

1-22-15 MAPC

HANDOUT

Item #7

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#7 Agenda Item
Case #PUD2014-00003

Comments on Rezoning of PUD#44 – the Rustic Acres Complex

Discussion on Factor 1)

The immediate area is made up of thirteen residential homes, including two farmsteads; agricultural fields; and a waterway, Clearwater Creek. Ten of those thirteen residences have been in existence for over 30 years, with one of the newer built homes being a replacement for a fire destroyed older home.

Discussion on Factor 2)

Music and entertainment venues, as well as, increased traffic flow, will disrupt the peaceful and quiet nature of the area. The proposal stating that, “no music will be heard on neighboring property” is wishful thinking. From our house at 22601 W. 71st S. we can hear the chimes from the church at Clonmel (2 ½ miles east), music from Camp Hyde (2 ½ miles west) music from events held at Lake Afton (4 ½ miles northwest) and the gun fire from the Law Enforcement Shooting Range (adjacent to Lake Afton). Thus, sound containment at less than 200 yards seems unobtainable.

Clearwater Creek definitely adds aesthetic appeal to a property. The appeal quickly vanishes when Mother Nature unleashes heavy amounts of rain, causing flooding of the entire creek area. Dead timber and other debris will be forced downstream (southward) with the rapid flow, tearing out fences and anything else blocking the rushing waters path. This is a common occurrence having happened many times in the past 40 years, of which I am aware.

Citing a precedence issue of Camp Hyde, as a similar venue already in the area, is a stretch. The YMCA relocated Camp Hyde to its present 119.53 acre tract in 1954. This “not for profit” camp is bordered on two sides by paved major thorough fares. Its primary use is to provide day camp-style child care on weekdays, mainly in the summer and occasionally when school is not in session, to Wichita area youth involved with the YMCA. The facilities also host a few other activities, mostly family related, of which 90 % are alcohol free events. A “not for profit” destination day camp vs a “for profit” special event venue is NOT a true comparison.

Discussion of Factors 3) and 5)

Trespassing, security and fire safety are always major considerations in rural living. With the increased traffic flow and people entering the area to attend social events within such a close proximity to residential homes, concerns will grow. (With the availability of alcohol at these events concerns mount higher)

The quaint paths in the wooded areas are perfect for photo ops, but these types of settings can also pose fire hazards. One errant cigarette flick can quickly ignite dry undergrowth, jumping swiftly into an adjacent hayfield, wheat field, or nearby home in a matter of minutes.

Driving on sandy country roads after dark, alcohol impaired or not, can be unnerving to some. Certain cellular servers provide questionable service in this area and sometimes those handy "GPS" navigational aids are of little help, at finding one's way. The last thing area neighbors need is late night trespassers seeking directions or asking for help in pulling a vehicle out of a ditch or farmers field.

When the applicants initially purchased this property was it with the intent of utilizing the property as a commercial event venue? If so, at what point was the agricultural shed building permit rescinded and application for a commercial venue building permit submitted? Prior to any construction, was the question of a proposed event venue ever discussed with any of the area neighbors to get their impact opinions? Should this entire effort now be labeled as "spot zoning", all because the new landowners failed to do the proper homework prior to construction?

Discussion of Factor 7)

Heavy traffic on rural roads during adverse weather conditions sometimes cannot be sustained. (Ex. Roads can become impassable during heavy and/or rainfall events) Increased traffic will place additional costs on Afton Township residents for the added roadway maintenance.

Can area residents rest assured that trash will not be a problem? Kansas winds tend to scatter trash quickly and with many of the events based outside, can trash be contained efficiently in windy conditions? The smell of leftover food is enticing to rodents and small wild animals. Will the enclosed receptacles be "varmint inaccessible"?

How will the sewage for the venue be handled? Clearwater Creek flows directly into the Ninnescah River. Will the facility be able to contain the waste materials during a flood or high water back flow?

In the event of a fire, are the back areas of the property fire truck accessible? Can EMT's reach the remote areas without problems? What about response time? What about second responder time?

The proposed plan says that "security may be provided". Dangerous security issues can arise at a moment's notice. With a special events venue in close proximity to residential homes, concern is warranted. Law enforcement response time in rural areas varies greatly. Are the owner/operators willing to take on the liability risks involved with security problems?

Discussion of Factor 8)

The area residents are OPPOSED to the zone changes. The multi-venue (PUD #36) Camp Hyde was already an established entity when the area residential homesites were chosen in this peaceful and quiet rural setting. Why should new landowners be allowed to come in and disrupt this peace?