## KV Grounds, Five Standard Items from the original Staff Report

Original Applicant Statement

**Original Staff Comment** 

Revised Comments from the Applicant based on Planning Board Discussions, Staff comments, neighbor input and attached Alternative Plans for consideration.

Item #1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.

The applicant is claiming no errors in the Ordinance.

It is planning staff opinion this standard is met.

No revisions needed.

Item #2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

The applicant states based on an interest in creating an area that could offer recreation for outdoor sports, specifically international sports such as Cricket, that would be run by charitable organizations and volunteers makes this location suitable to promote public health, welfare and safety in privately-owned designated area.

It is planning staff opinion this standard has not been met. The majority of these parcels are residential or are currently being used for agricultural purposes. At the public hearing an adjoining property owner commented that the property is adjacent to an Alpaca farm. The increase in traffic on a private easement, if it were to be allowed, would disturb the animals and disrupt the residential nature of the immediate area. Another adjacent landowner expressed concerns over the parking that would be adjacent to her residential home and the traffic that would be associated with the proposed entrance into the parcel. She also commented that there was no landscaping or screening proposed adjacent to her property, which is the location of the parking area. It is not clear if the private easement provided by Parcel No. 89717, belonging to M & M Developments LLC, permits the use for non-residential traffic or extends to the parcel under consideration for rezoning. There was also concern noted about the location of port-a-potties that would be utilized for the property instead of permanent restrooms and how those would be maintained and buffered from view.

Alternative 1 adds hedge material to supplement the existing hedge planting along the Parking Area, a minimum distance of 150 ft for the latrines are specified and the parking area was moved east to no longer be in "front" of home.

Alternative 2 removes player access/parking to Hillside Dairy Rd easement. The 64-easement use would be limited to field maintenance. Latrines also moved to the other side of the property.

Alternative 3 removes player access/parking to Hillside Dairy Rd frontage The 64-easement use would be limited to field maintenance. Latrines also moved to the other side of the property. Players would walk across the creek, with approved crossing, to the fields Alternative 4 divides player access/parking between Hillside Dairy Rd frontage and 64-easement. Access/parking would be field specific. Effectively reducing traffic potential on the 64-easement by 50%. Latrines also divided between two fields with 150 ft from existing house.

## Item #3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.

The applicant states the Comprehensive Land Use Plan shows the property within the Agricultural areas. Chapter 4, page 80 of the Plan encourages a diverse range of uses, amenities, services, and programs that can contribute to a healthier community. One main goal of the recreation area is to promote this concept.

The applicant states the Plan also encourages the conservation of rural landscapes as noted in Chapter 3, page 41. They are proposing to preserve the old silo located at the corner of the property that would restore a cultural and historic resource of the area. It has not yet been determined what, if anything, will be done to the silo. The applicant also states by limiting the amount of ground disturbance, not adding any buildings or structures, and utilizing grass parking, will aide in the continued preservation of the rural landscape.

It is planning staff opinion this standard has been addressed but not supported. Chapter 3, page 41 of the Plan also states there should be preservation and protection of existing agricultural uses. The owner of the adjacent alpaca farm stated at the public hearing this activity, because of the increase in traffic, noise, etc., would potentially disrupt the animals and related activities associated with his agricultural business. The owner stated he is not opposed to the cricket fields but is opposed to the proposed access via the private easement that would bring the traffic by his farm is the issue.

Alternative 1 still uses 64-easement and adds hedge material to supplement the existing hedge.

Alternate 2 limits use of 64-easement to maintenance of the facility.

Alternate 3 limits use of 64-easement to maintenance of the facility.

Alternative 4 divides player access/parking between Hillside Dairy Rd frontage and 64easement. Access/parking would be field specific. Effectively reducing traffic potential on the 64-easement by 50%. Item #4: The requested amendment is either essential or desirable for the public convenience or welfare.

The applicant notes 3 goals of the comprehensive plan lend support to the request as noted on page 40. They area goal 1 to preserve the rural character and lifestyle of the county, goal 6 to provide recreational opportunities and access to open space, and goal 10 to foster a healthy community.

It is planning staff opinion this standard has not been met. Based on concerns raised by the adjacent and adjoining landowners, the use of the private easement for access, and the undetermined use or changes to be made to the existing silo do not support that the use is convenient or desirable for the public welfare in this particular location.

Under all Alternatives, the Silo will be preserved and cleaned. To be clear, no signage will be added. The area around the Silo will be cleaned of trash and underbrush will be removed. Existing trees will remain unless dying, diseased, damaged or dangerous to public health, safety and welfare. There is one damaged metal shed north of the Silo that will be removed.

Alternative 1 still uses 64-easement and adds hedge material to supplement the existing hedge.

Alternate 2 limits use of 64-easement to maintenance of the facility.

Alternate 3 limits use of 64-easement to maintenance of the facility.

Alternative 4 divides player access/parking between Hillside Dairy Rd frontage and 64-easement. Access/parking would be field specific. Effectively reducing traffic on the 64-easement by 50%.

Item #5: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment include:

The property is located within the Local Watershed classification that allows up to 36% impervious surface. Other than installing a driveway onto the property, the site plan calls for grass parking and no proposal for buildings or structures, so the ISA limit is not a concern. Currently the applicants are proposing no land disturbance within 100 feet of the existing creek that runs through the property as shown on the soils map.

Mapping shows the property in the Local Watershed outside of the Jordan Lake Buffer rule area and the Natural Resources Conservation Service soils map shows one potential blueline stream on the property. An on-site inventory of the water features on the property would be required if the property is subdivided or accessed from Hillside Dairy Road, to determine applicable riparian buffers. There is no special flood hazard area identified on the property. It is planning staff opinion this finding may be met.

No revisions needed unless Alternate 3 is chosen. If that is chosen, the Applicant would be required to determine riparian buffers and submit additional information as part of any crossing permit application.