

DISTRICT ADVISORY BOARD (DAB) I

MEETING MINUTES

Monday, August 2, 2010

6:30 p.m.

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

Members Present

Gerald Domotrovic
Janet Wilson
Steve Roberts
Bill Wynne
Lisa Riley
Janice Rich
James Roseboro
Twila Chaloupek
Vicki Churchman
KC Ohaebosim
Jesyka Ware (Youth Member)

Members Absent

Guests

Listed on the last page

City of Wichita Staff Present

Council Member Lavonta Williams
Officer Wylie Beat 25, Wichita Police Department
Officer Mackey, Beat 47, Wichita Police Department
Donna Goltry, Planning Department
LaShonda Porter, District 1 Neighborhood Assistant

Order of Business

Call to Order

Council Member Wililams called the meeting to order at 6:28p.m.and welcomed guests. **CM Williams** advised that anyone speaking should provide their name and address for their record.

Approval of Agenda

Wynne (Wilson) made a motion to approve the agenda as submitted. **Motion carried 9:0**

Approval of Minutes

Roberts (Roseboro) made a motion to approve the minutes as submitted. **Motion carried 9:0**

Public Agenda

1. **Agenda Items**
No items submitted.
2. **Off Agenda Items**
No items submitted.

Staff Report

3. **Fire Report**
No report submitted.
4. **Police Report**

Officer Wylie, Beat, 23 advised that Linwood Neighborhood Association would be having their cleanup Saturday, August 7th; with breakfast at 6:30 a.m. and the clean up starting at 7 a.m.

Wylie reminded everyone that National Night Out was Tuesday, August 3rd and that it was a great opportunity for residents to get out and meet their neighbors.

Officer Kimble, Beat 47 provided the details of the following crimes:

- 12 aggravated assaults
- 12 aggravated batteries
- 1 homicide (500 N Wabash)
- 1 vehicular homicide (6400 E. 29th St N)
- 55 burglaries
- 15 auto theft

Kimble also advised that 12 burglars have been arrested last month. **Kimble** advised that the homicide in the 500 N Wabash was a dispute between two neighbors. He advised that the suspect has been apprehended and is still in custody. He also noted that with the vehicular homicide there was alcohol involved.

CM Williams asked if burglaries are up. **Kimble** advised that yes burglaries are up on almost every beat.

The **Board** thanked the Officers for their presentation.

Action Taken: Received and filed.

New Business

5. **Household Travel Survey**

Kristen Zimmerman, WAMPO, presented information on the WAMPO Household Travel Survey that was being administered in the community. **Zimmerman** advised that the survey is being conducted by WAMPO to collect information on travel behaviors and transportation priorities in the region. The region includes all of Sedgwick County; portions of Sumner County including Mulvane; and portions of Butler County, including Andover.

Zimmerman advised that the survey would be conducted from August through October 2010. She noted that a large number of households will be randomly selected throughout the entire region and will be contacted by phone and mail to participate in the survey. She advised that the information from the surveys will be used to plan for transportation improvements.

Officer Kimble arrived at 6:35 p.m.

Zimmerman also noted that participants would also receive a travel diary. Each member of the participating households would keep track of their travels for one day and record them in a travel diary. Information collection from the diary includes: the destination of the trip, the purpose of the trip, and how the trip was taken (i.e. walked, biked, drove, carpooled, etc.).

Zimmerman provided the Board with a one page handout describing the program, as well as, a copy of the letter that was gone to households. She also advised that for information residents could log on to www.wampoks.org.

Domitrovic wanted to know if the letters had already went out. **Zimmerman** responded yes.

Roseboro wanted to know if the survey was a 3-part survey or three different surveys. **Zimmerman** advised that it was a 3-part survey.

Action Taken: Received and filed.

KC Ohaebosim arrived at 6:41 p.m.

CM Williams acknowledged the newly appointed youth Board member **Jesyka Ware**. **CM Williams** also invited **Officer Paul Kimble** to give an update – see report above under **Police reports for Officer Kimble’s update**.

6. ZON2010-00022

Donna Goltry, Planning Department, presented information on the zoning request to change from two-family residential and limited commercial subject to a protective overlay. **Goltry** advised that a number of properties owners are requesting the zoning change located at the southwest corner of South Hillside and East Orme Street.

Goltry provided some background information regarding the site and request indicating that as part of the applicant’s application they also submitted a protective overlay that included:

Architectural Controls:

A. All buildings within the subject property shall share a uniform architectural character, color and same predominate exterior building material. The building(s) walls shall not utilize metal as a predominate exterior façade material.

2. Landscaping:

A. Landscaped street yards, buffers and parking lot landscaping/screening shall utilize a shared palette of landscape materials and shall be in accordance with the City of Wichita Landscape Ordinance.

B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating type, location and specifications for all plant materials.

C. Existing street trees along Lorraine Avenue are to be preserved, supplemented with evergreen screening east of the existing street trees. Evergreens shall be spaced at a rate of one evergreen per 20 feet.

D. If existing trees are not preserved, evergreen screening shall apply to adjoining residential use properties along the west line and the west most 151 feet of the south line at a rate of one evergreen per six feet. When planted, evergreens shall be not less than six feet tall and shall be maintained to provide an opaque living wall.

E. Berms may be utilized to gain additional elevation for the evergreen screening.

3. Lighting:

A. The parcel shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles, lamps, etc.).

B. All lighting shall be shielded to direct light disbursement in a downward direction and directed away from residential areas.

C. Light poles including the above ground base shall be limited to a maximum height of 22 feet tall and 15 feet tall when located within 200 feet of residential use property.

4. Screening:

A. Rooftop mechanical equipment shall be screened from ground level view with screening materials matching the building roof or wall materials.

B. Trash receptacles, loading docks and loading areas shall be appropriately and individually screened with materials matching or similar to the building(s) façade hiding them from ground view.

C. Six-foot tall opaque screening fencing shall be utilized along or near the west property line and the west most 151 feet of the south line of the subject property. Opaque fencing may be constructed of or a combination of the following materials: masonry, cast or poured concrete, wood, white or natural color PVC vinyl, or similar screening with approval of the Director of Planning.

D. Unless otherwise noted, screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.

5. Setbacks shall be as follows:

Minimum Front Setback: 20 feet (east line), provided that the minimum required front setback may be reduced pursuant to Sec. III-E.2.e(5) of the Wichita-Sedgwick County Unified Zoning Code.

Minimum Rear Setback: 25 feet (west line)

Minimum Interior Side Setback: Zero feet, but if an interior side setback is provided it shall be at least five feet in width. The west most 151 feet of the south line shall be 20 feet.

Minimum Street Side Setback: 10 feet (north line)

6. Building Height: Up to 35 feet.

7. Building size shall be limited to that of the Neighborhood Retail zoning district: no individual use may exceed 8,000 square feet of floor area.

8. Uses shall be limited to the following LC Limited Commercial ("LC") zoning district uses:

A. Single-family, Duplex, Multi-family, Assisted Living, Day Care Limited, Day Care General, Government Service, Safety Service, Animal Care Limited, Automated Teller Machine, Bank or Financial Institution, Convenience Store, Funeral Home, Medical Services, Monument Sales, Nurseries and Garden Centers, Office General, Personal Care Service, Personal Improvement Service, Post Office Substation, Printing and Copying Limited, Restaurant, Retail General, Service Station and Vehicle Repair Limited.

B. No drive through lanes are allowed.

9. Complete access control is granted along Lorraine Avenue.

Goltry advised that staff is recommending denial of the zoning request; however, if the zoning request was approved staff has a recommendation of conditions that should be included in the protective overlay.

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 - B. No drive through lanes are allowed.
9. Complete access control is granted along Lorraine Avenue.
10. Off-site signs and billboard signs are prohibited.
11. Prior to publishing the ordinance effecting the zone change, the property shall be replatted within one year from the date of City Council approval.

George Laham, Consultant, 150 N. Market advised that he was a consultant for Quik Trip assisting them with the development of this project. He introduced Larry Henry, Greg Allison, and Brian Lindebak as the Engineers from MKEC assisting with the project. **Laham** advised that Quik Trip was interested in the property; however, the property owners still owned the properties.

Laham gave a presentation describing the layout of the site, plans for landscaping, fencing, and entrances to the facility. Laham described the site as one of the larger Quik Trip sites and how that afforded them the opportunity to provide more landscaping and buffering to the residents.

Laham advised that the entrance to the Quik Trip would be off of Hillside and Orme. He advised that the median on Hillside would have to be cut in order to accommodate the entrance on Hillside.

Laham then described the landscaping that would buffer Lorraine Street. He noted that in addition to the trees already in place, they would also add a 6” foot wood fence and berm to assist with the buffering. Additionally, he noted that because of the site size they are to create a buffer of 120ft. between the property and actual resident.

Laham advised that utilities would be taken care of by the developer of the project and this would not have any financial impact to the residents.

Laham discussed currently what they are recommending to be included in the protective overlay for allowable uses for the property as well as, those uses that should not be allowed. The list included the following:

Allowable Uses

Convenience Store
Restaurant
General Retail
Bank of Financial Institutions
Medical Services
Office General
Post Office
Printing and Copying
Service Station
Vehicle Repair
Funeral Home
Residential
Assisted Living
Day Care
Veterinary

Uses Not Allowed

No Bars/Taverns and Drinking Clubs
No Night Club
No Liquor Store
No Sexually Oriented Businesses
No Entertainment Establishments
No Pawn Shop
No PayDay Loan Services
No Vehicle Sales
No Car Wash
No Drive Through
No Self-Storage
No Kennel

Laham then provided a site overview noting that the site would not have a drive through service, no car wash, no access from Lorraine to the site, solid fencing would be provided adjacent to the residential properties, landscape berm would be included in the design, preservation of existing tree landscaping on Lorraine would be maintained, lighting would be directed away from the residents on Lorraine, trash enclosure will be on the northwest corner away from residential, maximum building size will be 8,000 sq feet, rooftop mechanical units will be screened and monument signing will be restricted to the Hillside only at northeast corner.

Laham then proceeded to show an example of how the monumental sign is displayed at existing Quik Trips. He further provided examples of other locations that Quik trip abutted a residential area. Those locations included: Maize Rd. & 13th St., Tyler Rd. & Maple St., and 127th St. & East 21st St. **Laham** noted that this was not an inclusive list but could give you an idea of Quik Trip being a good neighbor.

Laham also stressed how Quik Trip is known for being a safe place and community store. He advised that Youth in trouble need a safe haven that is non-threatening and easy to access. QuikTrip stores provide such a place. Getting runaways and youth in trouble off the street and on to help is the goal of Safe Place. He also noted that Quik

Trip has also developed a great working relationship with Wichita Police Department, which increases their presences at the store and provides them a space to come and hang out and do paperwork, while make their presence known in the community.

Dr. Mark Schuyler, 639 S. Hillside asked what type of fencing and sound proofing would be on west and south side of the property. Additionally, he wanted to know what the height of the monumental sign would be. **Laham** advised that the fencing would be a wood fence and the sign would be 17 – 18 feet tall.

Patricia Oriender, 616 S. Chautauqua wanted to know how close the houses were at the other sites that he provided as examples to compare this project to. **Laham** advised that the residential homes were about 400 feet away.

Wanda Plenski, 604 S Chautauqua wanted to know where Quik Trip at 127th St was in relationship to Trinity Academy. **Laham** advised that it was to the east of Trinity Academy.

Bill Oriender, 616 S Chautauqua wanted to know if Orme could be made into a dead end street. **Laham** advised that is something for the Engineers to look into.

Susie Jones, 615 S. Lorraine noted that the students from East High currently use Orme an access, so it would increase the traffic even more if a Quik Trip was built at the proposed location. She also wanted to know how many homes had been demolished in the other Quik Trip developments that were presented in the examples. **Laham** advised none for those projects.

Janice Rich wanted to know why another Quik Trip was needed since there is one at Harry & Hillside and Lincoln & Hydrualic which is very close in proximity. **Laham** advised that the location is a decision of Quik Trip and he could not answer that at this time but would get more information.

Dr. Mark Schuyler wanted to know if they were planning to close the store at Hillside & Harry. **Laham** advised yes. **Dr. Schuyler** stated that his concern was with what could got into the site once Quik Trip closed as it appears there life spans is about 10-15 years at a location. He wanted to know if they could recommend more to the protective overlay. **CM Williams** advised the Board has the ability to add more to the protective overlay as part of their recommendation.

Goltry advised that currently as the staff report is written payday loans and liquor stores are not include in the protective overlay but could be added.

Charles Bishop, 3024 E. Orme wanted to know how many cares could get into the turn lane. **Laham** advised that it is projected that it could stack 3-4 cars.

Darrly Pelinski, 604 S. Chautauqua wanted to know why there were not two entrances on Hillside. **Lahdam** advised that the City Access Management plan does not allow it, as the second access point would be to close to Orme.

Bill Jones, 615 S. Lorraine wanted to know the timeframe for the project. **Laham** advised that the project wouldn't begin until the 1st of the year and demolition and construction would start in May with an estimated completion date of November.

Susie Jones, 615 S. Lorraine wanted to know what steps would be taken to ensure that environmental concerns will be taken into consideration; for example, when the homes are demolished, that asbestos and lead will be treated properly. **Laham** advised that the building permit process would take care of that.

Linda Doll, 737 S. Lorraine advised that she was opposed to the project and zoning change request. She noted the following concerns:

- It would greatly increase the amount of traffic on Hillside and in the neighborhood on Orme, Lorraine, and Gilbert
- It would lower property values
- It would increase crime in the area not only at Quik Trip itself but by bringing "strangers" not the neighborhood to scope out what houses can be broken into
- It would increase the amount of noise in the neighborhood especially for people living close by – traffic noise, people talking/yelling, boom boxes, car horns, car door banging, Quik Trip loud speaker, and it would be 24/7
- It would increase wear and tear on the neighborhood street paving already in poor condition
- Opposed to any 24/7 business in the Sunnyside neighborhood.

Doll commented that it would make more sense to put a Quik Trip at Kellogg and Oliver with the Quik trip on the east side of Oliver and they would probably get a lot of business from people staying at the new hotel.

Nathan Ebersol, 3010 E. Orme noted that he agreed with all the opposition. He noted that the full block width is not appropriate for this site. He noted that Quik Trips are normally on two main arterials and that this change would increase traffic tremendously.

Dr. Mark Schuyler, 639 S. Hillside advised that he is leaning towards opposition to the zoning change and that this could possibly be detrimental if approved. He noted that he needed additional information that included:

- Crime statistics of Quik Trips in similar areas
- Statistics involving traffic accidents
- What the proposed increase of traffic would be on Hillside
- What happens when there is a gas leak that causes groundwater contamination?

Dr. Schuyler advised that he is also concerned with foot traffic. Additionally if the zoning request was approved could the following be added to the protective overlay:

- Restriction on elevated signage from Kellogg
- No public access from rear of building
- Alleyway closed
- A concrete wall be installed not a wood fence

Bill Jones, 615 S. Lorraine has concerns with traffic, crime, additional foot traffic. Overall he advised that he is opposed to the request.

Bill Orender, 616 S. Chautauqua noted that this could possibly bring in additional jobs and that he would lean towards approval if the Orme was closed off.

Susie Jones, 615 S. Lorraine noted that she strongly opposed the request and that she would say 90% of the residents are opposed.

George Laham, 150 N. Market noted that Quik Trip has a great relationship Wichita Police Department and they encourage them to be at the Quik Trip stations to provide a secure presence to the community. He also noted that this area was a low crime area. He added that any concerns regarding traffic the Traffic Engineer for the City would address and make recommendations as needed. **Laham** also stated that if ground water contamination was to occur Quik Trip would be responsible for the correction of the problem at no cost to surrounding properties. He also noted there is a lot of testing and monitoring so this is not a major issue any longer.

Laham encourage residents to look at the store at 127th St.

Janet Wilson noted that she was concerned with only having one access point off of Hillside. The traffic is intense and this will increase a traffic jam.

Vicki Churchman noted that this request was a real concern for her.

LaShonda Porter read response to community questions from previous meeting received from the Traffic Engineer:

Q: Does the City have authority over the median on Hillside? Can they give permission for the media to be cut? Does the state or federal government have control over the median?

A: Past scenarios KDOT has given the City authority to decide whether or not the median could be cut. However, I have not received word back from KDOT regarding this median. If the median were to be cut, my recommendation would be to allow the median to be cut 400' feet south of the Kellogg ramp terminal. This would be in accordance with the City Access Management guidelines.

Q: What is the current traffic count for Hillside and Kellogg? Hillside and Orme? What is the projected increase with a Quik Trip going in?

A: Current count on Hillside south of Kellogg 18,023. Reviewing the trip generation books for a gasoline/service station with convenience market, the traffic is projected base on square footage of gross floor area. The trip generation rate is: A.M. Peak 78 trips/1000 sq ft of gross floor area, P.M. Peak 97 trips/1000 sq ft of gross floor area.

Q: Will there be a need for the road to be widened? If so, will that require right-of-way acquisition? Will this have to be completed before the Quik Trip is completed?

A:The median width 400' feet south of the center line of the off ramp is 16' wide. This would allow for the northbound left turn lane to go east on Kellogg to be extended to

allow a left turn lane into the site. Regarding the right-of-way acquisition, the City would ask for an additional 20' of right-of-way dedication to bring the half street right-of-way to 50'. The City has required this on previous cases just south of this property.

Domitrovic wanted to know what about property values of the residential homes when these properties are left vacant. Doesn't that impact your property values as well. He then asked if there main concern was traffic and noise.

**Recommended Action: The Board recommended denial of the zoning request. (Roseboro: Wynne)
Motion carried 10:0.**

Update

Updates, Issues and Reports

CM Williams expressed her condolences to Janet Wilson in the loss of her mother.

Wilson thanked everyone for there support. She also noted that A Price Woodard would not have an event for National Night Out.

Churchman advised that South Central would not have an event for National Night Out, instead they will host there annual Fall Festival, October 9th at Lincoln Park.

Chaloupek advised that Linwood would not have a National Night Out celebration and that they would have their clean up on Saturday, August 7th.

Roberts advised that Crestview Heights would have a barbecue in recognition of National Night Out. He also reminded everyone that Tuesday was also Election Day.

Wynne advised that Country Overlook and Kenmar Neighborhood Associations would have a joint celebration for National Night Out – “Youth & Family Night Out”.

Roseboro advised that NE Heights will resume their Neighborhood Association meetings in August.

Rich advised that the Hyde Neighborhood Association would meet August 14th at the Spice Merchant and 3 p.m.

Ohaebosim reminded everyone that Tuesday was Election Day.

CM Williams addressed the residents from the Sunnyside Neighborhood Association noting that if anyone was interested in serving on the District 1 Advisory Board to contact LaShonda Porter as there was still one position still available.

CM Williams advised that the District 1 Breakfast was Saturday, August 7th and the guest speakers would be Ron Holt – Assistant County Manager and managers from SMG.

With no further business, a motion to adjourn was made. Motion carried 10-0. The meeting adjourned at 8:53 p.m.

Respectfully Submitted,
LaShonda Porter
Neighborhood Assistant

Guests

Dr. Mark Schuyler
Erin Schuyler
Larry Henry
Greg Allison
Bill Jones
Donna Binter
Linda Doll
Beverly Domitrovic
Charles Bishop
Nathan Ebersol
Amy Liebau
George Laham
Pete Krause
G.L. Willie
Kesha Staley
Kristen Zimmerman
Maxine L Bostic