

District IV Advisory Board
Meeting Minutes
January 7, 2008
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The **District IV Advisory Board Meeting** was held at the 6:30 p.m. at the Lionel Alford Branch Library, 3447 S Meridian.

Members Present

Doug Leeper
Michael Ackermann
Nancy Wilhite
Jim Benton
Gerald Marsh
Ed Koon
Peggy Bennett
Joshua Blick

Staff Present

John D'Angelo, Director of City Arts
Officer Goward, Police
Kelli Glassman, City Manager's Office
Officer Baker, Police
Batallion Chief Schuler, Fire
Batallion Chief Baltimore, Fire

Order of Business

Call To Order

The meeting was called to order at 6:33 p.m.

The January 7, 2008 agenda was approved 8-0 (Benton/Leeper.)

The December 3, 2008 minutes were approved 8-0 (Wilhite/Benton.)

Public Agenda

The public agenda allows members of the public to present issues not on the agenda to the District Advisory Board. Each presentation is limited to five minutes unless extended by the Board.

1. Scheduled Items

No items were scheduled

2. Off-Agenda Items

No items were scheduled

Staff Presentations

3. Public Safety Reports

Community Police Report

Officers present reported the following:

- 13 beat - Vehicle larceny increased so worked undercover late at night
- Jake's Club was cited for violations and no longer have a liquor license and is in the process of being shut down and draft letters are being written regarding public nuisance issues
- New Graham's should be open in about 5 months
- New development at Pawnee and 1119th is experiencing a lot of vandalism and burglary

Action Taken: Received and filed.

4. Fire Report

Staff present provided the following statistics:

34 fires in district 4 were investigated

\$900,000 in structural loss

\$436,000 in content damage

In November, 315 alarms and rescue calls were responded to
Reminded everyone to have their furnaces checked

New Business

5. EPA Care Grant

Jack Brown, KU School of Medicine, presented information on this item. The KU School of Medicine –Wichita (KUSM-W) has received an Environmental Protection Agency CARE grant in the amount of \$100,000. This funding was provided to identify the perceptions and concerns of environmental (delete health) issues of Wichita for a two year period – FFY 2008 - 2010. The EPA Region 7 office will administer the grant through an agreement with the KUSM-W in the Department of Preventive Medicine and Public Health. The KUSM-W is partnering with several organizations including the City Manager's Office, Department of Environmental Services, the Planning Department, as well as Wichita Independent Neighborhoods, Wichita Chamber and other community representatives and organizations.

The CARE grant will offer the community an opportunity to identify and prioritize environmental concerns within their neighborhoods and the community at large. This process consists of two major activities:

1. Focus groups - It is anticipated that KUSM-W staff will convene and conduct as many as 60 separate discussion group sessions during 2009 to solicit community input on local environmental issues and concerns.

2. Establishment of an Environmental Leadership Council - A small planning group has been established to assist in the creation of an Environmental Leadership Council that would assess and prioritize the environmental concerns identified through the focus groups. KUSM-W would like to see this council evolve into a sustainable community organization.

The Board asked if there is a limited scope of service for this project and if this is a duplication of similar county efforts. **Mr. Brown** replied no to both of these questions.

Action Taken: Received and filed.

6. ZON2008-00067

Captain Atnip, Police, presented this request During 2008, the Police Department observed an increase in violence in and around cabarets (live entertainment), dance halls, as well as businesses which sell alcohol & are licensed as drinking establishments or drinking establishment restaurants. In addition, some of these establishments are located in close proximity to residential neighborhoods. As a result the Department received many complaints related to disturbances, intoxicated individuals, loud noise, and urinating in public involving patrons of these establishments. Community concern peaked when acts of violence involving deadly weapons were associated with some of these venues. Significant police resources have been expended in dealing with these types of complaints.

As a result, the Wichita Police Department formed an internal & external focus group that examined these problems and made recommendations to executive staff pertaining to dance halls & cabarets, as well as establishments selling cereal malt beverage and alcoholic liquor. Those focus groups completed their work in August of 2008.

As a result of the work of the focus groups and staff recommendations, several issues were identified. They include:

- Closing times currently are different for businesses selling alcoholic liquor as opposed to those that provide entertainment only.
- Ordinances are scattered throughout the City Code and are subsequently difficult to locate and apply.
- Current ordinances provide few enforcement options for private parties.
- Management personnel are sometimes difficult to identify.
- The City Code sets forth different food sale percentages which are used to determine a Drinking Establishment-Restaurant, one in the Unified Zoning Code and another in the licensing ordinances.
- Under the current code, distance requirements allow these establishments to exist too close to neighborhoods, whose residents must live with any problems that arise.
- Enforcement of ordinances against nightclubs is difficult as the code currently provides for audits by the Police Department to determine food sale percentages only after an establishment has been in operation for a minimum of six months.

Looking at all the issues, staff is recommending several changes to the current licensing scheme for these types of establishments. The proposed amendments include:

- Creation of a single license for an Entertainment Establishment as opposed to separate dance hall and/or cabaret licensing.
- Licensing of event centers where the premises are rented on a continual basis as an Entertainment Establishment.
- Increased licensing fees for Entertainment Establishments.
- Requiring Entertainment Establishments to provide and post the names of all on site managers.
- Require Entertainment Establishments to maintain adequate security personnel as determined by the Chief of Police at time of license application.
- Require that Entertainment Establishment managers maintain the peace and appropriate control of patrons and/or invitees both upon the licensed premises as well the surrounding vicinity such as parking lots, sidewalks, & waiting areas.
- Requiring that Entertainment Establishments control their litter.
- Requiring Entertainment Establishments to provide unrestricted, immediate access to city inspectors.
- Restricting patrons over 21 from being on the premises of any Teen Club.
- Requiring a distance of at least 300 feet between residential zoning and all newly licensed Entertainment Establishments that sell alcoholic liquor or cereal malt beverage for consumption on the premises.

In addition, amendments to the Drinking Establishment ordinances provide:

- Defines a Drinking Establishment/Restaurant as a business that derives 50% or more of its gross revenue from sales of food within two months of opening.
- Requires that newly licensed Drinking Establishment/Restaurants submit initial audit information to the city licensing section that documents food sales percentages within fifteen days after the end of the second month of operation.
- Provides that Drinking Establishment/Restaurants failing to meet the 50% food sale requirement will be reclassified as a drinking establishment.
- Expands the distance between any newly licensed Tavern and any church, school, or residential zoning district to be at least 300 feet.
- Requires establishments selling alcoholic liquor or cereal malt beverage to provide parking as required by the Wichita/Sedgwick County Unified Zoning Code.
- Requires new Drinking Establishments or Drinking Establishment/Restaurants to submit a business plan and receive Crime Prevention Through Environmental Design/ CPTED inspection.
- Requires all on-sight managers of new Drinking Establishments or Drinking Establishment/Restaurants to attend a four hour Safe Bar class.
- Requires both Drinking Establishments and Entertainment Establishments to close at the same time, which is 2:00 a. m.

Finally, if the proposed amendments set forth above are approved, in order to effectively implement all staff recommendations, the corresponding revisions to the Unified Zoning Code will be required:

- Increasing the distance requirement between Drinking Establishment/Restaurants and residential zoning districts to 300 feet, and implementing the same distance requirement for Taverns and residential zoning districts.

- Add a definition for “Event Center,” and allow such establishments in the same districts as Taverns, Drinking Establishments, Drinking Establishment/Restaurants and Nightclubs in the City.

Action Taken: Recommend to continue reviewing and revising ordinance

7. Design Council Procedure and Process

The Design Council was created in 2000 to act as an advisory board to members of City Council. The Board is comprised of 15 design professionals and represents architects, landscape architects, artists, engineers and the community at-large. The board was created to review projects that impact the visual appearance of the built environment in the City and to make recommendations to members of City Council to ensure that the highest design standards are met and the economic resources allocated for the built environment are being used to their best advantage.

In August 2008, City Council approved the Design Review Process and Consultant Guidelines. Representatives from the Design Council would like to inform the District Advisory Boards as to their function and benefit to members of City Council and the City of Wichita.

The revised Design Review Process and Consultant Guidelines create clarity on when Design Council Review is needed on projects and when and how members of City Council need to be included in the review process to provide their input and direction. This clarification allows the Design Council to be a more effective tool for advising members of City Council and City staff on projects that impact the Quality of Life for all citizens of Wichita.

The Board asked the following questions and had the following comments (responses in italics):

- More info about the Design Council should be included on Ch. 7
- Design is important to continue to attract and retain a young population and have places for them to congregate and meet

There was also discussion on the types and scopes of projects which should be subject to Design Council review. Currently only large projects of significance are reviewed.

Action Taken: Received and filed

OLD BUSINESS

8. No items were submitted

BOARD AGENDA

9. Board Updates and Issues

- The State of the City will take place on January 27 at 6:00 p.m. in the Council Chambers at City Hall
- Fee tax service will begin being provided through AARP at Stanley NCH and other sites beginning Feb. 2.

10. Adjournment

With no further business, the meeting adjourned at 8:35 p.m.