

**District V Advisory Board  
Meeting Minutes  
November 05, 2007**  
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The **District V Advisory Board Meeting** was held at 7 p.m. at the Auburn Hills Golf Course Clubhouse, 443 S. 135<sup>th</sup> St. W. In attendance were 8 District Advisory Board members, 7 staff and 18 citizens with 4 signing in.

**Members Present**

Council Member Longwell  
Mike Bell  
Darrell Leffew  
Jay Buckmaster  
Joey Ellzey  
David Dennis  
Jay Flinn  
Bryan Frye  
Logan Fritz- Youth Member

**Staff Present**

Dale Miller, Planning Dept.  
Shawn Mellies, Public Works  
Officer Lori Kimrey- Johnson, Community Police  
Captain Darrell Haynes, WPD  
Deputy Chief Tom Stolz, WPD  
George Kolb, City Manager  
Megan Buckmaster, Neighborhood Assistant

**Members Absent**

Dana Brown  
Mike Hill  
Clarke Sandberg  
Kelly Watkins  
Pat Ream- Alternate

**Guests**

Listed on last page

**Order of Business**

**Call To Order**

The meeting was called to order at 7:02 p.m.

Motion to approve the minutes from the October 01, 2007 meeting. Motion passed 7-0.

Motion to approve the revised agenda for the November 05, 2007 meeting. Motion passed 7-0.

**Public Agenda**

**1. Off Agenda Items**

**No scheduled items**

**Unscheduled Items**

John Mavec, **12029 W. Autumn Ridge Ct**, brought up several concerns. His homeowners association needs consideration for road repair. He believes it has been neglected for to long.

He would also like to state that he would like 119<sup>th</sup> b/t Maple and 21<sup>st</sup> street to remain “undeveloped”. This road serves as a neighborhood thoroughfare and there is no need to widen. There are no areas for businesses other than on several corners, and would like the zoning to remain residential. He also asked that the city look into reducing the speed limit to 35 mph.

**Captain Tom Stolz, PD**, responded that the city changes speed limits all the time, the traffic engineers approve after doing several studies. He will look into this.

**Councilman Longwell** responded to the 119<sup>th</sup> remark that there is no immediate plan in the CIP to do anything to 119<sup>th</sup> other than between Maple and Kellogg. There are other arterials that will need to be addressed before 119<sup>th</sup>.

**Action: Receive and file.**

## **Staff Presentations**

### **2. Community Police Report**

**Officer Lori Kimrey- Johnson, Community Police** reported on beats: 16, 18, 19, 199. **Beat 16:** The Town West Mall safety event on Saturday, November 3<sup>rd</sup> was a success. 71 children were processed through the Child ID program. There were displays of the bomb unit, helicopter and police vehicles. 1050 reflective metallic Halloween bags were distributed filled with candy. There is an increase in non-residential burglaries. The criminals are kicking in store front doors and burglarizing: “smash and grab”. Officers are increasing surveillance, using unmarked vehicles and reporting in early to try and address these crimes. **Beat 18:** Benton Elem. continues to be a problem. Parents parking on the opposite side of the street and letting their children run across the street to the school. This poses a safety risk to all. The education strategy continues with passing out informational flyers, and talking to parents. To date, appx.20 citations have been given. **Beat 19:** Seeing underage drinking concerns at 21<sup>st</sup> and Tyler (behind Sonic). Police are using unmarked cars to try and address. There are also concerns for underage drinking at residences. Neighbors are not reporting in fear of retaliation. Police are setting up Neighbor meetings to help. **Beat 199:** More “Smash and grab” crimes: non- residential burglaries as noted in Beat 16. A note to continue to close garage doors was made because of continuous open garage burglaries.

**Jay Flinn** mentioned activity around his HOA, sterling farms, gazebo and pool area. Believed to be youth activity late in the evening. **Officer Kimrey- Johnson** will look into.

**Action: Receive and file.**

**3. Deputy Chief Tom Stolz, Wichita Police Department:** reported on crime stats and trends in Wichita and District 5.

Citywide: 39 homicides year to date compared to an average per year of 24-26. Recent months there has been a slow down. Of those 39, 35 have been cleared and 4 still under investigation. Most homicides happen by someone the victim knew.

Citywide: Gang crimes are decreasing on an average, but there have been “spikes” of activity.

Citywide: Rape crimes averaged 225-250 rapes/ year. Very few “stranger rapes”.

District V: Non-residential burglaries are on an increase,

District V: Crime in the Central and Ridge area 9apartment complexes) are increasing: aggravated assault increased, residential burglaries increased.

District V: Auto dealership crime increased.

District V: Positive note: District 5 encompasses 1/6 of Wichita. District 5 has 1/12 of the crime in Wichita. In 2007 WPD citywide will have 125,000-130,0000 cases, only 11,000 of those cases occur in District 5.

Citywide: The 3 major crimes WPD has prioritized are Gangs, Internet Child Pornography, and Identity Theft.

**David Dennis** asked about Hispanic gang activity. D.C. Stolz responded with past CRIP investigation funding and activity. At this time WPD is acting reactively rather than proactively due to amount of gang crime activity citywide. They will focus on making a change to that.

**Joey Ellzey** asked about the increase in disorderly conduct in District V from 2005 to 2006 (72 to 201) as reported on the crime stat sheets distributed. D.C Stolz responded that there might be several reasons. One given was the reporting system changed in 2005. He will look into and report back findings.

Activity around the "Lightening Joes" establishment was asked about. Police reported they are monitoring closely.

**Councilman Longwell** asked the question about Neighborhood Watch programs in District 5. **D.C. Stolz** responded that they do review N.W. data monthly. He would need to look at further and report back. **Officer Kimrey- Johnson** added that there has been an increase in requests this year: 0 requests in 2006, 3 in 2007. D.C. Stolz added that a citizen or business owner can request free of charge the crime prevention unit to come and do a safety assessment on a property, home or business.

## **New Business**

### **4. CUP2007-55 (originally item #6)**

**Dale Miller, Planning Department**, reviewed the Staff Report for CUP2007-55; The request to amend the CUP to allow a car wash on proposed reconfigured Parcels 3 & 5 generally located south of 13<sup>th</sup> Street North and the west side of Maize road. Based upon information available prior to the public hearings, planning staff recommends that the request for Amendment #1 to CUP DP-214, to allow a car wash on proposed reconfigured Parcels 3 be APPROVED.

**Phil Meyer, Baughman Company, and Ronnie Corbin, Developer**, presented more detailed information on the look, location and conditions of the proposed car wash required be met for this request.

The recommendation was made to approve CUP2007-55

**The motion passed 7-0.**

**Action: Approved the Case to move forward to City Council.**

**5. ZON2007-46 (originally item #4)**

**Dale Miller, Planning Department** reviewed the staff report for ZON2007-46 request to rezone from NR to LC. **Miller** added that originally staff was confused as to why the request was made to change from NR to LC. Staff then learned that it was simply to add a south facing sign that would be viewable by residents of Chadsworth

**Joey Ellzey** asked about current use. **Tim Austin, Poe & Associates, Inc.** responded: The current use is a strip center with 6-7 possible occupants, 2 current. The request was to add signage for the possible occupant, Baskin Robbins.

**Mike Bell** asked about the current restrictions of signage. **Austin** responded: Current zoning allows a limit of 32 sq. ft. The occupant request is to increase the signage allowance. **Austin** added: They hosted a neighborhood meeting in the proposed location for neighbor input/concerns. No one attended. The occupant is favorable to brightness restrictions: the sign would only be illuminated during operating hours.

**Joey Ellzey** made the comment that if the request is granted will this open up the placement of any signage larger than current allowances on any part of the buildings. **Austin** responded: That concern would be covered by a protective overlay. **Ellzey** asked if letters to residents were sent by certified mail. **Austin** responded: no. All residences affected are owner occupied and he assumed that they had all received the letter.

**Jay Flinn** asked if the HOA President had been notified. **Austin** responded: He would have to check his mailing list, but the thought was to only notify the homes directly affected by the signage. **Flinn** commented: As an HOA President himself it is important to know about issues that affect any residents in their association to help provide communication and leadership.

**Bell** asked about what was sent to residents. **Austin** responded: A meeting notice to inform residents of the zone change request. The meeting was held on November 1, 2007 at the proposed Baskin Robbins location.

The recommendation was made to approve ZON2007-46. There was no second to the motion.

The recommendation was made to resubmit to the HOA President and residents a zoning change request letter to try to get any input/ concerns.

**The motion passed 5-1 with David Dennis abstaining from the vote.**

**Action: Approved the Case to resubmit to H.O.A. and then move forward to MAPC.**

## **6. CUP2007-54 (originally item #5)**

Dale Miller, Planning Department, reviewed the staff report for CUP2007-54 request to increase the building height to 66 feet and a 1:3:5 parking ratio generally located north of 21<sup>st</sup> Street, west of Tyler (Warren West Theatre). **Miller** explained the past request/ approval for an increase to 47 feet in March of 2007 for this same location. The expansion was not started and the plans have now changed to need a taller building. The only concern raised by residents was the dangerous left turn issue. Rather than just a “no left turn” sign, which is the current status, a physical no-left-turn “pork chop” on the far west drive onto 21<sup>st</sup> denying left turn access would be required.

**Mike Bell and Bryan Frye** asked what the current height of the building is. **Brad Teeter, Spangenberg Phillips Architecture/ Agent**, responded: The tower is currently at 60 feet. The building heights are 31 and 35 feet and sit 135 feet from the road. The apartment complex to the SW is at 45 feet. **Teeter** gave a history of the request: to be competitive with the announced IMAX theatre in Maize. It would house 2 dinner theatres, a bar, and a large IMAX sized screen.

**Joey Ellzey** asked whether the lighting would change or not. **Teeter** responded: There would be no changes, except for additional lighting with the parking lot expansion. The Marquee on the front tower would stay at that location. There would be additional neon banding around the addition to tie into current buildings.

**Jay Flinn** asked about lighting between the back of the theatre and the apartment complex. **Teeter** responded: There would be added minimal lighting/ low lighting for service trucks and back alley service access.

The recommendation was made to approve CUP2007-54

**The motion passed 6-1.**

**Action: Approved the Case to move forward to City Council (case was heard at MAPC on 11/01/2007)**

## **7. Petition to pave Mariposa and Pueblo, between Ridge and Sierra & Sierra, between Mariposa and the Railroad.**

**Shawn Mellies, Public Works**, provided information on the paving petition. The project will provide paved access to a partially developed commercial area and a developed residential area generally located at Mariposa and Pueblo, between Ridge and Sierra & Sierra, between Mariposa and the Railroad. Estimated cost of the project is \$765,000.

**David Dennis** asked Mr. Mellies to educate the board on this type of project and the assessment of fees. **Mellies** responded with information re: the ways to fund these types of projects and how the assessments are calculated. **Dennis** asked why the city selected the “fractional” way to fund. **Mellies** responded: This is the easiest way; other ways would not have worked. **Dennis** commented on the 4<sup>th</sup> way to fund such projects: Business owners who originally initiate the project, are more dominate in land ownership, pick up the majority if not all of the cost to pave.

**Joey Ellzey** asked what the reason was to pave the area. **Mellies** responded: a business owner started the petition.

**Darrell Leffew** made several comments re: state statute: smaller landowners not being heard vs. the larger landowners. The funding plan benefits businesses yet the higher cost of the project is because of business traffic.

**Councilman Longwell** asked about the additional cost. **Mellies** responded: The asphalt needs to be thicker and the extra base cost. **Longwell** asked about the possibility of assessing the additional cost (commercial improvements) to the business owners; it is due to their traffic the additions are needed. **Mellies** responded: he could look into that possibility.

**David Dennis** commented that the total cost is \$765,000. There is an increase in cost, a “crawl”, after a project is completed, approximately 1% per month. So it can be a big increase per year. The "crawl" is placed in any petition to cover increased construction costs.

**Dave Dahl, Attorney, 727 N. Waco #585**, representing the Windsor's: residential and business (Black & Windsor), as well as 17 lot owners. He has prepared and signed objection letters to this project. Dahl commented that it is inappropriate to assess all landowners. Black and Windsor do not believe paving is necessary. 6 of the 8 residents are low income and this assessment would cause a financial burden to them. He and his clients believe the request should be denied.

**Dennis** commented on the Deferred Special Assessments provision available based on income levels.

**Leffew** asked Dahl how many people he was representing. **Dahl** responded: 17 of the 25 landowners.

**Dwayne Erickson, 1534 S. Ridge Road**, made a comment about the Airport Authority having an interest in these properties. Why spend \$800,000 on something that will eventually be purchased by the City. **Erickson** asked how much of the project cost was for drainage. **Mellies** responded: \$80,000, which could go higher when actual project gets started.

**Dan Kilpe, Apph Wichita Inc., 1445 S. Sierra Drive**, had several comments: He had never heard any indication that the airport authority was interested in his land. Apph is expanding: currently 85 employees, 5 million \$ payroll. Investing \$3 million for further expansion. There is a big drainage problem due to current road conditions. There is standing water in the ditches that will stay 3-4 weeks at a time. This causes a negative business perception. He is open to the discussion of removing the cost from the residences and placing it on the business owners. He would need to speak with the other business owners in the area.

**Longwell** asked who decided on the boundaries of the improvement district. **Mellies** responded: state Statute dictates those boundaries.

**Dennis** asked Mellies if Jim Armour, Public Works, would be willing to set up a meeting between residents and business owners to discuss a resolution or compromise. **Mellies** responded: He would ask.

The recommendation was made to defer the issue and ask the City engineer to set up a meeting with residents and business owners to come to an agreement. This issue would then come before the DAB again.

**The motion passed 7-0.**

**Action: Item deferred. Return to DAB on 12/3/2007.**

**Recommended Action:** Approve the Petition

**8. Petition to construct a Sanitary Sewer to serve part of Lots 2,3,and 4, Fairlawn Acres Addition**

**Shawn Mellies, Public Works**, provided information on the sewer construction petition. The project will construct a sanitary sewer to a developed commercial area generally located south of Kellogg and west of Ridge.

**David Dennis** asked how the assessments were divided. **Mellies** responded: Square footage was the best way in this situation.

The recommendation was made to approve the Petition

**The motion passed 7-0.**

**Action: Approved the Petition to move forward to City Council**

**9. New Communities Initiative**

**George Kolb, City Manager**, presented on the New Communities Initiative and Master Plan proposal. Council is being asked to appropriate \$250,000 to begin the Master Plan process. The boundaries of the project are: N- 21<sup>st</sup>, E- Hillside, S- Central, W- Topeka serving zip code 67214. The goal of this initiative is to transform a community of consumers into one, which is more productive, and to change the environment: physically, mentally and spiritually. **Kolb** shared examples of similar projects around the country that have enjoyed success: St. Louis, Atlanta, and Pittsburg.

**Jay Buckmaster** asked about benchmarks from the example projects shared such as graduation rates, employment rates, etc. How long did/do the improvements take. **Kolb** responded: 1-20 years to follow beginning to end on such improvements/ through 5 phases. The outcomes are lower unemployment, increased literacy and increased graduation rate.

**David Dennis** asked about the actual building costs: \$800,00 to create a Master Plan, how much to implement the plan. **Kolb** responded: The Master Plan will give us those answers. There are other entities committing to reallocate funding i.e. KDHE. The eventual goal is a cost savings: the project will cost upfront but will eventually end the negative costs incurred by this community. **Dennis** asked who would oversee the project. **Kolb** responded: the City Council will act as a redevelopment authority. There will be no other taxing authority.

**Dr. Carla Lee, 1367 N. Westlink**, asked if the city had looked into Health Base Federal funding sources. **Kolb** responded: we are still looking into all funding possibilities. **Dr. Lee** asked if in creating the Master Plan would you have consultants that have experience in these types of projects. **Kolb** responded: We will follow the RFP process for the Master Plan.

**Councilman Longwell** asked about the condition of the example projects today. **Kolb** responded: Atlanta, for example, remains in good condition. Residents are enforcing rules upon themselves.

**Darrel Leffew** commented how impressed he was with the way the City is approaching this project. **Leffew** had several questions: The perception by the older generation is that this is simply urban renewal. How will the city communicate to citizens that this is not the case and how do you stop eminent domain for private development- will the City Council have authority. **Kolb** responded: Urban renewal projects do not work when you do not listen to the stakeholders. We will insist this is a community plan not a developers plan. The Council, operating within state law, will govern eminent domain.

**Bryan Frye** asked what the \$800,00 would buy. **Kolb** responded: a roadmap. The plan will cover roads, housing, landscape: the when, who what and how. **Frye** asked if this project is in the budget. **Kolb** responded: We will recommend the reallocation of \$ to pay for this Plan.

**Dennis** asked if the 67214 community would be heard. **Kolb** responded: Absolutely. In fact they already are. At the kick-off event there was great response from the community.

**Longwell** asked the DAB to give final comments in support of or not of this project.

**Leffew**- Support

**Dennis**- If the city cannot get other agency's to put in \$, do not spend more than the \$250,000.

**Ellzey**- support

**The consensus of the DAB is to move this project forward and to educate the public to its purpose.**

## **BOARD AGENDA**

### **Board Updates and Issues**

**Council Member Longwell:** Cadillac Lakes Community Input meeting took place on Thursday, October 04, 2007, 6:30 p.m. at the Sedgwick County Extension Office. There were about 20-25 residents in attendance. The big surprise was that most residents do not want a wall/ fence put up. They enjoy the openness of their property.

The next District 5 breakfast will take place on Saturday, December 1. Location TBD. Longwell requested DAB members to attend.

**David Dennis:** Asked Mr. Kolb about the construction project of the Minisa Bridge at North High. The bridge serves the school as an evacuation route in case of emergency. **Kolb** responded: during construction traffic cannot be put on it. An alternate bridge may be built to allow pedestrian traffic.

**David Dennis and Megan Buckmaster** are a part of the USD 259 Community Steering Committee to address future Bond issue planning. Currently in the information gathering phase.

**Bryan Frye:** Has been asked to serve on the Cultural Arts Funding Committee.

**Jay Flinn:** asked about traffic counts: 21<sup>st</sup> and Ridge to Maize Rd. And 21<sup>st</sup> at 135<sup>th</sup>. **Dennis** added a question about the light at 111<sup>th</sup> and Kellogg. **M. Buckmaster** will contact traffic engineers and forward response to DAB Board.

**Action: Receive and file.**

### **Adjournment**

With no further business, the meeting adjourned at 9:50 p.m.

Respectfully submitted,  
Megan Buckmaster, Neighborhood Assistant

### **Guests**

Phil Meyer 315 Ellis  
Dave Dahl 727 N Waco  
John Mavec 12029 W. Autumn Ridge Ct  
Dr. Carla Lee 1367 N. Westlink