



District 2 Citizens Advisory Board Meeting Minutes

Tuesday, May 7, 2024 | 6 p.m.
Sedgwick County Public Works
1144 S. Seneca
Wichita, KS 67213

Board Members in Attendance: Martha Pint, Tony Martinez, Cheryl Hill, Jessica Atherton, Ashlie Brockleman, Spencer Dean Jr., Nicole Rivera

County Representatives: Commissioner Sarah Lopez, Christina Reith, MAPD, Susan Erlenwein, Environmental Resources

1. Call to Order:

- a. Martha Pint called the meeting to order at 6:00 pm.

2. Roll Call:

- a. Board members identified themselves by saying, "Here."

3. Approval of Minutes from 2/6/2024:

- a. Ashlie Brockleman made a motion to approve the April 2 meeting minutes. Cheryl Hill seconded the motion. It carried unanimously.

4. Public Agenda:

- a. No public comment at this point.

5. New Business:

a. Zoning case CON2024-00017 presented by Christina Reith, MAPD

1. Baughman Company is the agent for the applicant requesting a Conditional Use permit and a waiver of Supplementary Use Regulations at 615 E. 95th St. South.
2. The property is zoned Rural Residential and has a post frame building the applicant initially built with a permit for an agricultural outbuilding. On March 28, 2024, a STOP WORK ORDER and Notice of Unsafe Building were issued to prevent it from being occupied until inspections are complete.
3. The area nearby is zoned as Planned Unit Development with polo fields on it.
4. Other nearby property is Rural Residential and Limited Commercial District, used as a single-family dwelling with ag land.
5. Planning staff recommends denial for several reasons, including:
 - a. Event center would not be compatible with rural character of the neighborhood.
 - b. Possible noise and light pollution and increased traffic could have detrimental effects on nearby properties.
 - c. Neighbors oppose an event center and have complained about previous loud parties on the property.
6. On April 25, the Metropolitan Area Planning Commission recommended denial.
7. Ashlie Brockleman asked for clarification on the white barn – It's already built? And will become an event center if allowed? Christina Reith said yes, that is what the applicant is requesting.
8. Martha Pint and Cheryl Hill also asked for clarification – The owner wants to finish renovations? Christina Reith said yes, the applicant built the barn under

an agricultural outbuilding permit, and once it was plumbed for a bathroom, a STOP WORK ORDER was issued because it became apparent the owner wanted to host events and guests there. That's not allowed under the original permit.

9. Tony Martinez asked if the barn was already being used as an events center. Christina Reith said yes, for a party last year (2023). Some noise complaints made inspectors realize the owner was not in compliance with zoning.
10. Spencer Dean asked for clarification about the applicant's plan to use an existing building that's 84 feet from the property line, which violates Regulation 7 that requires a 100 foot setback. Christina Reith explained that if the Conditional Use permit is granted, a waiver to Regulation 7 would also have to be given.
11. Nicole Rivera asked if one of the buildings on the property is being occupied? Christina Reith said she believes so.
12. Martha Pint followed up by asking if the occupants would be displaced. Christina Reith said no, the owner only wants to utilize the events center.
13. Jay Cook from Baughman Company spoke and said neither house on the property will be occupied or used for anything. They might be demolished.
14. On the map drawn by the applicant, Jay Cook said the building 84 feet from the south property line will be the events center, and the middle area will be for corn hole and picnic tables.
15. Cook said the applicant did not plan to have an events center, when the ag permit was pulled in July 2023. That's why they first built a barn. The noise complaints stemmed from a family party. No other events have been held there.
16. Cook believes the property is in conformance with Community Investments Plan because this is a rural business in the Rural Growth Area. There are 27 other properties nearby that are big enough to have an events center without needing a zoning change. The applicant's property is not quite big enough and falls just below the threshold.
17. Two neighbors voiced opposition at the meeting:
 - Dan Maxie lives adjacent to the property. He complained about last year's party being loud, triggering his PTSD, and party-goers leaving trash on his land. He also questions how the sewage created by 400 potential guests at the events center would affect the low water table in the area?
 - Joan Stoark lives nearby. She complained about loud music at last year's party and believes the applicant intentionally violated building codes by renovating the barn built with an ag permit.
18. Liz Loera is the owner. She said the party last year was for her daughter's 15th birthday and was a one-time event. She also said she misunderstood the original zoning rules, but is learning the system and wants to comply.
19. Jessica Atherton asked Liz Loera to explain the gathering area. Liz Loera said it will be fenced in to separate the gathering place from the parking lots.
20. Jessica Atherton asked how tall the lamps shown on the map will be, but Liz Loera said she doesn't have them yet. She doesn't want to buy things until she knows if the events center will be allowed.

21. Jessica Atherton asked if the parking lots would be paved, and Liz Loera didn't know. She said maybe.
22. Ashlie Brockleman asked when the party last year was. Liz Loera said it was in September, and she hired four sheriff's deputies for security – 1 per 100 people.
23. Ashlie Brockleman asked if Liz Loera lived in one of the houses on the property. She said no, the houses are vacant.
24. Martha Pint asked if flood preparations have been made? Lisa Loera said the property would have to go through platting which would address this. Jay Cook said Kelly Dixon of MAPD said the owner will have to spell out drainage, septic and platting, and the occupancy load.
25. Martha Pint asked if the barn is structurally sound. Liz Loera said yes, since it was just built in 2023.
26. Cheryl Hill asked how 100 parking places could handle 400 potential guests? Agent Jay Cook agreed that could be a problem and might change the occupancy load allowed. He said paving could be an obstacle so the parking lots might be gravel.
27. Commissioner Sarah Lopez advised CAB members to remember that Commissioners can put conditions on the owners before the zoning request is approved.
28. Ashlie Brockleman made a motion to deny the Conditional Use permit and Waiver of Supplementary Use because it appears to her that water and sewage are not set up for an events center and could negatively affect residents. Spencer Dean seconded the motion, and it passed unanimously.

b. Presentation by Susan Erlenwein, Director of Environmental Resources

1. The Environmental Resources Department covers several areas, including environmental assessments, clean energy, water, air quality and solid waste.
2. Environmental assessments are done on properties the County might use and can include mold, groundwater and soil contamination.
 - For example, Riverside Hospital, Intrust Bank Arena, 29th and Grove, Coleman Company demolition.
 - Contractors must recycle as much as possible from demolitions – bricks, metal.
3. Clean Energy - Solar panels can kill birds. They dive into them, like a lake.
4. Dark sky lighting projects light downward, not into the sky.
 - Affects animals' nesting, mating and hunting behaviors
5. Water - Storm drainage, flooding, contamination
 - City of Andale has a problem with high levels of nitrates caused by too much manure/ fertilizer, leads to Blue Baby Syndrome and cancer in adults
 - Solutions include alternate water supplies, crop to provide ground cover
 - 468 contaminated sites- 207 resolved, 229 active
 - PCE in West Wichita
 - PCE from dry cleaners in Haysville
 - TCE at 29th and Grove from spill in 1980s
6. Air Quality - President Nixon started the EPA and Clean Air Act.
 - Pollutants include dust, lead, ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide

7. Solid Waste - Inspect facilities, waste analysis, Household Hazardous Waste
 - Trash levels from 2007 are going down, and recycling levels are going up
 - For residential customers, Sedgwick County uses almost 150,000 trash carts, but only 41,000 recycling carts.
 - Fourteen cities in Sedgwick County have a contract agreement for trash and recycling. Derby cut bills in half. Fewer trucks driving down the same streets.
 - Six cities, including Wichita, do not have contract agreements.
 - Environmental Resource staff analyze loads of trash to determine most of residential trash is yard waste, food and paper. Commercial waste is mostly paper.
 - Environmental Resources staff has cleaned up 2.2 million pounds of illegal dumping since 2002.
8. Environmental Resources holds special events:
 - Bulky waste coupons since 2012
 - Christmas tree mulching – 106,307 trees since 2002
 - Tire collection – 137,000 in 2023, more than 2,000 vehicles.
 - E-waste – 418,000 pounds in 2024, more than 4,000 vehicles. Total pounds since 2009: 2,896,604.
 - Drug drop-off locations – 15 sites in Sedgwick County
9. At the Household Hazardous Waste facility, residents can drop off old chemicals, cleaners, paints, oil, etc. at 801 Stillwell and can take home products from the Swap and Shop.

c. Future Meeting Dates and Agenda Items

1. Stephanie Birmingham reminded CAB members that the June meeting is canceled. Instead, CAB members are encouraged to attend the Sedgwick County Budget Roundtable at Campus High School in the Commons area at 5:30 p.m. on Tuesday, June 4, 2024.
2. The CAB meeting in July is on July 9 because our schedule is going back to the second Tuesday of every month, from this point on. The remaining meetings are:
 - Aug. 13
 - Sept. 10
 - Oct. 8
 - Nov. 12
 - Dec. 10
3. Election Commissioner Laura Rainwater is scheduled to give a presentation at the July meeting.
4. The Aug. 13 meeting will be held at the Public Safety Building, 714 N. Main St. so Emergency Communications Director Elora Forshee can give us a tour and talk about 9-1-1 Dispatch.

d. Commissioner Update/Other Announcements

1. Commissioner Lopez is getting a lot of feedback on the proposed Reinvestment Housing Incentive District (RHID) for an apartment complex in Goddard. Cities with a population of 70,000 or less qualify for this, and the developers (the Stevens brothers) would have to pay taxes for some time. Commissioner Lopez says the City of Goddard has already subsidized part of this project, and it looks feasible without further subsidies. The matter goes

before the BoCC May 8, and Commissioner Lopez does not think it will pass. Sedgwick County's Return On Investment (ROI) would be low.

2. Commissioners are in the middle of county budget workshops, when departments present their proposed budgets for 2025. When Commissioner Lopez started, she says staffing levels, budgets and employee morale were very low, but things are improving because of pay increases.

3. At the May 22 meeting, BoCC will approve a firm to conduct an investigation/audit of the Brookhollow apartment fire response. KAKE-TV is also doing a documentary on the fire and the victim, which the Commissioner believes will be unfairly negative toward 9-1-1 Dispatch.

4. Commissioner Lopez encouraged CAB members to attend the June 4 budget roundtable. She wants their input to help define what core services are and how Sedgwick County can lessen our reliance on property taxes.

6. Adjournment

a. The meeting adjourned at 8:33 p.m.