

**DISTRICT ADVISORY BOARD (DAB) I
MEETING MINUTES**

Monday, December 3, 2012

6:30 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Janice Rich
Beverly Domitrovic
Twila Chaloupek
Janet Wilson
James Roseboro
Dan Heflin
Bill Wynne

Members Absent

KC Ohaebosim
Brandon James
Julie Lusk

Guests

Jeff Fluhr
David Buckmaster
Charlotte Buckmaster
David Kimpler
Dave Burk
Gerald Domitrovic
Donald E Hogg
Judy Meadow
Charles Jacobs
Kim Potochnik
Roy Julius
Pat Julius

City of Wichita Staff Present

Council Member Lavonta Williams

Officer Carlson Beat 21, Wichita Police Department

Officer Bussard Beat 47, Wichita Police Department

Officer Lowe Beat 31, Wichita Police Department

Scott Knebel, Planning Department

Jess McNeely, Planning Department

Paul Gunzelman, Traffic Engineer Public Works & Utilities Department

LaShonda Garnes, District 1 Neighborhood Assistant

Order of Business

Call to Order

Council Member Williams called the meeting to order at 6:31 p.m. and welcomed staff and guest. She thanked everyone for coming and proceeded with the first order of business.

Approval of Agenda

Roseboro (Wilson) made a motion to approve the agenda as submitted. **Motion carried. 7:0**

Approval of Minutes

Wilson (Roseboro) made a motion to approve the minutes as submitted. **Motion carried. 7:0**

Public Agenda

1. Agenda Items

No items submitted.

2. **Off Agenda Items**

No items submitted.

Staff Report

3. **Park and Recreation Report**

No items submitted.

4. **Fire Report**

No items submitted.

5. **Police Report**

Officer Lowe, Beat 31, Wichita Police Department advised that there was an increase in non-residential burglaries from one in October to four in November. He also noted on Beat 25 they have seen an increase in burglaries as well and they are look at 1 suspect.

Lowe advised that Officer Tiede has moved to Patrol East.

Officer Bussard Beat 47, Wichita Police Department advised that new the Captain for Patrol North is Captain Leeds. Captain Leeds comes from Patrol West; however, has worked in the north bureau so knows the community. He also noted that Officer Burnett was the new Community Police Officer for Beat 46 and Officer Lemons was the new Community Police Officer for Beat 44.

Bussard noted that there was also an increase in non-residential burglaries, mainly to tire stores. He noted that they have a suspect in custody that had just been release from parole on the 16th of November and the burglaries started on the 17th.

Bussard noted that they had the suspect in custody for the double homicide.

Bussard advised that the Thanksgiving meal they delivered eighty-nine meals citywide and would be providing the same program for Christmas.

Officer Carlson Beat 21, Wichita Police Department advised that despite the media reports things are not as bad in Old Town. He advises that they now have two working camera in Old Town, with more to come. He noted that they are working with the bars and the Old Town Association continually looking for ways to make improvements to Old Town.

Council Member Williams thanked **Officers** for their reports.

Action Taken: Received and filed.

Unfinished Business

6. Improvements to Williams Street, Main to Emporia Conversion (2 way Street)

Paul Gunzelman, Traffic Engineer – Public Works & Utilities presented information on the plan to convert Williams Street from a one-way to two-way street. Gunzelman advised that the Downtown Master Plan recommends the conversion of Williams Street to assist with move traffic in the area. The project would include traffic signal improvements, pavement improvements where necessary, and new pavement markings. He noted that construction is planned to begin in 2013.

Gunzelman advised that the current lanes are eleven feet wide from Emporia to Topeka and that parking will remain in this area.

Gunzelman advised that from Topeka to Broadway diagonal parking will remain on the north side of the street. He proposed reducing the perpendicular portion of the diagonal parking to 14 ½ feet from 16 ½ feet and this would leave the lanes at 11 ½ feet wide in each direction.

Gunzelman noted that from Broadway to Market the lanes were 10 feet on the north with diagonal parking and 11 feet on the south.

Domotrovic wanted to know how they were going to address the drop box area in front of the DCF building. **Gunzelman** noted that when he was at the site he saw Officers out enforcing traffic in that area.

Heflin thanked staff for addressing his concerns.

Wilson wanted to know if staff had to talk to residents regarding the project.

Gunzelman advised no.

CM Williams wanted to know what signage would be added. **Gunzelman** advised that maybe “no standing” signs; however, he needed to talk with WPD about the signage.

Chaloupek wanted to know how the standing traffic at the drop box will be addressed.

Jeff Fluhr, Downtown Development, (507 E Douglas) advised that they support the project and have seen great results with the conversion of other streets from one-way to two-way streets.

Charles Jacob, Finney Building Manager – (130 S. Market) wanted to know if a safety analysis has been completed. He noted that most of the businesses don't have a loading or unloading dock that is easily accessible and he believes that converting to a two-way street will have a negative impact. **Gunzelman** stated that he would need more information on the safety issues that Mr. Jacobs had concerns about.

Jacob advised that there are two short term loading zones on the south side of Broadway and that is not adequate and the other is at Market – which is frequently used by people running in to grab a cup of coffee.

Jerry, Slawson Company – (2038 N. Gow St.) advised that they are hoping to redevelop their property and was supportive of the proposal being presented.

Dave Burk, 151 N. Rock Island noted that he supports this project and feels this will make things easier for development and visitors.

Wilson wanted to know if the loading zones were signed better would Mr. Jacobs support the proposal. **Jacobs** responded yes if it was enforced.

Domotrovic stated maybe we need to see a safety plan before we vote on this proposal. **Roseboro** asked what the specific safety concerns were. **Jacobs** responded a lot of congestion, a high customer load that comes in front of the Finney building, and the opportunity for pedestrian/vehicular accidents.

CM Williams stated that she would like signage so people are clear of what's going on. She also stated that DCF is also putting out station workers in the community so this should begin to reduce some of the traffic.

Heflin wanted to know if two-way traffic is more dangerous. **Jacobs** indicated that we have a lot of people who are physically limited and they pull up and upload.

Wilson wanted to know if deliveries took up a whole lane when they are delivering to the Finney building and businesses on the south side of the street. **Jacobs** advised that when UPS drivers get out technically they are parked illegally and the parking needs to be enforced. **Wilson** wanted to know if a cut in could be added verses temporary loading zones.

Roseboro advised that he would like to see a safety study completed.

Action Taken: Approve the proposed project with the condition of a safety study being completed. (Heflin) Chaloupek. Motion carried. 6:1

New Business

7. ZON2012-00031

Jess McNeely, Planning Department presented information on zoning request to change from a “TF-3” Two Family Residential to a “GO” General Office generally located on the south side of 34th Street North and east of Woodlawn Boulevard. **McNeely** noted the vacant site is 140 feet deep and 1500 feet long. The applicant indicates a desire to develop the site with an office facility, with the flexibility to do two-family or multi-family residential development.

McNeely advised that adjacent zoning and land use was:

NORTH	MF-29, SF-5	Church or place of worship, single-family residences
SOUTH	GC	K-96, YMCA, Home Depot
EAST	MF-29	Multi-family residential
WEST	TF-3, LC	Religious facility, vacant commercial property

McNeely noted that General Office zoning would allow for the following land uses not permitted in the current TF-3 zoning: multi-family residential (at 75 units per acre), assisted living, group residence, cemetery, community assembly, correctional placement residence, day care, nursing facility, university or college, automated teller machine, bed and breakfast inn, broadcast/recording studio, funeral home, hotel or motel, recreational marine facility, medical service, general office, and commercial parking area. Code standards would require a landscape plan to include parking lot screening, and would limit light pole height to 15 feet with lights shielded downward, preventing light trespass off the site. Maximum building height in the GO district is 60 feet.

McNeely noted that hotel/motel or cemeteries would not be feasible for this land. The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the site as appropriate for “Urban Residential” use. The Urban Residential category reflects the full diversity of residential development densities and types typically found in large urban municipality. Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category. Land west of the site is designated as appropriate for “Major Institutional” uses, reflecting the current religious land use. The Office Locational Guidelines of the Comprehensive Plan recommend that office sites be located adjacent to arterial streets; this site has access from a collector street. The guidelines also indicate that low-density offices can serve as a transitional land use between residences and higher intensity uses; this site could serve as a buffer location between the residential neighborhood to the north and K-96 with more intense land uses to the south.

McNeely advised that staff recommends approval subject to the following protective overlay:

1. Permitted land uses by right are limited to: Office, General; Medical Service; Single-family Residential; Two-family Residential; Multi-family Residential limited to the MF-18 zoning district density and Church or Place of Worship.
2. Buildings are limited to 35 feet in height.
3. Signs shall conform to the City of Wichita Sign Code, shall be monument style signs and shall not exceed 32 square feet in size. LED or electronic message signs are prohibited.

The staff’s recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The immediate area has a mixture of zoning and uses. Property northwest of the subject site is zoned MF-29 and is developed with a religious facility. North of the site is an SF-5 zoned subdivision. South of the site, across K-96, is the GC zoned YMCA North Branch. East of the site is an MF-

29 zoned apartment complex. West of the site is a TF-3 zoned religious facility, further west is LC zoned vacant commercial property.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned TF-3, which is a district primarily limited to low density residential uses and a few compatible non-residential uses such as religious institutions, parks or schools. The religious institution to the west indicates that it does not need the subject site for future expansion. The site could continue to be developed as currently zoned for single or two-family residences, or for school or religious institutions. The site location along K-96 does not make it desirable for low density residential development.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: GO zoning on this site could permit uses which may be incompatible with the residential neighborhood to the north. The limited size (4.75 acres) and limited depth of the site (140 feet) would likely prevent most objectionable uses from being developed on this site. Minimum code requirements regarding lighting, screening and landscaping should minimize potential impacts on nearby residences. A protective overlay could ensure compatible land uses, building heights and signs.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the site as appropriate for “Urban Residential” use. The Urban Residential category reflects the full diversity of residential development densities and types typically found in a large urban municipality. Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category. Land west of the site is designated as appropriate for “Major Institutional” uses, reflecting the current religious land use. The Office Locational Guidelines of the Comprehensive Plan recommend that office sites be located adjacent to arterial streets; this site has access from a collector street. The guidelines also indicate that low-density offices can serve as a transitional land use between residences and higher intensity uses; this site could serve as a buffer location between the residential neighborhood to the north and K-96 with more intense land uses to the south.

5. Impact of the proposed development on community facilities: Traffic for the proposed office or multi-family uses will not be significantly higher than what would be permitted by land uses currently permitted on the site. 34th Street North is an urban collector at this location with adequate capacity for the proposed uses. All other community facilities are in place.

Domotrovic wanted to know what the applicant plan to build at the site. **McNeely** advised that the applicant indicated they wanted to do office space and/or residential.

Chaloupek asked how close this was to residential property. **McNeely** reviewed the adjacent land use described in the staff report.

Kirk Miller, Agent advised that the applicant is looking to build medical offices at the location. He noted that the applicant is looking for flexibility throughout the project. **Miller** also advised that the applicant would like to build a soccer field on the property immediately.

Domotrovic asked if this was adjacent to the Mosque. **Miller** advised yes.

Heflin wanted to know if there would be any barriers put up to block the noise from the freeway. **Miller** advised not that he knew of.

Kim Potochnik, 6927 Woodberry Court with the K-96 Neighborhood Association confirmed that there are single family homes that face this land and that this project would be close to single family residential. **Potochnik** wanted to know if there was a contract contingent upon this zoning change being approved. **Miller** stated that he was not aware of any contingent contracts.

Potochnik stated that after this zoning is changed the applicant could build 82 new residents on this property. She then questioned whether or not they could sale this land and put in more apartments. **Potochnik** also noted that the Mosque does not have enough parking for their current activities, as they are parking on both sides of 34th Street, Rushwood, and across the grass. She wanted to know with this new project where would the additional parking go and will they be required to put in new parking.

Ken Thompson, 3514 Rushwood Court stated that he believes a noise buffer is needed. He noted that there has been traffic problems and speeding along 34th Street. He indicated that he would like to see “no parking” signs along 34th Street along the windings road. **Thompson** also indicated that the protective overlay should also eliminate the MF-18 zoning; signage allowed should only be non-lighted signage.

CM Williams wanted to know if residents who lived in the area were in attendance.

Thompson also stated that from Rushwood to the bridge, Community Police have not made a regular effort to address the parking issues.

David Buckmaster, 3514 Rushwood Court stated that the Mosque wanted to build a cemetery at this site at one point and wanted to be sure this was not a back door way to accomplish that. He also noted that the noise levels were extreme.

Tom, 3558 N Rushwood Court stated that there had been rumors about the Mosque wanting to build a cemetery wanted to express that he does not want to see a cemetery be permitted as use for this land.

Roy Julius, 6921 E. 35th St N., stated he was concerned with the parking on 34th Street, noting that it was very dangerous and does not need any additional traffic in that area.

Wilson asked if we could get a wall installed for the noise and some landscaping, would the neighborhood be opposed to the zoning.

Potochnik advised that they are not thrilled about the MF-18 zoning being included in the zoning request. She indicated that she does not live close enough to confirm Wilson's statement. She also stated that the Mosque may have the best intentions but she is concerned about parking and what might else go in at this location.

Roseboro advised that the MF-18 zoning is a concern of his and putting in additional apartments would not be good for the neighborhood. **Roseboro** also wanted to know if parking was enforced along 34th Street if that would help.

Potochnik stated that if they put "no parking" signs along 34th Street this is only going to push individuals to park on other streets, intruding on neighborhoods.

McNeely advised that the Mosque currently meets parking requirements per city code. He noted that if an office use was put in at this site it could possibly open up more parking to address the issue on 34th Street.

Wilson asked if the MF-18 zoning was removed from the protective overlay, would it have an impact on the Mosque. **McNeely** stated no.

Roseboro asked if the protective overlay could address the concerns of a cemetery being built at this location. **McNeely** advised that the protective overlay limits the site to specific uses per the conditions on page three and a cemetery is not a permitted use.

Potochnik stated that although the Mosque meets city ordinance, the ordinance does not take into account how they use the facility on Friday's. She also noted that Pastor Tom at the Lutheran church has offered the Mosque the use of their parking lot for their Friday meeting, but they still park on both sides of 34th Street.

Chaloupek asked if there were any trees better than others for the landscaping. **McNeely** advised that the city has landscaping code requirements on all development, but you can increase the screening you would like to see.

Heflin asked if they could put in a parking lot at this site based on current zoning. **McNeely** advised yes.

Action Taken: Approved zoning request with the removal of the MF-18 zoning and adding no lighted signage in the protective overlay. (Wynne) Roseboro. Motion carried. 7:0

CM Williams indicated that she would like to meet with the Neighborhood Association to get additional concerns, as well as, the Mosque to see how we move forward in addressing the parking concerns.

Updates, Issues and Reports

Wilson advised that A Price Woodard would host their next meeting in January 2013.

Chaloupek advised that Linwood would host their next meeting in January 2013.

Wynne advised that Country Overlook would host their next meeting in January 2013.

Roseboro advised that they would have their joint neighborhood Christmas party on Friday. He also that WIN would have their annual membership drive on January 14th at All Occasions, tickets are \$15.

Domotrovic advised that Schweiter would meet on Saturday at 10:30 a.m.

Garnes advised that the Department of Children and Family are now housed at Atwater.

With no further business, the meeting adjourned at 8:06 p.m.

Respectfully Submitted,
LaShonda Garnes
Neighborhood Assistant