

**DISTRICT ADVISORY BOARD (DAB) I
MEETING MINUTES**

Monday, April 11, 2011

6:30 p.m.

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

Members Present

Gerald Domotrovic
Twila Chaloupek
Janet Wilson
Steve Roberts
James Roseboro
KC Ohaebosim
Jesyka Ware (Youth Member)

Members Absent

Janice Rich
Vicki Churchman
Bill Wynne

Guests

Listed on the last page

City of Wichita Staff Present

Council Member Lavonta Williams
Donna Goltry, Planning Department
LaShonda Porter, District 1 Neighborhood Assistant

Order of Business

Call to Order

Vice Mayor Williams called the meeting to order at 6:30p.m.and welcomed guests. **Vice Mayor Williams** welcomed guest and advised that anyone speaking should provide their name and address for their record. **Vice Mayor Williams** advised that this was a special DAB meeting to discuss the zoning change request from Single-Family Residential (SF-5) and Multi-Family Residential (MF-29) to Multi-Family Residential (MF-18) at the property located northwest of Oliver Avenue and 27th Street N.

Unfinished Business

1. ZON2011-00005

Donna Goltry, Planning Department presented information on the request for a zoning change from Single Family Residential and Multi Family Residential (MF-29) to Multi Family Residential (MF-18) for the property generally located on the northwest corner of Oliver Avenue and 27th Street.

Goltry advised that the proposed use for the property is a low density multi-family development for independent elderly (age 55+) living. She noted that the adjacent zoning and land use included:

NORTH:	MF-29, B	Drainage reserve, multi-family apartment complex
SOUTH	SF-5	Single-family residential
EAST	Sf-5, LC	Wichita State University new dental campus and Hughes Metroplex, single-family residential
WEST	SF-5, MF-29	Drainage, single-family residential

Goltry explained that the site is 5.3 acres of land and the applicant is proposing building an independent living facility for seniors with 42 dwelling units and a small clubhouse. She noted that at least an acre of the land located on the west edge of the tract is located within the FEMA floodplain a 40-foot pipeline easement the remaining 4+ acres of the tract. These two features

result in a projected density more like eight to ten dwelling units per acre, which is considered medium density.

Goltry advised that many concerns have been raised regarding the drainage problems in this area. She noted that the primary purpose of the deferral of this case from last weeks meeting was due to the drainage concerns. In addition she advised that the MAPC added an additional provision to the protective overlay.

Goltry advised that the petition period has ended and that staff has received protest petitions from 17.1% of the area. **Wilson** wanted to know if everyone who lives in the protest area had been notified. **Goltry** advised yes.

CM Williams clarified that many are not protesting the project but the potential flooding implications that the development could bring.

Scott Lindebak, City of Wichita Storm Water Management, noted that he has been working with the community for quite some time trying to address the flooding issues for this neighborhood. **Lindebak** advised Chisholm Creek is 13 square miles or 8,320 acres and it is not all controlled by the City of Wichita.

Lindebak advised that the City has implemented stricter drainage requirements as of the 1st of the year. He noted that the creek is on private property, so if the City cleans the creek then they would have to get permission from each of the residents that align the creek.

Twila Chaloupek arrived at 6:42 p.m.

Lindebak advised that any drainage on Oliver also flows back to the creek.

Wilson wanted to know that since the rules have changed, does the city go back to previous developers/developments (i.e. Grove Apartments) and require them to meet the new standards. **Lindebak** advised no that they no they don't.

Roseboro commented that he hopes the work Lindebak is doing will work.

Roberts wanted to know if the Metroplex water would drain to the east. **Lindebak** advised that yes some of it drains to Oliver a small portion.

Erma Markham, 2229 Sharon Lane, asked if it would only be dead trees that are removed from the creek. **Roseboro** responded yes.

Drew, 2956 N. Terrace noted that 7 years ago He met with City and he was informed that the aesthetic would be preserved, including the wildlife (deer's and turkey's). He further stated that this is a 50 year old community and it needs a lot of infrastructure support from Hillside to Oliver along 21st Street. **Drew** asked that they not destroy all of the nature by clear cutting as that will not help the issue.

Janet Danitschek, 2709 N Dellrose, provided a copy of the minutes from the MAPC on July 25, 2002 highlighting comments from VAC2002-00019. Those comments included the following:

1. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
 - a. That private rights will not be injured or endangered by the vacation of the above-described portion of the plat (Greenbriar Manor Addition as recorded

February 8, 1960) and the public will not suffer loss or inconvenience thereby.

Danitschek also provided copies of the staff report for ZON2007-30 highlighting a comment from the background information of the staff report :”*Most of the “SF-5” zoned land to the west is located within the 100-year floodplain, making more intensive development problematic.*” **Dantischek** noted that she would like the integrity of Greenbriar protected and that conditions in the area has not changed, thus findings from 2002 should remain in effect and the conditional use should not be approved.

Brenda Stevenson, 4723 E. 27th St. N. distributed a copy of a map. She noted that Rivercrest is 4-5 feet above everyone else. She wanted to know how the church was able to elevate there property and where is the water going to go?

Ware wanted to know if this was denied could anyone else trying to develop this property be denied automatically. **Vice Mayor Williams** advised that it would depend on the project and zoning needs, that if this project was denied it does not make it final for every project brought forward for this site.

Wilson asked do we penalize the applicant because the community is in a floodplain.

Stevenson noted that some residences have had to purchase flood insurance since the Grove Apartments were developed.

Lindebak advised that the flood study done by FEMA in 1970 are inaccurate. He advised that when 2007 maps turned on digitally there were properties identified that should carry flood insurance. So yes people had to purchase flood insurance when residents were made aware of map revisions.

Wilson asked if in 2009-2010 didn't all residents of Wichita have to purchase flood insurance.

Domotrovic wanted to know what impact has the Grove Apartments had on the community. **Lindebak** advised that no negative impacts. The onsite detention pond delays run off for a period of time, which provides adequate storm water management.

Wilson wanted to know what will happen when Heartland is built. **Lindebak** advised that they will be required to have detention ponds and adequate storm management plains.

Chaloupek wanted to know why this developer had to take the brunt of this issue.

Roberts wanted to know how this project would impact run-off levels. **Lindebak** advised that it would increase the rate of run off, but they will be required to hold run off for at least 24-hours.

Vice Mayor Williams wanted to know if a larger pond would be incorporated. **Lindebak** advised that they could make it deeper to create more storage; however, they must be cautious of the utilities.

Wilson wanted to know with the current zoning what could in at this location. **Goltry** advised that he could put in multi-family units, single family units, and nonresidential uses: church, schools, home day care.

Richard Stevenson commented that he was glad that he reduces the number of units. He stated that he would prefer to see this rezone as a wildlife wetland area; however, this proposal was the best he had seen yet.

Lonny Barnes commented the city has to do something, this has been an ongoing issue. **Lindebak** advised that this is a big project. He said that it makes him nervous to do what he proposes because clean cutting is not what the community wants. **Barnes** asked if that option was selected how soon will it be before for the project to start. **Lindebak** advised it would be at least a year before any work began.

Vice Mayor Williams advised that the city is trying to figure out how to be a resource and partner especially since this is on private property.

Wilson asked do the residents need to submit petitions if they want this project done. **Lindebak** stated yes.

Hasseflu, Applicant commented this issue is bigger than his project. He wanted to know if the community would stop any development from happening at this location. He commented that that would not be good for Wichita's economic development needs.

Roberts commented that the specific issue requiring the vote of the DAB is the zone change, how that impacts the flow of water. **Lindebak** advised it would help.

Roseboro commented that there was a pile of dirt at the site and wanted to know if the dirt would be removed.

Barnes wanted to know if the developer would be required to purchase flood insurance. **Lindebak** responded no, they do not appear to be in the flood area.

Action Taken: (Roberts:Wilson) Recommend approval of the zoning request per staff recommendation. Motion carried. 5:0:1 (Roseboro abstained from vote)

Roseboro wanted to confirm with residents that they did not want clear cutting. **Drew** responded correct we do not want trees cut down. **Roseboro** responded then nothing will be done to the creek.

With no further business, the meeting adjourned at 8:30 p.m.

Respectfully Submitted,
LaShonda Porter
Neighborhood Assistant

Guests
M.J. Shaw
Mary Jo Bond
Mary McDonald

Eugene Smith
Wanda Hodge
Erma Markham
Robert Elliot
Theresa Elliot
Robert Schrag
Richard Stevenson
Brenda Stevenson
Gary Hassentham
B J Williams
Beverly Domitrovic
Dorothy Hardin
Donald Hardin
Eunice Becknell