



*Sedgwick County...
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District 3 Citizens Advisory Board Meeting
Minutes

Monday, October 4, 2021

ZOOM 7 p.m.

Board members: Kevin McWhorter, Glen Shafer, Luke Sponsel, Nancy Hinten, Pat Gaughan,

County representatives: Commissioner David Dennis, Stephen Banks, Mike Fessinger, Jack Joseph, William Longnecker, Akeam Ashford

ORDER OF BUSINESS

1. Call to Order
Chair Kevin McWhorter called the meeting to order at 7:01 p.m.
- Unanimous Approval of Minutes – September 13, 2021

PUBLIC AGENDA

*The public agenda allows members of the public to present issues on the agenda to the Board.
None.*

NEW BUSINESS

1. Overview of 2020 Census Data: Initial Report – Stephen Banks, Senior Planner, City of Wichita

Stephen gave a detailed PowerPoint presentation on Sedgwick County 2020 Census Data. Mr. Banks gives an overview of the 2020 Census – Initial Report:

2020 Census – Initial Report

- Census report covers population and housing;
- Sedgwick County grew 5.1% - adding 25,000 ;people from 2010;
- 2020 Population is 523,824 people;
- Largest gains were in east Wichita and the north central Sedgwick County;
- Second half of the Census will be provided in first quarter of 2022 –renter/owner-occupancy, employment, age, transportation, household makeup;

2020 Census – Highlights

- Black, Asian, Native American and Other Race categories percentage remained the same for Sedgwick County;
- Population of Two or More Races increased from 3% to 6 in Sedgwick County;
- Overall percent of vacant homes remained the same;
- Small decline in Wichita;
- Sedgwick County experienced a 53% rise in Group Quarters

2020 Census – Highlights

- Greatest number of new homes were built east of Webb Road; the next highest was the western part of Wichita;
- Maize and Derby were next in new homes built;
- Charts and maps use current Commission District boundaries;
- Population information is used to determine if district boundaries will change;

- Information in the Report compares today to ten years ago;
- Maps are presented in Census Tracts and at times, Block Group

Questions:

Nancy Hinten: How does our growth compared to other cities in Kansas?

Stephen Banks Responds: We haven't been as fast growth, as some of the cities in the North East particularly around Johnson County. However, we've got the momentum of population behind us so that we continue to still be the largest city in Kansas.

Stephen Banks: Topeka actually saw kind of a decrease in their growth rate.

Stephen Banks: And even Sedgwick County saw a decrease compared to previous decades, but we still stayed on the positive side of gross.

Stephen Banks: I was trying to recall the see there Olathe or Lenexa was the fastest growing city, but they're nowhere near us in terms of total population.

Kevin McWhorter: I don't recall that you alluded to this, but you did mention that, which is now in the top 50 and I understand that there's something to be said about that, when you make the top 50 I read a little bit in the paper, I believe, can you expand on what the. Oh, the effect is on being a top 50 city.

Stephen Banks: yeah we get a lot more scrutiny for a lot of statistics and things that come up. And it's not just census it's. Even business surveys of what is going on and top cities. You have number of People that do even more specialized work and they look at the top 50. Stephen Banks: Brookings Institute, for instance, does a lot of research on metropolitan areas and you know I often go to those articles and You know, looking for trends and so forth, and unless you're on the top test day you may not get exact data you just kind of configure in anecdotally. Stephen Banks: Yes, we're seeing some of the same things happen here or this doesn't apply, but with being in that top 50 will actually see a lot more reports and data for the Wichita community as far as what is going on, I have not seen a ranking for the metropolitan statistical areas yet.

Kevin: my question is has the city of Wichita been expanding and some new development -gives us that impression of you know where we're at as far as new housing or is this compared to where the city limits were back in 2010.

Stephen Banks: Well we're definitely growing we're adding a lot of new housing, it has slowed.

Stephen Banks: East which taught is growing a little bit faster, but I think if you compare both the North West and Southwest.

Nancy Hinten: I was just going to ask it that do you take into account age, I noticed that there is some information about those under 18 those that don't have the right to vote, so is that taken into account as well when you're looking at redistricting.

Mike Fessinger: Each of which presenting one of eight possible orientations for future districts. Mike Fessinger: All of which have been vetted both through legal and through GIS to ensure that the districts are fortunate with each other and have roughly equal population, both of which are important.

Mike Fessinger: Legally speaking, these maps were also prepared based solely on territorial unity and population equality.

Mike Fessinger: Things like voting party or gender or race were not considered at all in their creation and instead they follow territorial landmarks roads well rivers bridges things like that it's how the law instructs us to create these and that's the process that.

1. Zoning Cases – Bill Longnecker, Senior Planner, Current Plans
CON2021-00038 (County)

Bill Longnecker, Senior Planner began addressing the Third District Citizens Advisory Board on Monday, October 4th.

BACKGROUND: The applicant requests a Conditional Use to allow a new battery energy storage site (BESS) to be located one-quarter mile west of North Hoover Road on the south side of West 21st Street North (Zoo Boulevard). The new battery energy storage station will provide energy back up for the Midian Electrical Substation on West 13th Street North south of Sedgwick County Park.

A battery energy storage site is a type of electrical substation, which is classified by the Unified Zoning Code as a “Utility, Major” land use. A Utility, Major requires a Conditional Use in all zoning districts. A “Utility, Major” means generating plants; electrical switching facilities and primary substations; water and wastewater treatment plants; water tanks; renewable energy systems, and radio, television and microwave transmission towers; and similar facilities that provide the general public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service.

Property north of the subject site is right-of-way for West 21st Street North and Zoo Boulevard and property zoned LI Limited Industrial that is developed with office/storage warehouse, industrial light manufacturing, and non-conforming residential uses. Properties south, east and west of the subject site are zoned SF-20 Single-Family Residential and is occupied by the Sedgwick County Zoo and Park.

RECOMMENDATION: Based upon information available prior to the public hearing, planning staff recommends that the requested Conditional Use to allow construction of a new electrical substation be **APPROVED**. The staff’s recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Property north of the subject site is right-of-way for West 21st Street North and Zoo Boulevard and property zoned LI Limited Industrial that is developed with office/storage warehouse, industrial light manufacturing, and non-conforming residential uses. Properties south, east and west of the subject site are zoned SF-20 Single-Family Residential and is the Sedgwick County Zoo and Park. The proposed use is consistent with growth of public infrastructure needed for northwest Wichita.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned SF-20 and has been the location of the evolving Sedgwick County Park and Zoo since 1971. The property is suitable for a park and public zoo.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: No restrictions of the SF-20 zoning district will be removed. Conditions will be added to screen the property and provide a noise buffer for adjacent uses to minimize the detrimental effect on nearby property.
4. Conformance of the requested change to adopted or recognized Plans/Policies: The requested Conditional Use change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area as being located on the edge of the Established Central Area," which is the focus of the *Wichita Places For People Plan*. The Sedgwick County Zoo and Park are centrally located between several neighborhood hubs and are typical of the parks and open spaces identified in the *Wichita Places for People Plan*. This site has a high degree of connectivity access to the bike/ped path that connects Sedgwick County Zoo and Park to the OJ Watson Park in south Wichita, location on Route 11 of the Wichita Transit system and a major arterial street. The new battery energy storage station will provide power backup during peak electrical usage as identified in the Community Investments Plan.
5. Impact of the proposed development on community facilities: Impact to community facilities will be minor. There will be impact to the bike/pedestrian path and parking lot west of the proposed site. Visual impact of the BESS .will be mitigated with masonry wall and

CAB Questions:

Nancy Hinten: What are they going to do with the bike and pedestrian path there?

WLongnecker: Well, it says they're going to require crossing on the screen share path and I ride that path, quite often.

Nancy Hinten: So they're going to just create like a driveway type of thing like they would to the entrance to the boulevard to the zoo. Where it's still crosses there, then, is that what I hear you saying?

WLongnecker: Correct

Kevin M: Who is it that's proposing the zoning change?

WLongnecker: Well there's only is that change the zone remains the base only remains the same single family residential SF 20 which is counties on a conditional uses an overlay. The Applicant is actually Sedgwick County and it lists Lynn Packer of Sedgwick county Engineering, as the applicant.

Pat Gaughan makes a motion recommending the approval of the application as presented to the CAB. The motion is seconded by Nancy Hinten.

Kevin McWhorter, Glen Shafer, Luke Sponsel, Nancy Hinten, Pat Gaughan voted to approve

The motion carried 5-0:

CON2021-00041 (County)

Bill Longnecker began addressing the Third District Citizens Advisory Board regarding the second zoning case:

BACKGROUND: The applicant is requesting a Conditional Use to allow an accessory dwelling unit. The property is zoned RR Rural Residential and is generally located 1,300 feet north of West Pawnee Avenue and 1,400 feet west of South 151st Street West on the south side of Highview Drive (15601 Highview Drive). The applicant has indicated they will not be renting the accessory apartment.

The Wichita-Sedgwick County Unified Zoning Code (“UZC”) defines an “accessory apartment” (Art. II.Sec. II-B.1.b) as a dwelling unit that may be wholly within, or may be detached from a principal single-family dwelling unit. Accessory apartments are also subject to supplementary use regulation Art. III.Sec.III-D.6.a (1) a maximum of one accessory apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an accessory apartment; (2) the appearance of an accessory apartment shall be compatible with the main dwelling unit and with the character of the neighborhood; (3) the accessory apartment shall remain accessory to and under the same ownership as the principal single-family dwelling unit, and the ownership shall not be divided or sold as a condominium and (4) the water and sewer service provided to the accessory apartment shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.

The surrounding properties to the north, east, south, and west are zoned RR. The uses include single-family residences and agricultural land.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**, with the following conditions:

- (1) The accessory apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 15601 Highview Drive) and the ownership shall not be divided or sold as a condominium. The exterior materials are to be complimentary to the main structure.
- (2) On site water and wastewater services shall be provided in compliance with the Sedgwick County Sanitation Code. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (3) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.

- (4) Development and maintenance of the site shall be in conformance with the approved site plan.
- (5) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The surrounding properties to the north, east, south, and west are zoned RR. The uses include single-family residences and agricultural land.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The subject site is currently zoned RR which permits the existing single-family residence. The property will continue to be used for a single-family residence; the size of the property easily accommodates an accessory dwelling unit within an existing structure and the additional required parking space.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate that approval of the request will generate significant amounts of additional traffic and there is ample parking on site. The nearest residence is approximately 800 feet northeast of the location of the proposed accessory dwelling unit. The conditions of approval should minimize any anticipated detrimental impacts.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "Rural Growth Area" on the Future Growth Map Concept Map. Rural Growth Areas are located outside of the growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses and larger lot residential exurban subdivisions likely will be developed in this area in accordance with the *Urban Fringe Development Standards for Wichita and Sedgwick County*. The proposed use is in conformance with the Community Investments Plan.
- (5) **Impact of the proposed development on community facilities:** Staff expect that there will be minimal impact on public roads and no impact to water and sewer service.

Questions from CAB Members:

Nancy Hinten: the question I have is if they're going to use the same lagoon they're going to have to really do a lot of work to reach that lagoon.

WLongnecker: yeah they are.

Nancy Hinten: Okay, so, but that that's in the condition that in order to build that they will be using that lagoon.

WLongnecker: Correct I mean public utilities, we want them to use the same with utilities, we don't want.

Luke Sponsel makes a motion recommending the approval of the application as presented to the CAB. The motion is seconded by Glen Shafer.

Kevin McWhorter, Glen Shafer, Luke Sponsel, Nancy Hinten, Pat Gaughan voted to approve

The motion carried 5-0:

Commissioner Dennis shared he is closely monitoring COVID-19 numbers each day

Commissioner Dennis also shared the hospitals last week reported a combined 287 people were in the hospital with COVID-19 and 73 of those were in ICU.

The Commissioner also shared Sedgwick County just opened up a brand new COVID-19 testing facility - had previously been using Sedgwick County Park, but now has a brand new place over at the old Harry Street Mall

Commissioner Dennis shared that the Vietnam Memorial Moving Wall would be in Valley Center from October 21 to the 25th, and stated that it's open 24 hours a day, so if a veteran or someone that served in Vietnam doesn't feel comfortable going with big crowds they can go at three o'clock in the morning, if they want to, and we will have people there to support them.

Starting up right now is the Sedgwick County Park Wild Lights it's out there and buy your tickets show about seven o'clock