

District III Advisory Board Minutes
November 2, 2011
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The District III Advisory Board meeting was held at 6:30 p.m. at the Wichita Water Center at 101 E Pawnee; six District Advisory Board members were in attendance; seven City staff and nine members of the public were present.

Members Present

Jody Bennett
Elena Ingle
Danny Johnson
Gay Quisenberry
Wendy Ratliff
David Robbins
Council Member James Clendenin

Staff Present

Officer Stephanie Neal, Patrol East
Officer Robert Lacy, Patrol South
Battalion Chief John Turner, WFD
Bill Longnecker, MAPD
Debbie Nguyen, WPD
Deanna Perkins, WPD
Janet Johnson, Neighborhood Services

Members Absent

Paul Davis

Guests

Listed on the last page

ORDER OF BUSINESS

At 6:30 p.m. **Council Member Clendenin** called the meeting to order. Minutes from the Oct. 5, 2011, meeting were approved.

PUBLIC AGENDA

Scheduled items

No schedule items

Non-Scheduled items

Tim Austin, Consulting Engineer for the Southfork Project, was present to respond to the recent City Council action and the public hearing on the project. He explained that in addition to the developer's investment, they are looking at two different forms of financing on the project – Tax Increment Financing and Community Improvement District. The TIF dollars must be used in site development for things like street and bridge improvements, the flood box (that will remove more than 100 properties from the flood plain), etc.

The CID funding, which increases the amount of sales tax consumers pay at that specific location, has more eligible costs and can be used for things such as building costs. He explained that the CID funding is critical for this project due to an extremely competitive market, especially during these times when South Wichita is competing with highly desirable locations such as New Market Square, the Waterfront, etc.

Austin said a number of the big box stores have looked at the 47th Street location and rejected it. The market demographics show that south Wichita has a median income of \$55,000, while 21st & Maize has an average income of \$81,000. This means, the projected profits would be greater in West Wichita, but building costs remain the same whether in west or south Wichita. The CID is needed to make it attractive by reducing the building costs for the big box stores like Menards, Target, etc., so they can have a return in South Wichita similar to what they would have if they built out east or west.

He noted that Community Improvement Districts don't make sense for every project, but for this one they do. Shoppers in South Wichita already have to drive around 20 to 30 miles round trip to shop in east or west Wichita, or if they go to Derby, they are paying for gas and an additional half-cent of sales tax. Therefore, even paying one cent on the dollar more in sales tax would still be a savings compared to what shoppers

currently have to pay. **Austin** also pointed out how competitive the market has become. He said Lowe's went from building 110 new stores a year, to only building four new stores last year. Cabella's only built two new stores last year and everyone in the nation is competing for those stores.

Dave Robbins asked how much of the area would be in the TIF district; **Austin** said only the undeveloped existing 72 acres that are a part of the Southfork development.

Jody Bennett wanted to know what the duration of the CID would be; **Austin** said that would have to be decided by City Council, but under State Statute it is allowable for 22 years. **Bennett** wanted to know if it would impact other area businesses; **Austin** said they would possibly experience more sales, but the CID would not apply to them.

Council Member Clendenin pointed out that if the development moves forward and attracts large box stores, the land value of the surrounding properties will go up. He said the South Area Business Association supports this project and will do whatever it takes to get this project done.

Jody Bennett said it important for the public to know about this and to be informed; she believes business incentives are a part of our future.

Connie Klassen asked for verification on what area the CID would include; **Austin** said only the 50-55 acres in the Southfork Development.

Jody Bennett asked if Bill Morris RV Park would be included; **Austin** said no.

Austin said if citizens support the project he would appreciate their help in advocating for it to the City Council. It will be heard by the Council on Dec. 6

Council Member Clendenin said based on the demographics of the area, the CID is going to be necessary. He also said he was very concerned about what might go in there if the shopping development doesn't. Several people mentioned it's likely a truck stop would be build there.

Jim Gulick said there is a certain group in town that publishes a little newsletter and they are against all incentives and they never let the facts get in the way of their opinions. He said if you want to see what incentives can do; take a trip to Kansas City/Wyandotte County.

Austin said that is true – Wyandotte County has effectively used incentives and in the past two years have managed to double their tax base.

Council Member Clendenin said the issue would be discussed further at his Nov. 5 brunch meeting.

STAFF REPORTS

Community Police Report

Officer Robert Lacy, Beat 28 Patrol South, reported there had been an increase in auto larcenies in Old Town; 26 Beat has seen a reduction in larcenies and burglaries; 27 beat had five robberies cleared/solved after the Dollar General robbery; 28 beat had an increase in larcenies (Dillons store) and South High kids loitering; 29 beat has a trend where suspects are taking cars from the South Broadway lots for test drives and then aren't bringing them back.

Connie Klassen said she had a situation where there were three motor homes and trailers parked on the street making the street only one lane so she called the Police Department and by that very evening the situation had been taken care of.

Officer Stephanie Neal, Beat 32 Patrol East, reported around 2,000 people show up for Halloween in the Park at Edgemoor Park. She said Animal Control did a stray dog round up in Planeview and Hilltop and picked up around 10 dogs. Police recently held an Impact meeting in Planeview following the drug-related shooting on Jewett, and around 350 people attended the grand opening of the Hunter Health Clinic in Planeview.

Wichita Fire Department Report

Battalion Chief John Turner said with cooler weather coming there will be an increase in fires related to heating devices. In September the Department had a fire a day and 16 or 17 medical calls a day. **Chief Turner** explained the reason so many units show up at the scene of a house fire is because the first few minutes are the most critical in saving lives and property, so they want as many firefighters on scene as possible. He said it takes five people just to drag the hose out.

Chief Turner reminded everyone that Fire Prevention has free smoke alarms available to citizens who don't have them and they also have batteries available.

Jody Bennett asked if there is a program to clean peoples heating units; **Turner** said not that he is aware of.

Dave Robbins asked about running with lights and sirens and accident rates; **Turner** said WFD doesn't allow firefighters to even drive the big rigs until they have three consecutive years of accident free driving.

Action: Receive and file.

NEW BUSINESS

ZON2011-00028 request for a zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential

Bill Longnecker, Planning Department, presented a request for a zone change from SF-5 Single-Family Residential ("SF-5") to TF-3 Two-Family Residential ("TF-3") on Lot 13 (Oliver Street), Edgetown Park Addition, 2033 S. Oliver Avenue. The subject site has a duplex on it and the zone change is needed to make the use conform to the Unified Zoning Code (UZC); a duplex is not permitted in the SF-5 zoning district. Longnecker said the case was initiated by the applicant after they were cited by OCI for having non compliant zoning. The case has already been presented to MAPC and they approved the TF-3 Two-Family Residential zoning.

Elena Ingle said she feels the recommendation from Planning is wrong – that they are making the recommendation simply because the structure has already been converted and that's not the right reason to do it. She said the neighborhood doesn't want a duplex there and the applicant should have been told no.

Longnecker said based on the location and surrounding area it's not an outrageous request and it does sit on an arterial. Ingle said that doesn't matter – the area residents want it to stay single family and don't want to change the character of the neighborhood.

Dave Robbins asked for confirmation that the property to the north is light commercial and that TF3 has no commercial applications. **Longnecker** said that is correct, but that any single family or duplex could potentially be allowed an appropriate home occupation license with restrictions, i.e., it can't be retail, etc.

Jody Bennett said she would like to hear from the neighbors. **James Smith** said it has been a duplex for several years, but he's not sure exactly when it was converted. **Kerin Smith** said years ago OCI came out and the owners kept saying it wasn't a duplex but from all appearances it was. She said now there are two mailboxes so it's obviously a duplex.

A discussion then ensued as to whether or not the Neighborhood Associations received proper notification of the MAPC hearing.

Dave Robbins asked if the applicant was present; **Longnecker** said he didn't see him present. He also said the protest period ends tomorrow.

Council Member Clendenin said he was concerned about the fact that the case went to MAPC before coming to the DAB. **Longnecker** said the Council Member can submit that request in writing to the Planning Department. He pointed out this case will go before City Council on Dec. 6th.

Jim Gulick said in his experience it seems that "you violate, you get caught, and then you just get the zoning changed." He said it seems to be easier to beg forgiveness than ask permission.

Gay Quisenberry asked if anyone was present at the MAPC meeting to voice their objections; **Longnecker** said no. **Longnecker** then explained the process in filing a protest petition and how that works in relation to the City Council.

Longnecker also pointed out that the Land Use Guide doesn't differentiate between single family and duplexes. **Judy Dillard** brought up that the DABs and citizens were not given the opportunity to influence the Comprehensive Land Use Guide. **Longnecker** said a Neighborhood Plan can override the Land Use Guide.

Danny Johnson wanted to know if it's customary for a case to go to the MAPC before it comes to DAB; **Longnecker** said no, but that it can happen because MAPD won't hold up the process just to make sure the DAB hears the case first.

Elena Ingle (Bennett) made a motion to recommend to City Council that it deny the application for TF-3 Two Family Residential Zoning.

Action: Motion passed 6-0

City of Wichita Alarm program

Debbie Nguyen and Deanna Perkins, Wichita Police Department, gave an update on the City's false alarm program and answered questions. **Nguyen** provided the following statistics:

- There are more than 40,000 residential and commercial alarm systems in Wichita
- From August 1, 2009, through July 31, 2010:
 - False burglary alarms: 16,438
 - False fire alarms: 1,602
- From August 1, 2010, through July 31, 2011:
 - False burglary alarms: 15,234
 - False fire alarms: 1,514
 - 7.3% reduction in false burglary alarms from previous year
 - 5.5% reduction in false fire alarms from previous year
- Costs of false alarms:
 - Each burglary alarm: \$60
 - Each fire alarm: \$1,500
 - Finance Department estimates \$3 million spent annually to respond to false alarms
 - Current reduction in false alarms results in approximately \$200,000 decrease in spending

Dave Robbins asked how much income has been generated by the City's change in policy on false alarms: **Nguyen** said she didn't know because the money generated goes directly into the General Fund and not back to the Police Department so she doesn't have those figures.

Deanna Perkins reviewed the appeal process and explained the online Alarm School.

Jim Gulick asked how many alarm systems were disabled after this change in policy; **Perkins** said that isn't data that WPD would have – that information would have to be gleaned from the alarm companies; she did note that last year WPD received between 500-700 applications for new alarm permits.

Dave Robbins wanted to know if service is denied for non-payment of fines; **Perkins** said no, Wichita is one of the few cities that doesn't do that. She said she is only aware of one instance where services have been denied and that was to a commercial business that continued to have false alarms and owed almost \$20,000 in fines.

Action: Receive and file

UPDATES, ISSUES AND REPORTS

Council Member Clendenin said due to the late hour, he would reserve his updates for the Nov. 5th brunch.

Meeting was adjourned.

The next meeting for District Advisory Board III will be held at 6:30 p.m., Dec. 7, 2011, at the Water Center at 101 E. Pawnee.

Respectfully submitted,
Janet Johnson, Neighborhood Assistant – District III

Guests

Connie Klassen
Jim Gulick
Roger Smith
Betty Strickland
Tom Strickland
Tim Austin
Judy Dillard
Kerin Smith
James Smith