

District II Advisory Board Minutes

June 4, 2007

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9th Street North. CM Schlapp, 2 board members, 5 staff and approximately 11 citizens were in attendance. Only those individuals who signed in are listed as guests below.

Members Present

Marty Weeks
Sarah DeVries
Council Member Sue Schlapp

Officer Matthew Lowe, Patrol East – Beat 39
Dale Miller, Planning Department
Mark Stanberry, Housing & Community Svcs
LaShonda Porter, Neighborhood Assistant

Staff Present

Officer John Ryan, Patrol East – Beat 31

Guests

Listed on the last page.

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 7:00 p.m. **CM Schlapp** advised that since there were not six DAB members in attendance (which constitutes a quorum) we would not be able to provide any recommendations or approval any items on the agenda. **CM Schlapp** also noted that although a recommendation could not be made that she would like the items to be presented and for the public to provide any feedback that they would like for her to consider.

APPROVAL OF MINUTES AND AGENDA

The meeting agenda for May 7, 2007 was not approved. (**Not approved – No quorum**)

The meeting minutes for April 2, 2007 were not approved. (**Not approved – No quorum**)

PUBLIC AGENDA

1. Scheduled items

No items submitted.

2. Off-agenda items

Wilbur Baird, 6401 E. 11th Street, expressed his concerns in regards to the Central & Woodlawn construction. He expressed his concerns with the method of construction; the construction of the sidewalks: 1) are they ADA compliant, 2) why are the sidewalks in the gutter, and 3) why is there a traffic pole in the middle of the sidewalk? He also advised that he has sent e-mails to city staff and has not been able to get any information. He feels that the unique style of construction is designed for the service stations and not for the public. He would like for the construction to be reviewed and an explanation provided as to why the construction was done in the manner that it is being completed.

CM Schlapp thanked **Mr. Baird** for his presentation and advised that **LaShonda Porter** would do some research and be in contact with him with more information.

STAFF REPORT

3. Community Police Report

Officer Lowe, 39 Beat (Patrol East), advised that larcenies have increased in the Tall Grass Addition. There has been an increase in mailbox theft and the Police Officers have been working with the neighborhood association to help with the issue. In an effort to reduce such crimes the neighborhood association purchased new mailboxes with keys, so now the boxes are only accessible by the postal worker and resident.

Officer Lowe also reported that has been some increased activity at the nightclub “Cat Eyes” at Rock & Lincoln. Police have seen an increase in gang activity, disturbances, and extra vehicles parked in the area after the nightclub has closed. In an effort to address this issue, Police Officers have worked with the surrounding businesses to get more signage up (No Littering, No Parking – Towing, etc.). Additionally, the SCAT team will do more patrolling of the area to address the gang activity.

Officer Lowe also advised that they have received several complaints about the tenants at the Highland Apartment complex. Complaints of loud music, trespassing (kids) have been the main issues. He advised that the Officers are working with the Housing Authority Board and management company trying to address the issue.

CM Schlapp wanted to understand how the Housing Authority could help address this issue. **Officer Lowe** advised that he was not certain of the Housing Authority involvement, as Officer Bogle was handling this issue. **Mark Stanberry, Housing Department**, advised that he was not sure how the Housing Authority would assist in this matter, however, this was not his department so he could confirm for certain if they would be involved. **LaShonda Porter** also advised that the Housing Authority would not release any information on the Section 8 recipients due to the privacy act laws.

CM Schlapp thanked **Officer Lowe** for his report.

Officer Ryan, 31 Beat, (Patrol East), advised that the College Hill burglar had been arrested. He advised that in addition to the burglar being arrested several other individuals have been arrested due to their persistence and diligence on catching the College Hill burglar. Once the burglar was arrested he confessed to 13 burglaries.

Officer Ryan also discussed the graffiti issue that has being occurring across from East High. They have captured four kids about three nights ago ranging from the ages of 11-14.

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

Action Taken: Received and filed.

NEW BUSINESS

4. ZON2007-00020

Dale Miller, Planning Department, presented the zoning request to rezone property from SF-5 Single-family Residential to LC Limited Commercial, and a reduction of the rear compatibility setback standards from 25 feet to 22 feet. The site to be rezoned is the southern eight feet of four platted lots (Lots 2,3,4 & 5, Block 7, Bonnie Brae Addition) located on the south side of East Peach Tree Lane (8225, 8223, 8301, and 8307 East Peach Tree Lane) and west of Heather Road.

Based upon the information available prior to the public hearings, planning staff recommends that the request be approved, subject to the installation of a concrete wall instead of a wooden fence, as offered by the applicant. The recommendation is also based on the following findings:

1. The zoning, uses and character of the neighborhood: The application area is a transitional area. One side is zoned LC Limited Commercial, has frontage on a nationally significantly cross-country highway carrying thousands of vehicles a day, and developed with highway oriented commercial uses. The other side of the application area is zoned SF-5 and developed with single-family residences served by a street system developed for low intensity uses. There is already an irregular pattern to the boundary line separating the commercial side from the residential side due to earlier platting decisions, especially to the west. Approval of the request is not inconsistent with already existing motel development patterns to the east and west.
2. The suitability of the subject property for the uses to which it has been restricted: The residentially zoned lots are already developed appropriately as zoned. However with the sale of the rear eight feet to a potential motel developer the tracts are not appropriately zoned to support commercial uses. Denial would also require the applicant to modify his building plans and potentially cause him to lose affiliation with the Best Western chain.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval will project LC commercial eight feet further north along the east property line. The applicant's offer to construct a concrete wall is a significant step up from a wooden screening fence. Landscape buffering will also be triggered. Required setbacks, landscaping and screening should moderate any expected negative impacts. The property owners have already sold the land to the adjacent property. Presumably is they had concerns they would not have sold their property.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request should facilitate the development of the property as proposed.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The "2030 Wichita Functional Land Use Guide" map depicts the application area as appropriate for "urban residential." However, movement of the boundary between these two uses by eight feet is not significant.
6. Impact of the proposed development on community facilities: Existing facilities are able to accommodate proposed uses.

Dale Miller then opened the discussion up for questions. **CM Schlapp** asked the public if there was anyone here to speak on behalf on this request.

Clark Brittan, 8307 Peach Tree Lane, has concerns with the legitimacy of the developer. He advised that he is one of the property owners that sold his 8 feet of land and has never received payment. He also advised that the original contract was never fulfilled. In the original contract the residents who sold the 8 feet were supposed to receive: \$1 for the land and a concrete wall. The new owners have not maintained the property or cleaned up the lot since this contract began.

Ron Hole, 8315 Peach Tree Lane, expressed concerns with the impact to his property value. He also wanted to better understand what could be developed on the property.

CM Schlapp thanked both residents for their input on the zoning request and advised that she would like for the zoning request to be presented again when the full Board is present in July. The case should be presented to the DAB on July 9 and at that time a recommendation would be provided.

CM Schlapp also advised the public that they are welcomed and encouraged to attend the Metropolitan Area Planning Commission meeting on Thursday, June 7, 2007 at City Hall; as well as return in July for the DAB meeting to express their concerns to the full Board. **CM Schlapp** thanked staff for their presentation.

Action Taken: **CM Schlapp** deferred the zoning request recommendation to the July 9, 2007 DAB meeting.

5. **Request for Resolution of Support for Application for Low-Income Housing Tax Credits (Brentwood Apartments)**

Mark Stanberry, Housing and Community Services, provided information on the request for a low-income Housing Tax Credit from Inner City Development Company, LC (Grant Gaudreau) in connection with the acquisition and renovation of the Brentwood Apartments. The developer is also requesting a letter of intent to issue qualified multi-family housing revenue bonds in the amount of \$8,000,000.

The Brentwood Apartments complex is located at 6602 E. Harry, and consists of 196 apartment units, including 60 one-bedroom units, 114 two-bedroom units, and 22 three-bedroom units. Amenities include a swimming pool, and common laundry rooms.

The proposed project rehabilitation budget (hard costs) is estimated to be \$4,500,000. The proposed scope of work for the exterior includes new roofing, new siding, new guttering/downspouts, painting, installation of new landscaping and sprinkler system, resurfacing of the parking lots, new windows and sliding doors, architectural enhancement of the balcony structures, and correction of drainage problems.

Planning Department staff members have indicated that they have no comments or concerns with respect to the design guidelines. The Office of Central Inspection (OCI) has indicated that the landscaping ordinance will apply, including a solid screening fence and landscaping along the north side of the property adjacent to the street and across from the park property. In addition, OCI recommends landscaping/screening for the parking lot on the east side of the complex, across from the single-family homes, between the sidewalk and the parking lot.

The total project cost is estimated to be \$11,178,623 and will be financed with the equity received from the sale of 4% housing tax credits, as well as the aforementioned qualified residential housing revenue bonds, to be issued by the City of Wichita, and Affordable Housing Program (AHP) loan from the Federal Home Loan Bank, and partial deferral of the developer fee.

Mark Stanberry advised that staff is recommending approval for the adoption of the request for a resolution of support for the developer's application for Low-Income Housing Tax Credits subject to the design recommendations provided by the Planning Department and the Office of Central Inspection.

CM Schlapp asked how much will the rents be:

- 1 bedroom - \$425
- 2 bedrooms - \$525
- 3 bedrooms - \$600

Grant Gaudreau advised that there would not be a huge disparity between market rents and tax credit rents.

Pat Winters, East Ridge Neighborhood Association, 746 S. Governour, wanted to know how this would affect other apartment complexes. The neighbors are concerned that if this development is given tax credits that the surrounding landlords will want them as well and this could be an issue. **CM Schlapp** confirmed that all tax credits have to come before the DAB and City Council before they are approved and so this is not a situation where the neighbors are not aware of the process. Additionally, one of the benefits of having a property with tax credits is that they have to be in compliance with the City ordinances.

Mark Stanberry also advised that the main reason that staff is recommending approval of the tax credit is because the apartments are already there and this just allows them to improve the property.

With no further discussion, **CM Schlapp** thanked **Mark** for his presentation.

Action Taken: Recommendation not provided, as there was not a quorum. **Board** provided feedback and received and filed.

BOARD AGENDA

6. Updates, Issues, and Reports

No items were submitted.

With no further business, the meeting adjourned at 7:59 p.m.

The next DAB II meeting will be **July 9, 2007** at the Rockwell Branch Library.

Respectfully Submitted,

LaShonda Porter, Neighborhood Assistant

Guests

Clark Brittan	8307 Peach Tree Lane
Pat Winters	746 S Gouverneur
William Baird	6401 E 11 th Street
Bill J Price	8225 Peach Tree Lane
Patricia R Price	8225 Peach Tree Lane
David Stark	8314 Peach Tree Lane
Carolyn Stark	8314 Peach Tree Lane
Max Weddle	862 S Zelta Court
Barry Owens	118 N Volutsia
Ron Hole	8315 Peach Tree Lane