

**District II Advisory Board Minutes**  
**March 14, 2016**  
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The District II Advisory Board meeting was held at 6:30 p.m. at Fire Station #20, 2255 S. Greenwich Rd, Wichita KS, 67207. The Council Member, six board members, six staff and seven members of the public were present.

**ATTENDANCE**

**Members Present**

David Babich  
 Jennifer Baysinger  
 Kelly Callen  
 Dale Carter  
 Nazir Jesri  
 Chris Mullen  
 Becky Tuttle  
 Council Member Pete Meitzner

**Members Absent**

Nick Howell  
 Carol Jones  
 Blaine Knott  
 April Winn

**Staff Present**

Officer Mike Lloyd, WPD  
 Capt. Chip Froome, WFD  
 Paul Gunzelman, Public Works  
 Scott Knebel, MAPD  
 Helen Rigdon, Library  
 Laura Rainwater, Community Services

**Guests**

Council Member Bryan Frye  
 Lonny Wright  
 Kirk Miller  
 Sharon Brinks  
 Steven Brinks  
 Francis Bias  
 Judy Bias  
 Blake Baysinger

**ORDER OF BUSINESS**

Call to Order: The meeting was called to order by Dale Carter.  
 Approval of minutes from February 8, 2016: Approved 7-0.  
 Approval of Agenda: Approved 7-0.

**Public Agenda**

**Scheduled Items:** None

**Off-Agenda Items:** None

**Staff Reports**

**Community Police Report:** Community Police Officer Mike Lloyd reported.

- Anticipating an increase in “open garage door” burglaries due to warmer weather
- Increase in auto larcenies
- Street racing along Greenwich
- Positive changes and additions coming to Community Policing

**Fire Department Report:** Capt. Froome, reported.

- Huge increase in grass fires due to dry conditions – especially along Pawnee. Probable cause is tossed cigarettes
- Burn Ban still in effect

**Wichita Public Library Report: Helen Rigdon, Senior Librarian,** reported on events at the Comotara and Rockwell branches.

- Spring Break Week Activities – libraries have been very busy
  - ~ Tuesday – “Drive-In Movie” at Rockwell
  - ~ Thursday – Board Game Day
- Young Artist Reception – April 7 at Rockwell
- Branch Study being conducted by WSU’s Hugo Wall School of Public Affairs

**Public Works Report: Paul Gunzelman, Public Works Engineering,** reported

- Kellogg and Webb - Left turn restrictions to begin March 26 weather permitting
- Kellogg and Armour – East bound median to be shaved down to allow the U-turn only lane to become a u-turn/left turn lane. West bound changes will be coming, too
- Greenwich – Harry to Pawnee – federal funding in 2018 – possibly bring to DAB in May
- SE High School traffic flow meeting held with HOAs on Jan. 26. Discussed preliminary traffic numbers and listened to concerns from citizens. There will be a public information meeting at 5:30pm on March 22 at Summit Church.

### **New Business**

**CUP2016-00002 – Scott Knebel, Metropolitan Area Planning Department,** presented the request.

City CUP Amendment to DP-111 Parcel 1 to permit Nursery and Garden center in LC Limited Commercial zoning, generally located east of N. Rock Road and north of E. 29th Street N. (3232 N. Rock Road). The garden center site would be situated within the parking lot of Parcel 1, located on the east side of North Rock Road approximately 730 feet north of East 29st Street North.

**Action Taken: Jesri** made a motion to **APPROVE** the request based on staff recommendations and the subject to the following conditions:

1. A seasonal nursery and garden center shall be permitted by this amendment in Parcel 1. The CUP document shall be revised to add the Unified Zoning Code (UZC) requirements for the nursery and garden center.
2. The applicant shall submit a revised site plan for the seasonal nursery and garden center that complies with these conditions of approval. The site plan and any attachments shall be reviewed and approved by the Planning Department prior to issuance of any temporary building permit for this use. The site plan shall be oriented to direct traffic and parking patterns away from interference with the main circulation aisles within Parcel 1.
3. The seasonal nursery and garden center shall be located in temporary structures accompanied by outdoor display space as shown on the approved site plan and attachments compliant with these conditions.
4. Operation of the seasonal nursery and garden center shall be April through October, 8AM – 7PM/dusk, Monday – Sunday. There will be a week allowed before and after this period of operation for erecting and removing the temporary structures.
5. All outdoor work and storage areas, such as areas storing empty carts or containers, shall be screened from ground level view by approved screening materials, in conformance to Article IV, Section IV-B of the UZC.

6. No outdoor lighting shall be added. No generators shall be used to provide power to the site. No outdoor speakers or amplifiers shall be allowed. Water shall be supplied from an approved water supply.
7. Restroom facilities for employees must be provided and may be provided by agreement with a permanent use in the center upon approval of the Director of the MABCD. No portable-potties are allowed.
8. No temporary buildings shall be located within any setbacks or easements.
9. Permitted merchandise for sale shall be plants, plant materials, gardening supplies (including sacked fertilizer and sacked mulch), pottery for plants and gardening tools, limited to non-motorized hand tools.
10. The use shall be operated in conformance with all requirements of Article III, Section III-D.6.z of the UZC for a nursery and garden center on property zoned LC and with all requirements of Article III, Section III-B.14.e of the UZC pertaining to outdoor display and outdoor storage in LC unless specifically modified herein.
11. Signage shall be per the Wichita Sign Code.
12. A change in the location, within Parcel 1, in subsequent years may be considered as an Administrative Adjustment.
13. Prior to utilization of the nursery and garden center use, the operator (owner or lessee who seeks the temporary building permit) shall annually submit a report to the Zoning Enforcement Division of MABCD that demonstrates compliance with the approved site plan (See Exhibits) and conditions specified herein.
14. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
15. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
16. The applicant shall submit four revised copies of the CUP and the site plan for the seasonal nursery and garden center to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

**Callen** seconded the motion. **Motion passed 7-0.**

**PUD2016-00001** – **Scott Knebel, Metropolitan Area Planning Department**, presented the request. City rezoning request for a Planned Unit Development (PUD) to allow GC General Commercial uses with restrictions and an off-site billboard sign, generally located north of E. Kellogg and 1/2 mile east of 143rd Street East. In addition to rezoning, the PUD would remove this site from the existing CUP DP-226 and associated restrictions. The remaining DP-226 will continue to exist east of the site. The applicants operate a construction sales and service business and an equipment rental and sales business; both businesses require outdoor storage and display. The applicants propose to relocate their businesses to this

site. The applicants also own a digital billboard which they propose to place on this site and use for on and off-site advertising.

After staff presentation, DAB members were most concerned about the buffer between the proposed business and the adjacent neighborhood to reduce the dust, noise and light pollution.

Members of the Belle Terre HOA addressed the Board in opposition of the change. Their concerns included:

- Size of equipment being used and stored on site.
- Size of building and location on parcel
- Hours of operation and time of deliveries will be made
- Pollution – Dust, noise and light (from electronic billboard)

**Action Taken:** Tuttle made a motion to **APPROVE** the request with the following conditions:

- The PUD is subject to re-platting to include: complete access control except for one right-in right-out only access point to US-54 located east of Reserve L, guarantee of acceleration and deceleration lane improvements, reconfiguration of Kellogg Drive to a frontage road with emergency access to the vacated portion of Kellogg Drive if required, dedications for the future Kellogg Expressway will be determined, and a drainage plan and associated guarantees will be required.
- The off-site sign shall be permitted for off-site advertising only; on-site advertising is prohibited per the Sign Code on the off-site sign.
- The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

**Callen** seconded the motion. **Motion passed 4-2 (with 1 abstention).**

#### **Board Agenda**

**CM Meitzner** encouraged everyone to watch the State of the City video that is available on the City's website. He also reminded everyone to attend the District breakfast on Saturday, April 2, at The Regent.

**Meeting adjourned at 8:20 p.m.**

**Next Meeting:** The next meeting for District Advisory Board II will be at 6:30 p.m. on Monday, April 11, 2016, at Fire Station #20, 2255 S. Greenwich, Wichita, KS 67207.