

District III Advisory Board Minutes
November 1, 2006
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The District III Advisory Board meeting was held at 7 p.m. at the Wichita Water Center at 101 E Pawnee. Ten District Advisory Board members were in attendance. Nine City staffers and approximately 45 members of the public were present, 42 which signed in.

Members Present

Teresa Cook
Judy Dillard
Matt Foley
Charlotte Foster
Jim Gulick
Joann Hartig
John Kemp
DeWayne Kitchen
Jesse Sheffield
Council member Jim Skelton
Bill Ward

Staff Present

Officer Dwain Diehl, Patrol South
Officer Brian Mock, Patrol East
Officer Larry Carlson, Patrol South
Janet Johnson, City Manager's Office
Chris Carrier, Public Works
Dale Miller, Planning
Elizabeth Goltry, Finance
Rachel Moody, City Manager's Office
LaShonda Porter, City Manager's Office

Guests

Listed on the last page

Members Absent

Gerry Myers

ORDER OF BUSINESS

At 7 p.m. **Council member Jim Skelton** called the meeting to order.
The meeting minutes from October 4, 2006, were approved as submitted. (**Gulick:Foster, 9:0**)

PUBLIC AGENDA

1. There were no scheduled items submitted.
No one presented any unscheduled items.

STAFF REPORTS

Community Police Report

Due to a lengthy agenda, Beat Coordinator reports were held to a minimum. **Officer Dwain Diehl, Patrol South Beat 24**, shared copies of the green Eyes and Ears sheets from Environmental Services and told citizens how to use them.

Action: Receive and file.

NEW BUSINESS

Update on railroad projects

Chris Carrier, Director of Public Works, provided an update on Wichita rail projects. He said in the late 1990s the City entered into an agreement with the State and Federal Railroad

Administration. The Grand Ave. project in Haysville has been completed and the Central Rail Corridor project is underway.

Jesse Sheffield arrived at 7:05 p.m.

Carrier said the UP crossing at Pawnee and the 21st Street corridor project will be done in the future as funding allows. He said the Central Rail project is costing more than they had anticipated - it is a \$98 million project. **Carrier** said he currently has \$12 or \$13 million in earmarked funds from the Federal government. He said that money, even combined with available local funding, still leaves a \$20 million deficit for the UP Pawnee project.

Carrier said that the design is about half-completed on the UP Pawnee project, so he doesn't have a final cost on that project.

Judy Dillard asked what impact the delay in the UP Pawnee project would have on Pawnee Street construction and **Carrier** said none.

Jesse Sheffield said he heard two years ago that the government was going to give Wichita \$50 million. **Carrier** said that they apply every year for Federal funding and that they continue to look for other avenues of funding as well. He explained that they have already spent around \$6 million in acquiring right of way around the Pawnee project and the design is already half done so they're not going to drop the project. **Carrier** also said they are looking long-term at some partnerships between Wichita and Newton.

Matt Foley asked if there would be any assistance from retailers who will benefit from the Central Rail Corridor, such as Wal-Mart. **Carrier** said he didn't know of any.

Elena Ingle, 3608 Meadowlark Lane, said she understood that there had been some problems a couple of months ago on the Central Rail project concerning substandard materials, and she wanted to know if that problem had been fixed. **Carrier** said yes, it was a durability issue.

Gail Martinson, 2121 S. Mosley, asked when the design would be completed. **Carrier** said in his best guess, construction would start sometime in 2008.

Zoning case PUD2006-00002

An application area of 12.2 acres located southeast of the Kellogg and Oliver intersection, north of Orme and west of Bleckley. Nash Special K's, LLC has secured options on approximately 29 tracts, and is seeking Planned Unit Development zoning (PUD-24) to allow re-development of the property for "any commercial use permitted by-right in the LC Limited Commercial district excluding: night club in the city, sexually oriented business, correctional placement residence, safety service, pawn shop, agricultural sales and service, commercial wireless communication facility, theatre and tavern and drinking establishment uses." The proposed PUD would allow up to 159,485 square feet of gross floor area or 30 percent coverage of the area of the site. It should be noted that the way the proposed use is listed, it excludes non-commercial uses such as office, public or civic or industrial, manufacturing or extractive uses that are permitted by-right in the LC district.

The expected use on the site is a Wal-Mart, however there are not any requirements within the PUD that require the site to be developed with any particular brand or company. The conceptual site plan shows a building with 135,229 square feet. The square footage is to be divided between 109,663

square feet of general retail sales and 25,566 square feet of grocery sales. The front of the building is to face west toward Oliver Street.

Dale Miller, Planning Department, deferred the presentation to **Grant Tidemann** from JP Weigand and Sons. **Tidemann** introduced the other members of the Wal-Mart team and then turned the presentation over to **Angie Stoner from Wal-Mart**. **Stoner** said this is a very important project for Wal-Mart and she then thanked all of those who have provided input on the project, saying that they would be incorporating their suggestions into the project plan.

Stoner said that the new site would employ 350 to 400 full and part time employees who will be eligible for benefits. She also pointed out that Wal-Mart does charitable giving at the local level.

Terry Haynes, Wal-Mart consultant and engineer, explained that 29 different parcels are being combined for this project including residences, commercial and vacant properties. He explained how the store would be situated, where various aspects of the business will be located and described what the exterior of the building will look like. It will be a 24-hour Superstore, but it has a very different design than other Super Centers and has been scaled down for this site. **Haynes** said sidewalks would surround the property and that Oliver will be widened to add another traffic lane. He said a traffic study was done in June and a second one was conducted once school was back in session.

Brett Martinez, Wal-Mart, presented information on design and operations. He said the grocery section would be on the Kellogg side, the general merchandise on the Orme side and the stockroom will be on the Bleckley side.

Todd Butler, Wal-Mart Traffic Engineering Consultant, explained that they did their first traffic study in June and suggested that pedestrian crossing that is located mid-block be moved down to the intersection of Oliver and Orme. **Butler** said in early October they collected data again, but there was no difference. He said most store traffic is in the evening and most school traffic is in the day, so it didn't change the recommendations.

Foley said that DAB members weren't provided information on the traffic study and he asked where the external signage would be placed. **Haynes** said they submitted the traffic reports to City of Wichita engineering staff, and that there would be a monument sign on Oliver.

Sheffield asked about the school parking lot and said he felt crossing that many lanes of traffic at the intersection would be difficult for the children. **Tidemann** said they would move staff parking to Pershing and Gilbert and use the lot on Orme for bus unloading and child drop off.

Joann Hartig asked if the traffic study took into consideration additional traffic that would be coming into the area specifically to shop at Wal-Mart. **Butler** said yes and explained trip rates and traffic projections.

Hartig asked about trash blowing around in the parking lot. **Haynes** said trash is always a problem, but that Wal-Mart has a special screened in trash container and that Associates go out daily and pick up trash. He said the burms and landscaping will also help with the trash issue.

Bill Ward asked that in light of the student drop off situation, would anything be done with Orme Street to require parents to use the designated area. **Miller** said he didn't know and would have to check with Paul Gunzelman.

Teresa Cook asked who was going to pay for widening Oliver and moving the cross walk. **Haynes** said it was Wal-Mart's intention to finance the improvements.

Jim Gulick asked how southbound Oliver traffic would access the store. **Haynes** said off the Kellogg frontage road or off Orme.

Charlotte Foster asked who controls Kellogg Drive and what is the speed limit. **Officer Mock** said the speed limit is 35 mph.

Councilman Skelton opened the floor for public comment

Kemp (Gulick) made a motion to place a five-minute time limit on all speakers.

Motion passed 10:0

Sandy Suttle, 653 Beverly, said she is concerned about the increase in traffic and the increase in auto emissions. She said she appreciated Wal-Mart paying for improvements, but she encouraged meeting attendees to drive around the Wal-Mart across the street and look at the general appearance. She said she doesn't think putting a Wal-Mart at this location is a good thing and that there are many other locations that could benefit from having a Wal-Mart.

Bob Keimig, 4901 E. Orme, referred to the South entrance and exit on Orme and said for the row of houses that will sit between Wal-Mart and the apartments, it's just too much.

Tom Potts, 2516 S. Pinecrest, said putting a new stop light at Orme a block away from an intersection that has a light controlled by six different zones is not going to be good. He also asked, what about Oliver north of Kellogg?

Marc Durfee, 219 S. Bleckley, wanted to know of the 350 to 400 employees that would be hired by Wal-Mart, how many would be full time vs. part time. He also expressed concerns for the safety of area children, and asked who will hold Wal-Mart accountable to do everything they say they are going to do.

Elena Ingle, 3608 Meadow Lane, pointed out that the area between Orme and Gilbert is a part of the Jefferson Elementary campus. She said she has concerns about drainage because they already have problems in the Dry Creek area and the more asphalt that is added, the worse it will be.

Debby Cain, 4815 E. Orme, showed a map and provided handouts to DAB members. She pointed out that a Wal-Mart at this location is not consistent with the City's Comprehensive Plan. She also said that it violates several of the "Nine golden rules of zoning." She expressed concern over how difficult getting information on this project and the process has been. She pointed out that when the 18-wheel trucks leave the store, they would be exiting out onto a residential street. She said many of the trucks wouldn't be able to see over the wall onto Orme. She also pointed out that she lives in a low-density area and low-density areas were never meant to serve as a buffer.

Sonja Fitzthum, 4702 E. Gilbert, asked how far down the bus turn around would come. She said that Patti Page had visited the house on the corner many times and there are two model A's buried in the backyard. She said her husband gets treatments at the VA Hospital and that she has done a lot of landscaping at her house. She asked if Wal-Mart had to take the whole block, or could they leave her house. She said she has gotten used to living in a crime-ridden area and she would like to stay.

Carmen Drown, 738 S. Beverly, said she didn't want to take away from the concerns, but on a positive note, there are almost 400 rental properties in the area and the renters are in favor of the Wal-Mart. She said a lot of people renting don't have cars and they like the idea of the easy accessibility. She said the homeowners who live in the area, but further back, are either for the Wal-Mart or don't care.

Andy Solter, 703 Marcilene, said he belongs to the Dry Creek Neighborhood Association and he lives a block away from about 160 rental units. He said those people would be greatly impacted by a new Wal-Mart and that it's already a big, ugly, funky corner, and maybe having a Wal-Mart there would attract other businesses.

Noel Phipps, 127 N. Pinecrest, asked if there would be any additional discussion on quality of life issues before the decision to approve the Wal-Mart is made because most of what he knows about Wal-Mart comes from the mass media, and he wanted to know about the procedure, i.e. if the DAB members are elected and does the DAB have the final say on the Wal-Mart, or is there more to the process?

Council member Skelton explained that the DAB serves in an advisory capacity and that the MAPC would hear the case tomorrow and then the City Council would vote on it in December.

Celia Gorlich, 402 S. Crestway, representing the College Hill Neighborhood Association said they had at least 143 people at their last meeting about Wal-Mart and she had received hundreds of calls about it. She said the general consensus of the College Hill neighborhood is that Wal-Mart is too large for the neighborhood in which they are trying to place it.

Joe Hutterer, 443 S. El Pyco, said he was surprised to hear it's going to be a Super Center because he thought those usually went on the outskirts of town. He said he thought it was a large operation for a small space.

Councilman Skelton closed the public comment portion of the discussion.

Todd Butler responded to concerns over the traffic signals and timing issues and said that typically they integrate those and he said City staff is well aware of how to do that.

Dale Miller responded to the accountability issue stating that the document contains all the conditions and that Wal-Mart won't get building permits or an occupancy permit until those things are done.

Terry Haynes responded to the drainage concerns and said that there is already a lot of pavement in the area and they will make sure the drainage caused by Wal-Mart won't exceed what is currently there.

Angie Stoner said they integrate many stores into communities and they do different types of stores for different areas.

Foster asked if Wal-Mart would put draining holes in the parking lot. **Haynes** said yes.

Dillard said she wasn't that impressed with the employment numbers and cited a recent memo from Wal-Mart Human Resources Department.

Dillard asked if East Orme Street was built to residential standards. **Miller** said Orme is a collector street and if the project were approved they would be required to put in another lane.

Dillard said she thought having all those semi-trucks coming in and out would be an inconvenience for the residents on Orme. **Haynes** said there wouldn't be that many trucks – two or three a day most of the time and six or seven a day during peak times. **Dillard** said she was also concerned about the noise created by unloading at 5 a.m.

Cook commented that this store wouldn't have the tire and lube shop, which she saw as a major difference. She also asked if Wal-Mart had given any thought to the abortion clinic protesters and the impact that would have.

Kitchen said he was confused about the extra lane on Orme because trucks enter in that area, but they come out in another area where there would be only two lanes. He also said he doesn't believe that the unloading will be restricted to the times listed. He said if a trucker has a problem on the road that throws him off schedule; once he arrives he's not going to sit in a parking lot waiting for 5 a.m. to unload. He also pointed out that the traffic light at Kellogg and Oliver already is a problem area and the addition of another light at Orme and Oliver will just make it worse. **Kitchen** also expressed concerns regarding the child drop off area at Jefferson Elementary.

Gulick asked what the anticipated increase in traffic would be. **Butler** said around 3300 cars a day. **Gulick** said the City already has an ordinance governing semi-trucks. He said Wal-Mart should either widen the entire street (Orme) or buy all those houses.

Ward said that all businesses of this type glow at night and he wanted to know what Wal-Mart would do about that. **Haynes** said they would be using shoebox lighting so the light is directed downward and some of the lights will have shields. He said they would make every effort to minimize the glow factor, while still providing a safe environment for their customers.

Hartig asked if they would have enough room for parking. **Haynes** said they believe they have adequate parking and they have met the City requirements.

Foley said that members had approached him from four different Neighborhood Associations and none of them were happy about the Wal-Mart project. He said some of the concerns included: 1. traffic already backs up in the area and this increase in traffic will be dangerous for neighborhood children 2. it will cause erosion of the residential neighborhood area 3. it will be a magnet for criminals and he cited \$1 million a year in shoplifting at the North Rock store 4. it will destroy locally owned businesses 5. the Comprehensive Plan allows for car dealerships, a Wal-Mart store is a deviation 6. tornadoes are drawn to that area. 7. Wal-Mart claims to have charitable giving, yet the Neighborhood Associations can't even get the paperwork to request a donation 8) Wal-Mart parking lots are always unsightly messes with trash and shopping carts. **Foley** also wanted to know what the proposed construction time line is, and challenged everyone to go across the street and

look at the Wal-Mart at Pawnee and Broadway.

Andy Solter, 703 Marcilene, speaking as a Park Board member, said Wal-Mart had agreed to fund a pocket park in the area.

Sheffield said that the city is going to continue to grow and with that comes progress.

Kemp said he was glad to hear they were going to address the drainage issue. He said his primary concerns were drainage, lights and employment. He said Wal-Mart has a history of not giving employees enough hours to qualify for benefits.

Councilman Skelton inquired about security. **Haynes** said the Wal-Mart store would have 24-hour video surveillance and they also have the Safe Kids program. **Stoner** said they have an asset protection team and when putting in a new store they work closely with local officials. She did not know if off-duty police would be hired for security at this store.

Gulick (Kemp) made a motion to vote in favor of PUD2006-00002 with the following stipulations. 1. Wal-Mart have carts with wheel locks 2) widen Orme from Bleckley to Oliver and 3) add the bus drop off parking lot at Jefferson Elementary.

Motion passed 8:2

Action: Board approved of PUD2006-00002 with stipulations.

Gulick (Kitchen) made a motion to take a 10-minute break. Motion passed 10:0.

Councilman Skelton called the meeting back to order at 9:05 p.m.

Engineering Survey

J.D. Ponder, student from Wichita State University, collected the completed surveys from the DAB members and passed out surveys for citizens to complete regarding the City of Wichita Engineering Section. WSU will tabulate the results and provide the information to the Public Works Department.

Action: Receive and file.

Citizen Survey and Transforming Wichita Review

Elizabeth Goltry, Finance Intern, and Rachel Moody, City Manager's Office Intern, distributed a handout and explained the results of the Citizen Survey. They reported that 134 people, or 13 percent of the survey, were from District 3. They also explained how the Strategy Teams would utilize the survey results in preparing the City's budget recommendations.

Foster commended those who took the time to complete the lengthy survey.

Action: Receive and file.

BOARD AGENDA

Updates, Issues and Reports

Councilman Skelton asked for a volunteer to sit on next year's Grant Review committee. **Kitchen, Foley and Kemp** volunteered. **Councilman Skelton** said he would take the matter under consideration.

Councilman Skelton also reported that DAB member Gerry Myers was not present because his wife is gravely ill and is now under hospice care.

Dillard reported that the South Area Neighborhood Association's candidate forum was a success. She also said the association had a big meeting with around 25 citizens attending to discuss police and code enforcement issues with City staff.

Cook said the Home Buyers Fair was successful, but they didn't have as good a turnout as they had hoped for.

Foster said at their meeting last Monday night they had a program on Identity Theft.

Kitchen said the Planeview Neighborhood Association had a clean up two weeks ago and they filled multiple skids. He also said they are looking at partnering with Believers Tabernacle on their newsletter distribution. He said Believers Tabernacle is doing a lot of good things in Planeview with youth.

Kemp reported things are running pretty smooth in the K-15 area. He said a person was shot at the Quik Trip on Hillside, but no trouble to report in his neighborhood.

Gulick said the Grandview Heights Association is looking at revising their by-laws because they haven't been revised for seven or eight years. He also said that their welcome package program for new neighbors has been very successful.

Ward said his neighborhood continues to work on fighting blight.

Hartig reported that the South Central Neighborhood Association is going to have an identity theft program and that the WIN Board President passed away so they are working on getting things re-structured there.

Foley reported that the crime rate remains low in Hilltop and that this Friday the bids will close for the new sidewalks.

Sheffield reported that the Pawnee construction is well underway.

Councilman Skelton recognized **Paula Hearn**, new president of the Dry Creek Neighborhood Association, and he talked about CIP and said he would like to see improvements to the river from Kellogg to Broadway. He also said that the two railroad overpass projects are a priority. **Skelton** said he was proud of everyone for what they did on the fire station project and he recognizes it as a victory. He said he would be having a constituent lunch in December or January. He also wants to have a meeting with Neighborhood Association presidents to get their opinions on what the next big issues are that need to be addressed in District 3.

Foster said support Stop Blight and **Sheffield** said he would like to see a walking bridge connecting

Herman Hill and Watson Parks.

Cook announced that the next Gang Coalition meeting would be at 7 p.m., Nov. 14 at Believers Tabernacle, 2000 S. Hillside, and everyone is invited to attend. She also said that she priced the DAB shirts and they would be around \$7 each. **Skelton** asked if she would bring a design to the next DAB meeting.

Action: Receive and file.

Adjournment

Kemp (Gulick) made a motion to adjourn at 10 p.m. Motion passed 10:0.

The next regularly scheduled meeting for District Advisory Board III will be held at 7 p.m., December 6, 2006, at the Water Center 101 E. Pawnee.

Respectfully submitted,

Janet Johnson,
Neighborhood Assistant – District III

Guests

Donna Thorton	2714 Southfork
Lynda Novotny	1209 Jump
Kathy Manny	1116 Alturas
Larry Manny	1116 Alturas
Betty Strickland	1302 Galena
Bill Barnes	2707 S. Hillside
Goldie Barnes	2707 S. Hillside
Howard McCoy	2356 S. Terrace
Elena Ingle	3608 Meadow Lane
Angie Stoner	Wal-Mart employee
Gail Martinson	2121 S. Mosley
Debby Cain	4815 E. Orme
Lois Hinds	540 S. Oliver
Gerardo Guzman	552 S. Oliver
Robert Keimig	4901 E. Orme
Sonja Fitzthum	4702 E. Gilbert
Paul Davis	6417 S. Madison Ct.
J.D. Ponder	8406 E. Harry
Grant Tidemann	Wal-Mart realtor
C. Perkins	Wal-Mart realtor
Terry Haynes	Wal-Mart consultant
Phyllis McComb	3814 Countryside
Todd Butler	Wal-Mart consultant
Bob Kaplan	Wal-Mart attorney
Brett Martinez	Wal-Mart employee
Sandy Suttle	653 Beverly
Paula Hearn	633 Marcilene
Andy Solter	703 Marcilene
Noel Phipps	127 N. Pinecrest
Marc Durfee	219 S. Bleckley
Celia Gorlich	402 S. Crestway
Gail Baxter	4825 E. Orme
Joe Hutterer	443 S. El Pyco
Tom Potts	156 S. Pinecrest
Rolland Keller	4907 E. Orme
Helen Keller	4907 E. Orme
Kathy Potts	156 S. Pinecrest
Annette Sohoenthaler	1314 Galena
Claudia Lee	2826 Greenwood
John Oswald	551 S. Crestway
Pat Shumard	607 Marcilene
Carmen Drown	738 S. Beverly