

District II Advisory Board Minutes

May 6, 2013

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The District II Advisory Board meeting was held at 6:30 p.m. at Fire Station #20 located at 2255 S. Greenwich Road. CM Meitzner was in attendance, five board members, 12 citizens and five staff attended.

Members Present

David Babich
Brian Carduff
Dale Carter
Nick Howell
Max Weddle

Sheila Tigert
Alexandria Webb
Joe Yager

Staff Present

Officer Mike Lloyd, WPD
Don Henry, Public Works
Bill Longnecker, MAPD
Alan Taber, Park and Rec
Janet Johnson, Neighborhood Services

Members Absent

April Leason
Tom Roth
Blaine Knott

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 6:30 p.m. without a quorum present.

APPROVAL OF MINUTES AND AGENDA

- **May Agenda approved with change in order of items (5-0)**
- **April Minutes approved (5-0)**

PUBLIC AGENDA

1. Off-Agenda Items

None.

Recommended Action: Receive and file

STAFF REPORTS

2. Community Police Report

Officer Mike Lloyd, Beat 37, reported the police department recently conducted a community survey in the 100 block of S. Governour. He said citizens there had the perception that crime was up and they didn't feel safe. The survey results revealed the primary concern was speeding in the neighborhood so Officer Neal opened a NOTE (Neighborhood Oriented Traffic Enforcement) complaint. There were also concerns about a lack of lighting, so police are working with Public Works Engineering on that issue.

He also reported the Stand Together Coalition is working with the Mayor's Youth Council and area liquor stores will be doing a project together to remind patrons it's against the law to purchase liquor for minors.

The Wichita Police Department is doing security surveys for public and private schools.

Officer Lloyd said there was a crime trend where backflow preventers were being stolen – 28 cases in the Patrol East area alone. He said two suspects were caught in the act at St. Joseph Hospital and ended up being booked into jail on 31 of the 38 existing cases. He explained the backflow preventers have serial numbers on them, and staff from OCI and WPD were able to match them. **Officer Lloyd** said if you have a sprinkler system with a backflow preventer, it would be a good idea to get the serial number off it and write it down.

DAB wanted to know if it is easy to sell the backflow preventers; **Lloyd** said not as easy as it used to be, and WPD received full cooperation from the business that had purchased the items.

3. **Community Fire Report**
No fire report due to call out.

Recommended Action: Receive and file

NEW BUSINESS

4. **Drought Response Plan Update**
Don Henry, Public Works and Utilities, distributed written summaries from the community meetings that were recently held and went over some of the significant items.

DAB members had the following comments/questions:

- What if people sink their own wells, will that affect the availability of water; **Henry** said no, private wells don't pull from the same part of the aquifer bed that City water does.
- Education is the key and is very important; citizens need to know what the possible consequences are before they will start conserving.
- Conservation alone is very short-sighted; the City should be looking at water recycling opportunities.

5. **CUP2013-00008 3030 N. Penstemon Street**

Bill Longnecker, MAPD, presented a request for an: amendment #4 to DP-194 to allow a "tavern and drinking establishment." The Unified Zoning Code defines a tavern and drinking establishment as "...an establishment engaged in the preparation and retail sale of alcoholic liquor or cereal malt beverage for consumption on the premises that derives in a six-month period less than fifty percent (50%) of its gross revenues from the sale of food and beverages for consumption on the premises."; UZC, Sec.II-B.13.b. The site had been a full service restaurant (Drinking Eating Restaurant/DER) until the sale of alcoholic liquor or cereal malt beverages exceeded the 50% gross revenues in a six month period. The DAB Members were provided the MAPD report for review. Approximately a dozen citizens were present to support the request.

DAB members who live near the establishment were supportive of the amendment.

Recommended Action: Due to the lack of a quorum, an unofficial vote was taken and the DAB members voted 5-0 to recommend: the request for an amendment to DP-194 to allow a tavern/drinking establishment on Parcel 2B, be approved with the four listed conditions.

6. **ZON2013-00005 AND CON2013-00007**

Bill Longnecker, MAPD, presented a request for a: request for General Office (“GO”) zoning with a Conditional Use for a bank on the undeveloped, platted, Neighborhood Office (“NO”) zoned 1.39-acres located north of 13th Street North, on the west side of Webb Road. Banks are not a permitted use in the NO zoning district. Banks can be considered in the GO zoning district with a Conditional Use.

The DAB Members were provided the MAPD report for review and were informed that MAPC has already approved the request.

DAB members wanted to know if the Home Owners Association had been notified; staff reported they had, along with all other property owners within 300 feet. Staff reported no protests had been filed, all calls were simply inquiries.

The DAB also wanted to know if there were height restrictions; staff said yes – 35 feet – which is approximately a two-story structure.

Recommended action: Due to the lack of a quorum, an unofficial vote was taken and the DAB members voted 5-0 to recommend: the request for GO zoning with a Conditional Use for a bank/financial institution be approved, subject to the seven listed conditions.

7. **CUP2013-00011 13th and Webb**

Bill Longnecker, MAPD, presented a request for an: Amendment 1 to DP-186, Parcel 1, to allow a “bank or financial institution by right.” The Unified Zoning Code (UZC) allows a bank or financial institution to be considered in the GO zoning district with a Conditional Use; UZC, Sec.III-B.12.c. (3). An amendment to the CUP substitutes for the required Conditional Use. Approval of a Conditional Use or a CUP amendment does not grant ‘permitted by right’ status to a use that is not listed as such in the base zoning district, a zoning change is required for that. The applicant also proposes a shift to the common parcel line of Parcels 1 (subject site) and 3. The boundary shift will reduce the size of Parcel 1 by approximately 35,523.4-square feet and reduce its maximum gross floor area by 11,102-square feet. The undeveloped GO zoned Parcel 3 will grow in size by what Parcel 1 has lost. The LC zoned Parcel 2 is developed as a 4 story office building.

The DAB Members were provided the MAPD report for review and were informed that MAPC has already approved the request.

DAB members were concerned about how many access drives there would be to Webb Road; staff informed them that this request addresses zoning only; it does not address access – that will be handled under a vacate case.

Recommended action: Due to the lack of a quorum, an unofficial vote was taken and the DAB members voted 5-0 to recommend: that the request for an amendment to DP-186, Parcel 1 for a bank/financial institution and a shift to the common parcel line of Parcels 1 (subject site) and 3 be approved, subject to the two listed conditions.

8. **ZON2013-08 and CUP2013-09 21st and Webb**

Bill Longnecker, MAPD, presented a request for a: Limited Commercial (LC) zoning subject to the amended development standards of the Wilson Estates Medical Park Commercial Community Unit Plan DP-260. The 2.49 acre vacant site is zoned General Office (GO); the entire DP-260 is zoned GO and developed with medical office type uses. The applicant wishes to split the existing Parcel 9 into two parcels, associated with a lot split on the property. The applicant requests ALC zoning but limited to Neighborhood Retail (NR) uses, except that drive-through uses would be permitted and restaurant and retail sizes would not be limited.

The DAB Members were provided the MAPD report for review.

The DAB members had no concerns.

Due to the lack of a quorum, an unofficial vote was taken and the DAB members voted 5-0 to recommend: that the proposed CUP and zone change be approved subject to re-platting within one-year and that the applicant submit four revised copies of the CUP to the MAPD within 60 days after approval of the case by the Governing Body.

9. **Updates, Issues, and Report**

Alan Tabor, Park and Rec, reported the new activity guide is now online and participants can actually register for classes and activities online. He said hard copies of the guide will be available next week. He also provided flyers on the Activity Camps, Summer of Discovery and specialty camps.

With no further business, the meeting was adjourned. The next **DAB II** meeting will be June 3, 2013.