

## MINUTES

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

**Monday, May 11, 2020  
7:30 pm**

**Pottorf Hall  
1710 Avery Ave  
Manhattan, KS**

Members Present: Dr. Tom Taul, Chair  
Joe Gelroth  
Nathan Larson  
John Wienck

Members participating by Zoom: Diane Hoobler, Vice-Chair

Staff Present: Monty Wedel – Director, Bob Isaac – Planner, and Mary Hobbs – IT  
Technician

Staff participating by Zoom: Lisa Daily - Administrative Assistant and Leon Hobson – Director  
of Public Works

Others Present: Dennis Butler – RCPD Director, Josh Kyle – RCPD Captain, Brad Jager –  
RCPD Lieutenant, Patrick Tiede – RCPD Sargent, Tony Akin, , Bill  
Currier, Ronnie Grice, Brian London, Joe Knopp, Jake Mertz, Joe Mertz,  
Robert Mertz, Mason Miller, Christine Miller and Stanley Moore

Others participating by Zoom: Kerry O’Neal and Brandt Elwell – Consultants with Total Range  
Services, Sharon Eckhoff, Sara Farrar, Jane Garcia, Robert Garcia, Kim Mertz, Mary Mertz,  
David Weyerts, and Susan

---

### **OPEN PUBLIC COMMENTS**

None.

### **CONSENT AGENDA**

The minutes of the April 13, 2020 meeting were presented and approved. The Report of Fees for  
the month of April (\$2,971.00) were presented and approved.

Diane Hoobler moved to approve the consent agenda as presented. John Wienck seconded.  
Carried 5-0.

Joe Gelroth moved to adjourn the joint meeting of the Riley County Planning Board/Board of  
Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to  
reconvene as the Riley County Planning Board. John Wienck seconded. Carried 5-0.

## **RILEY COUNTY PLANNING BOARD**

### **Board of County Commissioners of Riley County, Kansas – Special Use Authorization**

Chairman Taul asked for a motion from the Planning Board members to take from the table the request of the Board of County Commissioners of Riley County, Kansas, for a Special Use Authorization for the establishment, construction and operation of a training facility for the Riley County Police Department.

John Wienck moved to remove the request from the table. Joe Gelroth seconded. Carried 5-0.

Chairman Taul requested Monty Wedel, Director of Planning and Development, present the staff report regarding the new information since the item was tabled.

Monty Wedel used a PowerPoint to illustrate the updated information. He began by reminding the board this is a special use which means the board is a recommending body to the Board of County Commissioners. He explained the board's options are three: Recommend denial, recommend approval, or recommend approval with any number of recommended conditions. He stressed that it was imperative the planning board make a decision tonight as many of the design considerations that involve the expenditure of tax dollars can only be decided by the Board of County Commissioners and the Board of County Commissioners cannot be consulted at this time for a decision on these items as they are the next step in the review process.

Mr. Wedel emphasized to everyone that the current site is zoned D-3, Heavy Industrial, which means if a private company owned the site and wanted to use it for industrial purposes that might be objectionable to the neighbors, the private company could just do it without any oversight or review process. The county, on the other hand, intentionally uses a special use process, regardless of the zoning, to ensure review by neighbors to make sure all their facilities are as compatible as possible with surrounding properties.

Mr. Wedel reminded the board of the various neighboring properties and their ownership.

Mr. Wedel showed the new site plan and explained the reasons for orienting the proposed firing range to the South. He reviewed the new Surface Danger Zone (SDZ) for the proposed South orientation. He then displayed a graphic of the current SDZs that have been in place for the past 25 years, one pointing directly North (pistol ranges) and the other pointing directly East (rifle range).

Mr. Wedel then began discussion of the four items the planning board had requested additional information on from the last meeting beginning with the travel easements through the site. He showed a slide illustrating the various existing travel easements and two slides showing the proposed reroute of one of the travel easements to accommodate the proposed facility. He then displayed a proposed new orientation of the firing range to the northeast, including the new SDZ, explaining that this reorientation was necessary because County staff was told, in a meeting following mailing of the packet, that the easement holders would not agree to the easement reroute unless the County met their demands, these demands not being acceptable to the County. He clarified that all of the existing easements could remain as is with the new orientation and that the new orientation had the advantage of being optimum for the standpoint of sun angles.

Mr. Wedel then discussed the question of the water line easement from Tabor Valley Road and presented a slide illustrating the proposed route. He reiterated that an agreement was not possible so the County decided they could either drill a well or find an alternative route with an agreeable property owner.

Mr. Wedel next discussed the proposed wastewater system, a wastewater stabilization pond, and indicated the proposed location on a site plan illustration.

In conclusion, Mr. Wedel explained the detail on the proposed lighting as presented in the site plan report and asked if there were questions.

Diane Hoobler asked when the direction of the firing range changed to the northeast. Monty Wedel replied after the meeting on Wednesday with property owners and their attorney.

Dennis Butler stressed the importance of the RCPD being good neighbors and his personal commitment to ensuring that occurs.

Brad Jager used a PowerPoint presentation to explain the details of the RCPD's training philosophies and concepts. He expressed the importance of well-trained officers and highlighted the different training exercises and methods that would occur at this training facility.

Patrick Tiede, driving instructor for RCPD, provided details on the vehicle training area and exercises that would be conducted using cones in various formations. Chairman Taul asked for confirmation that the vehicle training area would be 300' x 300'. Brad Jager confirmed.

Diane Hoobler asked about the close quarter's combat training facility. Brad Jager explained the building would be used for practicing close quarter scenarios using paintball-type weaponry.

John Wienck asked how often the facility would be used for nighttime training. Brad Jager replied usually about six different times per year starting as early as 6:00 p.m. and not past midnight.

Diane Hoobler wanted clarification of the intensity of the outdoor lighting. Kerry O'Neal explained the lighting would not be stadium-type lighting and would not cast lighting onto neighboring properties.

Chairman Taul asked to reopen the public hearing. Joe Gelroth moved to reopen the public hearing. John Wienck seconded. Carried 5-0.

Chairman Taul asked if there were any proponents who wished to speak.

Ronnie Grice with the KSU Police Department presented the following letter of support and explained the importance of joint training with RCPD.

*Date: May 11, 2020*

*To: Riley County Planning Board*

*On behalf of Kansas State University, I wish to convey support for the proposed Special Use Authorization for the establishment, construction and operation of a training facility for the Riley County Police Department in Zone "D-3" (Heavy Industrial) for a tract of land in Zeandale Township, Section 28, Township 10 South, Range 9 East, in Riley County, Kansas.*

*Firearms training is critical for the safe and effective performance of law enforcement officers in their line of duty to provide safety and protection for all citizens in the community.*

*Officers in the K-State Police Department have used and will continue to use the RCPD training facility but only with presence of RCPD staff as per the agreement.*

*The University is aware of concerns raised last month by citizens and businesses located near the new facility. Based on documents provided to us by RCPD and included on pages 27-49 in the board packet for this meeting, we believe RCPD has made a good faith effort in addressing the concerns and questions raised by citizens, businesses, and the Planning Board.*

*Therefore, we respectfully request the Riley County Planning Board recommend approval of the RCPD training facility to the Board of County Commissioners.*

*Respectfully,*

*Ronnie Grice  
Assistant Vice-President and  
Chief of K-State Division of Public Safety  
Kansas State University*

Chairman Taul asked if there were any opponents who wished to speak.

Jake Mertz wondered why all of the county owned property in the area was not included in the special use request. He expressed his support for the south orientation of the range but was opposed to the northeast orientation.

Bob Mertz stated he was in between a proponent and an opponent. He was not opposed to the facility because it is needed for the training of officers but wanted to make sure the facility was going a good neighbor. He presented a PowerPoint illustrating, in his opinion, how the facility could be a good neighbor, including the creation of a Good Neighbor Oversight Board to provide direction to RCPD and the County.

Joe Knopp also presented a PowerPoint supporting Bob Mertz's good neighbor policies. He expressed dismay that the County proposed a last minute alternative orientation of the firing range without prior notification. He stated that he thought the parties were making progress toward a resolution of the easement issues following the Wednesday meeting and was surprised that they did not receive a response following that meeting. He also submitted a handout to the Board questioning why this firing range was not being held to the same standard as for a private firing range and why a landscape plan was not required as per Riley County Zoning Regulations. The handout also listed five conditions to be included in the recommendation by the Planning Board.

Stan Moore was opposed to the northeast orientation of the firing range as he lives directly north of the site. He expressed concerns about the operation of this facility based on past experience with the current facility.

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

John Wienck asked Dennis Butler about previous attempts to establish a firing range. Dennis Butler responded that it was before his employment with RCPD but that he was aware of the attempted arrangement with Fort Riley and explained why it was unsuccessful.

John Wienck asked about other police departments using the facility and whether or not there would revenue generated. Mr. Butler explained that two officers of the KSU Police Department train with the RCPD tactical team. He said they may do similar training with other departments.

John Wienck asked Monty Wedel to explain why this facility did not have to meet the setback and landscaping requirements as previously mentioned. Mr. Wedel responded that those requirements were for conditional uses, not special uses.

John Wienck questioned again why the change of orientation to the northeast. Monty Wedel explained that the reorientation was necessary because, in his opinion, County staff was told in the Wednesday meeting that the neighbors would not agree to relocation of the travel easement unless all their demands were met. County staff stated in that meeting that they could not agree to those demands.

Each board member expressed their thoughts about the request and from that discussion conditions for approval were generated as follows:

1. All drives and parking areas shall consist of and continue to be maintained with all-weather surfacing, such as asphalt, crushed stone or gravel.
2. Existing areas with native tree stands, as shown on the site plan, shall remain intact to retain visual screening.
3. The site shall remain in compliance with the Riley County Sanitary Code.
4. Methods used for lead containment involving the capture of lead projectiles in bullet traps and the filtration of storm water leaving the site that may have come into contact with lead in the bullet traps, shall be implemented and maintained to minimize any potential environmental hazards created by the shooting range, as described in the Range Site Plan Report (pp. 7-9).
5. All training conducted on the premises will be supervised by the Riley County Police Department in accordance with the department's policies and procedures.
6. The firing range shall be oriented to the south and shall be limited to that direction.
7. Dimensions of buildings and vehicle training area, and details about the security fencing be added to the site plan.
8. Consider landscaping and noise mitigation measures.
9. Install flag system at the entrance gate.
10. The County shall be responsible for construction of the relocated easement, maintenance of all easements, and maintenance of ditches along entrance easement.

Joe Gelroth moved to forward a recommendation of approval to the Board of Commissioners of Riley County for a Special Use Authorization for the establishment, construction and operation of a training facility for the Riley County Police Department in Zone "D-3" (Heavy Industrial) with the above recommended conditions. Diane Hoobler seconded. Carried 4-1, John Wienck dissenting.

Mr. Wedel announced that the Board of County Commissioners will hear the request on May 28, 2020, at 10:00 am, in the County Commission Chambers.

John Wienck moved to adjourn. Diane Hoobler seconded. Carried 5-0.

The meeting was adjourned at 10:08 P.M.