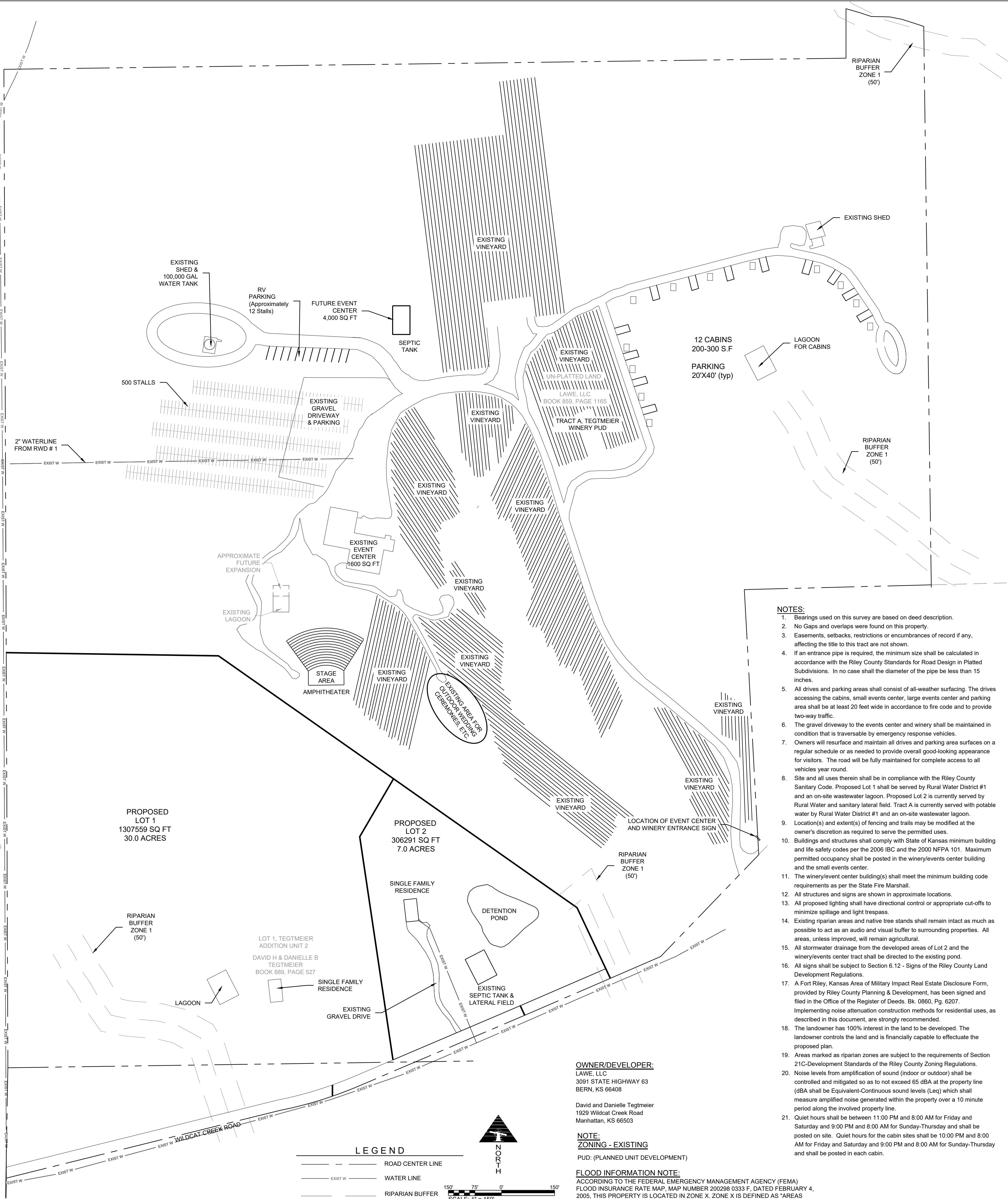
My appointment expires:\_\_\_\_\_

RILEY COUNTY PLANNING DIRECTOR CERTIFICATE

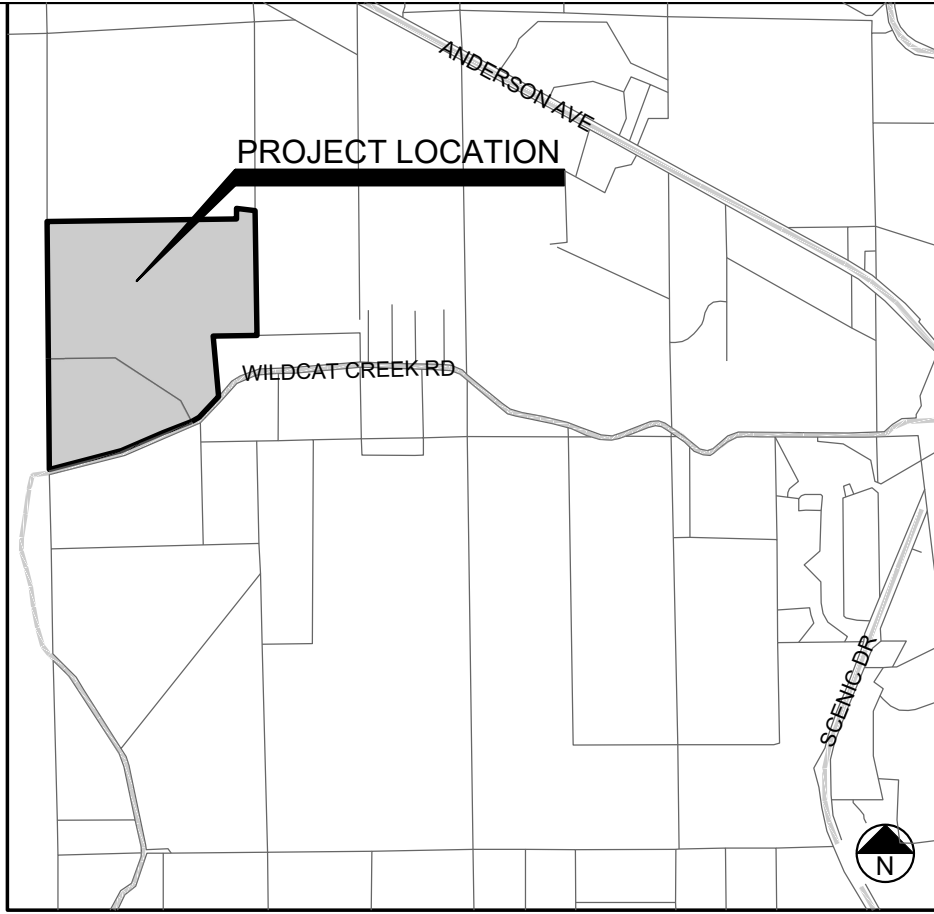
STATE OF KANSAS )  
COUNTY OF RILEY ) SS

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2022.

Amanda Webb - Director of Riley County Planning and Development



- NOTES:**
- Bearings used on this survey are based on deed description.
  - No Gaps and overlaps were found on this property.
  - Easements, setbacks, restrictions or encumbrances of record if any, affecting the title to this tract are not shown.
  - If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case shall the diameter of the pipe be less than 15 inches.
  - All drives and parking areas shall consist of all-weather surfacing. The drives accessing the cabins, small events center, large events center and parking area shall be at least 20 feet wide in accordance to fire code and to provide two-way traffic.
  - The gravel driveway to the events center and winery shall be maintained in condition that is traversable by emergency response vehicles.
  - Owners will resurface and maintain all drives and parking area surfaces on a regular schedule or as needed to provide overall good-looking appearance for visitors. The road will be fully maintained for complete access to all vehicles year round.
  - Site and all uses therein shall be in compliance with the Riley County Sanitary Code. Proposed Lot 1 shall be served by Rural Water District #1 and an on-site wastewater lagoon. Proposed Lot 2 is currently served by Rural Water and sanitary lateral field. Tract A is currently served with potable water by Rural Water District #1 and an on-site wastewater lagoon.
  - Location(s) and extent(s) of fencing and trails may be modified at the owner's discretion as required to serve the permitted uses.
  - Buildings and structures shall comply with State of Kansas minimum building and life safety codes per the 2008 IBC and the 2000 NFPA 101. Maximum permitted occupancy shall be posted in the winery/events center building and the small events center.
  - The winery/event center building(s) shall meet the minimum building code requirements as per the State Fire Marshal.
  - All structures and signs are shown in approximate locations.
  - All proposed lighting shall have directional control or appropriate cut-offs to minimize spillage and light trespass.
  - Existing riparian areas and native tree stands shall remain intact as much as possible to act as an audio and visual buffer to surrounding properties. All areas, unless improved, will remain agricultural.
  - All stormwater drainage from the developed areas of Lot 2 and the winery/events center tract shall be directed to the existing pond.
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  - The landowner has 100% interest in the land to be developed. The landowner controls the land and is financially capable to effectuate the proposed plan.
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- OWNER/DEVELOPER:**  
LAWE, LLC  
3091 STATE HIGHWAY 63  
BERN, KS 66408
- David and Danielle Tegtmeier  
1929 Wildcat Creek Road  
Manhattan, KS 66503
- NOTE:**  
**ZONING - EXISTING**  
PUD: (PLANNED UNIT DEVELOPMENT)
- FLOOD INFORMATION NOTE:**  
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, MAP NUMBER 200208 0333 F, DATED FEBRUARY 4, 2005, THIS PROPERTY IS LOCATED IN ZONE X. ZONE X IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"



VICINITY MAP  
(NOT TO SCALE)

STATEMENT OF LANDOWNER'S INTEREST:

I, DAVID TEGTMEIER AND MY WIFE, DANIELLE TEGTMEIER WILL BE MANAGERS OF ALL OPERATIONS OF THE WINERY AND RELATED BUSINESS AT 1745 WILDCAT CREEK ROAD. WE WILL BE LIVING ON THE PROPERTY AND ARE CO-OWNERS OF THE LAND AND ALL BUSINESS TO BE CONDUCTED ON THE PROPERTY

PERMITTED USES:

- Tract A:
- Viticulture
  - Agritourism as defined by Article 9 of the Riley County Land Development Regulations.
  - Manufacturing, bottling, and sale of wine and cider
  - Wine and cider tasting
  - Sale of promotional and products accessory to wine
  - Catered events
  - Large Events Center with Restaurant (800-980 Sq Ft) for the conduct of conferences, meetings, business or professional training, retreats, and recreational, social, or religious functions, activities, and dining. Events Center use shall be subject to the following restrictions and limitations:
    - A maximum indoor occupancy for the Large Events Center shall be as required by state Fire Marshal.
  - Parking shall only be permitted in designated areas. Event parking along Wildcat Creek Road shall be prohibited.
  - Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties.
  - Small Events Center (See Large Events Center - no restaurant).
  - RV parking (40'x20', 12 pads max) with access to potable water, sewer disposal, and electricity.
  - Lodging accommodations (cabins) intended for participants/guests.
  - Outdoor amphitheater approximately 3,000 seats.
- Lot 1:
- All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
  - Accessory structures, as per Section 5.3 of the Riley County Land Development Regulations
- Lot 2:
- All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
  - Accessory Structures, as per Section 5.3 of the Riley County Land Development Regulations.
  - Accessory apartment, as defined in Article 9 of the Riley County Land Development Regulations.

PERMITTED STRUCTURES:

- Tract A:
- Winery/ Large Events Center/Restaurant.
  - Accessory structures associated with agricultural activities, including implement storage.
  - Entrance Sign
  - Small Events Center approximately 4,000 square feet with the maximum indoor capacity of 250 persons.
  - 12 one-room cabins 200-300 square feet.
  - Outdoor amphitheater stage and seating approximately capacity 3,000
- Lot 1:
- One single family residential dwelling (subject to the restrictions of the "SF-1" Single Family Residential zoning district).
  - Accessory structures as per Section 5.3 of the Riley County Land Development Regulations.
- Lot 2:
- One single family residential dwelling (subject to the restrictions of the "SF-1" Single Family Residential zoning district).
  - Accessory structures, subject to Section 5.3 of the Riley County Land Development Regulations.
  - One accessory apartment, as defined in Article 9 of the Riley County Land Development Regulations.

SCHEDULE FOR IMPROVEMENTS:

- Proposed improvements shown or described herein will be completed and in place based on the following schedule:
- A garage with living space above will be constructed on Lot 2. (Completed)
  - An Events Center and Winery (Completed)
  - The parking lot and drive associated with the Events Center and Winery will be constructed on Tract A by August of 2015. (Completed)
  - An entrance sign will be constructed on Tract A by August 2015. (Completed)
  - Grape vines will be planted on Tract A by August 2016. (Completed)
  - Single family residence constructed on Lot 2. (Completed)
  - Amphitheater and parking lot expansion will be constructed on Tract A 2022
  - 12 Cabins will be constructed on Tract A by April 2025
  - RV Parking will be constructed on Tract A by April 2025.
  - Small Events Center will be constructed on Tract A by April 2027

Amended Final Development Plan  
TEGTMEIER WINERY

Riley County, Kansas

**SMH**  
CONSULTANTS

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Overland Park, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Drawn By:RNC Project # 2202-0041 TDS# 86

MARCH 2022



DESCRIPTION:

Lot 1, Tegtmeier Addition, Unit 2, Riley County, Kansas.  
Subject to easements and restrictions of record.

OWNER'S CERTIFICATE

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

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.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at \_\_\_\_\_, Kansas this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

David H Tegtmeier  
Danielle B Tegtmeier

NOTARY CERTIFICATE

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned, a notary public in and for the County and State aforesaid, came

David H and Danielle B Tegtmeier

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: \_\_\_\_\_

CERTIFICATE OF THE COUNTY COMMISSION

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
Board of Commissioners, Riley County, Kansas.

Chairperson  
Commissioner  
Commissioner  
Attest: County Clerk

RILEY COUNTY PLANNING BOARD CERTIFICATE

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2022.

Riley County Planning Board.

Chairperson  
Member  
Member  
Member

RILEY COUNTY PLAT REVIEW SURVEYOR SIGNATURE BLOCK

This plat has been reviewed and approved for filing pursuant to and in compliance with K.S.A 58-2005 and with the requirements of Riley County Resolution No.082913-58. No other warranties are extended or implied.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
License Number: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

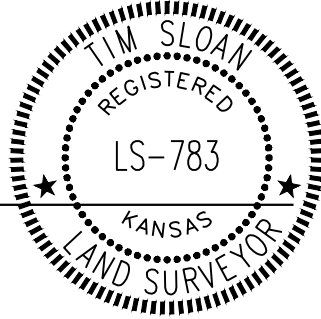
STATE OF KANSAS )  
COUNTY OF RILEY ) SS

I, the undersigned, do hereby certify that I am a Professional Surveyor in the State of Kansas, with experience and proficiency in land surveying; and that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of the City of Manhattan, Kansas, have been complied with in the preparation of this plat, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Manhattan, Kansas this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2022.

SMH Consultants  
By: Tim Sloan

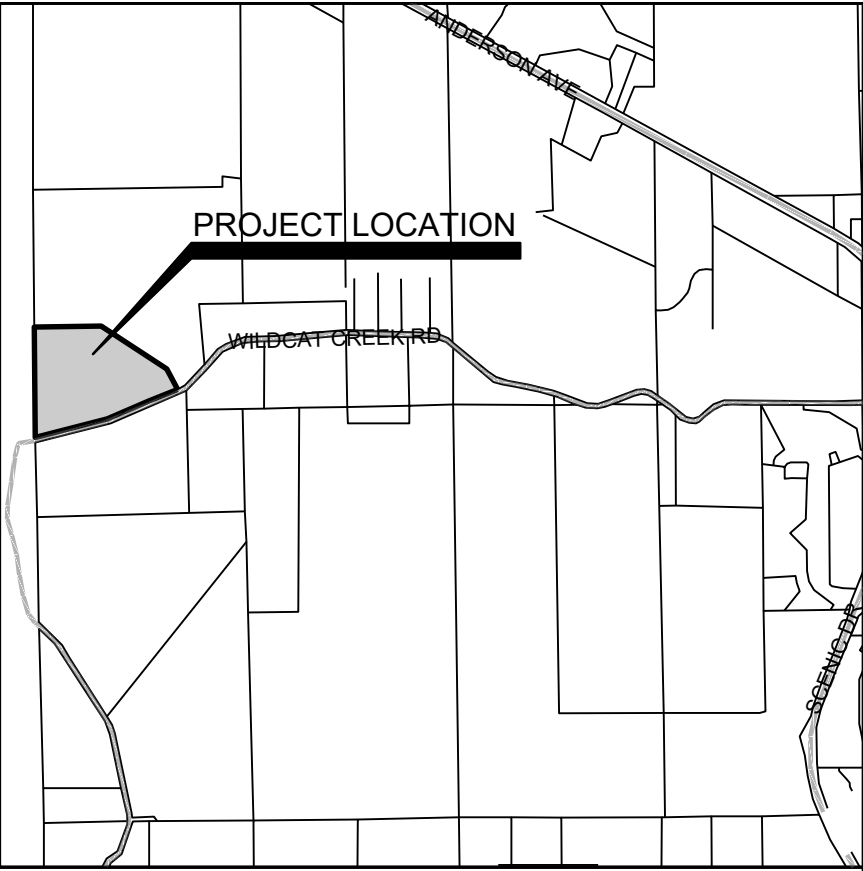
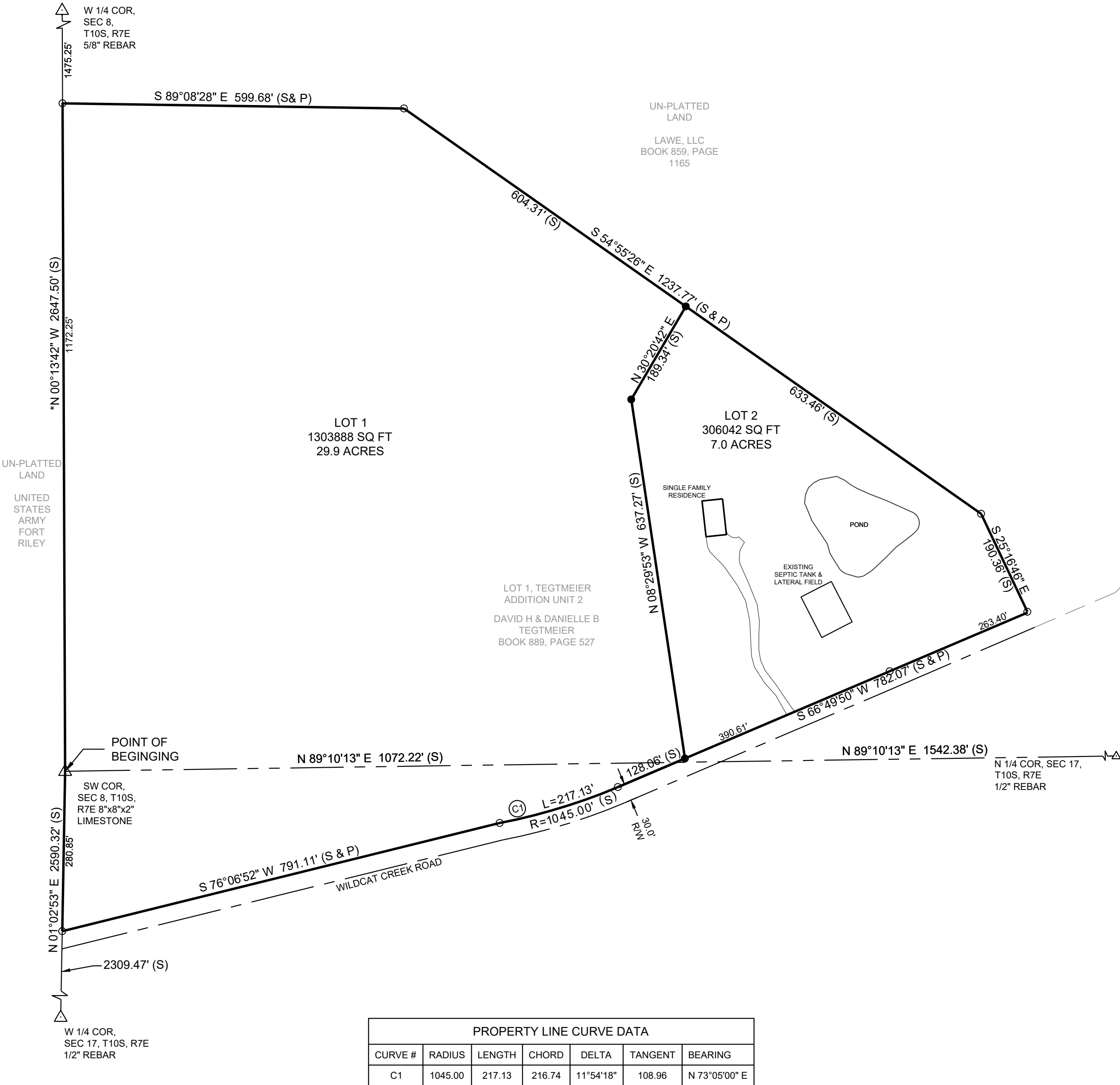
Tim Sloan, P.S.  
Vice-President



APPROVAL OF COUNTY OFFICERS

STATE OF KANSAS )  
COUNTY OF RILEY ) SS

County Engineer  
County Counselor  
Environmental Health Specialist



VICINITY MAP  
(NOT TO SCALE)



Notes:  
No easements, restrictions, reservations, setbacks, or other matter of record, if any, affecting the title of this property are shown, except as platted, as per agreement with the landowner.

No gaps or overlaps exist.

All distances shown on this plat are surveyed

Parent tract is recorded in Book 0555, Page 0389 and Lot 1 Tegtmeier Addition Unit 2 is recorded in Book 0889, Page 0527 Register of Deeds Office, Riley County, Kansas.

If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case, shall the diameter of the pipe be less than 15 inches.

All building setback requirements shall be determined by the zoning district, unless otherwise noted.

All lots shall be in compliance with the Riley County Sanitary Code.

All development within the Tegtmeier Winery Planned Unit Development shall conform to the approved Final Development Plan and Resolution No. 092514-42 dated September 25, 2014 (as may be amended).

Property owner(s) is/are required to maintain all publicly granted drainage easements. Natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences and walls) are prohibited within publicly dedicated drainage easements.

FORT RILEY NOTICE OF POTENTIAL NOISE IMPACTS:  
This subdivision is subject to the Notice of Potential Noise Impacts from Fort Riley, Kansas Military Installation and Recommended Noise Attenuation Building Methods recorded on August 17, 2020 in Book 881, Page 7017.

FLOOD INFORMATION NOTE:  
Flood Zone X, an area determined to be outside the 0.2% annual chance floodplain, FEMA FIRM (Flood Insurance Rate Map) Community Panel Number 20161C0335G, effective date, March 16, 2015.

- LEGEND
- Monument Found (1/2" Rebar),  
Origin: Tegtmeier Addition, Unit Two
  - 1/2"x24" Rebar w/CLS66 Cap Set
  - △ Section Corner, NOTE: All section corner monument  
origins are unknown unless otherwise noted.
  - \* Assumed Bearing
  - ① Curve Number
  - (P) Plat Dimension
  - (S) Surveyed Dimension



SCALE: 1" = 150'

Final Plat  
**TEGTMEIER  
ADDITION,  
UNIT 3**  
A replat of Lot 1 Tegtmeier Addition, Unit 2  
Riley County, Kansas  
**SMH  
CONSULTANTS**  
Civil Engineering • Land Surveying • Landscape Architecture  
www.smhconsultants.com  
Manhattan, KS - HQ P: (785) 776-0541 • Dodge City, KS P: (620) 255-1952  
Kansas City, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145  
Drawn By: RNC Project # 2202-0041 TDS # 86  
**MARCH 2022**

# EXCERPT OF MINUTES RILEY COUNTY PLANNING BOARD

May 9, 2022

Page 1

## **Tegtmeier and LAWE LLC Preliminary and Final Development Plan amendments and Replat**

Chairman Hoobler opened the public hearing at the request of the David H. & Danielle B. Tegtmeier and Lawe LLC, petitioners and owners, to amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development and replat Lot 1 of Tegtmeier Addition, Unit 2 into two (2) lots in Wildcat Township, Section 8, Township 10 South, Range 7 East in Riley County, Kansas.

Bob Isaac presented the request stating the subject is generally located approximately 9800 feet west of Scenic Drive, on the north side of Wildcat Creek Road; Sections 8 and 17, Township 10 South, Range 7 East; Wildcat Township.

Mr. Isaac stated that, in September 2014, the applicants successfully platted Lot 1 of Tegtmeier Addition and rezoned the lot and the surrounding parent tract from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in order to establish a viticulture operation, with a winery and events center. He said the applicants developed Lot 1 with a new single-family residence. For financing purposes, the applicants requested, at the time, to plat the residential portion of the proposed planned unit development into a separate lot which became Lot 1 Tegtmeier Addition. Mr. Isaac stated that in 2021, the applicants discovered that a portion of the parent (winery) tract surrounding the subject lot, owned by LAWE, LLC, became available for purchase. He said the applicants purchased said portion and replatted it with Lot 1 Tegtmeier Addition into Lot 1 Tegtmeier Addition Unit 2 and amended the Final Development Plan to reflect the lot configuration of the proposed replat. He said presently, the applicants wish to replat Lot 1 Tegtmeier Addition Unit 2 into two lots and amend the preliminary and final development plans associated with the existing Agri-Business Planned Unit Development. He explained the proposed changes include an additional residence (proposed Lot 1), outdoor amphitheater, a small 4,000 square foot indoor event facility, 12 one-room cabins, a 12-pad RV parking area with water, sewer and electricity, and the conversion of a small portion of the large event center into a full-service restaurant.

Mr. Isaac said as mentioned, the subject site was rezoned from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in September 2014. He said there are no variances, conditional uses or special uses associated with the property.

Mr. Isaac explained that although the site is not directly located in the regulatory floodplain, he wanted to illustrate the site’s proximity to Wildcat Creek. He said what little stormwater runoff there is occurs within watersheds located on the site. He said the attached stormwater drainage analysis describes the pre- and post-development changes in the stormwater runoff and related to that is the site has, in its entirety, three separate established first order streams that eventually feed into Wildcat Creek. He explained that a first order stream gets its designation by originating from a point not associated with another stream. He stated that each first order stream is protected by a 50-foot buffer on each side of the stream’s banks and subject to Section 6.3 of the Riley County Land Development Regulations.

Mr. Isaac stated Riley County Fire District #1 will serve the site with nearest county fire station is the Keats station located at 3141 69<sup>th</sup> Avenue. The subject site is not located within five (5)

Attachment: Excerpt RCPB minutes May 9, 2022 Tegtmeier (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



road miles of a fire station. He said consequently, this results in the property receiving the highest ISO rating of 10 and increased response times. He said in order to provide an adequate volume of water and pressure for supplemental fire protection, a 100,000-gallon storage tank was installed by the owner along with a dry hydrant connection. He said that due to the proposed use of the additional structures, there was a determination made by Riley County Emergency Management that certain aforementioned structures were subject to the State of Kansas minimum building and life safety codes and will require code footprints to be submitted at the time of construction. He stated at this time, the applicant will need to implement acceptable options given by the State Fire Marshal's office in order to meet the fire code.

Mr. Isaac described the Fort Riley Noise Buffer map. He stated a Development Review Memo was sent to Fort Riley Public Works. A response was received in our office May 3<sup>rd</sup> via an email. He said they stated that the site is located near the Fort Riley Military Installation that generates noise by the firing of weapon systems and detonation of explosives on the installation. He explained that the site lays entirely within what is known as the Land Use Planning Zone shown in blue and it's located within an area modeled to be at a moderate complaint risk.

Mr. Isaac displayed an illustration provided by Josh Pease, Environmentalist with the Environmental Division on Fort Riley. He explained that it showed that the subject property is located approximately 225 yards from Noise Zone II and 1.3 miles from Noise Zone III. He stated Noise Zone III would be an impact area. He said that according to Fort Riley's Installation Operational Noise Management Plan 2015, noise-sensitive land uses are generally acceptable within the area of the LUPZ. He said that, however, communities and individuals often have different views regarding what level of noise is acceptable or desirable. He said that a Fort Riley, Kansas Area of Military Impact Real Estate Disclosure form provided by Riley County Planning and Development was signed and filed in the office of Register of Deeds, Book 860, Page 6207 in 2014 and applies to the entire site. He additionally, a multi-jurisdictional document entitled Notice of Potential Noise Impact from Fort Riley, Kansas military installation and recommended noise attenuation and attenuating building methods was filed with the Office of Register of Deeds, August 2020, Book 881, Page 7017, which serves as an official noise disclosure notice for all properties that may be located within the Noise Zone II or the Land Use Planning Zone. He stated that the document also includes recommendations on noise attenuation construction methods for residential uses. He said in other words, the entire site is subject to both those agreements/noise disclosures.

Mr. Isaac displayed the preliminary development plan, illustrating the orientation and location of the lot's boundaries and all existing and proposed buildings, structures and driveways. He said he wanted to stop there warn the Board, we discovered there are a few mishaps in the drafts of the development plans and will still need to be adjusted. He explained there are already a few changes to the list of permitted uses and structures, but a lot of those will remain the same and are not included in the proposed amendments at this time. He stated he would go over the amended preliminary development plan in more detail. He said he has listed in white text are the uses and structures already part of the existing PUD (Preliminary Planned Unit Development), while the changes/amendments are in yellow text.

Mr. Isaac said obviously viticulture is listed as the primary use of the property, and, in case anyone wants to know, simply means growing grapes. He said second, we wanted to add agritourism as a use, although this is what is already happening at that site. He said the applicants are a registered agritourism operator and provide agritourism as defined by Article 9 of the Riley County Land Development Regulations. Mr. Isaac continued the list and stated:

3. Manufacturing, bottling, and sale of wine and cider
4. Wine and cider tasting
5. Sale of promotional and products accessory to wine
6. Catered events

Mr. Isaac said that it is being proposed that a portion of that existing event center building would be converted into a restaurant. He said it is also used to conduct conferences, meetings, business or professional training, retreats, and recreational, social, or religious functions, activities, and dining. He said the applicants are not asking to change the text that's already there. He said Event Center use shall be subject to the following restrictions and limitations:

- a. Parking shall only be permitted in designated areas. Event parking along Wildcat Creek Road shall be prohibited.
- b. Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties.

He reminded that Board that these use limitations have been in place since 2014 and focus on the amplification of sound indoors.

He said finally, a maximum indoor occupancy for the Large Events Center shall be 375 persons. He said that maximum occupancy is subject to change with the conversion of space to the proposed restaurant. He said a new code footprint will be needed to determine exactly where they are.

Mr. Isaac stated some of the new things. He said a small events center, much like the large events center, same use limitations but with no restaurant. He displayed a submitted photo to give the Board a concept of what it would look like. He said this one is intended for small events so that groups smaller than 200-250 people would not have to take up the entire winery building. He said finally, an RV parking/campground. He cautioned the Board that campground may be a misnomer here. He said the term was derived from how the use is described the zoning regulations; however, these are twelve 40'x20' pads that are removed from the general vehicular parking area to provide more efficient, easier maneuvering of vehicles within the parking area, not necessarily a campground. He said the applicants are proposing a maximum of 12 RV pads, with access to potable water, electricity and sewer disposal. He said the applicant has not decided whether he would like to proceed with the sewer disposal option or not, but staff treated as if he were. He explained that staff had to make a determination if the sewer disposal option could be done and be in compliance with the Sanitary Code. Mr. Isaac stated that Perry Piper cleared the use as do-able and would be in compliance with the Sanitary Code. Mr. Isaac continued with the list of permitted uses.

10. Lodging accommodations (cabins) intended for participants/guests.
11. Outdoor amphitheater approximately 3,000 seats or seating for 3,000.

Lots 1 and 2:

- a. All permitted uses in the "SF-1" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
- b. Accessory structures, as per Section 5.3 of the Riley County Land Development Regulations.

Mr. Isaac said that proposed Lots 1 and 2 will be allowed to have a single-family residence and accessory structures, as per the use requirements of Section 5.3 of the Riley County Land Development Regulations. He explained that this is simply mimicking Riley County's large-lot single-family zoning district.

Mr. Isaac explained that the draft development plan submitted with the packet incorrectly shows a single-family residence plus a garage with an accessory apartment over the garage for existing Lot 1. Mr. Isaac stated there is only a single-family residence, no existing accessory apartment, with no plan for an accessory apartment in the future; thus, the accessory apartment was eliminated from the development plan.

Mr. Isaac described the List of Permitted Structures. He described existing structures and proposed structures, to include the following: the winery/large event center (existing) with full service restaurant (proposed); accessory structures associated with agricultural activities, including the implement storage (existing); the entrance sign (existing); a small 4,000 sf. event center, with a maximum indoor capacity of approximately 200 to 250 persons (proposed); 12 one-room cabins (approx. 200-300 sf.) (proposed); and one outdoor amphitheater/stage, with seating for approximately 300 patrons (proposed).

Mr. Wienck corrected Mr. Isaac stating 3,000.

Mr. Isaac affirmed 3,000 patrons. He said finally, Lots 1 and 2, regarding structures, one single-family residence, not several, one, and accessory structures, as per Section 5.3 of the Riley County Land Development Regulations.

Mr. Isaac reviewed the "Notes" portion of the development plan. He reminded the Board that several of the notes are the exact same notes that were approved in 2014 and some were updated in November 2021 with that replat. Mr. Isaac explained that the list starts at the number four because notes one through three really deal with the boundaries on the survey and are impertinent to the uses.

Mr. Isaac stated that if an entrance pipe is required the minimum size shall be calculated and in accordance with Riley County Standards for Road Design in Platted Subdivisions. No case shall that diameter of that pipe be less than 15 inches. Mr. Isaac stated that the development of proposed Lot 1 with a new home will most likely need to have an entrance pipe installed.

Mr. Isaac stated that all drives and parking areas shall consist of all-weather surfacing. The drives accessing the cabins, small events center, large events center and parking area shall be at least 20 feet wide in accordance with state fire code and to provide two-way traffic.

Mr. Isaac read aloud the remaining notes:

6. The gravel driveway to the events center and winery shall be maintained in condition that is traversable by emergency response vehicles.
7. Owners will resurface and maintain all drives and parking area surfaces on a regular schedule or as needed to provide overall good-looking appearance for visitors. The road will be fully maintained for complete access to all vehicles year round.
8. Site and all uses therein shall be in compliance with the Riley County Sanitary Code. Proposed Lot 1 shall be served by Rural Water District #1 and an on-site wastewater lagoon. Proposed Lot 2 is currently served by Rural Water and sanitary lateral field. Tract A is currently served with potable water by Rural Water District #1 and an on-site wastewater lagoon.
9. Location(s) and extent(s) of fencing and trails may be modified at the owner's discretion as required to serve the permitted uses.

10. Buildings and structures shall comply with State of Kansas minimum building and life safety codes per the 2006 IBC and the 2000 NFPA 101. Maximum permitted occupancy shall be posted in the winery/events center building and the small events center.
11. The winery/event center building(s) shall meet the minimum building code requirements as per the State Fire Marshall.
12. All structures and signs are shown in approximate locations.
13. All proposed lighting shall have directional control or appropriate cut-offs to minimize spillage and light trespass.
14. Existing riparian areas and native tree stands shall remain intact as much as possible to act as an audio and visual buffer to surrounding properties. All areas, unless improved, will remain agricultural.
15. All stormwater drainage from the developed areas of Lot 2 and the winery/events center tract shall be directed to the existing pond.

Mr. Isaac mentioned the pond is a detention pond located on Lot 1. Mr. Isaac continued:

16. All signs shall be subject to Section 6.12 - Signs of the Riley County Land Development Regulations.

Mr. Isaac mentioned this text change is the updated reference to the new Land Development Regulations.

17. A Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form, provided by Riley County Planning & Development, has been signed and filed in the Office of the Register of Deeds. Bk. 860, Pg. 6207. Implementing noise attenuation construction methods for residential uses, as described in this document, are strongly recommended.

18. The landowner has 100% interest in the land to be developed.

He stated this note is required by the regulations to be on the development plan describing that the applicants have the financial control to be capable of effectuating the proposed plan.

19. Areas marked as riparian zones are subject to the requirements of Section 6.3 -Riparian Buffer Riley County Development Regulations.

Mr. Isaac stated this note primarily deals with those first order streams located on the property.

20. Noise levels from amplification of sound (indoor or outdoor) shall be controlled and mitigated so as to not exceed 65 dBA at the property line (dBA shall be Equivalent-Continuous sound levels (Leq) which shall measure amplified noise generated within the property over a 10-minute period along the involved property line.

Mr. Isaac reiterated the maximum sound level applies to any property line. Mr. Isaac stated that the applicant is not requesting to modify or manipulate this standard.

21. Quiet hours, during which no amplified sound will be permitted, shall be posted on site and, shall be between 11:00 PM and 8:00 AM for Friday and Saturday and 9:00 PM and 8:00 AM for Sunday-Thursday.

Mr. Isaac said Planning & Development had some discussions with Riley County Emergency Management Services/Rural Fire and they had some recommended additions. He said staff spoke with the applicants regarding their recommendations and found them to be acceptable. He stated they are as follows:



1. the NFPA driveway standards shall be met for all roadways that have adjacent structures which provide ample entrance and exist for emergency vehicles.
2. He said the proposed parking spaces (500), one stall per four to six people range, shall not interfere with the ability to access the existing water supply tank. The access to the water supply tank shall be a maintained all weather surface. NFPA driveway standards shall not be compromised in the design of the RV Parking areas or Passenger vehicle areas.
3. Fire lanes along the adjacent winery structure and proposed event center shall be designated as such and be free and clear from passenger vehicles, RVs, or other hazards preventing adequate access for emergency vehicles. Mr. Isaac said fire lanes need to be maintained and clear of obstructions.
4. Due to the surrounding landscapes, wildland fire mitigation and best practices should be used to mitigate fire fuels and limit spread per NFPA Firewise Community recommendations. Liquid Art Winery Estate outside property shall be managed to mitigate aggressive wildfire behavior and provide a defensible space to staff and visitors. Mr. Isaac said this is an effort to keep the patrons and the establishment safe.
5. The proposed future event center shall be properly identified with signage and a Fire Department Connection (FDC) to supply required hose cabinets and sprinkler system. A centralized alarm panel shall be installed per NFPA and in accordance with the Office of the State Fire Marshal.
6. The proposed cabins shall be required to have a fire extinguisher and sufficient defensible space of decorate rock and a non-combustible roof material in the event of a wildland fire. Adequate NFPA emergency vehicle access shall be required to each cabin.
7. Proper visibility, addressing, and reflective identification in low light shall be made between the roadway and water storage tank.
8. A Knox box will be required for property to provide Fire Department access to keys for all structures on the complex.
9. Long-term planning efforts should be considered for the need of additional water tank for any additional required fire flow for new structures added to the complex.

Mr. Isaac moved onto the Schedule of Improvements. He stated that there are items on the current list that have been completed but are shown on the list. The list is as follows:

1. Single family residence constructed on proposed Lot 2, current Lot 1 (existing).
2. An Events Center and Winery (existing)
3. The parking lot and drive associated with the Events Center and Winery will be constructed on Tract A by August of 2015. (Completed).
4. An entrance sign will be constructed on Tract A by August 2015. (Completed).
5. Grape vines will be planted on Tract A by August 2016. (Completed)

Mr. Isaac said now for a few new things.

6. Amphitheater and parking lot expansion will be constructed on Tract A 2022.
7. 12 cabins will be constructed on Tract A by April 2025.
8. RV Parking will be constructed on Tract A by April 2025.
9. Small Events Center will be constructed on Tract A by April 2027

Mr. Isaac said displayed and reviewed the proposed development plan. He discussed the proposed location of the additional wastewater lagoon that will serve the proposed cabins and small event center. He said it was recommended to connect the downspouts of the cabins to the lagoon to keep water in it.

Mr. Isaac said the small event center and cabins will be served by rural water. Mr. Isaac showed the existing outdoor wedding ceremony area, proposed parking lot expansion and the location of the proposed outdoor amphitheater. He said the amphitheater is proposed to have a seating capacity of 3,000 guests with the stage area on the south end directing amplified sound toward the existing winery building.

Mr. Isaac said the applicant stated that the stage lights and sound equipment would be brought in per event and set up by a professional sound crew until such time the applicant says he is able to build his own stage. He stated that they plan to have approximately eight to ten events per year and use porta-potties for temporary restroom facilities, which are acceptable as per the Sanitary Code and typically used for similar events.

Mr. Isaac reviewed the south portion of the development plan, which focused on the replat of Lot 1 of Tegtmeier Addition Unit Two into two lots. He said as you can see Lot 2 is approximately the same size it was in 2014, around seven acres, and as of 2021, they simply replatted it into a 30-acre lot. He there is quite a bit of room and pointed out the location of the detention pond for the stormwater runoff from the winery tract.

Mr. Isaac stated the applicants have expressed they have outgrown their current home and need to build another home. He said they wish to divide the 37-acre tract lot into two, proposing to build a new house on proposed Lot 1. He said the plan indicates that both lots will have identical permitted uses and use limitations of the "SF-1" (Single Family Residential) zoning district (Riley County's large-lot single family residential zoning district). Mr. Isaac stated the development plan also shows the location of the first order stream located on proposed Lot 1, subject to the development standards of Section 6 of the Riley County Land Development Regulations. Mr. Isaac reviewed the Final Plat, which illustrates the orientation and location of the existing and proposed boundaries, the existing house, proposed lagoon and detention pond. He said when the times comes to construct the house on proposed Lot 1, the applicant will need to contact public works to receive an entrance approval to access Wildcat Creek Road.

Mr. Isaac stated shared some photos of the site, including existing and proposed parking area.

Mr. Isaac stated the applicant as mentioned earlier the applicant is proposing to convert a portion of the existing building into a full-service restaurant rather than be strictly dependent on caterers. Mr. Isaac stated that the applicants expressed they believe they can provide a better, fresher food product on site.

Mr. Isaac displayed a couple of examples of outdoor amphitheaters, submitted by the applicants. He said these are not necessarily an exact rendering of what the proposed amphitheater will look like or how it will be constructed, rather only to serve as a general concept.

Mr. Isaac also displayed an example of the size, style, and layout of the 200-300 sf. cabins, also submitted by the applicants. He described the interior layout of the cabins.

Mr. Isaac displayed a photo of Kay's Garden and Event Center Venue in Gage Park Zoo in Topeka, stating that this is the general concept of the proposed small event center. He reminded the Board that the exact design may replicate the general concept, but the exact details/building plans have not yet been completed or submitted. He said the building is projected to have a maximum occupancy of 270 persons and will not include a restaurant.

Mr. Isaac stated that as part of the request, some of the concerns were brought up in the pre-application conference prior to the application being submitted, such as the increase of stormwater runoff due to the addition of quite a bit more impervious area; noise or amplified sound from the proposed amphitheater; traffic generated by events being held at the winery. Mr. Isaac said staff required that studies be completed and submitted to address these concerns.

Mr. Isaac stated that a Stormwater Drainage Analysis was completed by Jeff Hancock, SMH Consultants, Inc. Mr. Isaac stated that the analysis provided an overview of the of the site and topographical attributes. He said the analysis evaluated pre- and post-development impacts of

stormwater runoff and the potential increase of the rate of runoff. He said the analysis summarized that, given the pre- and post-development characteristics of the Liquid Arts Winery and proposed amendments, there are no negative impacts created from this perspective of storm water. He said the analysis showed the north basin calculates to no net increase in the rate of runoff. He said the analysis concluded that the west and east basins show a small increase in the rates of runoff from each, but these increases are abated through an existing detention pond on site.

Mr. Isaac reviewed the findings of the Sound/Noise Assessment, completed by Eric McGowan, Henderson Engineers of Kansas City area. Mr. Isaac stated that the analysis provided an overview of the site and topographical attributes existing and proposed sources of noise/ amplified sound. Mr. Isaac stated that the assessment included existing and proposed uses, indoor and outdoor. He said the analysis evaluated pre- and post-development impacts and measured distances from indoor and outdoor sources to each property line affected. He stated the west property line is Fort Riley, thus, not too much concern. He said the noise assessment noted that the existing standard of 65 dBA, which is the standard that is on the existing final development plan now, was used for measurement in the assessment. He said the reason was because the standard is existing and there's no proposal for it to be changed. He said the analysis provided recommendations that sound absorbing materials and insulation be used in enclosed buildings along with recommended volume levels to meet the above standard. He said the assessment included the original sound study that was completed and submitted as part of the original PUD application in 2014. Mr. Isaac noted that the 65 dBA standard is consistent with use specific standards for a Rural Resort Retreat Center or Event Center, as per as per Section 5.2 of the Riley County Land Development Regulations, which states that when considering approval of such uses, the Board should:

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

Mr. Isaac reminded the Board that the study was not recommending changing the 65-decibel standard, but rather stated that if there is going to be sound generated, it had to be kept at a certain level to not exceed that standard.

Mr. Isaac stated that a Traffic Impact Analysis was also completed by Jeff Hancock, SMH Consultants, Inc. He said that the analysis provided an overview of the site and traffic attributes of Wildcat Creek Road. He said that although there is a concern regarding attention for negative traffic impacts caused by events occurring at the winery amphitheater, the study states there are no metrics or standards for determining the impact of event traffic, the type of traffic expected with the amphitheater and that roadways are not designed for event traffic.

Mr. Isaac said so in reviewing the proposed changes and additions to the development plan, along with the corresponding studies to address potential concerns, staff offered the following:

1. The proposed cabins, RV pads and additional residence are inherently noise sensitive uses. Whether for business or personal purposes, the proximity to Fort Riley Noise Zone II, noise from daily military activities on Fort Riley may have a negative impact on such uses. However, the property owner has signed and filed with the Register of Deeds a

“Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form” in 2014, which includes the entire site.

Mr. Isaac said he spoke with Joshua Pease from Fort Riley regarding the request. Mr. Isaac stated that Mr. Pease said he understands development can occur within the Land Use Planning Zone, as shown, but like anything else, he expressed it could get noisy at times.

2. All new development, including the proposed cabins, additional event center, RV pads, full-service restaurant (within the existing winery building), amphitheater and new residence, shall be served by rural water and shall be in compliance with the Sanitary Code, including the construction of one additional wastewater lagoon and the planned expansion of the existing one.

He said that doesn't include the one that will serve the brand-new house on proposed Lot 1.

3. The requirement regarding noise levels *“from amplification of sound (indoor or outdoor) shall be controlled and mitigated so as to not exceed 65 dBA at the property line (dBA shall be Equivalent-Continuous sound levels (Leq)), which shall measure amplified noise generated within the property over a 10-minute period along the involved property line”* is not changing. Mr. Isaac noted that the standard does not prohibit outdoor amplification of sound; it never did. He said it just had to be controlled. He said this includes the proposed amphitheater, as described in the Site Noise Assessment.
4. Although the site is hilly and has several watersheds, the proposed change in the ratio of developed or impervious areas to natural areas is negligible. The Stormwater Drainage Analysis concludes that there will be minimal if not imperceptible impact to stormwater runoff.
5. The Traffic Impact Analysis describes the current status and maintenance aspects of Wildcat Creek Road and the potential adverse impacts the proposed amphitheater could have on the Level of Service at certain intersections caused by event traffic, particularly following an event. However, the study concluded that no improvements are recommended to the roadway network at this time, because *“it is generally not efficient nor reasonable to design roadways to accommodate event traffic.”* The County Engineer has stated that Wildcat Creek Road will be paved and geometrically improved as part of a sales tax revenue project within the next 3-5 years.

Mr. Isaac stated that portion of Wildcat Creek Road to be paved will go from Scenic Drive to point past the entrance to the winery. Mr. Isaac stated that, based on the information submitted and reviews by staff, he would like the Board to consider:

6. The site is equipped with a 100,000-gallon water tank, fitted with a dry hydrant connection in order to provide supplemental fire protection.
7. The proposed 4,000-sf (small) event center and the new restaurant must provide “code footprints” provided by a licensed architect, which are reviewed by Riley County Emergency Management/Rural Fire. These structures will be subject to the State Fire Code.

He said they have options on how to meet that fire code. He continued:

8. Porta-Potties will be used during events held at the proposed amphitheater in order to provide adequate, temporary restroom facilities. This is consistent with the Sanitary Code and is a generally accepted practice for such uses.
9. Many of the existing and proposed uses are consistent with what is typically included with a rural resort, retreat center or agritourism facility, including live entertainment,



weddings (and other events), lodging and meals. Regardless of the proposed ancillary uses, the prominent and most significant use of the site is agricultural use (viticulture) and the production of a value-added agricultural product (wine). The proposed uses or amendments are considered accessory to the principal use: agriculture.

10. The Kansas Agritourism Promotion Act was signed into law in 2004. The purpose of the Act is to promote the growth of the agritourism industry in Kansas. The Act deems agritourism activities 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.

Mr. Isaac stated that based on the information submitted and reviews by county staff, planning staff believes the potential concerns with the request have been adequately addressed and recommended the Planning Board forward a recommendation of approval to the Board of County Commissioners to amend the preliminary and final development plans for the Tegtmeier Winery Planned Unit Development. Also, Staff recommended approval of the Final Plat of Tegtmeier Addition Unit 3, as it was determined to meet the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

Mr. Isaac asked the Board if they had any questions.

Chairman Hoobler asked if any Board members have a question for Mr. Isaac.

John Wienck said he had one. Lot number one, where is their driveway at?

Isaac asked the Board to observe look the screen and pointed out the location of the existing driveway.

Wienck stated, that is lot number two though.

Isaac stated current lot one.

Chairman Hoobler said no.

Wienck clarified and said no, the proposed; the new Lot 1 with 30 acres.

Isaac stated that the new entrance will have to be located west of the existing driveway.

Wienck stated, you didn't have that drawn on your map.

Isaac said that is because the location of that entrance has yet to be determined.

Wienck said, oh okay.

Isaac stated that Public Works has to do an assessment to find out as to where that needs to be.

Wienck said okay and meet new driveway standards too. Okay, I was just kind of curious; I didn't see that drawn on here.

Chairman Hoobler asked if there was anyone else that had questions.

Nathan Larson said that he just had an observation. He said that if they are going to build the amphitheater in a draw, what are they going to do with that water that normally goes down that draw when it rains, how are they going to handle the water?

Isaac stated the site will have to be engineered so the stormwater drains in and around it and ends up in the detention pond where it goes now. He said it's kind of like any other site that gets

developed, the site just has to be engineered properly, otherwise it will completely wipe them out.

Larson said it struck him as they are putting it in a draw.

Isaac stated that from what the applicant has shared with staff, they are going to try to utilize the natural barrier to bring the sound down and contain it naturally. He said of course, what sound isn't contained naturally must be handled through volume control, and they are going to make it work. Mr. Isaac stated that sound will also be absorbed by the patrons, grass and earth, but not all sound gets absorbed.

Chairman Hoobler asked if the restaurant is a full-service restaurant or just for catering?

Isaac stated that it is being proposed as a full-service restaurant.

Chairman Hoobler said okay.

Isaac stated they will be able to prepare and serve food.

Chairman Hoobler asked but patrons can come and just dine there.

Isaac affirmed.

Isaac continued that staff decided not to get into the business hours of something like that.

Chairman Hoobler stated, that is fine; I just first thought it was catering kitchen.

Isaac said, it's one of those you can better control things; the quality of things if you are handling it yourself.

Chairman Hoobler agreed.

Isaac said that is essentially what they really want to do.

Chairman Hoobler agreed.

Isaac said even with that, there is going to be certain things that will need to be added to the restaurant. He said they're going to need to install a grease trap and the lagoon will most likely need to be expanded. He said they were planning for that expansion already when that went in, so, it's not like they won't have anywhere to go with it and its going to be impossible.

Chairman Hoobler said okay.

Chairman Hoobler asked if the applicant would like to say anything. Hoobler announced that the Board asks that all speakers come the podium, give your name and address. She stated that the Board will be implementing some time limitations on proponents and opponents of the petition tonight, but the applicant does not have a time constraint. She said that Bob has pretty much covered a lot of it anyway, so would the applicant like to come up this time.

Danielle Tegtmeier stated that they are David and Danielle Tegtmeier, 1929 Wildcat Creek Road. She said they wanted to thank Bob for presenting everything to everybody and for the rest of you who spent your evening with us. She said they appreciate your time. She said that for those of you who don't know us, we are Dave and Dani; we live on the Wildcat Creek winery property, and we made it our home about seven years ago. She said they were born and raised in Kansas. She said she met David in college and he had shared with me, one of the first things was he was only going to be here for a little while before he moved to California and move back here because he wanted to build a vineyard and a winery. She said she shortly jumped on that dream, went into marketing in hopes that they could create a team one day where he would make the

wine and she would sell it. She said they are very fortunate they are able to live out that dream and share that dream with others. She said they are hoping to expand on that dream.

David Tegtmeier said it's been almost eight years, he guessed, since they stood in this room originally. He said that is when we met a lot of you for the first time. He said that since then, they had become friends with a lot of you, which they are grateful for. He said he grew up on a small rural community and like I said, that was the first time I met a lot of you. He said he was always taught that neighbors should be friends, like family, because you never know when you will need them. He said some of you have come to our aid in times of need and we could never thank you enough for those times. He said you guys met us and looked at us as two crazy kids pursuing a crazy dream that no one knew anything about...a winery. He said they made it happen through lots of blood, sweat and tears and a lot of hard work. He said they created what they believe is an asset and a gem to our community we love. He said as times change and things evolve, our business, our livelihood we have arrived into, has to evolve also. He said with the agritourism, we have looked at lots of ways that we can grow and evolve, and these are simple ways that allow us to do that on our property. We came to this room asking for the ability to grow and build our dream eight years ago and we are asking for the ability to grow and build on that today.

Chairman Hoobler asked if there was anything else. Hoobler asked the Board if they had any questions for the applicants.

Mr. Tegtmeier stated they are open ears for questions on any of it.

Chairman Hoobler said thank you.

Wienck stated that he was good (no questions).

Chairman Hoobler announced that, as per the procedure for the public hearing, we are going to go with opponents first and then proponents. She asked that comments be kept to three minutes; to please address the Board, because we are the ones that are making the decision, not the public; and that if a point has been made that you not repeat that point all over again. She said you can say that you concur with a point or whatever but refrain from rehashing the same stuff. She said that she didn't think anyone wanted to be here all night.

Mike Sheffield asked if they could have more than three minutes.

Chairman Hoobler said if there is someone who is representing a larger group of people, yes, we will give you more time than three minutes; we will give you six minutes and you will be timed.

Chairman Hoobler asked for opponents and stated again to come the podium, state your name and address and address your comments to the Board. Hoobler stated that if you are speaking for a group, tell the Board how many people so we know what to do here.

Mike Sheffield stated that he was speaking for his family and asked if that will give him six minutes.

Chairman Hoobler asked a family is two people, right?

Mr. Sheffield clarified that there are actually four of them.

Chairman Hoobler asked how about four minutes; a minute for each person then.

Mr. Sheffield said they he had about a seven-to-eight-minute speech, but I guess I can get started. He said his name is Mike Sheffield, and he lives at 1700 Wildcat Creek Road. He said they are right here (pointing at the onscreen map), that is our house, and we also have the land

back here and my wife and I own the 60-acre land right here as well just south of winery. He said he would describe this as an ambitious PUD for a rural area. He said he hoped that you do take time to consider all those points. He said he would like to talk about what he thought was the most ambitious part of this PUD, the amphitheater and its intended and or unintended consequences. He said they were told there would be about six events and here now its eight to ten. He said he would like you to codify that if you could in the PUD, the number of events, what is an event, is a multi-day event. Are we going to try to have a country stampede out here? Is there something going on all day, multiple days or is there something in the evening, Thursday night from 6:30 to 8:30. Quiet time or are we going all day events from 8 to 11 o'clock at night? He said that is a question I would like to see codified as well, if you could.

He said the traffic analysis said that there is no metrics or standard; he said he would like to come back to that later if I could. He submitted some papers to the Board and said he wished to explain what he passed out to each Board member. He said if you take 1,200 hundred cars which is what is SMH said is coming down that road, I think it is like 1,500, two people per seat. Say you use 1,200 people, 1,200 cars coming. If the average size of a car is 20 feet times 1,200 vehicles that is a line of about four and half miles of cars. When you empty out that amphitheater after an event, you are going to get 1,200 cars leaving the amphitheater and event center, you are going to have a line of cars four and half miles long. He said there is only a mile, 1.8 miles from the winery to Scenic Drive. So, you are going to have cars backed up all the way from Scenic Drive all the way up Wildcat Creek Road, up the winery drive. There is only one way in and out and that type of parking lot. It's going to take a long time. Imagine that four and half miles of cars coming out of there. At the intersection of Scenic and Wildcat Creek Road the estimation study said it is going to take 80 seconds; Level Service F worse possible; eighty seconds to turn people out of there. I think that is kind of long. Even if you take 20 seconds, which is the average time it takes me to turn from Wildcat Creek Road onto Scenic Drive. Twenty seconds per vehicle times 1,200 vehicles that's six hours. Six hours to empty that out. I don't think that is going to make people happy, sitting in the line for six hours. What about emergency traffic, local traffic, emergency vehicles and that doesn't count traffic from their event center and Prairiewood event center as well. So, what would you do to mitigate this? Well, I would say I would not approve the amphitheater. That is your best mitigation to this problem. You could do traffic control with RCPD but then you have to stop traffic north and south on Scenic. If you stop traffic going north and south on Scenic Drive directly from the south there is a roundabout just north of there. So, what you are going to do is split the traffic up on Wildcat Creek Road onto Scenic, but you are going to back up traffic north over the roundabout. Traffic is going to be stopped in the roundabout. You got Anderson coming in east and west in that roundabout, Scenic north and south, you are going to back traffic in that roundabout, (timer sounded) and you are going to create chaos through that. That is not going to work. I would also like to say one last thing. If you are going to pave the road, we heard three to five years, if you have this event traffic and then you try to pave Wildcat Creek Road, you are going to have traffic armageddon because you are going to have to close one lane on that road or close the road completely while these events are going on. I will say at least wait on the amphitheater until the road is paved. Thank you for your time.

Chairman Hoobler asked if there were any other opponents. Hoobler addressed Mrs. Sheffield and said she thought Mr. Sheffield spoke for the group.

Karen Sheffield said well he is not. She said that she is speaking for a different group; I am speaking for all of the residents those who live up and down Wildcat Creek Road who will be impacted by the traffic. I also just want to say, I would have appreciated, we worked very hard



on what we have to present tonight. Not one of us probably has more than five to six minutes, but not be given more than three minutes and not be told until tonight that we have three minutes to defend something that is going to impact us for the rest of our lives is a hard pill to swallow. But I am speaking on behalf of everyone up and down Wildcat Creek Road who will be impacted by the traffic so with that said, apparently you already know who I am.

Chairman Hoobler instructed her to please state your name and address.

My name is Karen Sheffield and I live at 1700 Wildcat Creek Road, immediately across the road from the winery. I want to start out by saying we love our neighbors; we love Dave and Dani, but we don't love everything associated with this plan and please be assured that any criticism I offer is not against them, it's against the plan. She said I am just wanting to, I am trying to, I practiced this, it's five minutes and trying to figure out how to take out two minutes and three pages within three minutes. I have two pages.

Chairman Hoobler said then you should be able to do it, okay?

Mrs. Sheffield said so I wanted to streamline it, so I wrote it. I can't endorse the ambitious PUD for a variety of reasons. Not the least of which is scope, which proposes as we heard the addition of luxury cabins, a full-service restaurant, an RV park, a new event center and an outdoor amphitheater with capacity for 3,000. All of this in an area that is unserved for sewer, streetlights, road safety, safe roadway, or even decent internet service. She said because she can't wrap her brain around everything being proposed, she said she will be focusing on three areas: traffic, noise, and safety, but primarily traffic.

Chairman Hoobler address Mrs. Sheffield that Mr. Sheffield has already addressed the traffic.

Mrs. Sheffield said she was going to address some things that are different.

Chairman Hoobler said okay.

Mrs. Sheffield stated that with regard to the traffic, I think it is a known fact that Wildcat Creek Road is an unpaved, dusty, narrow, unimproved road that parallels a winding creek bed notorious for capturing and toppling of unsuspecting drivers into the creek. Yes, the County has told us that they do plan to black top the road, but even after the road is black topped it will still be the same road, just without the dust. According to the traffic report, as my husband said, the intersection of Wildcat Creek Road and Scenic Drive will drop to a Service Level F once the proposed changes are implemented and that is the lowest level of service. Without knowing and I am glad that my husband passed out the metrics with the math because we went through this so many times and every time, we went through it, the traffic wait lines could vary at the minimum of six hours and according to the traffic study twenty-six hours. So, it should be noted that these cars exiting facilities that have only one way in and one way out and will be emptying onto a road with no side streets for a stretch of five miles from Scenic Drive to Eureka Drive.

Mrs. Sheffield said in regard to the noise, the PUD proposes an outdoor amphitheater which accommodates seating of up to 3,000. This involves amplified sound and here to for quiet residential agricultural community known for its peaceful ambiance, hardly would be called a compatible use. I would also like to point out the....PUD on page 3, under List of Permitted Uses 7.b., "Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties." However, under this same list of permitted uses, number eleven states outdoor amphitheater with approximately 3,000 seats. This seems like a contradiction there.

Mrs. Sheffield stated in regard to safety, I would be glad to see because when I saw the initial PUD, there had been no report yet made from emergency services or rural fire services. So, what I had prepared was and want to alter just a little bit, so I was glad to see they did address some of the issues onsite, but one of the things that I didn't see addressed was the issues associated with the traffic and the need to get through when potential need four point five miles of cars backed up on a road that in some places is only a lane and half. Beyond that, with regard to safety, I believe there are a number safety concerns that may be unique and this particular proposal that do need to be addressed. I only have three fourth of a page left, first of all, there is alcohol, the very foundation of the winery's business is to sell alcohol. We already mentioned the challenges associated with the road, now let's add to the road challenges the fact that most of the driver's leaving the winery have indulged in some form of alcohol over the course of the evening. This has to be taken into consideration when you think of safety. Weather. There are no storm shelters on the winery's premises. The outdoor amphitheater will be primarily operated during spring and summer months when storms are most likely to occur. Should a tornado or rain be an issue during an event, quote I say in events, because recognizing that an event could be anywhere from two hours to several days in duration. Attendees would have nowhere to take refuge and would be stuck in hours of deep traffic if they attempted to head into town. Flooding and speaking of weather one cannot ignore the fact that Wildcat Creek Road is notorious for flooding. Regardless of the pavement status of the road, flooding will continue to be an issue. (timer sounded). Imagine the potential for chaos if Wildcat Creek floods with four point five miles of cars backed up on it.

Chairman Hoobler said I am afraid I am going to have to cut you off.

Mrs. Sheffield said I have one more item on my list.

Chairman Hoobler said fine, then.

Mrs. Sheffield said that the PUD states that porta-potties will be used for human waste and sanitation needs. What metrics will be used particularly for events that lasting multiple days for maintenance and cleaning of those porta-potties. As a side, I find it interesting that only a few years ago Wildcat Creek landowner proposed the use of porta-potties for servicing human waste and sanitation in conjunction with a crowd of 200 and that neighbor was told that was not allowed. So, I just think what's noteworthy is that was also during the pre-pandemic time, when there was much less concern with regard to the impact restroom facility cleanliness on public health. It was not only a public safety issue with a crowd of 200 a few years ago in pre-pandemic world, why is now okay for a potential crowd of 3,000. So that concludes what I have to present. Thank you very much.

Chairman Hoobler asked if there were any other opponents.

Eddie Estes stated he lives at 5707 Saddle Rock Road, which is one road to the south of the exit off of Wildcat Creek Road. He said I drive the road often I concur with previous comments regards to traffic concerns, been driving the road for 17 years so I have experienced a lot of it. One other point needs to made that I'm sure you are aware of. We're talking about road improvements and the Riley County sales tax. That question didn't detail out what improvements are going to occur. That question was a little more generic than that. I know that the advertisement and lead up all the information in regard to the sales tax had example projects, the question is not that detailed. So, my concern is there is no assurance those improvements are going occur. Those will have to be designed, bid and moved onto County Commission for final approval. I can't see the assurance at this point that those improvements you speak of are set in stone. That is a concern because we are talking about substantial need for road improvements,

but I don't think anyone can give me assurance it's going to happen at this point. The other aspect is just compliance with the Riley County Comprehensive Plan. I think some things are stated in the Comp Plan is the importance of rural nature, the rural character as well as just the agricultural aspect. As we're taking some land and we are increasing parking, we are increasing sewage lagoon, expanding sewage, you are reducing the agricultural potential for a piece of property and I feel that adding a RV aspect, adding increased parking, taking away this currently rural gravel roadway and improving that to a paved roadway, all those things give me concerns that we are moving away from rural nature of the area, which has been important to me. The reason why I have lived where I live for 17 years. So, we need to think about those, the Comp Plan states the importance of the rural nature of Riley County and the preservation of the agricultural aspect, I think again and I been to both the venues on the road and I have enjoyed them both. They seem to be very successful; my concern is just the expansion and the impacts of the expansion that is going to occur. Thank you.

Chairman Hoobler said thank you very much and asked if there were any other opponents.

David Adams, 1725 Wildcat Creek Road, stated they lived right next to the winery.

Chairman Hoobler asked Mr. Adams if he was speaking as one.

Mr. Adams said we are speaking as two people and will go the three minutes for the both of us, okay?

Chairman Hoobler said okay.

Wienck pointed out to Mr. Adams that Mrs. Sheffield said she was speaking for all you folks on Wildcat Creek Road.

Chairman Hoobler said speaking for all you folks.

Mr. Adams said that is the other folks.

Mrs. Sheffield said she was speaking in regard to traffic.

Mr. Adams said he wishes to address something entirely different.

Chairman Hoobler said she would appreciate that you not say anything about traffic.

Mr. Adams said I can't even agree with it, ok.

Chairman Hoobler said if you agree with it, that is great.

Mr. Adams said that is an agreement with us. Anyway, this is my wife Carol Adams and I am David Adams, 1725 Wildcat Cree Road, we are going to address the cabins for a little bit. They are directly north of us and there are 12 cabins listed on that PUD and there are 16 cabins on the drawing. Each cabin has about 20 x 40-foot parking area. Each cabin is to accommodate two residences. Questions we have, these are located approximately 450-foot from the north property line directly up the hill from our home. The riparian buffer shown in the plans will not provide noise attenuation when guests return to their cabins following a wedding, engaging in outside conversations. Have you ever been outside in the country? Sound goes a long ways. What are the plans to address this noise and inconvenient interruptions? Others report that guests do not leave events but return to their cabins and would rather stand outside and drink beer and have loud music. So, and they want to have a fire pit because that is the way people treat you. Generally, disrespect the privacy of others and who will enforce the quiet hours? The cabins, there are currently no quiet hours listed for the cabins. How does this current plan address the right to privacy, peace and quiet for us? The lagoon is currently built down in the slope of the hill and

located directly in front of the cabins. Should the lagoon fail, runoff onto our property and into Wildcat Creek would exist. Each cabin has 20 x 40-foot parking lot of course and sufficient for four vehicles. Where are these additional vehicles, addressed in the report that says cabins will accommodate two people? What kind of lighting will exist around the cabins to create less spillage? Who will manage the fire pit usage particularly during there is no fire burning warnings in Riley County? Everyone who lives on Wildcat Creek Road has a dream but this not our dream.

Carol Adams said what I would direct your attention to in addition to the issues about cabins on page 9 for the plat and development plan amendment. The Kansas Supreme Court decided in a different land use study that there are factors that go into decision to rezone a property appear to be more than list of concerns stated in here in this plat. Certain criteria must also be examined so I ask that you consider the questions and that you also have answers to those questions to those of us who reside on Wildcat Creek Road. Is the rezoning compatible with the character of neighborhood? The answer is no. This is a rural residential, pasture farming, grass planting woodlands, not commercially developed. (timer sounded) Residents are known to walk or ride horseback every day along road. The KSU track team runs on Wildcat Creek Road. Bicyclists enjoy the road and the residents; we walk along the road which is becoming increasingly unsafe with the current amount of increase traffic. Question two, is the rezoning compatible with the zoning and uses of properties nearby? No, you heard from Eddie Estes and the Comp Plan for Riley County. This works in contradiction to that. Number three, will removal of the current restrictions by rezoning detrimentally affect nearby property? Yes, the cabins are 450 feet from our northern line and if you look at that a 90% turn right next to the winery driveway that is a funnel and the sound from visitors and guest after 11 o'clock at night will funnel right down into our backyard and into our home and sound carries. So, there is no plan to mitigate that sound and that riparian barrier is not sufficient to attenuate the sound. Question number four, 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? The beneficiaries of this plan are of course the Tegtmeier's. The rest of us have no benefit to it. Denying the rezoning provides greater safety to those who live on Wildcat Creek Road by reducing traffic, creating more stable maintenance and safety along the gravel road and providing for the timely arrival of emergency services. I will say the traffic study in this light, everyone who has been talking about people leaving an event. Nobody has talked about 1,200 to 1,500 cars coming bumper to bumper off Scenic Drive to an event. Because you all have been to an outdoor concert, and it all doesn't go zipity right up the parking lot. There will be a line of traffic which imposes enormous emergency service issues for us.

So last but not least within the plans are two letters of support. In talking with my neighbors one of these is from the Kansas Tourism Director and one from Manhattan Convention and Visitors Bureau. The question among our residents and the ones that are not able to be here this evening is this: why should be voices these entities be louder and stronger than those of us who live on Wildcat Creek Road and will garner no benefits and will assume all of the risks involved with this plan? Thank you for your time.

Chairman Hoobler said thank you and asked if there are any other opponents?

Leonard Katzer, 3131 Wildcat Creek Road, located right below Saddle Rock. He said in 1993 I came the university to finish my degree and fell in love with the area. Located, after many, many months, a piece of property to buy. What I bought was an old A-frame made out of timbers from a train depot in Wichita. Since then, we tore that down and eventually built a new house. We



have been there for 25 years. The peace and quiet; I am nature kinda person. We feed birds, take care of other animals and things, but I hate to see what was a dream being in the country and retiring to be kind of hurt by traffic on Wildcat Creek Road. Everybody has talked about the traffic from Wildcat to Scenic. What you failed to realize is the gravel road runs south to Eureka. There is no doubt in my mind that if traffic is backed up to Scenic, they are going to make a turn and head south on that gravel road. That road now creates so much dust from so many cars it's getting kind of unrecognizable from what it was when we first came. So, consider those people who live on the south part of Wildcat Creek will be impacted by the traffic also. Thank you.

Chairman Hoobler said thank you and asked if there were any other opponents.

Hi, my name is Ryan Kegley and I live at 1403 Wildcat Creek Road, next to the Adams and just a couple of doors down from the winery.

Chairman Hoobler pointed out that Mrs. Sheffield said she was speaking for everyone else.

Madame Chairman.

Mr. Kegley said it is not even 9 o'clock.

It's your responsibility to listen to everybody. All of these people are property owners and taxpayers and it's your responsibility to listen and make a decision. That's your responsibility.

Chairman Hoobler said we know that and we take it very seriously. She asked Sir, would you like to come to the podium?

I will.

Chairman Hoobler, state your name now if you want to address me.

He will have to step back. He has the podium

Chairman Hoobler said please, please.

Mr. Kegley said sir you are welcome to come up right now. I will take my turn after you.

Madame Chairperson.

Chairperson Hoobler said yes.

Fellow commissioners, my name is Calvin Emig and I live at 3010 Prairie Star Drive. Excuse me for my outburst but I have been at several city commission meetings and Riley County commission meetings, and I have never had a treatment like this commission that you ma'am have expressed to these people.

Chairman Hoobler said well sir, we will talk about this afterwards because I went through this very same thing a few years ago and this was the way it was. So, we will talk about it later. Sir, do you have other statement you want to make.

Mr. Emig said your position is to make an ultimate decision about this application and my opinion, this is my opinion, this is a very aggressive PUD application, and it will have very significant impact on the traffic on Scenic Drive. I would venture to say that there will be numerous, serious accidents from those people that will be attending or leaving that event because of the heavy volume of traffic on Scenic Drive and 1,200 to 1,500 cars leaving that event at a certain period of time, if that be at 11:00 pm or 6:00 pm in the evening. That in itself leaves a big burden on upon your decision tonight. That could very well could be the next big traffic area and accident area. There several of those in town and several of those in the county. That could create a very serious problem for those people. For their patrons somebody will have

to take the burden of those accidents when those people get hurt. So that is your responsibility to weigh that versus approving something that in my opinion does not belong on a gravel road; a two-lane gravel road and there is no immediate plan for an asphalt overlay.

Chairman Hoobler said thank you very much.

Mr. Emig said thank you.

I am still Ryan Kegley and I still live at 1403 Wildcat Creek Road. I actually wanted to take a step back, there are a lot of comments about the amphitheater I think probably understandably. I share all my concerns about the noise, traffic so on and so forth. What I actually wanted to do is step back and look at page 3 of the details of the development plan where it list all these things that seem to be predetermined is the List of Permitted Uses, which makes it seem like an outdoor amphitheater is a rubber stamp list of permitted uses which actually is not true. It's up to you guys to decide I suppose, but number two is agritourism. Agritourism is defined as by Article 9 of the Riley County Land Development Regulations, agritourism is and this gentleman, Bob I think he read part of this I would like to come back to it. Activities conducted on and accessory to a working farm, ranch, vineyard, or other agricultural operation conducted for the enjoyment and/or education of visitors, guests, or clients to view or enjoy rural, farming, or ranching activities; and/or historic, cultural or natural attractions. The winery is obviously a winery, they have a number of vineyards, grapes grown and the activities they generally have there now I would say is supportive of that activity. I would argue that the activity that would incur or part of this expanded PUD would have very little to do with the fact that this is a working winery and the people coming there are meant to be enjoying it as such. The last thing I will say is because this revolves up on a hillside the people that are going to be in these RVs, the cabins and event center and everything else, are going to have these spectacular views while the rest of us, that is going to be our view when we are hiking other trails and lands on our own properties around there. That's currently not a small campus for neighborhood built on top of a hill on a very rural stretch of road that does not seem like my idea of rural. So, thank you.

Chairman Hoobler said thank you and asked if there were any other opponents?

I am Kail Katzenmeier.

Chairman Hoobler asked speaker to please speak into the microphone.

Kail Katzenmeier, live at 1083 Wildcat Creek Road for almost 25 years. I remember when we were the new kids. I didn't realize, like has been expressed, that we could only have three minutes and I don't have any way to condense my comments in three minutes so I am going to abandon them and just speak from what I can do best is from my heart, my spirit, and my mind. On what I want to be first clear on is nothing against Dani and Dave. We have nothing but admiration for them. In fact, we run a little business on the same road, and we commonly and frequently refer people to them. This is about what is the right decision for this Board to make, and to recommending this or not recommending that. Instead of hitting on all my points traffic and one of them is life safety, one is environmental impact concerns, one of them is noise concerns and one of them is precedence and one of them is compatible character with the neighborhood and another one is uses of the properties nearby and other one how detrimentally affect other properties and I would argue on that note that detrimental affect just to property values. There are several neighbors here that I can tell that I would not purchase their home if this is what is going on. But I also want to step back the complexity of this is so much. I was sitting here trying to empathize with each one of you as a Board. I don't know how much time you have had to study this, unfortunately we are just trying to get up to speed since Friday last

week. I have been spending the weekend trying to understand it myself. There is so much in here and I will tell you there is so many inconsistencies, there is a lot of contradictions and there is a lot of holes where we are basing final binding permanent decisions predicated on assumptions. But we don't have time tonight to you know judicate that and go through all that nor would I try. I would just encourage each of you to realize that we have spent a lot of time with this. I have talked to other experts, some in this room and some outside this room who feel like a lot of what is being presented is flawed at best and that is not to point fingers or blame. It's just to say and encourage you to that there is a lot here and it really needs to time to be figured it out and pull it apart.

Mr. Katzenmeier said, amongst others that I can speak to is, number one is precedent. My wife and I, twenty years ago, moved out to the country with a dream and that dream evolved into having a rural retreat center called Prairiewood. It's a very small boutique, in fact we built no other new structures we just used what was there originally and we believe in the restoring and not building and not developing, just want to use what is there. But I can tell you there is a problem with precedence here that needs to be considered. If they get to have a second event center, and they get to have a restaurant and they get to have sixteen cabins and they get to have a 3,000 per person amphitheater, when I show up the same road with more property and request the same thing if this has been approved there is going to be a real problem denying our request with equitable precedent and I don't think anyone tonight can just in quick common sense think that four event centers belong in the same stretch that everyone else is already talking about. That two restaurants fit multiple cabins; I think everyone would have to say wait somewhere in there is a line we've crossed if this got approved as it is that line wouldn't be considered. (timer sounded)

Chairman Hoobler said time is up. I am sorry.

Can we give him our three minutes? We are at 1243 Wildcat Creek Road.

Chairman Hoobler conferred with Mr. Isaac and said okay.

Mr. Katzenmeier said thank you. He said the other piece of this that I think needs to be considered is just really very plain common sense that goes back to the traffic but even from a different perspective. We live one mile down on the road, I did figure that based on the Planning Board's own report and the traffic surveys and report that would be a Level F intersection getting out, which everyone can picture that pulling onto Scenic Drive and Wildcat Creek Road, it's a Level F, which is like a failing grade. A minute and a half you are waiting. But a minute and a half times 1,200 cars, which would be backed up past our house, backed past our business. But was also mentioned, would also mean the inflow of that on days where that was happening our little business, we wouldn't have any customers. No one would come and shop our little gallery because they would have 1,200 cars taking two or three hours to get in. That is detrimental just at face value. But more life safety is when I think about the traffic which admittedly has not been figured out. And I think about trying to turn left to get out to go somewhere or right depending on whether people are coming in or not to get into town, if I or one of my kids had an emergency or myself or my wife, pulling out into stream, there is no mitigation for what would happen with those backed up cars. It's a two-lane road without shoulders, its curvy. Until things like that are answered, which can't approve something that would put that kind of risk and burden on the community and so it quickly reaches the bar yes, the public health would be more damaged then the damage to not being able to do what they are doing now. I don't think every element of this application is wrong or bad, I think it is premature to present it as a proposal when there are so many things that need to be studied further and understood further. My last question will be this,

when it says that the traffic study can't determine event and infrastructure determined safe travel before that many people whether than is 200 people or 400 or 800 people leaving an event or 3,000, my question is why not build a 5,000-seat amphitheater. Why not have 50 cabins instead of just twelve. Why not have 5,000 amphitheater instead of 3,000 and if we can't answer that question of why 3,000 is ok but 5,000 isn't based on whatever empirical evidence has been study and presented and trusted we can't approve something until those answers are available. So, my job tonight is not answering those questions but to present questions that I believe have not been answered and ask you please to be sure to get answered before this is approved. Thank you.

Chairman Hoobler said thank you and asked if there were any other opponents?

Rebecca Katzenmeier, 1083 Wildcat Creek Road, and I will be pretty quick. Kail is my husband, and we are the owners of Prairiewood and I want to reiterate that I am completely for Dave and Dani as people, as neighbors. I have been here on the other side of the coin and it's just like ten years ago and it's really a really difficult thing and I learned later what everyone was worried about at that meeting was that this beautiful neighborhood we have would be developed. Because we have a company called Capstone 3D development company, so there was some misunderstanding about what we wanted to do with this space. To be congruent with the neighborhood that we are in we have to think about impact. These ideas are fabulous, there fabulous at a state park. They are fabulous where there is infrastructure. They're fabulous when there are things that can care for the people who are there and all these things, I missed a lot of this but everything Kail just said is genuinely true. What is already happening on Wildcat Creek Road in between what we do and what they do that is enough as far as cars, there is a lot of dust that we all have to experience. Plus, just the neighbors and I can't imagine that the extent of how gigantic this is can be solved in a way that is safe and that is a huge thing for you to consider. Thank you.

Chairman Hoobler said thank you and asked if there were any other opponents; if not, are there any proponents? If not, Mr. and Mrs. Tegtmeier, do you have anything that you would like to add or clarify?

Mr. Tegtmeier said there are lots of details, I guess, which I would like to explain more. I guess I see things differently. The amphitheater, I will start with that, I guess. The amphitheater was originally an idea that came into fruition to try to do more good for our area and our community that we love and call home. When I lost my sight a few years ago and regained it I wanted to be able to give back. The original plan with this amphitheater was to be able to host events for churches for nonprofits, also events for us to make it viable, but the real goal was to do more good with our facility with what we have created out there, to show people what the Flint Hills look like, what Kansas looks like. It's the best thing that has amazed us over the years is when people come out from the cities or live in Manhattan, and they come out to our place and they look over the Flint Hills and they say we didn't know Kansas looked like this. This is beautiful. That makes it worth it. That people can come out, sit on our patio and enjoy what we have created from the land and look at the views that they didn't know were here in Kansas.

Mr. Tegtmeier said agritourism, by definition, is getting people to understand agriculture better. Getting people to come out and drink wine is one aspect of that. You can only get so many people to go on vineyard tours and try to educate them on vines. An amphitheater allows people to go and enjoy somebody that they enjoy music from or go to an event and see where we will design the theater to see that view. You will be able to enjoy that setting. That builds a connection with people and the land and agriculture at the same time. That is what is needed for agritourism, that is what the state wants for agritourism. That is what is needed for agritourism to



help protect agriculture in this state. I grew up in a farming family. I am a seventh generation Kansan on my family farm. I understand that farming seems to be dying in Kansas because people don't understand what it is anymore. They are detached from it. They are detached from agriculture. And the Flint Hills are no different. People drive through and might see what is on I-70, but they don't and look around and actually experience and enjoy it. They do that at our place, and this allows for a draw of more people to those events. To actually have an experience that change how they view the Flint Hills, view Kansas and view agriculture.

The cabins, the location was to keep them away from Fort Riley. There are not many locations that we could do with that. We are designing those cabins. They are not the cabins down at the lake that anybody goes to party. We are designing this small quantity of luxury cabins. The goals with those is to actually market to people in the larger cities, Kansas City and Wichita, as a couples retreat to get away and experience something that they didn't even know was here. There is a major push for vacations in Kansas and the Flint Hills has just that. There are not enough places to go do that. You can go stay in a hotel but that is just another hotel. When you wake up in a little cabin with a view when the sun comes up and have your coffee, that is different. We want to be able to provide that and provide that experience for people.

The event center, it's a needed thing for the area. We have so many weddings that we have to turn away those that are smaller sizes. So many corporate and smaller groups that one is on the long-term plan. The RVs, the idea behind that was to allow people passing through on I-70 to actually stop and come in and enjoy the area. There is a major following around the country. The Harvest Hosts, are mainly retirees that travel the country going and staying at wineries and they use this to go around to wineries and basically have experiences around the country. That was the goal with the RVs. We are not trying to have people come out and get crazy in RVs. That is not the goal this is people that are coming through as a destination and come experience and see what we have built. In Kansas, the last place people thought they would find a winery with a view like that. I know this is a lot to swallow and it's not all planned to be done at once and it's all things that truly are needed additions to the area and to our facilities, to do what we need to do.

Mr. Tegtmeier stated the amphitheater, with the traffic, the 3,000-seats seems like a big number but that's the allowable capacity. Most events won't be that big. I guess we would hope for big events but that is not the case. We are not going to have events all the time because mother nature limits how many events we can have on our own. There are so many things going on during the summer that you can't have an event all the time. The traffic coming and going on the roadways, that number if you add up the rough number of guests that we have on a single weekend and for weddings and our tasting room, it's near that number already for people at our facilities. So, the current traffic would not be much different. The event traffic would just be at a larger influx and a larger leaving which I believe could be elevated with proper traffic mediation measures with possibly Riley County Police Department. There are lots of things can be implemented all these problems that have been brought up. Is there any more questions for me, I guess that I might be able to answer or am I allowed to do that? I don't want to waste any more time tonight.

Chairman Hoobler asked the Board if they have any questions of David?

Chairman Hoobler said the traffic seems to be a big concern to everyone and asked is there any thought to having two roads in and out of the facility? Is there an option for that a second road somewhere? I know it all goes onto either Eureka or on Wildcat going around, but just the fact of having two roads coming out and two roads going in.

Tegtmeier said that would help solve the traffic problem on our property, I guess, but it will still end up on Wildcat Creek Road.

Chairman Hoobler agreed it's still going to be on those two roads yes.

Tegtmeier said I think the elevation issue that most people are bringing up is the intersection of Wildcat and Scenic Drive.

Chairman Hoobler agreed.

Tegtmeier said there would need to be some traffic measures taken there.

Chairman Hoobler agreed.

Chairman Hoobler said I think the report alluded to that it would have to do, at least.

Tegtmeier said I would agree that there does need to be now. He said it's tough to get onto that roadway if during rush hour traffic and stuff during the day.

Chairman Hoobler said okay.

Tegtmeier said but that is a problem that is already there, so.

Chairman Hoobler said okay.

Tegtmeier said that during our events we would have to have, we don't want our patrons waiting. I am not sure what the estimations, they seemed quite high, but four hours is not acceptable so we would have to do something towards where people would not be waiting for hours to move them out. We are not in New York City here. We shouldn't do that, so.

Larson said your timeline for the amphitheater was like twenty-five, 2025.

Tegtmeier said I would like to start construction of the amphitheater this year if possible. I was hopeful to have the first event this year, but this is not realistic. Mainly, we would get it built then get a lot of it in grass. I call it an "earthen amphitheater". This isn't the big concrete, seats like the K-State stadium. This will be from limestone blocks, quarried nearby and then grass terraces, in tiered terraces. It will look natural to the environment.

Larson stated that the concern I have is the dust issue. I mean, that is a lot of cars backed to backed and backed stirring up dust. Until that road would be paved, I would have a serious issue with it.

Tegtmeier agreed.

Chairman Hoobler said they said that now that the county put the chemicals on the road, does that help with the dust issue?

Tegtmeier said that it does.

Tegtmeier said it does considerably because if you drive to my house past the winery, there is a big difference between where the "mag-chloride" is on the road and where it is not. Our house is very, very dusty. Our screens our constantly dirty, there is dust everywhere at our house because our house does not get the magnesium chloride treatment. There is some dust, yes that depends on the humidity in the air, but it is in effective measure. Currently, it is used to decrease dust, but it does not eliminate all the dust.

Chairman Hoobler agreed.

Tegtmeier said magnesium chloride acts by gathering moisture out of the air. So, it depends on the humidity how effective it is on a really, really dry day, it's not as effective. Paving would be the ultimate solution, from widening the road with everything. Along the creek side, putting up guard rails and all that kind of stuff would be the ultimate.

Wienck said, I wrote down a couple of questions or a question, I guess. Storm shelters, somebody brought up storm shelters. I am sure this has probably come to your mind occasionally. What are you planning? Would you plan if this would be put into effect, would you plan to have some type of storm shelters for your customers.

Tegtmeier said yes. So, I do have a storm shelter. It would actually be close to the second event center location that people could use. That we could turn into a fully usable storm shelter. Currently at our event center, our building is a very strong steel frame structure. The company that designed it said it is guaranteed rated for I think 150 mph winds. I know a tornado can be more than that of course. Our building is also designed with a larger footprint building so the interior space has a very strong main fire wall, double-sided fire wall which is where the restrooms are and the catering kitchen. So that acts as our storm shelter since it is in the interior part of the building, and it is the strongest supporting wall. Structurally of the entire space. For the event center side of our tasting room, that is what we have always used. For the amphitheater, by nature the amphitheater itself will be in one of the lowest lying areas. The stage will actually be at the bottom of a very deep draw. Way down below there will be hillsides. The winery is actually I think 85- or 90-feet elevation higher than the actual stage will be. So, it is down there quite a ways. It's backed by a complete cedar tree covered hillside with 80 to 100-foot tall 75-year-old cedar trees that are in that draw that will act as a sound buffer. Then goes up to another steep hillside on the other side. That in itself helps provide a natural bowl. I know it's not a complete storm shelter but if there ever was event that everybody would get down to the stage area which is the lowest point. I know tornados don't always do that, but in general, tornados tend to because they actually don't have the capacity to drop down that quickly they tend to skip over high points and not actually ride down into a point that's that dramatic of a change so it would offer some protection.

Tegtmeier, when we actually build full permanent stage down the road, I did not say I wanted to do that right away because I don't know what would be needed as far as sound structure wise. I want to actually host some events see what is needed first before we build a permanent stage. I don't want to do it wrong. In doing that that plan was actually to build an area underneath the stage that would have both what they call a green room for the people to get ready and potentially restrooms down there as well. So that would act as a storm shelter then.

Wienck said, so the comment was made earlier on the amphitheater and you kind of eluded to but that somebody made a comment that several days of concerts and loud music and stuff and you eluded to a little bit ago that it was a more lower keyed, you know, type of concerts and stuff that you would have, correct?

Tegtmeier said affirmed and stated we are not going to be having AC/DC or anything out there. That is not the style we are looking at. It is not a big enough venue. The size was really needed that sound one asked about the size and why did we decide on that size. That was what was told to me as a big enough size to where we can actually attract people from afar because we are able to get people that are big enough to pull from afar verse little local bands. With that size, it's also that size that is limited by that bowl. We can't, it's not big enough. To design it the way I want to as an earthen terraced with grass. A comfortable amphitheater, it couldn't be any larger in which there is no need. If we wanted actually to have a big amphitheater like the ones in Kansas City

those are 20- and 30,000 people at those. Red Rocks out in Boulder is 10,000. So, we are quite small in comparison to those but its big enough it allows us to actually get people, big enough acts that people would come from afar to come to it, which was the main goal.

Larson asked, were you looking at multiple-day events or just single day events?

Tegtmeier said, single day events. The only multiple-day events would probably be tropical in nature. We also want to use this to give back, so church events we would let use it. That would be donations from other area businesses could help host those events. What really started it, I think I began to say this earlier and got sidetracked. We work a lot with Envision Group out of Wichita which is a company that's one of the largest in the country that helps the visually impaired and blind find jobs, find purpose in the world. We would do a lot of events directly for them and the goal with it, my dream with it was to host an annual event that may be multiple days to where we could have it be free to anybody visually impaired in the country. I know that is very wishful thing to imagine. We would have to have a lot of help to make it actually a reality, but that was the initial thought that made me want to create this. How neat would that be to be able to give back to all the people in the world aren't as blessed as I am to get sight back. In a way that they can come together and enjoy music. I have always loved music but when I lost my sight, music became my world. And to give them that opportunity to meet other people at an event like that from across the country, that is what I really want to do. That would be a multi-day event and similar ones like that. As far as concerts, we are not going to have country stampede; it's not a large enough of event or large enough space or anything like that. We don't have enough flat ground. Our flat ground will be the parking lot so we can't have big, all the stuff that goes along with the stampede. We are on the hillside.

Wienck said, one other thing that was brought up and I want to clarify it before it gets out there. There were several times this evening and it's been talked about like 1,200 vehicles per event out there in your parking lot only has 500 stalls. So, is that false information that there is going to be 1,200 cars there at a time or is that just 500 new parking spots?

Tegtmeier said, I think that was additional to our existing.

Wienck asked, so what is your existing parking lot?

Tegtmeier said, you can probably see it on the PUD.

Wienck said, oh ok it says ok, but it doesn't give an actual.

Tegtmeier said, it's about the size of what would be of your 500.

Wienck, so you could be at 1,000 cars? Okay.

Tegtmeier said, yes and we can make it larger than 500. We obviously want to have enough spaces.

Wienck said, okay.

Tegtmeier said, that is not a problem.

Wienck said, I just wanted to clarify it.

Tegtmeier said, our parking lot is so large now because it was, we didn't have organized parking previously and so we made it larger so that people find enough space, so it wasn't a very well used space in the parking lot before.



Wienck said, so you are, I am going back thinking about the drainage and stuff. Those parking lots are all gravel, the new one, would it be gravel as well or are you planning on putting in concrete slabs up there for all these vehicles?

Tegtmeier said, no it would be gravel or grass.

Wienck said, okay.

Tegtmeier said, that was the plan because, again, we use it generally for a few events a year. As long as the grass, mowed grass would hold up in that area, we would maintain it that way as soon as it didn't, we would put it to gravel.

Wienck said, but you have no plans in putting concrete up there for cars.

Tegtmeier said, no.

Wienck said, ok, alright.

Chairman Hoobler asked, do you have plans of paving your driveway going up or will it stay gravel?

Tegtmeier said, once the road is paved, we would look into that.

Chairman Hoobler asked if anyone else had any questions.

Rita Cassida asked, how many events a year are you going to have? Seems like people were mentioning a discrepancy in the number of events.

Tegtmeier said, we gave a rough estimate I guess to the county of what we thought realistically we would have. We are really not sure, and I guess describe an event, because some of our weddings may want to use this space for their wedding. We may have some churches that are hundred people that want to have a small event there and then we will have music events. We will have other fundraiser events which is why, I guess, what is an event? Smaller use of it on certain days as far as actual music events, we are planning on that around eight to ten or something and that is realistically all I think we will be able to manage. There is only so many days during the good time of the year here in Kansas when you can do it those kinds of events so.

Larson asked, you have been hosting events there now, weddings and so forth?

Tegtmeier said, yes.

Larson asked, has that caused any major traffic issues?

Tegtmeier said, no and nope. If we get on our busy weekends a few added up over the course of weekend. Our traffic over the weekend would be between I think 1,500 and 1,800 people potentially to our location.

Chairman Hoobler asked, how many vehicles is that?

Tegtmeier said, it will be spread over multiple days.

Chairman Hoobler asked, but still, how many people, how many vehicles.

Tegtmeier said, I don't know how many people you add to a vehicle. I don't what the number is. They fit in our parking lot, so.

Chairman Hoobler said, okay. Well, I was going to say you know if they tend to come in fours instead of two.

Tegtmeier said, you never know.

Chairman Hoobler said, don't know for sure.

Tegtmeier said, I would say probably on an average, I would say two or three people per vehicle on average would be the estimate.

Chairman Hoobler said, I know there are some discrepancies between the report and the drawings stuff which is not anyone's fault in the planning offices or our part and stuff, but are there 16 cabins or are there 12 cabins?

Tegtmeier said, 12, that was just a mistake on the drawing.

Chairman Hoobler said, okay.

Tegtmeier said, I think that is supposed to be corrected, but it just wasn't done in time on this mylar.

Chairman Hoobler said, right. So, I just wanted to clarify that.

Cassida asked if she could ask a question of Bob.

Chairman Hoobler affirmed.

Cassida, I am not sure my answer would be within the realm of the Planning Commission purview to limit the number of events in the amphitheater for a year. Is that even done? I am new to the Commission so I am going to ask some questions that may or may not be um. I know like with specialty permits, sometimes you can do that, but is it just not part of the PUD.

Isaac responded, typically we don't get into that unless we can provide reasons why that would need to happen. Look through the list, is it traffic. Is one event, as far as life safety if it can be proven something like that is a problem as far as life safety, one, eight, ten are they all a problem. If traffic can be managed back onto the site and two different directions on Wildcat Creek Road and if necessary, we have law enforcement helping out disbursing traffic, they can control that at certain times of the evening and if that can happen successfully and safely then again what are we using to say no to. The noise, if the noise can be managed as they are proposing, it's no different then what it is now. I am not sure if you want to go into, it's more or less my opinion, if it comes down to a business decision. What hours of operation would we force a business to have based on what?

Chairman Hoobler said, I was going to say they haven't asked for the sound decibels to be raised.

Isaac also mentioned the PUD has quiet hours in addition to the decibel standard.

Chairman Hoobler asked, then they have quiet hours?

Isaac said, allow me to clarify that one. The quiet hours apply to the entire site not just to the winery. I believe there is another one in there that looks like an inconsistency or contradiction, but a originally when this was brought before the Board in 2014, the focus was on the events occurring inside the building, so there was suggestions that there should be some sort of insulation and noise mitigation construction methods in the building or any building. It was constructed to have an amplified sound in it. So yes, that occurred. If you notice though, it says "indoor or outdoor" so, regardless of how the noise is generated whether it's indoors or outdoors, the standard is still the same, it's 65 dBA at the property line. Any property line. That has to be maintained. Of course, yes, there's always, "well, what if it isn't maintained?" When it comes down to anything dealing with zoning, if there is a violation, there's a violation. We go through

the zoning enforcement and violation process with the applicant; as we would with anyone. Not sure if that helps.

Cassida said, no that answers it. My next question might be for you too. I don't know. Where I came from in the past, when a county has a sales tax for a certain road, that project is approved up front before the voters vote on it. Is that true?

Isaac stated the project has already been approved.

Cassida asked, so it definitely will?

Isaac said, yes, it is definite. It's not an if, but when.

Cassida asked, and the geometric improvement design that might make is safer? Not designed but stated.

Isaac stated, they are not going to take out every single curve, but they are going to try and flatten out some of the sharper and the blind curves, that kind of thing, and make it a little bit safer and that is all part of the project. Ask any engineer that designs these, they don't want to put something out there that is not safe and spend that kind of money only to be not really an improvement at all. So, the pavement again is going to go to a certain point and stop. I want to back track to as far as the dust control treatment. It is the policy of the County that if it is found the current dust control method or I should say schedule is not working because of additional traffic, then there is more application dates that are put into place there. It's just not once or twice a year and that is it, no matter what. If there is an increase in traffic, if it would be Prairiewood or a convenient route to get down to Eureka from that or whatever which way, it is a public road and people have the right to use it as such and with that, if it was found that another application of "mag-chloride" would be necessary, that would happen. And they have to time that out because the application certain times of the year and certain situations can create problems. But that's also something public works has shared with us, something they would take care of as part of their responsibility of taking care of the road.

Cassida said, okay.

Chairman Hoobler asked Mr. Tegtmeier, I know Prairiewood is a church and at times their activities probably are different than what would be at the winery, but has there ever been traffic problems with the amount of people that would have there versus what is going on at your facility. I mean problems on the road with traffic.

Tegtmeier said, no I believe there has never been any problems when the weddings let out or whenever we have events at the event center that are not weddings also indoors and I never, we never, had traffic problems because of that and those will be 300 people plus and the weddings as well.

Chairman Hoobler said, okay.

Tegtmeier said, not leaving all at once and that our parking lot will be full so 400 to 500 cars potentially.

Chairman Hoobler asked how long does it take those 400 to 500 cars to get out.

Tegtmeier said, to leave our place, as quick as they want.

Chairman Hoobler said, I know, but have you ever said, "oh, they're still sitting there." There are 300 cars still in the parking lot that are just waiting to get out. Does it seem to be a long time for traffic getting out?

Tegtmeier said, yes and well, it depends. Events like comedy night things like that, I think people leave sooner and will clear out in 20 minutes or so and there hasn't been problems with that. Weddings I would think is more gradual release of people just by the nature of the events.

Chairman Hoobler said, okay and asked if there were any other questions for Mr. Tegtmeier.

Chairman Hoobler thanked Mr. Tegtmeier.

Tegtmeier said, thank you all for your time tonight.

Larson said, you bet, thank you.

Chairman Hoobler, ok at this time I would entertain a motion that we close the public hearing.

Joe Gelroth moved to close the public hearing.

Wienck seconded. Carried 5-0.

Chairman Hoobler, we are going into our deliberative mode.

Wienck asked can I start out?

Chairman Hoobler affirmed.

Wienck, it was brought up tonight, I have been on this Board for ten years that was the night that the Katzenmeier's came and wanted to make an event center out of Prairiewood. We were here until 1:30 am in the morning and I don't plan on being here that late tonight because I got a big day tomorrow. But ten years ago, my biggest beef with the whole thing of having an event center out there was the road and then all of a sudden, oh the County is going to take this road over from the township and they are going to take care of it. Well, the road is still the same road that it was then. I drove out on that road on occasion, and I drove from Scenic, and I drove it from Eureka. I will still say the road hasn't changed. Until the County makes a vast improvement with the east, I am going to say the east portion out to Scenic, it's still going to be the same road. So, traffic is always going to be a problem. I live on a county gravel road in the north end of the county. I know when there are certain things going on. I have dust that comes in and gets in my house too.

As it's been mentioned tonight, that it is a rural community and the people like that setting and I would have to agree with them. Is this the best thing for the community? I don't know, but as it was mentioned tonight by Mr. Katzenmeier, if we approve this, if he wants to do something down the road, then you know we are at the mercy of have to do something then. There is a lot of reading here and I didn't get over it twice. To just go back and completely reread it but there are segments of this plan I like, there is some of it that I am on the fence about and then there are some that I am dead set against. I am ok with the doing the approval for the houses because that is a separate situation this evening. As far as what happens up on top of the hill, the only thing I really liked the best was the, even though I have never been there for an event, seeing a restaurant type deal. I mean that wouldn't be different than Colbert Hills Golf Course, having a restaurant out there. I guess I would have a hard time with, you know, being a neighbor out there. I would probably be screaming and hollering too. That is kind of where I am standing with my thoughts for the evening. They need places to live personally and the rest of the stuff on top of the hill, the restaurant inside the winery I can see that. I have no problem with that part of it. There is always going to be that traffic deal is going to be the big issue and I don't like it. Never have.

Chairman Hoobler said that is why we didn't approve Prairiewood because of the traffic.



Wienck said then they become a church. You know so they got around some place, loopholes but anyhow that is beside the point. I will shut up and move on down the line.

Chairman Hoobler asked if there was anyone else.

Gelroth said, I have to agree with John. I think the road is the big issue and the main issue with the road is the amphitheater. I don't see the cabins or the RV parking or the smaller event center as having big events; it's the amphitheater. It's just that if you pull in 3,000 people, 1,200 cars on that small road, gravel road to accommodate that amount of traffic that could be on it I don't how many times a year, but we can't put a limit on that I have a problem with the amphitheater. The rest of it I am not seeing any problems. I had a couple of questions that will be solved, I am not sure how you are going to do this emergency management control of the wildfires with all the trees and how that is going to happen.

Wienck said not this year.

Gelroth said, I have been doing it for almost 40 years now. The amphitheater is the problem I have.

Chairman Hoobler said, okay.

Larson said, I kind of agree. 12 cabins, probably looking at 12 cars. He has weddings out there before, 400 cars and probably would not all leave at once, probably not a problem. It's the amphitheater. If you have 1,200 cars leaving all at once, that is going to be a problem on that road. I would like to see them wait until Wildcat Creek Road is asphalted and even then, getting them out of there might be difficult.

Chairman Hoobler said that (the amphitheater) was the thing they wanted to do first.

Larson said, that is what they wanted to do first but that, to me, until the road is black topped, I wouldn't want to live there with 1,200 cars going by one after another just bringing dust.

Wienck said, I wouldn't want to live there, period, with 1,200 cars going by.

Larson said, at least when it is asphalted there wouldn't be any dust.

Wienck said, I still wouldn't.

Larson said, personally I like the idea of it all. I would love to see this in our area, in our community. It gives people a reason to come here.

Chairman Hoobler said, and that is what we need. I mean we need this.

Larson said, I think it is a wonderful idea, it's the traffic and the dust and getting out on Scenic Drive. To me that is a concern whether that is ours to deal with I don't know.

Cassida said, I would really love to come to a concert out there and I know other areas where the county rules wouldn't even let you think about without having a paved road. So that is concerning it's not paved, and the geometric improvements would make it safer. I think if Scenic Drive, I don't know how many of have been to Bill Snyder Stadium when you really wanted to go right but have to go left and you had to drive around town to go home? I mean you could shove everybody on Scenic Drive and make them go right and get on Fort Riley Boulevard and find their way home. I mean, I don't think that bothers me as much as getting out on Scenic Drive because I have had to take the long way home many times because I have gone out the wrong entrance. But I think that not having the road paved and not knowing, I mean you are saying eight to ten events a year, but it could be 365 events, probably not but there really is not a

limit on that; which the neighbors would probably appreciate knowing if it's eight events or eighty events.

I know I came from Lindsborg, Kansas and there was a big three-day event down at the camp valley and the people basically paid for all the neighbors to go away during the event, in theory. They rented out their houses for Airbnb and here is how much you get if you would like to go away and they all decided they wanted to go on vacation, but you can't do that all through out the year. And I don't think you are going to have that kind of venue; not really your vibe that you are going with, so but, um yeah, the traffic is the main thing.

Chairman Hoobler said, yeah, I was going to say that the traffic; it was the thing ten years ago and it still hasn't changed any.

Cassida said, I don't think there isn't any business plan that a 1,500-seat amphitheater would sell or any other choices that might be less cars. I don't know what the payback is on your amphitheater.

Chairman Hoobler said, Mr. Isaac, I was going to say and the Tegtmeier's, I don't know, maybe work with them and would you consider postponing the amphitheater? I mean I know that you wanted to do it this year, but would you consider doing it on down the road, to give it a chance to for that road to get paved.

Tegtmeier said, yes.

Chairman Hoobler asked, yes?

Tegtmeier said, yes we would. I believe the road being paved would be a benefit to it. I know having the amphitheater would necessitate the road being paved also and one of you mentioned people turning right at Scenic Drive, I don't how it would work but Riley County Police Department do it for K-State and other major events, helping to direct traffic is something that could be looked at eventually for our few, larger events.

Chairman Hoobler said, I would think that they would be jumping at something like that to avoid people having accidents.

Tegtmeier said, we want everybody to safe as well.

Cassida asked, do they charge for that?

Tegtmeier said, yes.

Chairman Hoobler asked, so Bob, would it be best to for us to table this and come back and visit it or what?

Isaac said, you definitely have options. From what I am hearing, is everyone on the Board, and correct me if I am wrong, okay with everything being is presented except for the amphitheater.

Wienck said I didn't say that.

Chairman Hoobler agreed with Wienck.

Wienck said, I said the restaurant.

Chairman Hoobler said, he said the restaurant.

Wienck said, I said the restaurant, so.

Isaac said, okay.

Chairman Hoobler asked Wienck, what was the thing you didn't want beside the amphitheater? Was there something else?

Wienck, well I mean. I guess the cottages are only 12 vehicles, I guess, but there was some mention, so do the cabins, to clarify, so the cabins would have the same time, the noise as the rest of the venue, is that correct?

Isaac asked quiet hours?

Wienck confirmed.

Isaac said absolutely.

Wienck said, okay.

Chairman Hoobler asked so, is the rest of the Board okay with that part.

Larson said yes.

Isaac said, the question at that point is if you're okay with it, John.

Wienck said, I am.

Isaac said, I am asking are you good with the amendments other than the amphitheater. You are good with the rest of it, being the restaurant, the 12 cabins not 16, the 12 pads for the RV parking separated out from rest of the parking lot and of course, the small event center.

Wienck said, I am on the fence on that. I could go either way.

Isaac said, what I am getting at is this, the Board can do one or two things.

Wienck said, we can vote how we want to vote when we get to that point so I guess you guys do make an amendment to it and we will see how the cards fall.

Chairman Hoobler said either you like it, or you don't like it.

Isaac reminded the Board that they are making a recommendation to the Board of County Commissioners. This is not being rezoned, understand that.

Wienck said, right.

Isaac said, this is simply amending the development plan to the existing zoning district.

Wienck said, because we have two deals on the table.

Isaac said, yes that.

Wienck said, the houses and then the agritourism part.

Isaac said, so you can also recommend, I think that someone alluded to postponing the amphitheater through discussion with the applicant; postponing the event or, not the event, but the amphitheater to a date certain that is tied to the paving of Wildcat Creek Road. That is something to consider. So, it at least elevates it. John Ellermann, the County Engineer, I believe was supposed to be here tonight and I think he simply forgot, but he would have been able to address whether there have been improvements made already to Wildcat Creek Road from a township road to at least an unimproved county road. He probably would argue there have been substantial improvements made. So again, it goes back to the Board and their decision as whether to postpone it (the amphitheater until road is paved) or recommend that the other things are approved and everything is approved except for the amphitheater. So, really, it is up to you guys.

Cassida said, I have one more question. Do you anticipate you would have large event and small event going at the same time?

Tegtmeier said, no. The large events were actually planned to be more on Thursday nights during the week, and they would conclude either right around sunset or shortly after. These would not be into the night country stampede events.

Chairman Hoobler said, I would just like to say I really appreciate what you folks have done with that ugly hill out there. I remember how the cedars were growing all over and just full of rocks that. I mean Kansas used to be a wine state and it's going to take people like you to wake everybody up and let them know how good of a state it is for growing wine and stuff. I mean I have been out there a few times. I don't drink wine, I am sorry, but it is just amazing what you have done out there.

Tegtmeier said thank you.

Wienck said taking a rock hill and putting grapes on it.

Tegtmeier said it wasn't easy.

Chairman Hoobler said, I mean it's a good impression of agriculture and I appreciate that.

Tegtmeier said thank you.

Isaac asked if there were any more questions for him.

Chairman Hoobler asked, anybody?

Gelroth said, I would like to have a discussion on how we would move forward a recommendation to limit the amphitheater until after the road was paved.

Chairman Hoobler said, how we would.

Wienck said, I would say we make an amendment to the recommendation.

Chairman Hoobler said, yes.

Wienck said, stating that the amphitheater would not be built until.

Chairman Hoobler said would not consider until.

Wienck said, yeah, be considered until the road was asphalted. I guess I was thinking about that amendment.

Gelroth suggested to have them come back before the Board at that time for the amphitheater.

Chairman Hoobler asked, they would have to come back at that time?

Cassida said, postpone it until a certain date and then all of the sudden it is approved after the road is done. That is what I thought I heard.

Chairman Hoobler said, it would not come back.

Isaac clarified that the amphitheater would not be operational until the road is paved.

Chairman Hoobler said, okay.

Gelroth asked, could it be written such that that portion of the PUD be removed and then they would have to come back.

Cassida said, yes.



Gelroth asked, in five years or so?

Cassida said, that is an option.

Gelroth said, to put the amphitheater in.

Cassida said, I think that is “Option B” as a specific amendment.

Wienck said, proposed amendment.

Cassida said, yeah that is your “Option B” then they would have to come back and do the amphitheater.

Wienck said, yeah, that is where we would list the specific amendments.

Chairman Hoobler asked, the specific amendments?

Wienck said, yes there you go. I guess I didn’t look at that.

Cassida said, we could say all amendments except the amphitheater because that would be shorter.

Wienck said, yeah you could do that.

Cassida said, I am for shorter.

Wienck said, yeah ok. You go for it then Rita.

Cassida asked, shall I make a motion?

Chairman Hoobler said I am ready to do whatever you all want to do.

Cassida said, I will give it shot.

Cassida moved to forward a recommendation to the Board of County Commissioners of Riley County to approve all proposed amendments to the Preliminary and Final Development Plan except for the amphitheater.

Chairman Hoobler said, can I stop you right there? You said preliminary.

Cassida said, and final.

Chairman Hoobler said, and final? Okay. I didn’t catch the word “final” in there.

Cassida said, except for the amphitheater amendment associated with the existing Agri-Business Planned Unit Development.

Chairman Hoobler asked, do I hear a second.

Larson said, I will second.

Chairman Hoobler said it has been moved and seconded that we forward a recommendation of approval to the Board of County Commissioners all the proposed amendments, except the amphitheater, to the Preliminary and Final Development Plans associated with the existing Agri-Business Planned Unit Development.

Gelroth asked, we are actually removing that from the motion?

Chairman Hoobler said we are removing it.

Gelroth asked, so we are not putting “until the road is paved”. Not giving a date on it.

Chairman Hoobler said, which well.

Gelroth said, the reason I ask is.

Chairman Hoobler asked, what is the amendment?

Wienck said, you are amending the amphitheater.

Cassida said, amending all the PUD requirements.

Chairman Hoobler said, right, I know, but what we are doing is removing that.

Cassida said, um hmm.

Chairman Hoobler said, from there.

Cassida said, right, totally and they would have to come back unless someone else wants to make a motion.

Chairman Hoobler said, okay.

Cassida said pave the road and automatically let it happen.

Gelroth said, the reason I ask is because I live on McDowell Creek Road and that road was supposed to be improved and they had the money to do it and they pulled it down. I'd hate to see that happen on this particular road, from Wildcat Creek Road and so that is why take it out totally.

Chairman Hoobler confirmed that language has been taken out totally.

Gelroth said, I wasn't understanding what was happening.

Chairman Hoobler said, okay.

Gelroth said, at some point, it will have to come back to put the amphitheater in.

Chairman Hoobler said, back in and I know that is what they were trying to avoid having to do was to come back again. We want to try and make things work though to. It has been moved and seconded. All in favor say I.

Larson, Gelroth, Cassida and Chairman Hoobler voted in favor. Wienck voted against.

Motion carried 4-1.

Chairman Hoobler asked Mr. Isaac if there is anything else, the final plat.

Gelroth moved to approve the Final Plat of Tegtmeier Addition Unit Three, a replat of Tegtmeier Addition Unit Two, as it has been determined that it meets the requirements of the Riley County Land Development Regulations.

Wienck seconded.

Carried 5-0.

Isaac announced that the Board of County Commissioners would hear the request on May 26, 2022, at 10:20 am, in the County Commission Chambers.

**RESOLUTION NO. 060222-**

**RESOLUTION AMENDING THE PRELIMINARY AND FINAL DEVELOPMENT  
PLANS ASSOCIATED WITH AN EXISTING AGRI-BUSINESS PLANNED UNIT  
DEVELOPMENT OF CERTAIN REAL ESTATE  
LOCATED IN WILDCAT TOWNSHIP**

**WHEREAS**, pursuant to the provision of Section 4.19.F of the Riley County Land Development Regulations, David H. & Danielle B. Tegtmeier, LAWE LLC, petitioners and owners, have requested to amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development; and

**WHEREAS**, Riley County Planning Board, after appropriate notice conducted a public hearing on May 9, 2022; and

**WHEREAS**, the Riley County Planning Board has submitted its recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending APPROVAL of the application;

**WHEREAS**, More than 14 days have elapsed since the conclusion of the public hearing on the application and no valid protest against the proposal signed and acknowledged by owners of 20% or more of the property proposed to be rezoned or 20% of the total area which is located within 1,000 feet of the boundaries of the subject property has been filed with the County Clerk of Riley County, Kansas, and all information presented has been carefully considered by the Board of Commissioners of Riley County, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF RILEY COUNTY, KANSAS:**

**Section 1.** That the facts set forth in the Planner's staff report and the recommendation of the Riley County Planning Board filed in the office of the Planning and Development Department have been received and considered by the Board of Commissioners of Riley County, Kansas and have been determined to be the controlling facts concerning the application.

**Section 2.** The Preliminary and Final Development Plans associated with the existing Agri-Business Planned Unit Development zoning classification of the following described real estate in Riley County, Kansas:

A tract of land in the Northwest Quarter (NW¼) of Section 8, Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, described as follows: Beginning at the Southwest corner of the Northwest Quarter of Section 8; thence North on Section line 3 Chains;

thence East 36 Chains; thence North to the left bank of Wildcat Creek; thence in a southeasterly direction along left bank of Wildcat Creek to the Quarter Section line, running North and South in Section 8; thence South of the Quarter Section line 3 ½ chains to Southeast Corner of the Northwest Quarter of Section 8; thence West on Quarter Section line 40 chains to point of beginning; and All that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, which lies North of the township road;

LESS the following two tracts:

All that part of the following described tract which lies in said Southwest Quarter to-wit: A tract of land in the SW¼ of the SE¼, and the SE¼ of the SW ¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., in Riley County, Kansas, described as follows: Beginning at the Northwest corner of said SW¼ of the SE¼ being Corner 1, marked by a 3/8 inch iron bar; thence North 88°32'13" East 1321.71 feet along the North line of said SW¼ of the SE¼ to the NE Corner thereof being Corner 2, marked by a 3/8 inch iron bar; thence South 2°16'40" East 397.45 feet along the East line of said SW¼ of the SE¼ to the Center of a township road being Corner 3, marked by a ½ inch iron bar; thence continuing along the Center of said township road the following courses: South 88°20'42" West 123.06 feet to Corner 4, marked by a ½ inch iron bar, South 85°05'09" West 225.78 feet to Corner 5, marked by a ½ inch iron bar, South 83°09'53" West 224.90 feet to Corner 6, marked by a ½ inch iron bar, South 88°36'49" West 525.85 feet to Corner 7, marked by a ½ inch iron bar, on a curve to the left having a radius of 1246.01 feet, an arc distance of 396.62 feet, the chord being South 79°29'41" West 394.94 feet to Corner 8, marked by a ½ inch iron bar, South 70°22'33" West 8.08 feet to Corner 9, marked by a ½ inch iron bar on a curve to the left having a radius of 561.81 feet, an arch distance of 264.98 feet, the chord being South 56°51'50" West 262.53 feet to Corner 10, marked by a ½ inch iron bar, South 43°21'08" West 162.73 feet to Corner 11, marked by a ½ inch iron bar; thence leaving said township road North 3°07'06" West 749.95 feet to Corner 12, marked by a ½ inch iron bar; thence North 88°32'13" East 528.34 feet to the point of beginning; and

LESS a tract of land lying in the SW¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., Riley County, Kansas, surveyed by Richard M. Haynie, Land Surveyor, and recorded in Quitclaim Deed, dated October 27, 2000, from Robert W. Clack, Jr. and Maria T. Clack, husband and wife, to Robert W. Clack, Jr. and Maria T. Clack, husband and wife, filed November 29, 2000, and recorded in Book 788, Page 218, in the office of the Register of Deeds of Riley County, Kansas;

AND

Lot 1, Tegtmeier Addition, Unit 2, Riley County, Kansas.  
Subject to easements and restrictions of record.

**are hereby amended.**

This resolution shall take effect and be in force from and after its publication in the official county newspaper.



GRANTED this 2<sup>nd</sup> day of June, 2022

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

\_\_\_\_\_  
Greg McKinley, Chair

\_\_\_\_\_  
Kathryn G. Focke, Vice Chair

\_\_\_\_\_  
John Ford, Member

ATTEST:

\_\_\_\_\_  
Rich Vargo, Riley County Clerk

Attachment: Resolution PUD Amendment (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

**RESOLUTION NO. 060222-****A RESOLUTION APPROVING THE TEGTMEIER ADDITION, UNIT 3 AND  
ACCEPTING THE STREET RIGHTS OF WAY, EASEMENTS AND LICENSES AS  
SHOWN TO BE DEDICATED ON SAID PLAT**

**WHEREAS**, the Board of Commissioners of Riley County, Kansas, has been presented for approval of the Tegtmeier Addition, Unit 3; and

**WHEREAS**, the Board finds that all legal requirements have been met for approval of said plat; and

**WHEREAS**, the Riley County Planning & Development Department has reviewed said plat and found it to be in compliance with the Riley County Sanitary Code; and

**WHEREAS**, the Riley County Planning Board, after appropriate notice, conducted a public hearing on May 9, 2022; and

**WHEREAS**, the Riley County Planning Board, after making a determination that said plat meets the minimum requirements of the Land Development Regulations of Riley County, Kansas, **approved** said plat; and

**WHEREAS**, all required signatures have been obtained.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COMMISSIONERS OF RILEY COUNTY, KANSAS:**

That the Tegtmeier Addition, Unit 3 plat is hereby approved, and the Board of Commissioners of Riley County, Kansas hereby accepts all street rights of way, easements and licenses, as dedicated thereon.

Adopted this 2<sup>nd</sup> day of June, 2022

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

\_\_\_\_\_  
Greg McKinley, Chair

\_\_\_\_\_  
Kathryn G. Focke, Vice Chair

\_\_\_\_\_  
John Ford, Member

ATTEST:

\_\_\_\_\_  
Rich Vargo, Riley County Clerk

Attachment: Plat Resolution (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Riley County Board of Commissioners  
 John Ford, Greg McKinley, Kathryn Focke  
 110 Courthouse Plaza  
 Manhattan, KS 66503

May 19, 2022

Dear Board of Commissioners,

My name is Karen Sheffield, and I live at 1700 Wildcat Creek Road, which is directly across the road and within 1,000 feet of the Liquid Art Winery & Estates. I would like to take this opportunity to comment upon the proposed amendment to the ambitious and multi-faceted Tegtmeier PUD. I find myself in the unique position of being unopposed to *some* aspects of the proposal, and strongly opposed to others. For the record, I do not oppose the full-service restaurant, the new event center, or the 12 RV slips. However, **for safety reasons and noise**, I *do* oppose the outdoor amphitheater (which it should be noted was *not* recommended for approval by the Planning Board) and the *placement* of the luxury cabins.

With regard to **SAFETY** (as it relates to the outdoor amphitheater), I have the following concerns:

1. **Wildcat Creek Road** is not equipped to handle the quantity of traffic an amphitheater of this magnitude would bring to the community. While residents of the road have been assured by county staff that there are plans in the next 5-7 years to black-top the road 1.8 miles from Scenic Drive to the entrance of the winery, it should be noted that the PUD calls for the construction of the amphitheater in the current year, 2022. (It should also be noted that we have been unable to find documented proof of the decision to black top the road). While black-topping will improve visibility issues created by the dust of the existing local businesses, it will not change the following facts about the road:
  - a. The intersection of Wildcat Creek Road and Scenic Drive will still remain a Service Level "F," which is the lowest level of service.
  - b. The wait line for traffic leaving an event for 3,000 attendees will still be approximately 4.5 miles (as per the calculations in my husband's report).
  - c. Wildcat Creek Road will still be a rural road with no side streets for a stretch of 5 miles from Scenic Drive to Eureka Drive.
2. **Alcohol** is the foundation of the winery's business. One must take into consideration that most of the drivers leaving the winery will have imbibed in some form of alcohol over the course of the evening, and this may play a role in their ability to fully navigate the challenges of the road.
3. **Weather** – There are no storm shelters on the winery's premises. The outdoor amphitheater will primarily operate during the spring and summer months when storms are most likely to occur. Should a tornado warning be issued during an "event," (recognizing that an "event" could be anywhere from two hours to several days in duration), attendees would have nowhere to take refuge, and they would be stuck in hours of deep traffic if they attempted to head into town.
4. **Flooding** – Speaking of weather, one cannot ignore the fact that Wildcat Creek Road is notorious for flooding! Regardless of the pavement status of the road, flooding will continue to be an issue. Imagine the potential chaos if Wildcat Creek Road were to flood with 4.5 miles of cars backed up on it!
5. **Public Health** – The PUD states that porta potties will be used for human waste and sanitation. What metrics will be put into place – particularly for events lasting multiple days – for the maintenance and cleaning of those porta potties? In a post pandemic era, when we know that Covid, as well as other potentially dangerous pathogens, are present in human waste, it would

seem in the best interest of public health to exercise prudence in the use of so many porta potties.

6. **Emergency Services** – While the safety report addresses emergency service accessibility *on site*, it does not address the traffic congestion that could hamper timely arrival to and from the site, or the fact that there is only one way in and one way out of the venue.

With regard to **NOISE**:

1. **Compatible Use** – An OUTDOOR amphitheater that creates AMPLIFIED sound in a heretofore quiet, residential, agricultural community known for its peaceful ambience is hardly what I would call “compatible use.” I would also like to point out the incongruity of the PUD on page 3 under “List of Permitted Uses.” Number 7.b states, *“Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties.”* However, under the same “List of Permitted Uses,” number 11 states, *“Outdoor Amphitheater with approximately 3,000 seats.”* Hmmm ... this seems contradictory at best.
2. **Luxury Cabin Placement** – The PUD calls for the placement of 12 luxury cabins directly behind our neighbor’s home, which is directly adjacent to our own residence. With options to the west, it seems disingenuous to place these potential “party cabins” in such close proximity to the neighbors. We have been told the rationale for this placement is to keep the cabins as far away from the noise of Fort Riley as possible, but those of us who live on this road know that the noise of Fort Riley will be the same regardless of whether the cabins are placed on the east side of the property or the west side.
3. With these proposed additions to the PUD, one wonders if the noise and traffic congestion the PUD proposes to create may negate the peaceful atmosphere that has given the winery its success.

Thank you for your attention to my concerns.

Respectfully,

Karen Sheffield  
1700 Wildcat Creek Rd.  
Manhattan, KS 66503



Riley County Board of Commissioners  
 Greg McKinley, Kathryn Focke and John Ford  
 110 Courthouse Plaza, Manhattan, KS 66503

May, 17<sup>th</sup>, 2022

Dear Board of Commissioners,

I would like to address the proposed amendment to the Tegtmeier LAWE LLC PUD, at the Liquid Arts Winery. I live at 1700 Wildcat Creek Road, just across the road from the winery. My wife and I also own approximately 60 acres of cropland/grassland directly south of the winery, along the south side of Wildcat Creek Road.

I would describe this as an ambitious PUD for a rural area, and I would like to first address the most ambitious component of the amended PUD, which is the 3,000 seat amphitheater, with its intended and unintended consequences.

The neighbors on Wildcat Creek Road were told that the Winery would hold 6 events a year in the proposed amphitheater. We would like to see that number of events codified in the PUD. Also, what is the definition of an event: could the winery "host" 6 of their own events, and then rent or lease the amphitheater out to other entities for other events, to potentially have an event every week and weekend through the spring, summer and fall? Is an "event" a one day performance, such as a quiet concert on Thursday evening from 6:30 to 8:30 pm, or is an "event" a multi-day party with tent camping, drinking and constant noise from 8 am to 11 pm. This latter scenario would create a mini Country Stampede on Wildcat Creek Road; is that what the Board of Commissioners wants? It's certainly not what the residents along Wildcat Creek Road want. So, what constitutes an "event" also needs to be codified in the PUD, (preferably limited to one day), as well as the number of events. The Board must realize the maximum potential you are granting the current owners, or any future owners.

Redrocks outside Denver Colorado, or Sandstone in western Kansas City, Kansas are examples of outdoor amphitheaters. I would point out that those entities are on government-owned land, with much better infrastructure, and are serviced by paved, 4 lane, divided highways, not a narrow, 1 1/2 lane, winding, dusty gravel road next to a creek. It should also be noted that Country Stampede was also on government property and also serviced by a paved, 4 lane divided highway.

The traffic analysis by SMH Engineering in your packets calculates that an event at the amphitheater will generate 1,200 vehicles on Wildcat Creek Road, all at about the same time, especially at the end of an event. That estimate by SMH of 1,200 vehicles is based on an assumption of 2.5 persons per car. My personal experience, watching traffic going to the winery from my front porch, is that there will be 1 or 2 people in each vehicle, and therefore there will be over 1,500 vehicles per event. But, using the 1,200 vehicle estimate of SMH, and the fact that the space required for a single vehicle is 20 feet on average, there will be a line of 1,200 vehicles stretching for 4.5 miles long after these events. **That is 4 and a half miles of bumper to bumper traffic.** It is only 1.8 miles from the entrance of the Winery to the nearest intersection, (Scenic Drive), where this traffic must stop and then turn right or left onto the busy Scenic Drive roadway. There is only one way in and one way out of the winery, so the traffic will be backed up from Scenic Drive, all the way down Wildcat Creek Road, to the winery, up the Winery's only entrance/exit and up into their parking lot. This could potentially occur every week and weekend. This scenario creates nightmares for local traffic and emergency vehicles.

The SMH traffic study also states that after these amphitheater events the Level of Service at the intersection of Wildcat Creek Road and Scenic Drive will drop to "Level F", which is the worst possible level. In practical terms, that means it will be really hard and really slow to turn onto Scenic Drive. SMH estimates

Attachment: Letters from Property Owners within 1000' combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

that it will take 80 seconds for each vehicle to turn at this intersection. With that number of vehicles it will take 26 hours to move all those cars. Assuming that 80 seconds is an excessive length of time, (although that is the official traffic report), let's look at a best case scenario. If it takes a quarter of that time, (20 seconds is my average wait time to turn left onto Scenic Drive), it will take 6.6 hours to empty out this traffic jam. The bottom line of this math is that a 3,000 seat amphitheater is way too big; the road cannot handle the traffic that this amphitheater will generate.

What might mitigate this traffic problem? **Most obviously-don't approve the amphitheater!** One could consider traffic control by RCPD to help empty out Wildcat Creek Road faster. But that means stopping north and south bound traffic on Scenic Drive. Just north of this intersection there is a roundabout where Anderson Ave and Scenic Drive/Kimball Avenue converge. If you stop traffic coming south on Scenic you will back the traffic right up into the roundabout, creating gridlock at a major exchange. What about multi-day events? Will RCPD keep officers there to direct traffic all day, each day? What does RCPD think about this situation? Has anyone asked RCPD, or studied this?

Another mitigating option is paving Wildcat Creek Road and improving some curves and site distances. Paving will improve the dust and general safety of the road, and would be welcomed, but paving does nothing to change the 4.5 mile long traffic jam or the difficulties turning onto Scenic Drive. And what happens when the County does pave Wildcat Creek Road? The Winery plans to build the amphitheater this year, when the road will obviously not yet be paved. So when the road is being paved, Wildcat Creek Road will either have to be closed, or reduced to one lane with intermittent traffic east and then west. This becomes traffic Armageddon with over 1,200 vehicles. At the very least, don't approve this amphitheater until the road is paved.

Finally, as previously noted, the SMH traffic study states "there are no metrics or standards for determining the impacts of event traffic, and as a matter of practice roadways are not designed for event traffic". This means there are no standards or metrics to tell us if this proposal is a good idea or a bad idea. We must use common sense to guide us. How big is too big, how much is too much? I dare say no one would believe it a good idea to put Bill Snyder Stadium and its traffic on Wildcat Creek Road in its current state. But the traffic from a small event like a family birthday party is not a traffic problem. There is a continuum between acceptable and unacceptable, with a tipping point when a situation becomes too large, untenable and unacceptable. I believe the statistics I have shared places the amphitheater project on the untenable, unacceptable end of the spectrum.

**The Riley County Planning Board** also agreed that the amphitheater should not be built at this time, voting 5-0 against the amphitheater at their meeting on May 9<sup>th</sup>, 2022.

The second point of the amended PUD I object to is the location of the 12 cabins. These cabins, and their attendant noise, are located just behind our neighbors, Dave and Carol Adams. There is plenty of room on the Winery property to move those cabins farther west and away from the Adams. In my experience of living on Wildcat Creek Road for over 20 years, the noise level from Fort Riley will be no different on the west side of the property than on the east.

Thank you for your consideration of these comments.

Mike Sheffield  
1700 Wildcat Creek Road  
[msheffieldmd@gmail.com](mailto:msheffieldmd@gmail.com)  
785-532-9555

May 19, 2022

Board of Riley County Commissioners  
 110 Courthouse Plaza  
 Manhattan, KS 66502

Dear Board of Riley County Commissioners:

This letter is written in response to the request by David H. and Danielle B. Tegtmeier, and Lawe LLC, to amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development. Concerns about several aspects of the PUD are listed below:

1. An amphitheater to hold a crowd size estimated at 3,000 guests brings 1200-1500 vehicles to Wildcat Creek Road which even the SMH traffic study states, "this amount of traffic could create a lot of dust reducing visibility and creating some safety concerns, particularly given the geometrics of existing roadway...Once this traffic reaches Scenic Drive, the Level of Service of the intersection Scenic Drive and WCR will drop to F, the worst, based on the delay associated with the left turn movement...".
2. Traffic arriving for the event and leaving the event could generate traffic jams along the road delaying the timely arrival of emergency services vehicles, thwarting the use of agricultural equipment, and complicating residential traffic of landowners.
3. The addition of 12 Cabins located approximately 450' from our north property line (less than one-half a city block) and directly up the hill from our home presents significant proximity and noise issues. Additionally, the lagoon currently is built on the downward slope of the hill located directly in front of the cabins. Should the lagoon fail, the potential for runoff onto our property and into Wildcat Creek exists.
4. Amplified sound from the amphitheater and guest noise emanating from the proposed cabins does not stop at the property line nor is this sound attenuated by the riparian barriers shown in the plans.
5. Wildcat Creek Road is a narrow, two lane, gravel country road with limited guardrails, deep ravines, ungraded curves, multiple blind spots with no developed shoulders or protected turn ins for traffic to pull over should the need arise. The safety of those who live along Wildcat Creek Road and who travel this road during the proposed events is compromised with the increased traffic outlined in this PUD.
6. Approving all of this PUD, as it is written, establishes a precedent in all of Riley County for similar businesses seeking to expand their interests.
7. Impact on nearby properties and quality of life. Residents of Wildcat Creek Road ask that you consider the questions on page 9 of the PUD that states, "Regulations must be written with reasonable considerations of the character of the district and its peculiar suitability for particular uses...certain criteria spelled out in the Kansas Supreme Court case Golden vs. Overland Park".

The following questions must be examined:

- Is the rezoning compatible with the character of the neighborhood?
- Is the rezoning compatible with the zoning and uses of properties nearby?
- Will removal of the current restrictions by rezoning detrimentally affect nearby property?
- 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?

Attachment: Letters from Property Owners within 1000' combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Lastly, residents have been told that the road will be paved from Scenic Drive to include 1.8 miles west on Wildcat Creek Road. However, no official document outlining a timeline or a plan for any alterations to the existing road has been made public. Conversations have focused on using a portion of the quarter-cent sales tax that goes into effect January 1, 2023, to pave the road. The SMH traffic study states that the road will be paved in 3-5 years or 5-7 years, depending on which pages in the PUD are read. We welcome clarification about the paving of the road.

While we would like this business to succeed, at the same time, we do not want to sacrifice our quality of life. As taxpayers who have lived on this road for 46 years, we ask the County Commissioners to give serious consideration to the safety and wellbeing of residents who live along this road. These landowners seek to preserve their freedom to enjoy the rural beauty of the road and the modest peace and quiet of country living while co-existing with two event centers.

Thank you for your consideration of these concerns.

Respectfully,



Carol Adams



David V. Adams  
1725 Wildcat Creek Road  
Manhattan, Kansas 66503



Kansas Tourism  
1000 S.W. Jackson St., Suite 100  
Topeka, KS 66612-1354  
David Toland, Secretary



Phone: (785) 296-2009  
TTY: 711  
TravelKS.com  
Laura Kelly, Governor

March 2, 2022

Re: Support for expansion of Liquid Arts Winery

To whom it may concern,

Kansas Tourism and the Agritourism Program support the expansion efforts of Liquid Art Winery by David and Danielle Tegtmeier. They have shared with us their plans to expand the Liquid Art Winery venue to include:

1. An outdoor Amphitheatre built into the natural hillside adjacent to the winery for 2-3,000 guests that will be used to host music, speakers, and events. It will showcase the beautiful views from the hilltop of the flint hills surrounding the winery and vineyards.
2. Luxury hillside cabins that will also showcase the views and scenery they have plus the addition of a few RV spots.

This project is beneficial to Kansas and specifically to the Manhattan area for its major tourism draw from multiple states to the winery location based on their ability to not only host events but also showcase the natural beauty of the area.

Liquid Art Winery is a part of our Registered Agritourism Program and is a great proponent of utilizing Kansas agriculture and combining it with a unique opportunity to showcase the land, its harvest, and the natural beauty of our state.

Sincerely,

Bridgette Jobe  
Kansas Tourism Director

Attachment: Letters of Support combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



March 25, 2022

Riley County Commissioners  
115 N. 4<sup>th</sup> St.  
Manhattan, KS 66502

**RE:** Liquid Art Winery

Riley County Commissioners:

Manhattan welcomes yearly over 350,000 visitors to our community and region. Visitors come for a variety of reasons: extraordinary events, Kansas State University experiences, Division I football, conferences, festivals, marathons, get aways to relax and enjoy scenic drives and views found only in the Flint Hills.

Manhattan's unique attraction, Liquid Art Winery & Estate, provides a great get away for visitors, developing a deeper understanding of wine production, enjoying unique events all while enjoying the fruits and views of Liquid Art Winery & Estate wines and cider.

Liquid Art Winery & Estate cleared the land and planted vines in 2014, opened the tasting room doors to the public in 2016. Up to 375 people can enjoy the beautiful setting provided in the event center. Since opening, approximately 60,000 guests have enjoyed splendid views, entertainment, weddings, and unique events.

As Liquid Art continues to prepare for the future, expansion is necessary to aid in telling their story and the significance of the Flint Hills. Liquid Art Winery & Estate plans to build a 3,000-person outdoor amphitheater to provide a great venue for concerts, fundraising and extraordinary events. A smaller event space is planned along with a dozen, two-person luxury cabins and RV parking for visitors to linger longer at Liquid Art Winery & Estate and to explore the Flint Hills. Prior to the pandemic, Liquid Art Winery & Estate hosted over sixty-five non-winery events yearly and on average forty wine events per year. Their guests range of: 5% international, 25% out of state, 60% outside of Riley County with 15% Riley County residents. As their visitation continues to grow, we are positive the added amenities will be a positive impact on the entire Manhattan economy.

We support Liquid Art Winery & Estate's application to continue to improve their offerings for their business as well as to assist in attracting visitors to the Manhattan community and region. Their unique tourism offering is instrumental in continuing to make tourism an economic driver for Manhattan, Kansas. We appreciate your consideration for Liquid Art Winery & Estate improvements.

Yours in Tourism,

Karen Hibbard, Vice-President  
Manhattan Convention & Visitors Bureau

**Lisa Daily**

**Subject:** FW: Online Form Submittal: County Commission

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <[noreply@civicplus.com](mailto:noreply@civicplus.com)>

**Sent:** Wednesday, May 11, 2022 7:37 PM

**To:** John Ford <[jford@rileycountyks.gov](mailto:jford@rileycountyks.gov)>; Kathryn Focke <[kfocke@rileycountyks.gov](mailto:kfocke@rileycountyks.gov)>; Greg McKinley <[gmckinley@rileycountyks.gov](mailto:gmckinley@rileycountyks.gov)>; Cindy Kabriel <[ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)>

**Subject:** Online Form Submittal: County Commission

## County Commission

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Name           | Jack                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Last Name            | Lindquist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Address              | 932 Newfoundland Dr                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| City                 | Manhattan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| State                | KS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Zip                  | 66503                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Daytime Phone Number | 785-770-2425                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email Address        | <a href="mailto:jack@ksu.edu">jack@ksu.edu</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Question / Comment   | <p>Re: June 2, Ag-PUD consideration for Liquid Art Winery &amp; Estate</p> <p>I personally have had the pleasure to lead tours to 40 countries since 1990. Many of those cultural and people to people experiences have emphasized case-in-point examples of successful agritourism enterprises. These tours allowed participants to bring home economic development concepts that could be duplicated in their localized markets. Some expanded these concepts through their farm organizations to help build regional and state opportunities.</p> <p>Wineries are one of the enterprises that easily showcase value added agricultural opportunities. I planned and led tours to France, Germany, the Czech Republic, Australia, New Zealand, South Africa, Argentina, Italy that included viticulture and wine production/marketing over the years. Each example helped our participants understand the industry and spin-off business growth within and around the wineries. Each of the</p> |

Attachment: Letters of Support combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

best had event centers, on-site lodging, on-site restaurants and cascading income links to surrounding villages and towns.

Just a few short years ago, I was thrilled to learn that the type of winery that I worked to showcase internationally was growing right in our own back yard. Dave and Danielle Tegtmeier, owner/operators of Liquid Art Winery & Estate, off Wildcat Creek Road, have built a shining example of how value added agricultural enterprises can thrive in an urbanizing environment. What they have accomplished has provided a local example to tour groups I have escorted through the area. Some of those visitors were from coast to coast...US Domestic Tour groups visiting our great state.

Liquid Art Winery & Estate amendments proposed to enhance their Ag-PUD should be embraced, approved and supported by the Riley County Commission and the region in general. From the global examples I have observed, the mutual benefits will be immeasurable and will be in line with other growth opportunities recently in the news, only WEST of Manhattan.

Liquid Art Winery and Estates is a property and business under superior management. Allowing them to reach their greatest potential by offering more unique experiences will be on par with some of the worlds greatest valued added agricultural industries. A mutually beneficial economic boost will be shared by Manhattan, Riley County, the northern Flint Hills and Kaw Valley, as well as the State of Kansas.

Dave and Dani are passionate about what they do and we hope the county commissioners will give them the opportunity to grow and expand! We will ALL be the beneficiaries.

Jack Lindquist

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**Lisa Daily**

**Subject:**

FW: Online Form Submittal: County Commission

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <[noreply@civicplus.com](mailto:noreply@civicplus.com)>

**Sent:** Thursday, May 19, 2022 10:24 PM

**To:** John Ford <[jford@rileycountyks.gov](mailto:jford@rileycountyks.gov)>; Kathryn Focke <[kfocke@rileycountyks.gov](mailto:kfocke@rileycountyks.gov)>; Greg McKinley <[gmckinley@rileycountyks.gov](mailto:gmckinley@rileycountyks.gov)>; Cindy Kabriel <[ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)>

**Subject:** Online Form Submittal: County Commission

## County Commission

|                      |                                                                  |
|----------------------|------------------------------------------------------------------|
| First Name           | Kevin                                                            |
| Last Name            | Roberts                                                          |
| Address              | 6212 Brookes Way                                                 |
| City                 | Manhattan                                                        |
| State                | KS                                                               |
| Zip                  | 66502                                                            |
| Daytime Phone Number | 7853178253                                                       |
| Email Address        | <a href="mailto:kevrob_77@hotmail.com">kevrob_77@hotmail.com</a> |
| Question / Comment   | Dear County Commissioners:                                       |

This letter is in support of the application put forward by Dave and Danelle Tegtmeier for the expansion of their business, Liquid Art Winery. I wish I could join the county commission meeting in-person to support their application but have prior commitments during the time of the June 2 meeting.

As current chair of the Manhattan CVB [Convention and Visitors Bureau] Steering Committee and a hospitality educator, I am keenly aware of the impact that tourism can have on local communities and the opportunities and internships such an operation can provide for students in the local area. The five projects Mr. and Mrs. Tegtmeier are seeking approval on: an outdoor amphitheater, luxury cabins, a restaurant, recreational vehicle stalls, and a secondary event center can increase tourism in the greater-Manhattan area and provide additional tax revenue to the city and county that could

Attachment: Letters of Support combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

benefit all in the area.

When Country Stampede left Manhattan, the community lost millions in direct and indirect revenues that the event generated. Ever since that time, the community has been searching for events to replace this lost revenue. The proposed project can help to replace this and does so with little investment from the state, county, or city. While the proposed amphitheater is much smaller than the venue created at Tuttle Creek State Park for Country Stampede, the totality of events hosted throughout the year will help to fill this noticeable void. In speaking with Mr. and Mrs. Tegtmeier about the facility, it is apparent that many events which utilize the space will be smaller in nature, however a dozen or so larger events will be held throughout the year. While these larger events will impact the surrounding area and traffic to and from the facility, I do not believe the limited number of events will be unnecessarily burdensome to the Wildcat Creek neighborhood, especially once already planned improvements to the road are completed.

Many of these events hosted in the amphitheater and secondary event space will bring visitors to the Manhattan community who wish to spend the night or weekend visiting the local area. The CVB estimates that each of these visitors will spend an average of \$311 a day while they are in our community. While some will certainly choose to stay the luxury cabins offered at Liquid Art, and some will bring their RV to stay in the adjacent RV park, these options will be limited and many will stay in hotels in the greater-Manhattan area, will dine in our restaurants, and visit other attractions like the Flint Hills Discovery Center, Wildwood Adventure Park, Sunset Zoo, or the soon-to-be built Art and Light Museum.

As a hospitality educator, I work with students who are seeking careers in the management of hotels, restaurant, and event venues. The Tegtmeier's have been constant supporters of our program since they opened their business and have employed many of our students in their existing facility and have provided internships when possible. However, event-related internships are limited in our community and many of the students who wish to gain experience in this type of position are forced to move to Kansas City, Tulsa, or the Denver area to seek relevant experience. Such a venture built in the Manhattan community will provide great work and internship experience in the local area.

Liquid Art is a wonderful addition to the county and is one of the only agritourism businesses in the area, adding an

important segment to the tourist attractions available in the area. The planned developments to their business will only enhance the attraction and draw more visitors and will do so with little cost to the county and city and in a manner that will cause little to no disturbance to the local neighborhood. It is important to note that individual projects such as this may not, in and of themselves, alter the ability of a destination to attract exponentially more travelers to the area. However, attractions such as what the Tegtmeier's are proposing help add to the already existing attractions and exciting developments planned in the Riley County and greater-Manhattan area in the coming years and can create important synergies that can help to make this area a destination for travelers across the Midwest.

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## Lisa Daily

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**To:** Lisa Daily  
**Subject:** FW: Online Form Submittal: County Commission

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <[noreply@civicplus.com](mailto:noreply@civicplus.com)>

**Sent:** Tuesday, May 24, 2022 11:47 AM

**To:** John Ford <[jford@rileycountyks.gov](mailto:jford@rileycountyks.gov)>; Kathryn Focke <[kfocke@rileycountyks.gov](mailto:kfocke@rileycountyks.gov)>; Greg McKinley <[gmckinley@rileycountyks.gov](mailto:gmckinley@rileycountyks.gov)>; Cindy Kabriel <[ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)>

**Subject:** Online Form Submittal: County Commission

### County Commission

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Name           | Mark and Kayla                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Last Name            | Queen                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Address              | 5603 Powercat Pl                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| City                 | Manhattan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| State                | Kansas                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Zip                  | 66503                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Daytime Phone Number | 7855652429                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Email Address        | <a href="mailto:markqueenfon@gmail.com">markqueenfon@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Question / Comment   | <p>To our Honorable County Commissioners,</p> <p>We are Mark and Kayla Queen of 5603 Powercat Place in Riley County. We have lived in the county about a mile as the crow flies from the vineyard property. We have watched and appreciated the development that David and Dani have lead at the center. Not only have we watched but we have also enjoyed their services. We are regular visitors to the tasting room and our daughter was married there. We have held business events for our clients at the center and have been thoroughly impressed by the many staff that serve there. The management of the team, the business and the property continues to impress.</p> <p>We believe the planned expansion of the property will continue to grow the enterprise and services that they offer. The couple do a thorough job of being strategic. They focus on long term growth and these improvements would certainly be a long term</p> |

Attachment: Letters of Support combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



investment, serve as an attraction to the community and provide a unique value unreplicated in the Flint Hills or state. The economic impact of these improves would likely be significant. As commissioners, you know the value of having occasional events that bring in outside dollars into the community. You also can relate to revenue that is lost when events leave our community. Having a permanent facility to bring events here makes complete sense. The outdoor venue is just the right size to draw crowds that are not being targeted by other larger venues. We believe that the music department of the University and the school districts would be able to use the facility. It doesn't take much imagination to envision all state choirs, Kansas State University ensembles desiring to perform there. If the symphony of the Flint Hills can be such an annual smashing success, we can easily believe the success of the amphitheater can be forecast.

The business model for the vineyard and its satellite locations are an attraction to our community. We have met many people that have visited from outside of the community. As owners of a vineyard ourselves, we are excited for the growth of all vineyards in the state. The more successful we all are the more we attract people to the booming industry. The plans for the limited spaces of RV's and limited luxury villas for out of town visitors would be well received. You have likely heard of Napa Valley but you may not be aware of the vision of the Vineyards of the Flint Hills. We have that vision clearly in our minds when we think about Liquid Art and the others that grow grapes for their wine.

We can see no obstacles to the project, but only opportunities. Roads can be improved if need be. If Manhattan can repave Poyntz Avenue every five or ten years because it isn't as shined as it needs to be, clearly the importance to our visitors can be recognized. It's our understanding that the current noise restrictions do not need to be adjusted because the noise restrictions can be followed. Water and sewer systems are being planned for appropriately. Traffic control for events can easily be managed if our police department can manage 40,000 plus people in and out of a football stadium.

We believe this long term plan deserves your approval so that they can plan appropriately for a long term phase in of services. A full approval of the project would allow the business to be strategic in the deployment of the projects. That would likely get the support of their banking partners. It would allow for the employees to have job security and allow the business to begin to recruit employees with the future in mind. The

county could then also take the strategic steps it believes it needs to be the leader that it is called to be for the majority of it's constituents. Please bring the tax dollars in that this project appears to be able to provide for the decades to come. Leaving out a step or doing a partial approval only puts the growth in a precarious position of allowing future interruptions or distractions to get in the way. A bigger future is accomplished when leaders are willing to see a future that can be, not one that simply is as seen now.

Mark and Kayla Queen

5603 Powercat PI  
Riley County, Kansas

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**From:** [Cindy Kabriel](#)  
**To:** [Amanda Webb](#); [Lisa Daily](#); [Bob Isaac](#)  
**Cc:** [Rich Vargo](#); [Clancy Holeman](#); [Craig Cox](#)  
**Subject:** FW: Online Form Submittal: County Commission  
**Date:** Thursday, May 26, 2022 11:16:23 AM

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*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** noreply@civicplus.com <noreply@civicplus.com>  
**Sent:** Thursday, May 26, 2022 11:03 AM  
**To:** John Ford <jford@rileycountyks.gov>; Kathryn Focke <kfocke@rileycountyks.gov>; Greg McKinley <gmckinley@rileycountyks.gov>; Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Online Form Submittal: County Commission

## County Commission

|                      |                                                                                                                                                                                                                                                                                                                                 |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Name           | Thomas                                                                                                                                                                                                                                                                                                                          |
| Last Name            | Hintz                                                                                                                                                                                                                                                                                                                           |
| Address              | 3520 Vanesta Dr                                                                                                                                                                                                                                                                                                                 |
| City                 | Manhattan                                                                                                                                                                                                                                                                                                                       |
| State                | KS                                                                                                                                                                                                                                                                                                                              |
| Zip                  | 66503                                                                                                                                                                                                                                                                                                                           |
| Daytime Phone Number | 7855651229                                                                                                                                                                                                                                                                                                                      |
| Email Address        | <a href="mailto:thintz@varney.com">thintz@varney.com</a>                                                                                                                                                                                                                                                                        |
| Question / Comment   | We support the PUD amendment for Liquid Art Winery. They have done a responsible job of developing the wine and events center business that has enhanced our community. We believe they will continue to do a responsible job of enhancing the community in a responsible manner with their expansion plans. Tom and Vera Hintz |

Attachment: Letters of Support combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



221 N 4th St Ste A  
Manhattan, KS 66502  
785.537.4500  
FAX 785.537.0544

May 26, 2022

To: Riley County Commissioners

RE: Liquid Art Winery proposed expansion of Ag-PUD

I am writing this letter in support of the proposed expansion request of the Liquid Art Winery PUD project.

Dave and Danielle Tegtmeier have worked extremely hard to build a unique and beautiful attraction for Manhattan, Riley County and the entire region. The winery provides a pristine location which highlights the beauty of the Flint Hills.

I have been involved with this project since the beginning and it is unbelievable what they have accomplished. The winery provides a destination for both local and non-local people to enjoy time away in the country, in a more quiet setting, which is family friendly as well.

The additions they have planned will only enhance this experience and increase the number of people who visit. Those visitors will patronize other businesses in the Manhattan area, multiplying the benefits for both the county and region. In addition, it will create additional employment opportunities, further benefitting the area.

The Tegtmeiers' are extremely hardworking individuals who have always went over and above to provide more than expected. They have an instinctive sense for maximizing their business, wonderful marketing concepts and provide a high quality product and experience. In addition, they have a tremendous work ethic and high integrity. I truly hope the commission can see the benefit of these proposed changes and grant their request.

Sincerely,

A handwritten signature in blue ink that reads 'Donna Scheele'.

Donna Scheele  
Senior Vice President

Attachment: Letters of Support combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 9:29 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Liquid Art Zoning Proposal

One more.  
 Thanks

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** wyatt jeffers <sdlocal97@gmail.com>  
**Sent:** Tuesday, May 31, 2022 9:16 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Liquid Art Zoning Proposal

Dear Riley County Commissioners,

I am writing to you to express my deep concern of a paramount topic in your court today; Lawe LLC's (Liquid Art Winery) request to amend their current Planned Unit Development zoning to allow for expanded development and uses of their land.

I am a born and raised San Diego Native of East County; from the little town of Ramona. Ramona lies on the cusp of an urban metropolis, and the immaculate Cleveland National Forest. The people of Ramona have chosen this town to escape from urbanized spaces, live at a slower pace, and to appreciate the native land in their backyard.

Firstly, as somebody who grew up in San Diego, the stigma surrounding Kansas was practically only negative, but when I came to Prairiewood, this all changed. The Wildcat Creek watershed is so incredibly special, not only because it houses some of the last 4% of Native Tallgrass Prairie, but also because of the escape it allows from the large college town, just a few miles away. Is there really a good reason to allow this disruptive expansion where it is not needed?

As somebody who knows "small-town-living", vs "the-rat-race" I am urging you to vote against Lawe LLC's plans to expand in the heart of a thriving ecosystem. If this decision is made, I believe the effects of Liquid Arts' Development Plan will snowball into an Irreversible flaw, and not only change the lives of all the residents of the road, but change MHK entirely.

As a young man who has seen the beauty of the native prairie, and grew up in a very special place in Southern California, I am pleading with you to leave things the way they ought to be. They are the way they are now. For current and future generations to enjoy and appreciate.

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Even in a perfect world, the intersection of Scenic drive and Wildcat Creek Road could not handle any more traffic, let alone the massive development proposal of Liquid Art Winery. And it is to my knowledge, Prairiewood has not developed a single structure on Wildcat Creek Road; meaning they have stuck to their word of refurbishing spaces and preserving the land. This would in fact be the exact opposite of Liquid Arts Proposal, and furthermore be incredibly conflicting, I'm sure you know, with your "Vision 2025".

I respectfully hope my concerned voice is considered.

Sincerely,

Wyatt Jeffers

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:16 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: the development expansion of Liquid Art Winery in the Wildcat Creek Watershed

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Nathaniel Wilder <nathanielwilder@gmail.com>  
**Sent:** Friday, May 27, 2022 6:24 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Re: the development expansion of Liquid Art Winery in the Wildcat Creek Watershed

To Whom It May Concern,

I am writing to express my concerns on the proposed development and expansion of the Liquid Art Winery in the Wildcat Creek Watershed area outside Manhattan.

As a tourist to the region and photographer, I had the occasion to visit the unique, native tallgrass prairie reserve while staying at Prairiewood and experience the nature and wildness of that incredible landscape. I quickly understood this ecosystem was rare in that much of it has already gone, lost to development and expansion throughout its former lands to the north and south.

Its impact stayed with me and I sent my parents there from Colorado to experience this special prairie landscape. They experienced a feeling similar to mine. There is no place that I have been quite like it before or since.

I recently came to learn about a proposed major development --an expansion of a nearby business in the area and wanted to write about how abundantly clear to me it is that this is a bad idea. It is completely at odds with the character of this quiet, rural, neighborhood and has no place. Such a development would alter the noise quality, increase the traffic, and most importantly ruin the pristine, rural viewshed of the area, an irreplaceable aesthetic. The level and quality of tourism this project would encourage is completely incompatible with the feel of the natural prairie and rural character of those hills.

This project would alter the character completely and irrevocably.

I strongly urge you to consider the value of this space and turn down this development.

thank you,  
 Nathaniel Wilder

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Anchorage based photographer  
907.351.1329  
<http://nathanielwilder.com>

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



**Amanda Webb**

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:16 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Rezoning - please vote NO - Liquid Art Winery property expansion

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

**From:** Marcia Tammeus <marciatammeus@gmail.com>  
**Sent:** Saturday, May 28, 2022 11:36 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Rezoning - please vote NO - Liquid Art Winery property expansion

Dear County Commissioners,

We strongly oppose the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses, and urge ALL COMMISSIONERS to vote against its approval. We do not harbor ill feelings toward the owners, we just want to ensure that the following factors are considered:

1. A no vote will protect the ecological and wildlife habitat.
2. A no vote will protect surrounding properties from a dusty and dangerously congested traffic situation.
3. A no vote will protect the scenic view and beauty of native prairie land.
4. A no vote will eliminate an increase in noise in a quiet, rural area. NO VOTE WILL ELIMINATE AN INCREASE IN NOISE IN A QUIET RURAL AREA

Please protect this area from encroachment of potential flooding from the creek in this area which could be impacted by more structures, more parking, etc. This is an environmentally sensitive area which has been a place of hiking, retreat, wildlife, prairie flowers and grasses and we need to continue to protect it.

We have had the privilege of visiting Prairiewood and the surrounding area and this rezoning would take away all that attracted us, and many others, to this place. Please be SENSITIVE to the beauty of this land and all it has to offer...PLEASE....

Sincerely yours,

Bill and Marcia Tammeus

--

**Bill and Marcia Tammeus**

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

5100 Oak Street, Apt. 534  
Kansas City, MO 64112  
[marciatammeus@gmail.com](mailto:marciatammeus@gmail.com)  
816-926-0366 (H)  
816-510-3611 (C)

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:18 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Zoning change sought by Liquid Art Winery (LAW E LCC)

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** Judith Storandt <JGStorandt@msn.com>  
**Sent:** Saturday, May 28, 2022 11:29 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Zoning change sought by Liquid Art Winery (LAW E LCC)

Dear Riley County Commissioners:

My husband and I have become prairie enthusiasts since moving to Kansas 11 years ago.

Our visits to the Manhattan area have been inspired by Riley County being a destination for prairie enthusiast to visit.

We relish our visits to the awesome Flint Hills prairie remnants in your area, The Flinthills Discovery Center, prairie landscapes curated by Kansas State, and the unique 500 acres of prairie protected by [Prairiewood Retreat & Preserve](#) on Wildcat Creek Road.

We felt heartsick to learn that LAW E LCC is seeking a zoning change for their property in proximity to Prairiewood on Wildcat Creek Road – in order for LAW E to develop an entertainment venue that is clearly incompatible with the rural character preserved by Prairiewood and others.

I was relieved to find in the Riley County 2025 Comprehensive Plan a vision that values conservation of natural resources, and preservation of the rural character and heritage in Riley County.

### THE VISION

In the Year 2025, Riley County is a place where:

- ♣ Agricultural land is preserved.
- ♣ The rural character and heritage is preserved.
- ♣ Development is managed in a way that complements and enhances our County's character.
- ♣ Minimal government intervention balances regulation with incentives to direct development.
- ♣ A diverse and stable economy provides economic opportunities for all County citizens.
- ♣ Conservation of natural resources is valued.
- ♣ Downtown and Mainstreet revitalization efforts are encouraged.

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



Worldwide only 45% of grasslands remain today, and only 4% of these are protected. Developments like the one proposed by LAWE have a devastating environmental impact on grasslands in the remaining Flint Hills area.

**Quick Facts**

- Tallgrass prairie is the most altered ecosystem in North America
- Only 4% remains of the original tallgrass prairie
- 2/3 of all remaining tallgrass prairie is in the Flint Hills

The Riley County zoning code already provides needed protection – triggering the need for LAWE to request a zoning change in order to proceed with their ambitious development plans.

I urge you to deny LAWE's requested zoning change -- in order for Riley County to continue to preserve the unique prairie-scape treasures that make Riley County an important tourist destination.

Sincerely,  
Judie Storandt

Judith G. Storandt  
105 Race, El Dorado, KS 67042  
405-308-9158 (cell/text)  
[jgstorandt@msn.com](mailto:jgstorandt@msn.com)



**Amanda Webb**

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:19 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Opposition to development

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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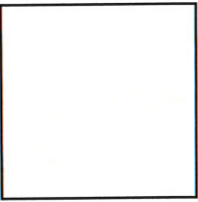
**From:** Gayle Dowell <gaylemdowell@gmail.com>  
**Sent:** Sunday, May 29, 2022 2:11 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Opposition to development

Dear Riley County Commissioners,

I'm writing to express my opposition to the proposed changes in zoning that would allow Liquid Art Winery's further development to include another event building, RV park, cabins, restaurant, amphitheater, and additional parking. It is a sizeable construction project and will bring more traffic and noise to an otherwise quiet, rural neighborhood. The addition, the project would include more destruction of our flint hills prairie's ecosystem. I am expressly concerned with the development's impact on the Wildcat Creek watershed. Taking out the plant life and replacing it with concrete/gravel will cause more run-off into the creek which has flooded multiple times in the recent past already.

Respectfully,  
 Gayle Dowell

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeyer Addn Unit 2)



**Gayle Dowell**, The Prairie Jeweler  
Manhattan, Kansas  
785-317-5802  
[www.gayledowell.com](http://www.gayledowell.com)

*My faith is not what I write about or what I paint about, but it is the light by which I see. ~ Flannery O'Connor*

## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:20 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Proposed expansion of Liquid Art Winery and development

Cindy Kabriel  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: ckabriel@rileycountyks.gov

-----Original Message-----

From: Meg Larsen <megoku5@yahoo.com>  
 Sent: Sunday, May 29, 2022 2:49 PM  
 To: Cindy Kabriel <ckabriel@rileycountyks.gov>  
 Subject: Proposed expansion of Liquid Art Winery and development

Dear Riley County Commissioners,

I am writing to express my sincere concerns on the proposed development and expansion of the Liquid Art Winery in the Wildcat Creek Watershed area.

This area has long been a place of refuge and retreat for my family and friends. We come here to escape the noise, enjoy the natural preserve and be among the wildlife. In moving forward with this rezoning, you will not only be taking a place of refuge away from those who come here to enjoy the beauty of the Flint Hills but also disrupting the natural ecosystem and home to many plants and animals. I can guarantee the noise and disruption this proposed plan will create will be detrimental to this area.

During the pandemic, countless people have come out to this area to hike the hills and walk Wildcat Creek Road to be rejuvenated by its breathtaking views and to find refuge from daily stress and struggles. By approving this rezoning, it will no doubt affect the views, the noise and the overall rural experience this special space offers.

I strongly urge you to deny this proposed rezoning and preserve this beautiful ecosystem that is rare and beautiful and offers a special place of refuge, awe and wonder. As was well acknowledged in Riley County's own Vision 2025 plan for future land use, our world needs to preserve these special, open, underdeveloped rural areas as much as we can because people are craving these quiet and reflective spaces in a noisy world.

You have something very special in Manhattan and more and more people are taking notice of the natural beauty that is like no other. Please do your part in ensuring that the rural character and heritage of Riley County is preserved for future generations, exactly as the Vision 2025 plan calls for, by denying this rezoning.

Sincerely,  
 Meg Larsen

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeyer Addn Unit 2)

Prairie Village, KS

Sent from my iPhone

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:21 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Opposition to Zone Request by Lawe LLC

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Sofi Serio <serio1@stolaf.edu>  
**Sent:** Sunday, May 29, 2022 5:00 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Opposition to Zone Request by Lawe LLC

Dear Riley County commissioners,

I strongly oppose the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses and urge you to vote against its approval.

This request puts the public safety, health, and welfare of residents in the area at risk, and it poses a formidable threat to the delicately preserved ecosystem of the prairie and Wildcat Creek watershed.

First and foremost, the road is not designed for urban-like traffic associated with the proposed expanded rezoning uses, especially during inclement weather. Continual use of this road will create a public safety hazard with emergency services being unable to access the road. Approving additional high-density development along the banks and in the watershed of flood-prone Wildcat Creek would also create a public welfare and safety threat.

Secondly, the requested rezoning would detrimentally affect nearby properties. Nearby property is currently enjoyed for its rural character (where its current primary sounds are of birds, wind, and insects) would become land that is now largely characterized by traffic noise, amphitheater noise, and the generalized ambient noise that accompanies high concentrations of congregating people. This would all detrimentally affect the nearby property and any users of it – including the thousands of local and regional visitors who walk the trails at Prairiewood, enjoying the captivating sounds and views of the surrounding rural landscape. Additionally, these trails and native land are permanently restricted, by a conservation easement, from any future building or development.

Additionally, building an enormous amount of new infrastructure and buildings in order to capture the views of the surrounding native prairie/land and the noise impact of introducing amplified outdoor music and general urban-like density and activity noise to a quiet rural area would be detrimental to the rural component enjoyed by so many in this area.

I urge you to consider the public welfare, safety, and environmental impacts of this proposal.

Many thanks,

Sofi Serio

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

*Travis Gilbert*

Unincorporated Riley County Citizen

May 30th, 2022

## Greetings Riley County Commissioners,

**First off, a big thank you for taking the time to listen to my concerns in regards to a development plan being proposed by LAWE LLC (Liquid Art Winery)!**

My name is Travis Gilbert, my wife and I met here in Riley County back in 2010 and soon after we got married in 2011 we moved away to Denver, Colorado for 5 years and started multiple businesses and had our first kid. After living in Denver for a year we started feeling a pull and desire to come back to Riley County and the Manhattan area. Fast forward to 2017, my wife and I shut down our business in Denver and packed up and moved out to University Park in northern Riley County. One of the biggest draws we had to move back to Riley County was the beautiful scenery, preserved native areas, farmland and tranquility.

We have had the pleasure to spend time out on Wildcat Creek Road enjoying open trails at Prairiewood, playing in the creek with our kids and sipping on wine up the road at Liquid Art Winery. Part of the charm of both of these places settled in the amazing landscape is that they are not huge developments and they compliment the beautiful landscape.

During my time away from the Manhattan area I continued to stay aware of changes and developments in the area. I became aware of a policy guide for development in Riley County that was adopted in 2009 titled Vision 2025- A Comprehensive Plan for Riley County, KS. I have scoured through this plan multiple times and at the time of my wife and I deciding to purchase property in Riley County, a plan like this was crucial for us to be sure that our little piece of heaven we live on would not end up next to a large development.

Imagine my surprise when I heard that there was a proposal to put in a large amphitheater, an RV park, a neighborhood of rental cabins, a full restaurant and a second event space building all on one property on Wildcat Creek Road. This kind of development thankfully is already protected in this area due to zoning regulations. Unfortunately it seems that the development plan being proposed by LAWE LLC was pushed through Riley County Planning and Zoning without giving proper feedback and support from surrounding citizens and land owners.

**In the Vision 2025 plan it states that in the Year 2025, Riley County is a place where agricultural land is preserved.**

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



**In the Vision 2025 plan it states that in the Year 2025, Riley County is a place where the rural character and heritage is preserved.**

**In the Vision 2025 plan it states that in the Year 2025, Riley County is a place where development is managed in a way that complements and enhances our County's character.**

**In the Vision 2025 plan it states that in the Year 2025, Riley County is a place where Conservation of natural resources is valued.**

Part of the "Vision 2025" plan describes the Developmental Guidance System (DGS) for Riley County which takes away bias and gives a guide for a consistent comparative analysis to provide a rational basis for determining the appropriateness of any given development in Riley County.

I truly appreciate all the time and energy that was put in making this plan and process for our area. Throughout my readings of the proposed plan from LAWE LLC I have yet to see a (LESA) score for this project. The wonderful thing about the LESA Score is that for property owners like myself, it protects development from happening near me that would not compliment the characteristics of what is already there developed and preserved.

I have looked into and tried wrapping my head around the eight factors that are outlined in consideration of rezoning decisions and how these match and correspond with the proposal from LAWE LLC to rezone and develop on Wildcat Creek Road. It seems very clear that this type of proposal directly contradicts the Vision for Riley County as adopted by Riley County in 2009.

I could rant all day on why I personally would be disappointed with this type of development and why it would take away from my enjoyment of this stretch of preserved native grassland on wildcat creek road, however my personal opinions should not trump what Riley County already has adopted as a protection for plans like this.

I urge you as Elected Officials to stand up for our county and the Vision that has been planned for this area and deny the requested Zoning change by LAWE LLC as it does not fit with the Vision for this area and such development would have an immense negative impact to our area, and the plants and wildlife that we share it with.

Sincerely,

Travis Gilbert



Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:24 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Zoning request by Liquid Art Winery

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** Anthony Crawford <arcford@ksu.edu>  
**Sent:** Monday, May 30, 2022 4:25 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Zoning request by Liquid Art Winery

May 30, 2022

Dear Commissioners Ford, McKinley, and Focke,

I am extremely opposed to the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses, and urge you to vote against its approval. I have attended numerous events at both Liquid Art Winery and Prairiewood so I am very familiar with Wildcat Creek Road and the area around these two locations.

There are several very important reasons why this new and extensive development will be extremely detrimental to this geographical area and the county. They include: the requested rezoning is not compatible with the character of the neighborhood; it is not compatible with the zoning and uses of properties nearby; its removal of the current restrictions prohibiting expanded development would detrimentally affect nearby property; and the gain to the public health, safety and welfare by denying the rezoning will be greater than the hardship imposed upon Liquid Art Winery.

Approving the commercial development of this beautiful area of the county would be devastating and irreversible. People in the Wildcat Creek valley have worked long and hard to protect and preserve the environment, habitat, and beauty of the area. The expense imposed upon the county to support the infrastructure required for this type of development (e.g., flooding, road maintenance, etc.) would be extremely high to the detriment of the needs of people in other locations in the county.

As someone who has lived in the area since 1983, I urge you to consider the numerous negative impacts that this development would have, and vote against this request by Liquid Art Winery. Thank you.

Sincerely,

Anthony R. Crawford

1821 Fairchild Ave.

Manhattan, KS 66502

## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:24 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: comment on rezoning request from Lawe LLC

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** John Blair <jblair.ks@gmail.com>  
**Sent:** Monday, May 30, 2022 6:41 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** comment on rezoning request from Lawe LLC

Dear Riley County Commissioners:

I'm writing to express my concern about the request you will soon be considering from Liquid Art Winery (Lawe LLC) to allow for expanded development and additional new uses for their property on Wildcat Creek Road through an amendment to their current Planned Unit Development zoning. Based on my understanding of the rezoning request, if approved it will have a substantial negative impact on the rural character of the area and the quality of native prairie habitat and associated wildlife that is a hallmark of that portion of the Wildcat Creek basin. I am, therefore, requesting that you vote no on the proposed request.

I am familiar with the area along Wildcat Creek Road. I have walked several properties in that area and participated in several events including indoor concerts and receptions at Liquid Art Winery, educational and outreach events at the Prairiewood Retreat and Preserve located adjacent to Liquid Arts Winery, and experienced an overnight stay at the Cottonwood Suite property operated by Prairiewood. Each of these events has benefited from the open, rural, and secluded character of the neighborhood and the opportunity to enjoy the sights and sounds of nature. In fact, the ability to get away from the noise and lights of the city and to immerse oneself in a relatively natural and pristine area of the Flint Hills is the reason that the Prairiewood properties and the Liquid Arts Winery are go-to venues for many people from Manhattan and beyond. I believe that allowing an extensive expansion of development at the Liquid Arts Winery site, as proposed, will destroy the quiet, rural character of the area. Development of buildings on the hills will impact the visual aesthetics of the area, and the increased traffic would alter the sounds and sites of this rural neighborhood. Further, the impact of increased traffic, outdoor concert noise, and on-site lodging and RV camping will reduce the quality of the prairie, stream, and riparian habitats in the area, the wildlife that inhabit these areas, and alter the experience that many people are seeking when they move to or visit properties in the Wildcat Creek Road area. As an ecologist involved in research and conservation of the Flint Hills' ecosystems, I have real concerns about the irreversible trajectory of change the proposed development would initiate for this area. I am therefore asking you to deny the proposed rezoning request as currently proposed.

Sincerely,

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

John M. Blair  
2204 Elco Circle  
Manhattan, KS 66502

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:28 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: June 2, 2022 BOCC Hearing for Tegtmeier's

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** Michael Thomas <[thomasmjt82@gmail.com](mailto:thomasmjt82@gmail.com)>  
**Sent:** Monday, May 30, 2022 9:30 PM  
**To:** Cindy Kabriel <[ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)>  
**Subject:** June 2, 2022 BOCC Hearing for Tegtmeier's

To whom it may concern,

We are writing in hopes of having our thoughts/concerns included in the packet for consideration by the Board of County Commissioners in regards to the Tegtmeier's Addition application for rezoning.



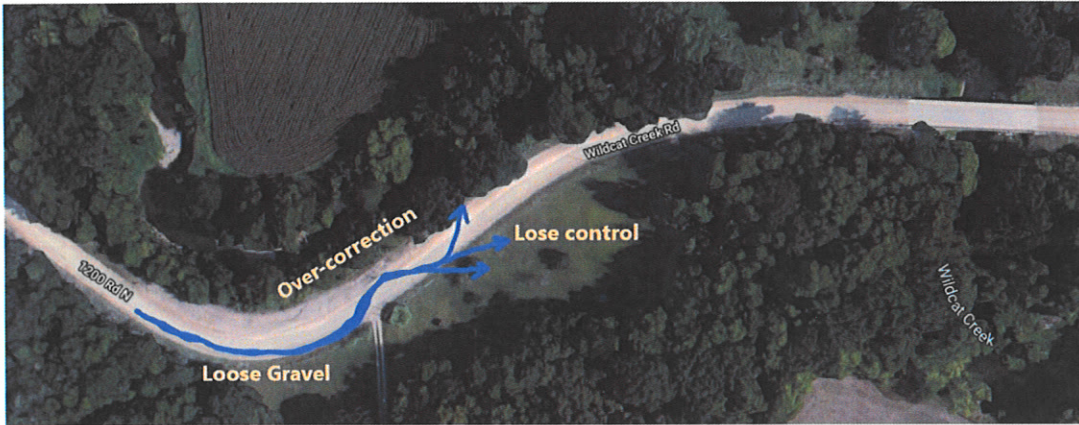
Our concerns revolve around the sharp curve that lies on the north side of our property (682 Wildcat Creek Rd) as shown in the picture above. This curve follows shortly after the first bridge on the road heading west from Scenic Drive.

It is well known to those of us who live on Wildcat Creek Rd how dangerous this curve is but is much less well known to the general public who do not traverse it on a daily basis. For these reasons the curve continuously generates traffic incidents and near misses as folks head home from activities hosted at the Liquid Art Winery and Prairiewood.

The traffic incidents that occur on this portion of the road are so numerous that we could not begin to describe all of them for you. On a daily basis and sometimes multiple times a day cars lose grip and drivers lose control as they head west back to Scenic Dr. It may come off as an exaggeration to say the incidents on this portion are as frequent as daily or multi-daily. Still, we can assure you that we are being genuine and are not stretching the truth in the slightest. From our kitchen window in the evenings as we are preparing dinner or cleaning up afterward we witness car and truck after car



and truck take that corner at speeds in excess of safe and lose their rear wheels' grip of the road and either skid only to regain control again or lose control and fishtail all over the road.



A look back through police records would shed light on incidents that were serious enough to warrant their presence or intervention. We have had cars lose control and leave the road plunging down the ravine into Wildcat Creek. We had a group of four young people nearly plunge into the ravine only to be caught on an oak tree that wedged their vehicle keeping it from falling into the creek bed some 20 or 30 feet below.

We are on our third mailbox in five years. We had one of our established apple trees that used to sit in an orchard by the road uprooted by a car several years back and we no longer feel comfortable planting new trees in the area since they are often directly in line with where cars end up after overcorrecting. We once had a fence that traversed the full length of the property by the road. We still have the cedar fence posts that lie west of our driveway, but we have lost the barbed wire fence that once stood on the east of our driveway and followed the road down to the bridge and creek. In the years since we've lived here, we have had innumerable vehicles crash through the once barbed wire fence. This has occurred so many times that Mike has stopped repairing the fence altogether. It now sits w/ only fence posts as some unfortunate person drove their truck through it and took all the barbed wire with them as they fled down the road running barbed wire along the way.

Mike has stopped mowing the yard and ditch by the road due to the fact that it is just too dangerous for him to do it and feel safe any longer.

Lastly, the dust the road generates is tremendous. Both the Russells and we live in a dip in the topography and the creek area where the dust generated through traffic in the evening times sits like a cloud when the breeze drops. This can be seen from the north side of the valley if looking south on Anderson over to the creek area. We live in this dust cloud every day that there are activities taking place down the road at either venue.

We appreciate the Board's time and their consideration of both the Tegtmeier's request and the concerns posed by the residents of Wildcat Creek Rd.

Thank you,

Michael & Kelsey Thomas

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:28 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Liquid Art Winery Planned Development

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Megan Kegley <megankegley@gmail.com>  
**Sent:** Monday, May 30, 2022 9:33 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Liquid Art Winery Planned Development

Dear Riley County Commissioners,

My name is Megan Kegley, and I live at 1403 Wildcat Creek Road with my husband, Ryan, and brother-in-law, Adam. We moved to Manhattan about two years ago from the Kansas City area for multiple reasons but, most importantly, to be able to live amongst the prairie and the small community of Wildcat Creek Rd. Adam has lived with us for six years — since his mother passed away. He is mentally and physically handicapped and the Wildcat Creek community is just what we needed. We are able to get Adam out to walk most days on Wildcat Creek Rd and some days among the prairie.

We are only able to do this because of the low amount of traffic on the road. As you know, there is not a shoulder so you have to be aware of drivers (some who already drive too fast on this road), but luckily there is not a lot of traffic currently. This would greatly change if the Tegtmeier family and Lawe, LLC receive the approval to move forward with their Planned Unit Development, none of which falls within the Vision 2025 plan. If this is approved, Wildcat Creek would become unsafe to walk on because of the increased traffic, all of the dust, and the air quality based on the proposed increase in chemical treatments.

Not only would the increased traffic (both from cars and RVs) greatly impact the current residents of the Wildcat Creek community (in a very negative way), but it would also impact the current watershed of the creek, the prairie and its native plants, and the current and future wildlife that also reside among us on Wildcat Creek Road. I also worry about what would happen if a current resident needs emergency services and how long they would have to wait based on the increased traffic.

Again, there is not a shoulder for cars or RVs to pull over on if an ambulance, fire truck, or police officer needed to get by them. Would a current resident be able to get the emergency services they needed in this example? I am not sure they would in a timely fashion (which could be the difference between life and death). As a caregiver and a member of this community, this is VERY scary and needs to be considered by all who are thinking about this proposal.

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



Currently, when we get out for walks we are picking up 2-6 pieces of trash each time (beer cans and bottles, coffee cups, food wrappers, etc.) We are proud of this road and want anyone traveling on it to see that. With the increased traffic comes more litter. Does Lawe LLC currently, have a plan to take care of this? I have not seen one in any of the documentation that is available. So this will be another burden for the current residents to bear?

I want to thank you for taking the time to read my thoughts on the current proposal. I want to add that I love that we have a winery we can visit on our road but in its current state. I feel that all this development would do is kill what we have here and that is not what is best for this community.

I want to leave you with a few quotes:

“Do the best you can until you know better. Then when you know better, do better.” - Maya Angelou

“Plans to protect air and water, wilderness and wildlife are in fact plans to protect man.” - Stewart Udall

“There is something basic about protecting land by taking it off the market. People should be able to enjoy where they live while at the same time protect the plants and animals around them.” - Tom Hanks

“The final chapter is ours to write. We know what we need to do. What happens next is up to us.” - David Attenborough

I encourage you to follow the words of Maya Angelou, Stewart Udall, Tom Hanks and David Attenborough (and many others) and focus on protecting the prairie, the wildlife, the air, the water, and the community that is Wildcat Creek Road and decline the additional development proposed by Lawe LLC so that future generations will also have access to the prairie.

Thank you for considering all that is being shared with you. Focus on Vision 2025 and help project what is available to all of the Manhattan community to enjoy and decline this proposal. Let's make sure this is all available to future generations of humans and wildlife to enjoy!

Kindly,



Megan Kegley  
1403 Wildcat Creek Rd  
Manhattan, KS 66503



## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:28 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Letter of Concern--RE: Upcoming proposed developments by LAWE LLC

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Christopher Ward <caward@gmail.com>  
**Sent:** Tuesday, May 31, 2022 7:00 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Letter of Concern--RE: Upcoming proposed developments by LAWE LLC

Dear Riley County Commissioners and Concerned Citizens,

I truly appreciate your commitment to stewardship of Riley County. Stewardship is a powerful word and conveys responsibility, caring, and representation. The agenda items you attend to are issues of concern that the average citizen does not think about day to day but relies upon minute by minute. Stewardship is a commitment to vigilance so others can go about their business without fear that their community is deteriorating around them. Some of the most important things in communities are quiet, yet, for all their silence, they are bedrock foundations of our civic life.

This week, a transformational decision comes before you--the proposed developments at Liquid Art Winery by LAWE LLC. Some rezoning requests are straightforward and benign. This is no such request. The neighborhood and prairie along Wildcat Creek Road are quiet bedrock foundations of our community and need your stewardship. While the current business conducted along the watershed has been mostly symbiotic with the county's needs, the proposed developments would demolish civic foundations. There is no going back once this decision has been made.

What is being proposed is less agritourism and more dining, entertainment, and special events that would tarnish the very pastoral ecosystem and landscape it claims to celebrate and depend upon. Ironically, Liquid Art's business model seems dependent upon their neighbors refraining from development synonymous with their own. They want their customers to sip wine and look out over vineyards and native prairie, rather than metal and concrete structures. They should protect that same desire for their neighbors. This moment is the moment of no return, and you are the gatekeepers. Once a door to this level of development on Wildcat Creek Road is opened it changes the county forever and sets a precedent for how we will treat our rural land.

This kind of concern with intensity of development on rural land under the guise of agritourism is a nationwide concern and has been highly litigated. In fact, an article by the National Agricultural Law Center reviewing litigation against agritourism activities over the last few years summarized by saying, "...the court cases we summarized did not bode well for these types of activities...", reflecting that land use and nuisance suits against agritourism aspirations and operations are most often upheld, as I believe they would be in Riley County.

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Urban development has already taken over, even on the southwest corner of Scenic Drive and Wildcat Creek Road. Doctors' offices, a gas station, hundreds of apartments, and more are now halted at the mouth of Wildcat Creek Road. Liquid Art Winery's proposed developments would place an entertainment district on a highly visible hill at the end of a quaint, rural road. In fact, if you vote to approve this proposal and the developments go on to success, there will be many evenings each year when there will be more people active on that hill than the populations of Keats, Riley, and Ogden combined. And Liquid Art will have your stamped approval to continue that intensity of consumer activity and traffic in perpetuity.

For all these reasons, as stewards of our county and the well-being and character of our land, I'd ask that you vote to prevent these developments from moving forward.

Thank you for your stewardship. Respectfully,

Christopher A. Ward

Former Riley County Resident, Kansas State University alumnus, Capstone 3D employee, and lover of the Flint Hills

## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:30 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Opposition to Lawe LLC zoning request

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Chad Senuta <[csenuta@episcopal-ks.org](mailto:csenuta@episcopal-ks.org)>  
**Sent:** Tuesday, May 31, 2022 8:03 AM  
**To:** Cindy Kabriel <[ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)>  
**Subject:** Opposition to Lawe LLC zoning request

Dear Commissioners,

I strongly oppose the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses, and urge you to vote against its approval.

As a former resident of Manhattan and a frequent visitor, I find deep solace in the quiet, rural, spaces that surround the town. The area surrounding Wildcat Creek Rd. offers beauty and connection to nature in way that few places do. The preserved prairies and the creek itself provide a serene setting for rest, relaxation, and contemplation.

This rezoning request is not compatible with the character of the neighborhood, which is quiet, rural, and peaceful. The proposed rezoning would bring a great deal of traffic, noise, and urban development to this area, diminishing the very thing that is so attractive about it. Additionally, it would introduce numerous buildings that would be highly visible to the neighborhood and surrounding areas, detracting from the neighborhood's stunning views of undeveloped, native, prairie hills. Please vote against this rezoning proposal and maintain the current character of this beautiful area and neighborhood.

Sincerely,

**Chad Senuta**

he/him/his ([why pronouns matter](#))  
 Director of Young Adult and Communication Ministries  
 The Episcopal Diocese of Kansas  
 835 SW Polk Street  
 Topeka, KS 66612-1688  
 785-235-9255 (office)  
 913-620-0007 (mobile)

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



[www.episcopal-ks.org](http://www.episcopal-ks.org)  
[csejuta@episcopal-ks.org](mailto:csejuta@episcopal-ks.org)

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeyer Addn Unit 2)



**Amanda Webb**

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:31 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Concern for Wildcat Creek Watershed Natural Lands

Cindy Kabriel  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: ckabriel@rileycountyks.gov

-----Original Message-----

**From:** Lars Lechard Askegaard <askega2@stolaf.edu>  
**Sent:** Tuesday, May 31, 2022 8:08 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Concern for Wildcat Creek Watershed Natural Lands

Dear Commissioner,

I hope you are well. I am reaching out as an invested Minnesota college student to respond to the re-zoning requests in place for the Wildcat Creek Watershed land. I had the privilege of visiting Manhattan, Kansas last January, during which I spent a significant amount of time in the Wildcat Creek Watershed walking and reflecting in the prairie. This trip to Manhattan coincided with a challenging period in my life; as a college student enrolled in an existential theology course during a pandemic that closed lots of doors and opportunities for a student in my position, I struggled with understanding my own identity and finding direction for the upcoming years of college and beyond.

Throughout my weeks in Manhattan, Wildcat Creek Watershed became a place of refuge for me. I would walk through the prairie lands as a way to reflect on life, on vocation, and hopes for the future. The Wildcat Creek Watershed is naturally preserved land, and is a beautifully calm and contemplative space. As a Minnesotan, I find a lot of similarities between my visits Manhattan's Wildcat Creek Watershed prairies and my visits to Boundary Waters National Forest of northern Minnesota. This land is special: it's fundamental features are its preservation of natural land, it's visual seclusion from city development, and its atmosphere of serenity. It is a gem within Riley County that should be prized and protected. In Minnesota, tourism, development, and resource extraction concessions—those that policy makers hoped wouldn't disturb the National forest or it's many adventure seekers—have considerably altered visitors experiences (including my own) in nature in the Boundary waters area. Re-zoning in the prairies of Riley County, for the purpose of extensive development over untouched natural land, would significantly alter the experiences visitors have in this space, as well as dramatically shift the atmosphere of the local neighborhood. I ask that you recognize the uniqueness of this land, and deny efforts for rezoning in these prairie lands. In our current day, it is truly rare to discover natural prairie lands that have not endured significant development or other disruptions for the sake of local economic activity. Please use this opportunity to preserve this special place, and convey the message that Riley County values it's unique natural lands.

Thank you,

Lars Askegaard  
askega2@stolaf.edu  
+1 952-715-7340

Sent from my iPhone

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeyer Addn Unit 2)

**Amanda Webb**

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:25 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development

*Cindy Kabriel*  
Administrative Assistant II  
Riley County Clerk's Office  
110 Courthouse Plaza, B118  
Manhattan, KS 66502  
phone: (785) 565-6202  
fax: (785) 537-6394  
e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Karin Scheideman <lmrboogity@yahoo.com>  
**Sent:** Monday, May 30, 2022 9:01 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



May 30, 2022

Dear Riley County Commissioners Focke, Ford, and McKinley,

We have been residents of 1243 Wildcat Creek Road for 4 years, located on the 2-mile stretch of winding county road between Scenic Drive and Liquid Art Winery. We chose to live here in large part because of our love for horses, and our lives generally revolve around them. Our horses are utilized in educational ways, and are a part of our vocational plans. Like on many rural farms, the county road (Wildcat Creek Road) bisects where we turn our horses out to pasture on native grass, and where we shelter them. As a result, we use the county road every day to walk our horses to and from the pasture gate – and our horses are well known by the neighbors who know to watch and slow when passing.

Even with the current capacity and uses of Prairiewood and of Liquid Art Winery, the traffic is heavy at times and can become difficult to cross the road, or even walk alongside it, with the dust and gravel thrown up by passing vehicles who are often not accustomed to encountering horses. Still, although more traffic than we'd prefer, except for occasional maximum peak traffic periods, we can still travel the road to and from the pasture safely each day with our horses.

Having worked in food service and restaurants prior, I can attest that even the full-service restaurant component of this proposed rezoning would be a tipping-point for common agricultural activities along the road remaining viable and safe. Transporting horses to pasture, not to mention the loading and unloading of cattle coming off of multiple full-size semi trucks that regularly park along the road, requires that a county road's traffic be of a certain light-use quality that is, well, rural in nature. If from first-hand experience we can attest that even the full-service restaurant component of Liquid Art's rezoning proposal would cause our agricultural use of the road to go from being safely viable to being unsafely unviable, it only follows that the addition of the other rezoning components and uses – each creating their own additional traffic counts – would make any agricultural use by us and other agricultural operators along the road downright dangerous for both those operators and drivers alike.

If there is any doubt as to the current character and use of nearby properties being rural in nature and agricultural in use, let us be Exhibit A. And if you'd like to come see that for yourselves, you'll find us along the road each day, where we'd be happy to introduce you to the herd!

Please protect the designated use of this area for agricultural use by denying this rezoning that would quickly turn our quiet rural use into a dangerous proposition for everyone involved.

Karin & Stacy Scheideman  
1243 Wildcat Creek Road  
Manhattan, KS 66503

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



May 30, 2022

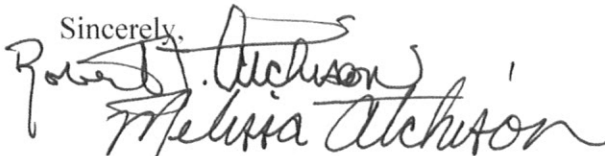
To: Riley County Commissioners  
From: Bob and Melissa Atchison  
Subject: Rezoning Request - Lawe LLC (Liquid Art Winery)

Melissa and I strongly encourage Riley County Commissioners to deny the request by Lawe LLC to amend Planned Unit Development zoning that would allow significant development expansion within the Wildcat Creek watershed for the following reasons.

- The proposed development is inconsistent with the agricultural land use described in Riley County's Vision 2025 Plan and the current zoning and land use of the neighbors who will be affected.
- The size of the proposed development will completely change the character of the area because of sheer increase in traffic, noise and the impact on the vista of the rural landscape.
- While Liquid Art's current land use is agrotourism, the proposed development of two event centers, an RV park, and a 3,000-seat amphitheater in our opinion is not.
- As a retired Forester Emeritus with Kansas State University, I have great concerns for any high-density development within the Wildcat Creek Watershed. The removal of native vegetation such as riparian forests or grasslands in exchange for impermeable surfaces has the potential to increase flooding in an already flood-prone watershed. The other benefits provided by our grasslands and trees including agriculture, wildlife, water quality and our very quality of life should also be considered.

Like many people both Melissa and I have enjoyed Liquid Art and appreciate what Dave and Dani Tegtemeier have accomplished through their winery. We also appreciate the mission of Prairiewood and know some of the residents who live in this neighborhood along Wildcat Creek. We are concerned the proposed development will adversely affect the quality of their lives and properties.

Sincerely,



Bob and Melissa Atchison  
731 Houston  
Manhattan, KS 66502  
785-313-2292

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtemeier Addn Unit 2)

John and Jeanette Schwartz

1611 Plymouth Road

Manhattan, KS 66503

May 30, 2022

Dear members of the Riley County Commission,

We are writing to express our concern with the proposed development by Lawe LLC, expanding the use of their property. As residents of Manhattan for over 25 years, we have come to enjoy and appreciate the opportunities we have to engage with the prairie within a short drive from town. We have also come to appreciate the remaining hilltops that have not fallen to developers, treasuring the view of the beautiful flint hills from town.

The extensive plans proposed to add multiple buildings, an amphitheater, and a large parking area would mainly be to the benefit of those that come from out of town for special events and would not support the well-being of the land or the people who live nearby. Though we don't claim expertise regarding land development, it is clear that in the Manhattan, KS area, thoughtful consideration to the impact of the loss of green space, especially from areas where rainwater run-off happens more quickly, has not been taken in the past 10-15 years. Those of us who reside here full-time, especially in more low-lying areas, have been impacted by flash floods, and those would most certainly more commonly occur if development continued unchecked in the areas surrounding Wildcat Creek.

While we admire and appreciate the entrepreneurial spirit and hard work of the Tegtmeiers and believe that their current business is an asset to the community, this proposal does not fit their location. We strongly oppose their request to amend their current Planned Unit Development zoning to allow for this sort of expanded use and development and urge you to vote against its approval.

With appreciation for your service and thoughtful consideration,

John and Jeanette Schwartz

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Dear Commissioners,

I am writing to express my strong opposition to the rezoning request by Liquid Art Winery to expand their business development and land uses. I oppose this rezoning for several reasons. First, I do not believe that the rezoning is compatible with the rest of the area's environment, nor is it compatible with the rest of the nearby properties. A lot of effort has gone into maintaining the area's quiet rural environment, preserving the native prairie and creating the landscape. The addition of infrastructure at the Liquid Art Winery site would ruin the character of the rural neighborhood and introduce unnecessary and unwanted commercialization of a rural area and all that comes with that, including heavy traffic (when concerts and other large events take place). I cannot imagine that other property owners in the area, who chose to live in the area because of the rural nature, would be happy about the peaceful sounds of nature being replaced by the noise that would come with people congregating at the Liquid Art Winery site for large events.

Secondly, it does not seem appropriate to consider the proposed Liquid Art Winery expansion as "agritourism", when the addition of a restaurant, two event centers, a large amphitheater and an RV park would diminish the quiet, rural nature of the area. I am concerned that approval of the rezoning request by Liquid Art Winery would set a bad precedent that other business owners can easily circumvent the Riley County Comprehensive Land Use Plan by calling any commercial development "agritourism" when it clearly goes against the type of land use (agriculture) in the Plan for this area.

Finally, and most importantly, I am concerned about the environmental impacts that approval of this rezoning would have. I am very concerned about the potential for detrimental environmental impacts of additional development in the watershed of flood-prone Wildcat Creek, which is already considered an "Environmentally Sensitive Area". Further commercial development of the area would likely result in an increase in pollution, flooding, and also negatively impact water quality.

Again, I oppose the rezoning request of Liquid Art Winery and strongly urge you to vote against the request. The only hardship for the applicant with a denial of its request is less financial gain. The hardships that would be caused by approving this rezoning to surrounding property owners as well as the environment would be far greater.

Sincerely,  
Nate Dungan  
Concerned Environmentalist



## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:23 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Opposition to Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development

*Cindy Kabriel*  
 Administrative Assistant II  
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 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Michaela Hale <michaela.hale@yahoo.com>  
**Sent:** Monday, May 30, 2022 11:46 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Opposition to Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development

My name is Michaela Hale and I had the privilege to visit the Wildcat Creek Community for a few days.

Having lived in Tennessee for from 1994 to 2011, I moved to Germany and have lived there since. I revisited my old neighborhood and saw how that idyllic community was transformed into a more commercial area. It was sad to see nature take a backseat and my old neighbors retreating.

Spending a few days on Wildcat Creek Road, I was made aware of the planned expansion of Liquid Arts Winery and was shocked to see this was even something a zoning board would consider. The untouched scenery and nature along this idyllic road should be protected at all cost. I have seen turkey, snakes, deer, falcons, eagles, woodpeckers and an abundance of wildflowers. Such treasures are normally only found in national parks, yet here it is, just on the outskirts of a history protecting town.

I believe any person that has experienced the abundance of peace and nature along this road, will strongly oppose any expansion of commercial expansion and increase of traffic.

I hope you will consider my opinion on this as tourism is very important to this community and with the proposed changes, it would deteriorate the charm and natural habitat of many species.

Sincerely,  
 Michaela Hale

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:22 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Rezoning for Liquid Arts Winery

Cindy Kabriel  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: ckabriel@rileycountyks.gov

-----Original Message-----

From: Molly Porter <mollyporter@kc.rr.com>  
 Sent: Monday, May 30, 2022 10:22 AM  
 To: Cindy Kabriel <ckabriel@rileycountyks.gov>  
 Subject: Rezoning for Liquid Arts Winery

To: Riley County Commission  
 Date: Monday, May 30, 2022  
 From: Molly W. Porter  
 Prairie Village, Kansas

To Whom It May Concern:

It saddens and perplexes me that I find myself needing to write this letter requesting the Riley County Commission vote against the proposed rezoning expansion of the Liquid Arts Winery on Wildcat Creek Road.

It seems it would be abundantly clear that the proposal has little to no regard for the sensitive environment and ecology of the tallgrass prairie and the rural area that surrounds Wildcat Creek.

It surprises me that the proposal got beyond the sub committee since it is my understanding that none of the neighbors on Wildcat Creek road are in favor of it and feel it would destroy the very reason they have chosen to live there.

I have personally visited the area many times. The quiet natural beauty, the abundance of wildlife and the area's hiking trails preserved, in part, by the Kansas Land Trust add to the unparalleled sense of belonging to the land. This proposal would not only disrupt that beauty but also disrupt the environmental and ecological balance that we so desperately need for human habitation of plant earth. Once the prairie has been destroyed it cannot be restored.

I urge you to vote no on this rezoning proposal for the sake of both current and future generations.

Molly W Porter

Sent from my iPad

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



County Commissioners,

Thank you for your time and consideration. I am writing in regards to the action on the County Commission agenda to amend the current Planned Unit Development zoning for Liquid Art Winery (Lawe LLC), which would allow for expanded development and uses. While I am submitting commentary quickly to meet the deadline, I would be grateful for an opportunity to discuss this issue further with the commissioners in the future.

The proposed amendment will lead to commercial development beside and perhaps within sensitive land, disturbing important native landscapes, valuable agricultural land, and the rural character of the surrounding properties. City of Manhattan and Riley County residents have expressed their interest in preserving the natural areas and rural landscapes of the region. I have reviewed the documents associated with the requested amendment and was surprised to find there was no environmental survey conducted to assess the impact of the proposed development on the surrounding prairies, riparian corridors, wildlife and Wildcat Creek. An environmental survey taking into account the effects of the impervious surfaces and proposed land use on the surrounding natural resources should be a requirement for any development of this scale, especially one that sits in multiple watersheds. I request that the commissioners postpone this decision to allow time for an environmental impact survey and time to schedule meetings with county residents and business owners to voice their thoughts and concerns.

As Riley County continues to develop, an Open Space plan should be in the works to protect the valuable landscapes, wildlife, and character that draw people to the region to live and to recreate. Your constituents depend on you to protect the natural resources of Riley County and Manhattan, especially in the face of rapid growth. Beyond the invaluable protections to wildlife, these landscapes defend our existing communities from natural disasters and provide securities such as clean water and healthy, productive farmland. Please feel free to reach out to me for further discussion. Thank you for your work representing the residents of Riley County.

Sincerely,

Courtney Masterson  
Ecologist | Owner/Operator  
Native Lands, LLC  
913-207-8034  
For.the.prairie@gmail.com

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

May 29, 2022

TO: Riley County Commissioners  
RE: Liquid Art Winery PUD amendment

Dear Riley County Commissioners:

I have known the Katzenmeier family, the owners of Prairiewood on Wildcat Creek Rd., for twelve years through having their children participate in the Gold Orchestra and with their son taking music lessons with me. The Gold and Silver Orchestras as well as the MHS Orchestras have used Prairiewood on several occasions, and I have attended numerous events there over the years, so I am quite familiar with that lovely rural area. My wife and I live in the country on Cedar Creek Rd., and so we are strong proponents of preserving the beautiful Flint Hills around Manhattan from encroachment of large housing developments and businesses. We live in Pottawatomie County, but I grew up in Manhattan and then have lived in the city or our current home since 1987.

One thing that concerns me about changing the zoning as per Liquid Art Winery's PUD request is that the high volume of traffic would negatively impact the neighbors and wildlife on what is essentially a gravel country road with no lane markings. Living next to such a road ourselves, with a relatively low volume of traffic, necessitates keeping all our windows closed year-round. Anyone who has driven a gravel road knows that immense clouds of dust are generated by even one vehicle. Dozens or hundreds of vehicles traveling to an event held in a three thousand seat amphitheater would make life unbearable for the residents of Wildcat Creek Rd. because of the dust, noise, litter, and safety.

The many new proposed buildings would engender a visual disruption of these beautiful hills, akin to what happened when the lovely area around Scenic Drive was developed. A saying around town at that time was "Scenic Drive isn't." Once a prairie is developed, its loveliness is gone forever.

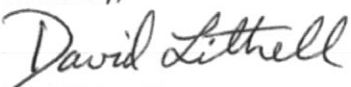
I have read extensively about this proposal, and I trust that others will be addressing many other issues that are valid. I am strongly in favor of Liquid Arts Winery existing as it does now with little or no visual and ecological impact, but the new proposal places this within an entirely different scheme. We already know how overdevelopment has negatively affected the Wildcat Creek floodplain, and this will be another destructive expansion into our beautiful prairie.

The idea of an event center such as this could be a beautiful addition to our community with a much scaled-down proposal, but several major problems need to be addressed, including:

- Consultation with neighbors and residents of the road about the plans
- Address the concerns with infrastructure, especially with access on one small gravel road for a center with a 3,000-seat capacity and potential for contributing to flooding problems in the area
- Provide information about views and how surrounding sight lines would be affected and position new buildings away from hilltops
- Consideration of reducing the size of the proposal, or perhaps finding a different location that can support a project of this scope, such as closer to an established highway

I urge you Riley County Commissioners to turn down the Liquid Arts Winery proposal as currently presented.

Sincerely,



David Littrell

7145 Cedar Creek Rd. Manhattan KS 66502 [dlitmus@ksu.edu](mailto:dlitmus@ksu.edu) 785-770-0195

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:20 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Zoning Change in Relation to Request for Development Near Liquid Art Winery

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** John Porter <jrp1346@gmail.com>  
**Sent:** Sunday, May 29, 2022 4:18 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Zoning Change in Relation to Request for Development Near Liquid Art Winery

My wife and I **strongly oppose** the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses, and urge the Riley County Commissioners to vote against its approval.

The area is rural and quiet. It is flood prone. Its beauty is in serenity and country-ness. The development is not at all compatible with the existing character of the region.

Please help keep the area serene and peaceful. Please vote against this proposed development.

Sincerely,

*John Porter*  
*c: 703.772.7513*

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



Dear Commissioners,

I am writing to express my deep concerns about and opposition to the commercial rezoning request of Liquid Art Winery in rural Riley County. There are several reasons for these concerns and opposition.

First, the requested rezoning is not compatible with the zoning and uses of properties nearby. The current zoning and uses of the properties nearby are mostly that of either agricultural or very-low density residential – along with Prairiewood’s small-scale retreat & event center, and Liquid Art’s current small-scale winery. Placing the proposed rezoning’s addition of two event centers, an RV Park, a ridgeline of individual cabins, a full-service restaurant, expanded parking areas, and a large-scale outdoor amphitheater clearly do not fit into an agricultural and low-density residential area. In addition, the significantly increased traffic on a two-lane, very twisty, gravel rural road that is not designed or engineered for such use could be dangerous and detrimental.

Secondly, the requested rezoning, and its removal of the current restrictions prohibiting expanded development, would detrimentally affect nearby property and protected prairie land. The rezoning’s associated increased traffic, construction noise, damage and permanent change to the contours of the prairie land, and amphitheater noise, would all be detrimental to the residents who choose to live in a rural area because they love the peaceful serenity that nature provides, including the thousands of visitors like myself who walk the trails at Prairiewood, enjoying the native land that is permanently restricted, by a conservation easement, from any future building or development.

Lastly, by denying this rezoning request, you would be protecting the safety of the public by preventing dangerous overuse of a gravel road not designed for the urban-like traffic. You would be preserving the welfare of the public by preventing development inconsistent with the agricultural land use clearly defined in Riley County’s very own Comprehensive Land Use Plan for this area. You would also be protecting the public welfare and safety by not approving additional high-density development along the banks and in the watershed of the already flood-prone Wildcat Creek. Additional large-scale construction would undoubtedly permanently increase flooding and damage to surrounding areas.

In conclusion, I strongly oppose the request by Liquid Art Winery to rezone their property for commercial expanded development and uses, and urge you to vote against its approval.

Sincerely,  
Carol Dungan,  
Prairiewood Trail Walker

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:17 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Zoning change

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** peters43 <peterstorandt1@gmail.com>  
**Sent:** Saturday, May 28, 2022 1:57 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Zoning change

Dear Riley County Commissioners,

Last fall we visited Prairiewood for the first time, to attend a retreat focused on caring for our land in Kansas. From the moment we turned off the paved streets of Manhattan until we were settled into our quarters in the main building, we were overcome by the beauty and serenity of the surrounding landscape. Everywhere we looked, there was color, variety, varying terrain, earth, water, stone, trees, grasses, flowers. It was like an instant transport to a hidden world.

Over the two days of our stay, we had opportunities to enrich our senses through intimate contact with these elements. To say that our connection with the land was made more personal and lasting would be an understatement. The overwhelming emotion of the bond we formed has remained with us.

You are about to consider a request for a zoning change from a Prairiewood neighbor, Liquid Art Winery, that up until now has been a desirable partner in maintaining this cherished environment. However, we are fearful of the repercussions of greater development and the resulting higher volumes of traffic and attendance at nearby attractions. In our opinion, the proposed changes would tip a natural masterpiece into precipitous decline. We urge you to deny the requested changes in the name of maintaining a priceless, but precarious, treasure for the county and its visitors.

Sincerely,

Peter and Judith Storandt  
 El Dorado, Kansas

Sent from [Mail](#) for Windows

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 8:17 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Prairie Preservation

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** Mike Porter <portmerz@comcast.net>  
**Sent:** Saturday, May 28, 2022 1:34 PM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Cc:** Mike Porter <portmerz@comcast.net>  
**Subject:** Prairie Preservation

Commissioners,

I write in support of maintaining the character of tallgrass prairie and those who have undertaken so much care of it, which weighs against allowing the expansion and development requested by Lawe LLC.

While I reside in Oregon, I attended Kansas State and have family and friends throughout the state. My office in Oregon includes photos of the prairie right in the very area of the proposed expansion. They are majestic - often one person in a landscape swallowing the individual in a peace and serenity that has no equal. My colleagues who aren't from and have not been to Kansas are uniformly struck by the area - one can see their impressions of Kansas turn in an instant. When my family and I visit we always go to Prariewood, and I frequently recommend my Midwestern friends go there as well. The compelling reason is to appreciate the natural and undeveloped beauty and be at peace. It is so hard to find an accessible beautiful peaceful place that is so relatively undisturbed by the constant appetite for things bigger and better.

I hope you will consider the significant negative impact of amendment to the zoning - it will diminish the character and quality of a most unique space that people near and far are grateful for. Thank you for being thoughtful in your consideration of these issues.

Mike Porter  
 Beaverton, Oregon

Attachment: Emails\_letters combined (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

May 30, 2022

Board of Riley County Commissioners  
110 Courthouse Plaza  
Manhattan, KS 66502

Board of Riley County Commissioners:

Please accept this letter expressing our concerns with the request by David H. and Danielle B. Tegtmeier, and Lawe LLC, to amend the Preliminary and Final Development Plans to amend the Preliminary and Final Development Plans associated with an existing Agri-Business Planned Unit Development.

When moving to Manhattan in 2005, we carefully evaluated several properties and settled on our home at 5707 Saddle Rock Road. We selected this property for its quiet, solitude, and rural atmosphere of the properties along Wildcat Creek Road.

To now hear of the proposed expansion of the commercial business, Liquid Art Winery, to include: a full service restaurant; RV Park; multiple vacation cabins; additional event space; additional parking lots; additional sewage treatment; 3000 seat amphitheater; all intended to create more visitation / business for the winery. It is very concerning that the rural atmosphere along Wildcat Creek Road and Saddle Rock Road will be lost.

As we are all aware, the Vision 2025 Comprehensive Plan for Riley County emphasizes the importance of preserving agricultural land and maintaining rural character. The document states agricultural land is a nonrenewable resource and once public and private decisions are made to convert agricultural land to non-agricultural uses. This vital resource is almost irretrievably lost.

Further, the document states - regardless of any individual interpretation of rural character, it remains true that as more people are attracted to rural areas, preserving the unique character of an area becomes more of a challenge.

As taxpayers who have lived at this location for 17 years, we ask the County Commissioners to give serious consideration to the proposed Final Development Plans that increases existing parking lots; that increases sewage treatment; that increases the number of people attracted to

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



our rural area; that decreases the agricultural potential for the area; that does not preserve the rural character.

The proposed Final Development Plan is in conflict with vital components of the Vision 2025 Comprehensive Plan for Riley County and its vision where:

- Agriculture land is preserved
- The rural character and heritage is preserved
- Development is managed in a way that compliments and enhances our County's character

Lastly, simply stated, we did not move to the country to now see urban style development take away our rural atmosphere.

Thank you for your consideration of these concerns.

Respectfully,

Eddie and Dana Eastes  
5707 Saddle Rock Road  
Manhattan, Kansas 66503

## Amanda Webb

---

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 10:44 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Online Form Submittal: County Commission

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** noreply@civicplus.com <noreply@civicplus.com>  
**Sent:** Tuesday, May 31, 2022 10:38 AM  
**To:** John Ford <jford@rileycountyks.gov>; Kathryn Focke <kfocke@rileycountyks.gov>; Greg McKinley <gmckinley@rileycountyks.gov>; Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Online Form Submittal: County Commission

### County Commission

|                      |                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Name           | Monte & Jill                                                                                                                                                                                                                                                                                                                                                        |
| Last Name            | Giddings                                                                                                                                                                                                                                                                                                                                                            |
| Address              | 26755 W. 103rd Street                                                                                                                                                                                                                                                                                                                                               |
| City                 | Olathe                                                                                                                                                                                                                                                                                                                                                              |
| State                | KS                                                                                                                                                                                                                                                                                                                                                                  |
| Zip                  | 66061                                                                                                                                                                                                                                                                                                                                                               |
| Daytime Phone Number | 19132198991                                                                                                                                                                                                                                                                                                                                                         |
| Email Address        | <a href="mailto:montegiddings@gmail.com">montegiddings@gmail.com</a>                                                                                                                                                                                                                                                                                                |
| Question / Comment   | It is our understanding that the owners of Liquid Art Winery located on Wildcat Creek Road have submitted an application to develop the area surrounding the winery. It would appear that the application would significantly increase the Tegtemeier's commercial holdings at the site they currently occupy. The scope of the operation would dramatically effect |

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtemeier Addn Unit 2)

the landscape and the aesthetics of the surroundings.

The Flint Hills are a precious gift to those of us who have grown up in Kansas. The preservation of that God-given landscape we call the Flint Hills is important to our state and the nation. Overdevelopment in the part of Riley County that is proposed in the Winery's application will have a negative impact on the area in many respects including increased noise and traffic burden. In almost every aspect, the wildlife habitat will suffer as will the general beauty of the rolling hills that make Riley County such a special place.

We are writing you and requesting that you will consider these issues carefully and deny this application based on the adverse effect this development will have on the environment.

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Email not displaying correctly? [View it in your browser.](#)

May 30, 2022

Dear Commissioners Ford, McKinley and Focke,

Thank you for your public service to our community and county, we are grateful.

I am writing regarding the upcoming zoning amendment of the Lawe, LLC (Liquid Art Winery) which is on the Riley County Commission's agenda for Thursday, June 2, 2022. I have lived on Wildcat Creek Road for almost 25 years and am the owner and director of Prairiewood Retreat and Preserve, which sits less than 1000 feet from the Winery.

While there are many complex aspects to consider along with an accompanying number of concerns, I am inclined instead to limit this letter to one particular theme that continues to surface as I consider a holistic view of this rezoning proposal. The theme that continues to emerge in both my heart and mind is that of *Reciprocity*.

Reciprocity involves the action of giving and taking mutually and sustainably.

As both a neighbor, and as the operator of Prairiewood, I have been struck by the current makeup of our rural neighborhood. We have some neighbors who have lived on this road for many years in the few homes and farms sprinkled along it, we have grandchildren of former owners who live here now in their original family homestead, we have land owners who live afar and lease their land for agricultural uses, we have cattle ranchers, we have horses and their equestrian operators, we have two parcels of land with conservation easements which protect them from any future development, and we have Prairiewood Preserve and Liquid Art Winery, both operating in this rural area. In order for us to all coexist, reciprocity is both necessary and is a guiding principle of how communities can coexist sustainably.

In this manner, there are times when our neighbors must 'give' up some of their ideal rural living because of the current small-scale events that occur, creating less than desirable traffic, dust, and noise pollution. Within that, due to the current agricultural nature of Prairiewood (which preserves over 400 acres of native prairie for cattle grazing, and uses only buildings that were previously existing) and Liquid Art Winery's vineyards surrounded by the rest of the natural land on their site, the neighbors are able to 'take' something in the rural character being preserved – as opposed to the nearby Scenic Drive development encroaching further into their rural neighborhood. Neighbors can even enjoy access to Prairiewood's five miles of hiking trails (that would otherwise be restricted behind barbed-wire fence), or going up to the Winery for drinks and a pizza on the patio to enjoy looking out over the largely undeveloped, natural surrounding view. This 'give and take' is, of course, not perfect, but I have witnessed us all learning to be good neighbors in the spirit of reciprocity – to be as good of neighbors as possible within this ecosystem where the agrotourism of Prairiewood and Liquid Art is appropriately scaled in sustainable relationship to the area.



To add any further commercial, urban-like development (whether under the banner of agrotourism or not) in this rural area would alter the reciprocal nature of the delicate relationships involved. The large-scale impact of the proposed rezoning would ask our neighbors to give up far more than anything they would be able to get in return. Additionally, not only would it remove sustainable reciprocity from the dynamics involving neighbors, it would most certainly remove sustainable reciprocity in our relationship with the land. This area is, by all definitions, a rare ecological treasure whose health is dependent on the proper management of its resources. There is simply no method in which a large-scale, urban-like development can possibly give back to the land's ecology an amount equal or greater than will be diminished by it. In this regard, reciprocity would be broken.

I have read Riley County's Vision 2025 Plan, and can see where it clearly casts that the hope and vision for our county is to be one of sustainability, and to accomplish that requires reciprocity with one another & our native landscape. I urge you to consider our Riley County community holistically, where growth must be balanced with sustainable reciprocity, and to deny Liquid Art's rezoning application.

Truly,



Rebecca J. Katzenmeier

Prairiewood Preserve  
1484 Wildcat Creek Road  
Manhattan, Kansas

785.341.5206

## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 11:53 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Liquid Art Winery Development

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Wade Hageman <[wadehageman@gmail.com](mailto:wadehageman@gmail.com)>  
**Sent:** Tuesday, May 31, 2022 11:51 AM  
**To:** Cindy Kabriel <[ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)>  
**Subject:** Liquid Art Winery Development

Dear Riley County Commissioners,

My name is Wade Hageman and I have lived in Riley county most of my life. I am an avid outdoors person. I love to hike, cycle, and enjoy all that Riley County outdoors has to offer. This was a major factor in the decision my fiance and I made to stay in Manhattan.

I often find myself along Wildcat Creek Road and there is not a more serene place to be in Riley County. I am sure you can imagine my excitement when Vision 2025 was shared with me. I feel like it spoke directly to what I need in a community and I am looking forward to seeing this all play out.

So, the reason I am writing to you this morning is to let you know that what Lawe LLC. is proposing does not fit within this Vision. To quote the vision. We need to be "preserving land, the rural character, and the heritage of Wildcat Creek Road and all of Riley County." "Development is managed in a way that complements and enhances our County's character." "Conservation of Natural resources is valued" - If you are supporting this Vision, you have to decline the proposal from Lawe LLC.

What Liquid Art Winery currently offers is what this community needs. If this proposal is approved, not only will it make it unsafe to bike along Wildcat Creek Road, the watershed issues will make recreation along the creek less than ideal. I also worry about the prairie lands, the native plants, and the wildlife. All that would surely be displaced, ruined, or worst case killed with this development.

Please support the approved Vision 2025 and decline this proposal. Riley County and its citizens need Wildcat Creek Road as it is to be enjoyed for years to come.

Thank you for taking the time to read this letter.

Wade Hageman

Attachment: Letters\_emails\_combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

1243 Wildcat Creek Rd  
Manhattan, KS 66503

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 11:50 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: A Concern: Lawe LLC Request to Amend Planned Unit Development Zoning

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

---

**From:** Allison Money <allison.l.money@gmail.com>  
**Sent:** Tuesday, May 31, 2022 11:38 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** A Concern: Lawe LLC Request to Amend Planned Unit Development Zoning

To Whom it May Concern:

I was saddened, and frankly, upset, to hear of the recent request by Lawe LLC to amend their current zoning to allow for the addition of urban-like density, infrastructure and traffic into such a beautiful, well-preserved and special part of Riley County.

My husband and I were married at Prairiewood last year, and brought guests from across the country to somewhere they never would have visited on their own: the prairie of Manhattan, KS. As a native Kansan, it was so satisfying to hear how surprised they were by its beauty, their plans to return, and their new, positive perspective on the state of Kansas. I do not think they would have had this same reaction had there been the increase in noise, traffic and new infrastructure that this zoning would allow for.

I cannot comprehend why Riley County would seek to forever alter such a special place and tourist attraction for a single business' gain. The Winery would only stand to lose the opportunity to gain more money. However, the rezoning's associated increased traffic, rampant road-gravel dust, and general transformation of Wildcat Creek Road to becoming more of a thoroughfare leading to an urban-like development (than of its current quality of a lightly-traveled, quaint rural road) will have a permanent detrimental effect on all residential properties located in the surrounding area.

I chose to be married at Prairiewood for its rural character and because the surrounding environment made me proud to be a Kansan, and proud to have grown up in Riley County. This zoning amendment would reduce what makes the area special and is not compatible with the zoning and uses of the surrounding properties.

I sincerely hope the County Commissioners will fully consider the impacts this rezoning will have on the ecological & wildlife habitat, as well as on traffic and noise. We are lucky to call the Flint Hills ours, and I hope that the Commission votes in a way that shows how much they understand its value.

Attachment: Letters\_emails\_combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



Best,

Allison Money

May 31st, 2022

Riley County Commissioners,

Thank you for taking the time to listen to my concerns regarding the development plan being proposed by Liquid Art Winery LLC.

My name is Emily Vosberg, and I have lived in Riley County for 25 years. I was raised in Manhattan, and moved away to California for 3 years and came back early 2020. Since coming back, I have a new appreciation and new eyes for these beautiful landscapes Kansas provides, specifically the Wildcat Creek and the Prairie Preserve areas.

I have always had a deep connection with the outdoors and the lands that need to be protected. I am an entrepreneur and an artist, and encourage people to pave their own path in life. One of my biggest core values I live by is leaving people and things better than I found them. Whether that is picking up as much trash as possible after a camping or hiking trip, or simply being friendly to a stranger.

As an artist and fellow business owner inspired by the nature and places I have visited and lived, I donate 7% of my proceedings back to National Parks, State Parks, Public Lands, Sacred Native Lands, Preserves, and more. Wildcat Creek and the surrounding Prairie is one of those sacred places near and dear to so many in this community and beyond.

My fiancé and I, will be new residents on Wildcat creek road and I am deeply concerned about this expansion being proposed by Liquid Art Winery. We have enjoyed many afternoons at LAWE, and fully support what they have to compliment the surrounding preserved land and community. However, when I heard they were trying to extend the estate with a 3000+ amphitheater, an RV Park with cabins, a full restaurant and an additional event space, I was appalled and frankly disappointed.

We are responsible in protecting this land from being developed in this manner in accordance with Vision 2025, and this is directly against what this Vision stands for. This is a place where a small community of families live and not to mention the micro and macro ecosystems at play so we can enjoy the land. I am afraid that not enough consideration has been sought out for the wildlife, the many diverse ecosystems and the community of people that call this home. This expansion plan, if approved, will cause irreparable damage to the 400+ acres of preserved land and the surrounding community that resides here.

My fiance and I didn't choose to live on Wildcat Creek Road to endure more traffic and more people. We came to enjoy the land that we are supposed to steward and care for--to leave it better than we found it. This land needs to be protected from this kind of development so future generations can see what we see now and get the chance to enjoy these beautiful lands.

Thank you for considering what I have to say.

With respect,

*Emily Vosberg*

Emily Vosberg

1243 Wildcat Creek Rd

Manhattan, KS 66502

## Amanda Webb

**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 11:58 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Opposition to Request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** HP <hypralsh@gmail.com>  
**Sent:** Tuesday, May 31, 2022 11:57 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Opposition to Request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning

Dear Commissioners,

It has come to my attention that a winery in the Wildcat Creek Valley is requesting rezoning for additional activities that would potentially negatively impact the ecological and wildlife habitat surrounding that area, including a serene guest retreat I've visited several times for peace and relaxation. I am writing to make you and other Commissioners aware that as a frequent visitor/guest to that area, I strongly oppose the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses.

I believe that the requested rezoning, and its removal of the current restrictions prohibiting expanded development, would detrimentally affect nearby property through aesthetic diminishment from significantly increased traffic that would most certainly and acutely be experienced in the decreased enjoyment of their property by those local land and home owners, as well as guests and visitors such as myself and my family. In addition, I cannot believe that the winding road was designed for urban-like traffic that would be associated with the proposed expanded rezoning uses (even aside from the amphitheater and its thousands of associated vehicles at each event it would host). At the very least, the traffic-safety of emergency vehicles being able to quickly enter and exit.

I am highly concerned that allowing this type of additional infrastructure to such a beautiful and rural area (even if not of high-level volume) and nearby property that is currently enjoyed for its rural character (where its current primary sounds are of birds, wind, and insects) would become land that is now largely characterized by traffic noise, amphitheater noise, and the generalized ambient noise that accompanies high concentrations of congregating people.

In conclusion, I strongly believe this would also detrimentally affect the nearby property and any users of it – including the thousands of local and regional visitors who I am sure walk the trails at Prairiewood, enjoying the

Attachment: Letters\_emails\_combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



captivating sounds and views of the surrounding rural landscape (while on trails and native land that I believe is a conservation easement, restricted from any future building or development.

Kind Regards,  
Heather P.

**Amanda Webb**

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 10:51 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Protecting Manhattan's Environment and the Wildcat Creek Watershed

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** Matt Larsen <larsen182@gmail.com>  
**Sent:** Tuesday, May 31, 2022 10:49 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Protecting Manhattan's Environment and the Wildcat Creek Watershed

Dear Riley County Commissioners:

The Manhattan hills and prairies have unique offerings which provide genuine connection with nature's beauty and a special draw for visitors into Manhattan. I believe this is threatened by the proposed zoning expansion of Liquid Art Winery in the Wildcat Creek Watershed area which is why I'm writing you to express my concerns.

I am surprised Lawe LLC's proposal has proceeded to this point and to be honest am disappointed. While I respect Liquid Art's current state of operations, I believe the expansions clearly go against the genuine draw of the Wildcat Creek environment and appears to contradict the nearby community's desires and neighbors who choose to live in the immediate area.

I live in Kansas City and frequently visit Manhattan and the Wildcat Creek area and have many KC-based friends and family who have a similar love for visiting this unique area and its pristine qualities.

I believe Lawe LLC's proposed expansions will create irreversible harm to the Wildcat Creek area.

I strongly urge you to vote against this proposal and turn it down.

Thank you,  
 Matt Larsen  
 Based in Kansas City

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

## LUCY W. TIDWELL

16 Taylor Woods Drive, Kirkwood, MO. | 913-486-7129 | lucytidwellco@gmail.com

**May 31, 2022**

**TO: Riley County Commissioners**

I understand that you will shortly be considering a request by Dave and Dani Tegtemeier to change the zoning of their site to allow for a massive expansion in development of their property.

My late husband and I have been avid lovers of the Flint Hills for 40 years and have supported various efforts to preserve these unique areas of land. We were continuously awed by the power of its quintessential Kansas beauty and the stunning grace of the areas of rolling hills, uninterrupted by modern development. It wasn't until about 15 years ago that we discovered the natural beauty of the Flint Hills in the Manhattan area. We have been pleased by Riley County's efforts to focus on preserving the unique landscape and character of this national treasure. It is so critically important that such efforts continue.

The scale of the proposed request is alarming. While denying the request may limit the land-owner's options, the resulting risk of impact on the land and the rural nature of the area far outweighs such concerns. Of particular concern is adding such a high-density development along vulnerable Wildcat Creek—an area that the Riley County Planning Department has already listed as an “environmentally sensitive area.”

I strongly encourage you to deny this request that risks destroying part of this area's natural character and makes its preservation so much more vulnerable. We all are aware that reasonable economic development is valuable, but if it is not done wisely and with a full range of information about the impact, it could serve to diminish the economic value of these pursuits instead of promoting them.

Sincerely,

**Lucy W. Tidwell**

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtemeier Addn Unit 2)



## Amanda Webb

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**From:** Cindy Kabriel  
**Sent:** Tuesday, May 31, 2022 11:53 AM  
**To:** Amanda Webb; Bob Isaac  
**Subject:** FW: Opposition to Lawe LLC (Liquid Art Winery) proposal

*Cindy Kabriel*  
 Administrative Assistant II  
 Riley County Clerk's Office  
 110 Courthouse Plaza, B118  
 Manhattan, KS 66502  
 phone: (785) 565-6202  
 fax: (785) 537-6394  
 e-mail: [ckabriel@rileycountyks.gov](mailto:ckabriel@rileycountyks.gov)

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**From:** HP & JP <hnpjpratt@protonmail.com>  
**Sent:** Tuesday, May 31, 2022 11:48 AM  
**To:** Cindy Kabriel <ckabriel@rileycountyks.gov>  
**Subject:** Opposition to Lawe LLC (Liquid Art Winery) proposal

Good day.

I am writing to express our opposing ideas to the proposed expansion plan for Liquid Art Winery. After reading the proposal, I felt very motivated to share my thoughts on a couple of concerns regarding it.

With the great increase of human traffic there are several problems that could arise from this increase. First would be the concern for human safety since the existing and proposed road is quite narrow and long. This would create a large concern for any possible, and probable, emergency situations that occur and requires emergency personnel to rush to any of the properties along the road to the winery. Secondly, the environmental impact could be substantial as people are people and trash gets away from its designated locations while ending up in the local waterways or properties. No one wants that and it would take some work to ensure it doesn't happen. Plus the increased human activity would affect those surrounding the winery which currently is a serene environment to enjoy nature's sounds and sights.

I think that the winery can coexist with its neighbors in harmony and that is the assumed expectation from all parties. It just can NOT do so with the current proposal. I look forward to the future of the winery and Riley County's just examination of the situation so it may please everyone in the most harmonious way forward.

Thank you for taking the time to listen to your citizens and our concerns.

With regards,  
 Jason Pratt

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)





## The Episcopal Diocese of Kansas

The Right Reverend Cathleen Chittenden Bascom  
Tenth Bishop of Kansas

31 May, 2022

Dear Riley County Commissioners,

I strongly oppose the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded development and uses. I urge you to vote against its approval.

The requested rezoning is not compatible with the character of the neighborhood and the requested rezoning, with its removal of the current restrictions prohibiting expanded development, would detrimentally affect nearby property.

My perspective and passionate belief on this matter is informed in three ways:

- My husband's family, the Bascoms, have been proud and engaged citizens of Riley County for three generations. Lillian Bascom was an early woman leader in Manhattan civic governance. Our branch of Bascoms still steward and live on acreage not far to the north and west of this proposed development near Keats. Both gallery forest and upper pastureland is preserved there, with great attention to the biodiversity of this place. We have witnessed the unchecked development along Anderson Ave. for decades.
- I served as Episcopal campus minister at K-State for eight years, planting a vibrant student ministry. An important aspect of this ministry still includes visits to the west of Manhattan where students – many of them in the sciences – learn to integrate their faith with their studies. I have witnessed how time in the rich natural environment reduces their stress and promotes mental health. These are benefits profoundly needed today!
- I now serve as Bishop of the Episcopal Diocese of Kansas and in that capacity all the territory being considered is under my jurisdiction and care. There is a growing network of Episcopalian landowners across Kansas, but particularly in the Flint Hills, who are committed to preserving and using best practices to assure that our children and grandchildren will have clean water, wholesome food and a healthy climate. These are things Kansans of all political persuasions agree upon. Leaders drawn from across Kansas gather annually at Prairiewood (near to the proposed development) for inspiration and restoration. The proposed development will negatively impact Prairiewood and its unique character and important offerings to the community and our diocese.

I believe earlier leaders, and so many since, have led with foresight. Please be wise and understand that in our era we must support more agrarian ways of life and carefully preserve existing prairies and woodlands for the sake of our children and all of the plants, birds, and animals designed by and beloved of God.

Sincerely,

Bethany Place • 835 SW Polk Street • Topeka, KS 66612-1688 • 785.235.9255 • 800.473.3563 • fax: 785.235.2449

Attachment: Letters\_emails combined 2 (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

Dear Commissioners Focke, Ford, and McKinley,

May 31, 2022

I am writing, as a 24-year resident of Wildcat Creek Road, to express my great concern about the request by Lawe LLC (Liquid Art Winery) to amend their current Planned Unit Development zoning to allow for expanded urban-like commercial development and uses, and to urge you to vote against its approval. More than just my opinion, I have studied the issues in depth, and believe my concern is founded on the very factors that the Commission is instructed to use in making these type zoning-change decisions. Please pardon the length of my letter ... I assure you I have done my best to summarize it as succinctly as possible given the many complex factors at play in this rezoning proposal, and believe each factor is very important to understand and consider properly in your decision:

**The requested rezoning is not compatible with the character of the neighborhood.**

- The current character of the neighborhood's environment is that of quiet pastureland, preserved native prairie, clear meandering streams, and sparse rural homesites. In Short: quaint, quiet, rural. The proposed rezoning's significant increase in noise, traffic, and urban-like development are not compatible with the current character of the neighborhood, because by its expanded construction and uses, it would diminish that very character.
- The current character of the neighborhood's views are of largely undeveloped, open rural spaces – many of which are native, preserved rolling prairie hills. From the hill on which they would be placed, the rezoning's proposed addition of elaborate infrastructure and numerous buildings would be highly visible to the neighborhood. The visual effect of such would be conspicuously depleting to the character of the otherwise mostly undeveloped rural neighborhood surrounding it.

**The requested rezoning is not compatible with the zoning and uses of properties nearby.**

- The current zoning and uses of the properties nearby are mostly that of either agricultural or very-low density residential – along with Prairiewood's small scale retreat & event center, and Liquid Art's current small-scale winery. Placing the proposed rezoning's addition of urban-like density, infrastructure, traffic, and commercialization into what is so clearly a rural area – and one clearly designated as "agricultural" by Riley County's much-belabored Vision 2025 Plan – is certainly not compatible with the current zoning and uses of the properties nearby. The rezoning would introduce a host of compatibility issues that have not been resolved, not the least of which is the functional aspect of introducing heavily-increased traffic onto a two-lane, very windy, gravel rural road that is not designed or engineered for such use.
- It has been purported that all these uses *are* compatible with the current zoning and uses of nearby property, because the rezoning expansion falls under the banner of "agritourism" (which allows for certain auxiliary tourism uses to be added to a primary agricultural operation). However, "agritourism" and "agricultural" are not the same thing, and it seems self-evident that the scale of the "tourism" portion of this expanded use far exceeds the "agricultural" aspect of



the Winery's operation. In short, although agritourism is a legitimate classification designed to help farmers add additional supplemental income to their farm operation, it is obvious that such classification cannot be intended for uses that supersede and/or diminish the very agricultural and rural nature on which the tourism is based. Fully built out with its proposed expanded zoning uses, the Winery's agricultural vineyard operation would obviously be dwarfed by its Two Event Centers, RV Park, ridgeline of Guest Cabins, full-service Restaurant, large-scale outdoor Amphitheater, and enormous Parking Lot expansion to accommodate parking for it all.

**The requested rezoning, and its removal of the current restrictions prohibiting expanded development, would detrimentally affect nearby property.**

- The rezoning's associated increased traffic, rampant road-gravel dust, and general transformation of Wildcat Creek Road to becoming more of a thoroughfare leading to an urban-like development (than of its current quality of a lightly-traveled, quaint rural road) will have a permanent detrimental effect on all residential properties located in the surrounding area. Anyone who has ever stood captivated by a quiet and quaint rural landscape would attest to the diminished overall experience that would occur if that landscape were suddenly bisected with a busy traffic-way. The proposed zoning expansion would produce precisely that effect for the many owners and visitors of surrounding property.
- Aesthetic diminishment from significantly increased traffic would most certainly and acutely be experienced in the decreased enjoyment of their property by local land and home owners – all of whom chose their site to own land or a home based on the rural nature of the area (and the County's official representation that the area's planned long-term use is "agricultural").
- Even if not of high-level volume, nearby property that is currently enjoyed for its rural character (where its current primary sounds are of birds, wind, and insects) would become land that is now largely characterized by traffic noise, amphitheater noise, and the generalized ambient noise that accompanies high concentrations of congregating people. This would all detrimentally affect the nearby property and any users of it – including the thousands of local and regional visitors who walk the road and hike nearby trails at Prairiewood, enjoying the captivating sounds and views of the surrounding rural landscape.

**The gain to the public health, safety and welfare by denying the rezoning will be greater than the hardship imposed upon the applicant (the Winery).**

- The only known hardship to the applicant is that of less financial gain
- The gain to public health, safety and welfare by denying this rezoning is incalculable, and includes:
  - Protecting the Safety of the public by preventing dangerous overuse (especially during inclement weather) of a road not designed for the urban-like traffic associated with the proposed expanded rezoning uses (even aside from the proposed amphitheater and its thousands of

associated vehicles at each event it would host). At the very least, the traffic-safety stakes are so incredibly high that an additional, comprehensive, third-party traffic study should be conducted prior to any approval, of any aspect, of the Winery's rezoning application.

- Preserving the Welfare of the public by preventing commercial development inconsistent with the type of land-use for this area clearly defined in Riley County's very own Comprehensive Land Use Plan (Vision 2025 Plan) – especially when one of the stated intended uses of that Plan was for “*Providing assurance to property owners of surrounding land uses*” for planning and decision purposes.
- Preventing a public safety hazard in the ability for Emergency Services to quickly access Wildcat Creek Road and its residents amidst a level of heavy-traffic that is not intended by the road's current design. As noted in the Planning Department's report, “No comments have been received from Emergency Management regarding this petition”.
- Protecting the public welfare and safety by not approving additional high-density development along the banks and in the watershed of flood-prone Wildcat Creek (a creek officially listed by Riley County's Planning Department as an “Environmentally Sensitive Area”, and one who's vulnerable ecology and water-quality is highly dependent on the very careful management of the areas surrounding it.

To be clear, all of my concerns apply with equal rigor even if the massive amphitheater were removed from the PUD's amended rezoning. Simply put, this is urban-like development being proposed in a rural location designated in the County's future land-use-plan as “agricultural”. In fact, it is the very example of unwanted rural-character-depleting urban sprawl that caused so much of the Vision 2025 Plan to focus on identifying what rural land was conducive for “increased density and development”, and what land was conducive for “preservation of rural character and heritage”. As was its intention, that Vision 2025 Plan serves as a guide that helps Riley County in carefully planning future growth and development so as not to destroy the very rural natural character that is one of the primary drivers of that growth! As the experts and multitude of citizens involved in the development of the 2025 Plan well knew, the path to increased urban sprawl, all across America, occurs incrementally through singular precedent developments – ones that open the door to a previously undeveloped area ... and a door that once opened makes it exponentially easier and easier for future would-be developers to argue that, “The character of the area isn't rural anyway, just look.”.

Respectfully submitted,



Kail Katzenmeier  
1083 Wildcat Creek Road  
Manhattan, Kansas



**Cindy Kabriel**

---

**From:** Mike's Computer <mike@marketingresourcesweb.com>  
**Sent:** Monday, May 30, 2022 8:02 PM  
**To:** Cindy Kabriel  
**Subject:** Lawe LLC Rezoning Application  
**Attachments:** Prairiewood Commission Meeting memo.odt

Attention: Riley County Commission, please see attached.

Mike Katzenmeier



Virus-free. [www.avast.com](http://www.avast.com)

Attachment: emails (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)

TO: Riley County Commission

FROM: Mike & Jamie Katzenmeier  
103 N. Longford Lane  
Wichita, KS 67206  
316-841-6832

RE: Lawe LLC Rezoning Application

DATE: May 30, 2022

This memo is to express our concerns for the proposed expansion plans of Liquid Art Winery on Wildcat Creek Road west of Manhattan, KS.

We will not attempt to recap the many reasons we believe this proposal is extremely outside the limits of property use along Wildcat Creek, as previously established by Riley County's own Comprehensive Land Use Plan. These many reasons will no-doubt be addressed at the Commission meeting on 6/2/2022.

The Prairiewood Retreat & Event Center was our first exposure to the natural wonders of the area along Wildcat Creek. We have been Manhattan and prairie enthusiasts since Prairiewood was established, and we greatly admire their involvement and efforts in prairie conservation and preservation programs over the years.

The prairie is a national treasure and has become a travel destination for visitors from around the world. Prairiewood visitors tell us they can't believe that natural prairie exists so close to a city the size of Manhattan. Quiet, serene, inspirational are just some of the descriptions they use after a visit. And today, many are repeat visitors because the prairie around Wildcat Creek hasn't changed, and still offers a glimpse of times more simple, less hurried.

Although we are not familiar with all the history and background of the area, we do realize that the prairie is unique to the nation, and will lose its innocent nature if not cared for and preserved in it's present state. It will only be natural once. To desecrate this paradise ecosystem of wildlife, plants, sunrises and sunsets, the bloom of wildflowers is to destroy something that can never return.

The motive for financial gain for Liquid Art Winery is the only apparent benefit that we can see to their development proposal. But there are numerous and overwhelming reasons that this proposal should not be approved.

We believe that it is Riley County's trustworthy responsibility to protect the nature of the area for future generations. Therefore, we strongly urge you to deny this rezoning application, and preserve the enchanting and special rural character of this western Wildcat Creek Valley for future generations.

Thank you for your consideration.

Mike & Jamie Katzenmeier

Attachment: emails (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



**Cindy Kabriel**

**From:** Ryan Kegley <ryan@ryankegley.com>  
**Sent:** Monday, May 30, 2022 9:34 PM  
**To:** Cindy Kabriel  
**Subject:** Re: Tegtmeier/Lawe LLC Liquid Art Winery Preliminary and Final Development Proposed Amendment

Dear Riley County Commissioners,

For years my wife and I looked for a small piece of land where we could finally have our dream home — a cottage in the country. Nearly two years ago, we finally find what we were looking for, in an old house that needed a lot of work on Wildcat Creek Road. In September 2020, we made the move from Independence, Missouri to Manhattan, Kansas to begin the process of remodeling the house. The address: 1403 Wildcat Creek Road, Manhattan, KS 66503, less than a mile from Liquid Art Winery.

As with anyone who has made the Wildcat Creek Watershed their home — most of our neighbors have been here for decades — we were charmed by the wonderful mixture of rolling hills, native tallgrass, and riparian woods of the Flint Hills. In short, we fell in love with the bucolic, pastoral, quiet, quaint, rural character of this neighborhood we have called home for nearly two years.

So, I was as shocked as anyone to discover that Dave and Danielle, owners of Liquid Art Winery, had, without approaching any of their neighbors, put forth an amendment to substantially expand and alter their development plan to include an additional residence, a 3000-seat outdoor amphitheater, a second event facility, 12 one-room cabins, 12 RV sites, and the addition of a full-service restaurant to a portion of their existing event facility. That kind of development would be astounding and mind-boggling anywhere, but it struck me as completely misguided and incompatible with the surrounding properties.

Setting my personal opinion aside for the moment, I was even more shocked — and truly dismayed — that the proposal that was presented to the Riley County Planning Board/Board of Zoning Appeals was replete with errors, inconsistencies, inaccuracies, and gaping holes. I'd like to take a moment to point out some of the problems with the proposal:

- **Surrounding Zoning/Land Use** (pg. 2): The winery's proposed land use is incompatible with the grassland, agricultural, and residential land use that surrounds it.
- **Stormwater Drainage** (pg. 6): Despite a study indicating otherwise, it is impossible that the addition of the amount of impermeable surfaces as this plan incorporates will have no (or only negligible) impact on stormwater runoff.
- **Sound/Noise** (pgs. 7-8): The included study indicates that sound levels would consistently flirt with the ordinance's maximum, a small consolation for any of us who live nearby; however, nothing is included to address the impact on the wildlife that call the Wildcat Creek Watershed home.
- **Traffic** (pgs. 8-9): Of all the "studies" included in this proposal, this one is perhaps the most absurd (and perplexing). It states that, during times of event traffic, the intersection at Wildcat Creek and Scenic would "operate at a level of service F until the event traffic exits the area." It then concludes, "There is no way to reasonably address the delay at the intersection of Wildcat Creek Road and Scenic Drive, which is the very reason why roadways are not designed for event traffic." A level of service F equates to over 1 minute and 20 seconds for a vehicle to exit Wildcat Creek Road and enter Scenic Drive. If all 1,200 cars exited

Attachment: emails (12147 : Amend PUD & Replat Tegtmeier Addn Unit 2)



the winery via Scenic, it would, by this math, take 26 hours to clear the road. Even if by some magical circumstance there was no delay at Scenic, every vehicle traveled exactly the speed limit (30 mph), and operator with machine-like precision (an exact 3-second gap between cars), it would still take more than 60 minutes to clear Wildcat Creek Road of event traffic. Finally, a line of 1,200 cars exiting the winery simultaneously would, conservatively, stretch bumper-to-bumper for 3.5 miles — twice the distance of the winery's entrance to Scenic Road.

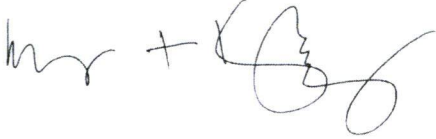
- **Effects on public facilities and services** (pg. 9): The proposal states that "the studies that have been submitted and reviewed conclude that the existing public facilities will adequately handle such increases." However, I found nothing in the proposal from Riley County Rural Water or Rural Fire/EMS to confirm this conclusion.
- **Effect on nearby property** (pgs. 9-10): I find it mind-boggling that a proposal this sprawling and ambitious, with this many new structures, and with the addition of this many more cars on Wildcat Creek Road can come to this conclusion, "it is not anticipated that the proposed development will have an unreasonable adverse impact on nearby property."
- **Conformance to the Land Use Plan** (pg. 10): For anyone who's read the 2009 Vision 2025 Riley County Comprehensive Plan, I find it incomprehensible that this conclusion about this proposal could be reached, "The request is consistent with goals and objectives of the Plan."
- **County Engineer** (pgs. 10-11): While the county engineer said "there may be a need for additional traffic control or flaggers at the winery entrance and Wildcat Creek Road intersection and at the intersection of Wildcat Creek Road and Scenic Drive," I find nothing in the proposal from any public safety agency offering their services in this capacity.
- **Staff Recommendations** (pgs. 11-12): Unfortunately, most of these read as simple rubber stamps without any actual critical thought having been made.
  - **#2:** Again, the statement is made that all of this proposed development will be served by Rural Water with nothing provided to verify this statement.
  - **#4:** Again, how can this many new structures and this much added impermeable surface have "minimal if not imperceptible impact to stormwater runoff"?
  - **#5:** It is acknowledged that there will be "adverse impacts" to traffic at certain intersections, but then appears to draw the conclusion that Wildcat Creek Road getting "paved and geometrically improved" will alleviate these issues. That is simply not true.
  - **#8:** The standard is for one porta-potty per 50 people. That's 60 porta-potties for 3,000 people. I see nothing in the site plan to indicate where these would be placed. Aside from the placement, the sheer number seems inconceivable as either permanently installed or as being trucked in and out for every event (and the additional pressure on Wildcat Creek Road that would create).
  - **#9:** While the most prominent use of the land by acre may be agriculture (viticulture), no argument can be made that the thousands of people who would be coming to functions under this proposal (restaurant, second event facility, RV pads, cabins, amphitheater) would be coming there because of that agricultural activity. On the contrary, the winery's agritourism designation is simply providing cover for an ambitious development that has no place here.
  - **#10:** Despite the aspirational (as opposed to prescriptive) way in which agritourism is defined here, there is little in this proposal that conforms to the spirit of that definition.
- **Site Plan**
  - **Parking:** Despite the proposal indicating 1,000-1,200 vehicles for persons attending an event at the amphitheater, it does not mention that additional parking is also needed for the restaurant, small event venue, or large event venue, all of which would add up to at least another 200 or more vehicles. Even so, I count only approximately 514 parking spaces, not nearly enough to accommodate the anticipated number of vehicles.
  - **Cabins:** Despite calling for 12 cabins in the proposal, the site plan indicates 16.
  - **Porta-Potties:** Their location is not indicated.
  - **Amphitheater:** I see nothing to indicate how attendee access in and out will be controlled (permanent or temporary fencing, gates, etc.).



Again, my personal opinion aside, this proposal simply has too many errors to be considered as it currently exists. On a financial level, I can't imagine this proposal, if approved, doing anything but depressing property values. Who, when looking for a quiet cottage in the country, would be interested in buying in this neighborhood once learning what the winery has built just up the road on the top of the hill?

On a personal level, however, I will be devastated should this proposal be approved. It will destroy the very thing that drew me and my family to this place: preserved rolling prairie and open rural spaces. I humbly ask that you deny this proposal and help keep rural Riley County rural.

Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read 'Ryan Kegley', with a stylized flourish at the end.

Ryan Kegley  
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