



District 3 Citizens Advisory Board Meeting Agenda

Feb. 5, 2024 | 7 p.m.
Goddard District Conference Center
315 S. Main, Goddard

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

County Representatives: Commissioner David Dennis, J.R. Cox – MAPD, Philip Zevenbergen - MAPD

1. ORDER OF BUSINESS

- a. Call to Order – Chair Kevin McWhorter
 - i. Chair Kevin McWhorter called the meeting to order at 6:59 p.m.
- b. Approval of Meeting Minutes – Chair Kevin McWhorter
 - i. Joe Brown motioned to approve meeting minutes from Dec. 11, 2023, and David Wright seconded. **The D3 CAB approved the meeting minutes with a vote of 7-0.**

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. Unified Zoning Code on Large-Scale Utility Solar – J.R. Cox, MAPD
 - i. J.R. Cox of MAPD presented and update on the Unified Zoning Code on Large-Scale Utility Solar. The presentation reviewed the current code, covered existing conditions and current status, gave an update from the Sedgwick County Association of Cities (SCAC) meeting and offered an opportunity for feedback.
 1. Joe Brown commented about the Advance Plans Committee suggestions where nothing defines “large scale.”
 - a. J.R. Cox shared that there has not been a generator capacity size set and has been looking more at land size, i.e. 20 acres.
 2. Joe Brown asked about the role of eminent domain and how it’s considered in this process.
 - a. J.R. Cox explained that eminent domain is not a factor in this because there has to be a conversation on land use.
 3. Joe Brown asked if closed landfills would be a consideration for large-scale utility solar projects. He shared an example from the Mt. Olive township in New Jersey.
 - a. J.R. Cox said it wasn’t specifically looked at.
 4. Patrick Gaughan asked about decommissioning and if would be done on a contract basis or completed by city/county staff.
 - a. J.R. Cox said it was the responsibility of the applicant and operator to complete.
 5. Patrick Gaughan commented that with technology innovation there will be a capability of increased output, i.e. a 20-acre farm today could produce much more 5 years from now. He feels that not looking at output is shortsighted.

6. Janice Manlove asked if it is a priority to be close enough to a grid to feed energy to.
 - a. J.R. Cox shared that it would be a consideration during the planning process.
7. Joe Brown asked for more clarity on eminent domain.
 - a. J.R. Cox replied that this process is strictly the land use aspect.
8. Janice Manlove asked about batteries and if they would be for storage or usage.
 - a. J.R. Cox stated he's not an expert on batteries with solar, but there is a potential for storage and backup systems.
9. David Wright asked if there were any hazardous materials in the panels.
 - a. J.R. Cox said that there are many opinions on this topic however, this is why plans and specs are needed for each individual project.
- ii. Public Comment was opened.
 1. Tim Mullen shared his thoughts and suggestions for the zoning code.
 2. Gene Fields shared comments on potential growth and responsible decommissioning.
 3. Seth Burkhart shared concerns about large-scale solar.
 4. Bruce Meyer shared his concerns on large-scale solar.
 5. Meredith Abdu is an employee of a solar company and gave feedback and answers to different questions and concerns that had been brought up.
 - a. Sharon Aislinger asked if the solar panels took on water.
 - i. Meredith Abdu shared that solar panels don't need water and rely on the sun once built.
 - b. Kevin McWhorter asked if the company Meredith works for typically buys or leases the land for their projects and for how long.
 - i. Meredith Abdu replied that they lease on average for 25 years.
 - c. Kevin McWhorter asked if the land owner could choose not to renew and who removed the equipment.
 - i. Meredith Abdu shared that land owners have the choice to or not renew and the business is responsible for the removal.
 - d. Kevin McWhorter asked how land typically looks after equipment removal.
 - i. Meredith Abdu shared that they returned the land to its original state.
 - e. Keven McWhorter asked if it is possible to start farming the land again after equipment removal.
 - i. Meredith Abdu replied yes.
 - f. David Wright asked how here company addressed glare.
 - i. Meredith Abdu shared that the company uses a 3rd party to evaluate the glare and put a coating on to reduce or remove glare.
 - g. Patrick Gaughan asked what would be a standard size of farm the company looks to invest in.
 - i. Meredith Abdu answered it is undefined and depends on the developer.
 - h. Joe Brow asked for a cost estimate of how much energy bills would go down.
 - i. Commissioner David Dennis replied that this presentation was focused on the code and planning process.
 6. Greg Ferris shared concerns about large-scale solar.
 - a. Janice Manlove asked if he was here representing someone.
 - i. Greg Ferris replied his comments were his own and that he was not representing anyone.
 - b. Sharon Aislinger asked how many people would be able to get electricity from a small farm.

- i. Commissioner David Dennis replied that this presentation was focused on the code and planning process.
- 7. Mary Bosch shared comments on communications she'd received from friends & neighbors on large-scale solar and about growth areas of influence.
- iii. Joe Brown and Patrick Gaughan shared comments about the discussion.
- iv. Cameron Dawson motioned to receive and file the presentation, and Stephanie Wise seconded. **The motion was approved by a vote of 9-0.**
- b. ZON2023-00069 – Philip Zevenbergen, MAPD
- i. APPLICANT: L. Johnson & Joan Hemmen Rev. Trust (Owner), VB BTS II, LLC – Victor McAlister (Agent)
 - 1. REQUEST: Conditional use for a Telecommunication Facility
 - 2. CURRENT ZONING: RR Rural Residential District
 - 3. LOCATION: Generally located 650 feet west of North 167th Street West and within one-half mile south of West 53rd Street South (5041 North 167th Street West) (Colwich Area of Influence)
 - 4. PROPOSED USE: 195-foot-tall telecommunications tower
 - 5. RECOMMENDATION: Denial
 - a. Amended at Planning Commission meeting to 120 ft. tower. Recommended approval with amendment.
 - ii. Patrick Gaughan asked if there would be water wells on each property.
 - 1. Philip Zevenburgen shared that each property would need its own well for drinking water.
 - iii. Patrick Gaughan commented he didn't understand the lots & their sizes.
 - 1. Philip Zevenburgen shared that platting was deferred to later in the process.
 - iv. Janice Manlove asked if 37th Street N. was a gravel road.
 - 1. Philip Zevenburgen confirmed this is the case.
 - v. Sharon Aislinger asked if these lots would be on the City's septic system.
 - 1. Philip Zevenburgen shared that they would not.
 - vi. Public Comment was opened.
 - 1. Laura Rikehart commented against the zoning case highlighting the lack of groundwater.
 - 2. Julie Wegner commented against the zoning case mentioning the effect on schools and class sizes.
 - 3. Jarod Schneider commented against the zoning case highlighting the lack of groundwater.
 - a. Kevin McWhorter asked what type of farming he does.
 - b. Jarod Schneider replied he does dry land.
 - 4. Bruce Meyer commented against the zoning case mentioning groundwater and sewage.
 - 5. Raymond Roser commented against the zoning case due to potential high-density growth and groundwater.
 - 6. Mark Vaughn commented against the zoning case due to groundwater and drainage.
 - vii. Joe Brown asked if there was an effort made to examine the water district.
 - 1. Peter Zevenburgen shared that municipal or rural water districts were not options nor were they feasible.
 - viii. David Wright asked what the existing zone allows.
 - 1. Philp Zevenburgen shared the current zoning of 2-acre lots to larger depending on the septic system.
 - ix. David Wright asked if this case would still have to go through the public process for platting.
 - 1. Philip Zevenburgen confirmed this was the case.
 - x. David Wright shared his concerns on the water issues of this area.
 - xi. Sharon Aislinger asked if the project applicant knew about the water issues.

1. Philip Zevenburgen said this was discovered through the process and governing boards were made aware.
- xii. Sharon Aislinger asked if this could be stopped.
 1. Philip Zevenburgen said that this is in the middle of the process and a decision would be determined by the process.
- xiii. The motion was denied by a vote of 2-6. D3 CAB denied the zoning recommendation.**
- c. PUD2023-00015 – Philip Zevenbergen, MAPD
 - i. APPLICANT: Clearlake Club Inc. (Applicant); Ferris Consulting (Agent)
 1. REQUEST: Rezone to create the Clear Lake Planned Unit Development PUD #120
 2. CURRENT ZONING: RR Rural Residential District
 3. LOCATION: Generally located on the southwest corner of West 39th Street South and South 263rd Street West.
 4. PROPOSED USE: Allow Multiple Single-Family dwellings on one lot.
 5. RECOMMENDATION: Approve.
 6. Patrick Gaughan asked why a PUD instead of a ZON.
 - a. Philip Zevenbergen explained this was a custom zone change.
 - ii. Agent Greg Ferris shared his agreement with the planning commission.
 1. Kevin McWhorter asked how the groundwater was in this area.
 - a. Greg Ferris replied it is in good condition.
 - iii. Joe Brown asked if there were any complaints filed.
 1. Philip Zevenbergen shared that the contact that was made was mainly comments and clarifying questions.
 - iv. Joe Brown asked if there were any complaints submitted in writing.
 1. Philip Zevenbergen confirmed there were none submitted.
 - v. Sharon Aislinger asked for clarity on the PUD.
 - vi. Patrick Gaughan motioned to approve the recommendation from staff and the planning commission, and Cameron Dawson seconded. **The motion was approved by a vote of 9-0.**

4. BOARD AGENDA

- a. Commissioner Dennis updated the board on the following topics:
 - i. Large-scale Solar would be reviewed at the Feb. 6 staff meeting.
 - ii. The D3 CAB will be at Emergency Communications for a tour of 911 at the March meeting.
 - iii. Update on the Emergency Communications RFP to review allegations.
 - iv. Dam Jam at Lake Afton is on the Feb. 7 BoCC Meeting agenda.
 1. Janice Manlove commented on how the sound carries from this event.
 2. Commissioner David Dennis shared the county had received complaints as far away as Viola.
 - v. Sedgwick County Park Sunrise Boundless Playscape turf issues.
 - vi. Reviewed the 2024 Budget Overview handout. Shared the 2025 Budget process was starting this month.
 1. Joe Brown asked what the status of Ad Valorem and/or LAVTR was.
 2. Commissioner David Dennis shared that the Kansas Association of Counties (KAC) is still pushing this while Sedgwick County decided to go a different direction, asking the state legislature to redirect funds directly back to taxpayers.
 - vii. Attended the McConnell AFB first-ever State of the Base event.
 - viii. Sedgwick County Zoo
 - ix. Northwest Expressway
 1. Kevin McWhorter asked why the City of Wichita is hesitant to participate in this project.

- a. Commissioner David Dennis shared they are doing what they can to support.
- 2. Joe Brown asked how many interchanges will we get with the Northwest Expressway and commented on supporting something that helps bypass areas along with more efficiency for first responders.
 - a. Commissioner David Dennis will send along a timelapse video to the CAB to show growth and change in the area.
- 3. Patrick Gaughan asked about the Zoo Blvd. Bridge project and if it was a city or county project and what was the timeline for completion.
 - a. Commissioner David Dennis confirmed it was a County project and it will go through Summer 2024.
- x. Washington D.C. nonstop flight
- xi. South Central Mental Health Hospital site has been selected at McArthur & Meridian, south of I-235.
- xii. Election Office building purchase in process.
- xiii. New COMCARE Crisis Center to be located on the BioMedical Campus.

5. ADJOURNMENT

- a. The meeting was adjourned at 10:05 p.m.

*The next Citizens Advisory Board Meeting will be **Monday, March 4, 2024, 7 p.m.,** at Emergency Communications (911), Sedgwick County Public Safety Center - 714 N Main, 67203.*