



District 3 Citizens Advisory Board Meeting Agenda

Jan. 9, 2022 | 7 p.m.
Goddard District Conference Center
315 S. Main, Goddard

Board Members in Attendance: Sharon Ailslieger, Joe Brown, Cameron Dawson, Patrick Gaughan, Janice Manlove, Kevin McWhorter, Michael Mitchell, David Wright

County Representatives: Commissioner David Dennis, Eryn Ebach-Freund – MAPC, Interim Director Lynn Packer

1. ORDER OF BUSINESS

- a. Call to Order – Chair Kevin McWhorter
 - i. Chair Kevin McWhorter called the meeting to order at 7:02 p.m.
- b. Approval of Meeting Minutes – Chair Kevin McWhorter
 - i. David Wright motioned to approve meeting minutes from Dec. 12, 2022, and Joe Brown seconded. **The D3 CAB approved the meeting minutes with a vote of 8-0.**

2. PUBLIC AGENDA

- a. The public agenda allows members of the public to address the District 3 Citizens Advisory Board.
 - i. None

3. NEW BUSINESS

- a. ZON2022-00069 – Eryn Ebach-Freund, MAPC
 - i. ZON2022-00069 (County)
 - ii. APPLICANT: Donald and Micki Albert, Leslie and Vanessa Albert, Barbara and Erice Phillips, and Bruce Family Revocable Trust (Applicant)/Ferris Consulting (Agent)
 - iii. REQUEST: TF-3 Two-Family Residential District and MF-18 Multi-Family Residential District
 - iv. CURRENT ZONING: SF-20 Single-Family Residential District
 - v. LOCATION: Generally located on the northeast corner of West Central Avenue and North 135th Street West.
 - vi. PROPOSED USE: Two-Family and Multi-Family Development
 - vii. RECOMMENDATION: Approval
 - viii. MAPC approved the request.
 1. Applicant does intend to request annexation to the City of Wichita but no application has been submitted yet.
 2. There were a substantial number of people who spoke to this item at the MAPC meeting.
 3. Commissioner Dennis reviewed the process and stated he would be recusing himself due to personal role and ex-parte contact.
 4. Sharon Ailslienger asked how MAPC determines 1.7 for parking.

- a. Eryn Ebach-Freund shared that for parking they round up to whole numbers.
 5. Janice Manlove asked about screening and what the type listed means.
 - a. Eryn Ebach-Freund replied that it would require a 6-foot screening fence with 90% none see-through landscaping combo per ordinance.
 6. Janice Manlove asked if the dwellings would have multiple stories.
 - a. Eryn Ebach-Freund replied there would be no prohibition, but approximately 3 stories.
 7. Joe Brown asked about a review of data regarding population per acre.
 - a. Eryn Ebach-Freund replied that they could have 17.4 dwelling units per acre (i.e. apartments, doesn't include bedrooms). TF3 allows for 14.5 dwellings per acre. Currently, SF20 allows approximately 2 units per acre.
 8. Patrick Gaughan asked how is sewer handled in the county.
 - a. Eryn Ebach-Freund replied, to develop, would need to use city services for this scale of development.
 9. Patrick Gaughan asked if other city services (lights, streets, etc.) are paid for by taxes.
 - a. Eryn Ebach-Freund shared that once annexed into the city, yes.
 10. Patrick Gaughan commented about not understanding where the need to build at this amount is coming from and was curious as to what is driving the requirements to build all this highly dense housing.
 11. Janice Manlove asked if this is in the city.
 - a. Eryn Ebach-Freund replied no, but everything around it is.
 12. Janice Manlove asked if there are other subdivisions that have made single-family housing on the outside to hide the apartments on the inside.
 - a. Eryn Ebach-Freund Replied, no, but it does follow a plan.
 13. Janice Manlove asked what the price of housing is compared to the area around it.
 - a. Eryn Ebach-Freund deferred to the applicant.
 14. Michael Mitchell asked what the zoning of the surrounding area is.
 - a. Eryn Ebach-Freund responded that it is all SF-5 single-family residences.
 15. David Wright asked are there other increments between SF-20 and TF3 that would allow a higher density.
 - a. Eryn Ebach-Freund responded yes, but they would not allow duplexes. TF3 is the lowest density zoning to allow the development of duplexes.
 16. Joe Brown asked if the city annexed Central Avenue if all of the streets bordering this area are in the city.
 - a. Lynn Packer replied that the city has annexed Central east of 135th Street. The County still has 135th for the south half mile between Central and 13th. The city has plans to make improvements to 135th for future development.
- ix. Applicant Greg Farris
1. Janice Manlove asked why is Zoning being done before the annexation.
 - a. Greg Farris replied that the property owner does not want to be annexed. If the plan for development is approved, the property owner will sell. If it isn't approved, they are not going to sell and do not want to be annexed.

2. Janice Manlove asked why the request for changing zoning.
 - a. Greg Farris responded that the buyer is in the business of developing 2 family developments. This is not a normal property and if annexed by city today, it'd be SF5/345 lots. The buyer is planning to own land & manage houses. Most folks now do not want to own a home or own the maintenance. They think the market wants their type of houses. TF-3 would be nice duplexes.
 3. Patrick Gaughan asked about the MF-18 side.
 - a. Greg Farris said that they are planning to remove the MF-18 to make it all TF-3 and limit the dwelling units to 400 units as a protective overlay.
 4. Patrick Gaughan asked why they didn't ask for that in the first place.
 - a. Greg Farris replied that he was not involved from the beginning and shared that he believed the MF-18 would be an issue. Received permission to change MF-18 to TF-3.
 5. Sharon Ailslinger commented, the MF-18 bothers her and the only way she will vote for it is if it is all TF-3.
 6. Kevin McWhorter asked of the 133 acres, how many acres are floodway or floodplain.
 - a. Greg Farris said there are 97 developable acres and 36 acres in the floodplain.
 7. Kevin McWhorter asked if the flood plan were fixed, what would happen.
 - a. Greg Farris replied, it's a lot of floodway and there isn't that much in this area that could change. Only floodplain can be changed, but floodway almost never will be.
 8. Joe Brown asked, how did this get to MAPC and us with things not finalized and storm water drainage had been considered.
 - a. Greg Farris stated that is done during the platting process. Plats cost thousands and he always recommends completing zoning first. It was approved through MAPC because it met requirements.
 9. Joe Brown commented that he doesn't understand what they are voting on because what the applicant is presenting at CAB is different than what was presented at MAPC.
 - a. Eryn Ebach-Freund explained the board's options.
 10. Janice Manlove asked, what happens if the CAB doesn't approve.
 - a. Eryn Ebach-Freund said, if not approved the case cannot be on consent.
 11. Patrick Gaughan asked if it would take 3 County Commissioners' approval to move forward.
 - a. Commissioner Dennis explained the process that would require a super-majority vote.
- x. Public Comment
1. 50 people attended the meeting and 21 signed up but not all spoke.
 2. Richard Darge doesn't want the development as it will block the view.
 3. Several area HOAs had representatives speak.
 - a. Clint Stevens – Highland Springs HOA
 - b. Brian Sherring – Deer Glen HOA
 - c. Karl Soldatov – President, Bay Country HOA
 - d. Diane Hummelshein – Bay Country HOA

- e. John Shively – Hickory Creek
 - f. Raymond Tomshach – Liberty Estates HOA
- 4. City of Wichita Council Member Brian Frye discussed road and traffic infrastructure based on comments from the public.
- 5. Michelle Johnson spoke to traffic and water flow.
- 6. Richard Roe asked how long the property has been for sale.
- 7. Richard Kite spoke about vacant apartments in Wichita.
- 8. James Oliphant is concerned about an increase in taxes due to families moving into the area.
- 9. Greg Gawlak was upset about the process and lack of communication. He felt the process should start over with the presented changes submitted.
- 10. Andy Merchant feels the plan doesn't fit the neighborhood and the timing is not good.
- 11. Linda Stanback believed that not all the information is available to make a good decision.
- xi. A motion to deny zoning was made by Patrick Gaughan.
 - 1. Kevin McWhorter asked if there was anything else the agent would to address the concerns presented.
 - a. Greg Farris shared that he would be willing to meet with homeowner representatives to discuss the protective overlay.
 - 2. Joe Brown seconded the motion.
- xii. A substitute motion was made by David Wright to approve with conditions that the whole site be TF-3, maximum of six units per acre, the applicant addressed the neighborhood concerns about setbacks to 50ft for surrounding property.
 - 1. Cameron Dawson seconded the motion
 - 2. Substitute motion failed with a 4-4 vote.
- xiii. The original motion to deny was brought back to vote on.
 - 1. Sharon Aislieger commented on her experiences.
- xiv. **The D3 CAB denied the recommendations of the MAPC with a 5-3 vote.**
- xv. Commissioner Dennis briefly discussed the BRIC Grant for solving some of the flooding in western Sedgwick County. The grant would be for \$40 million to put in a dry retention pond with a match of \$5 million from the County and the City of Wichita.
- xvi. Additional Questions were asked regarding process.
 - 1. The next step is this will go to the BOCC on Feb. 15.
 - 2. Commissioner Dennis was asked if he has any financial interest in this project.
 - a. Commissioner replied, no, but because of where he lives, and is the president of his HOA, he legally cannot vote on this.
 - 3. Today's vote does not mean that this is over; the Commission can still vote how they want. The proposal can be changed up until it is presented to the BOCC, but that is up to the applicant.
 - 4. What are the rules on the protest?
 - a. Commissioner shared if there are 20% of the people in the protest area submit a protest, it requires a super majority of the Commissioners to approve.
- b. Discussion of future meeting dates & agenda items – Chair Kevin McWhorter
 - i. The Public Works presentation was deferred to February.
 - ii. Requested topics

1. Briefing from WAMPO
2. Zoo, Exploration Place, Intrust Bank Arena
3. Airport Strategic Plan
4. Appraiser Presentation in March
5. DA in person

4. BOARD AGENDA

- a. Commissioner Dennis spoke about upcoming and recent events
 - i. January 11, Fentanyl Town Hall will be held at the Extension Office from 6-8 p.m.
 - ii. EMS Promotion Ceremony and Fire District 1 Graduation will take place on Jan. 12.
 - iii. Oath of Office took place on Jan. 8.
- b. Janice Manlove asked what Sedgwick County is doing with the Opioid money.
 - i. Commissioner Dennis said there will be a workshop to discuss.
- c. Patrick Gaughan spoke to safety in schools
 - i. Cameron Dawson stated that there is a Kansas Safe & Secure Schools board with the KBI that is very involved

5. ADJOURNMENT

- a. The meeting was adjourned at 9:32 p.m.

*The next Citizens Advisory Board Meeting will be **Monday, Feb. 6, 2022, 7 p.m.**,
at Goddard School Conference Center, 315 S. Main, Goddard, KS.*