

District VI Advisory Board
Minutes
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Wednesday
January 19, 2011
6:30 p.m.

Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom

The District VI Advisory Board meeting was held at 6:30 p.m. at the Evergreen Recreation Center Lounge Clubroom 2700 N. Woodland. District VI councilwoman led the meeting with seven (7) District Advisory Board members in attendance, two (2) city staff and four (4) members of the public who signed in.

Members Present

Denise O'Leary -Siemer
Charlie Claycomb
Joel Weihe
Pat Randleas
Scott Dunakey
John VanWalleghen
Bob Aldrich

Members Absent

Cathy Landwehr
Anita Mendoza

Staff Present

Terri Dozal, Neighborhood Assistant
Donna Goltry, Planner

Council Member Miller called the meeting to order at 6:47 p.m. welcoming everyone.

Approval of Minutes

The Minutes for December 6, 2010 were approved as submitted. (**Aldrich/Claycomb 7-0**)

Approval of Agenda

The agenda was approved as submitted (**Dunakey/Aldrich 7-0**)

Public Agenda

1. Scheduled items: None at this time
2. Off-agenda items: None at this time

Staff Presentations

Zoning

3. CUP2010-00029

The District VI Advisory Board (DAB) considered a CUP DP-289 Amendment #1 requesting the removal of the masonry wall requirements along the south and west line of the CUP (GP#13), generally located at the southwest corner of North Meridian and West 53rd Street.

The members were provided the MAPD staff report for review prior to the meeting. *Donna Goltry*, Planner presented the case background, reviewed the staff recommendation mentioning the business would like to not have to build their screening wall which is a 6 to 8' masonry wall requirement, a standard requirement of CUP'S that are required unless waived by the governing body because they have stated that they think that there's a possibility that the adjoining property to the South will be developed in either Commercial or Institutionally use that would not require the screening wall.

Goltry continued it's not that we are totally opposed to the idea that you have to have a screening wall it's that we're concerned and the staff recommendation is concerned that the responsibility for the wall should remain with the property owner who creates the need for the wall and that's the commercial use. Therefore any type of deferral of that screening wall should be something that is reconsidered should the property to the South or West develop with a different kind of use where the wall would be something that they would need in the future. So therefore we have recommended some alternative language that was recommended by the agent. The alternative language

basically shifts the responsibility for construction of the wall, keeps the responsibility with the commercial property instead of being demonstrated by the residents to the South or the property owners to the South that they have to request the property for the wall and one other thing that it does that is different makes this a condition where it is deferred for periods where it could be extended in the future once the 5 years is up.

The Board asked the following questions/comments: *Responses in Italics*

- Could a deed restriction be put on this property? *Developed in that manor but we can't be a part of the deed restrictions, I don't believe.*
- If this property is sold then who would be responsible for building the wall? *The original request was that the residential property would have to request the wall from the developer and if they didn't request it, it would automatically not be built. With the understanding that the residential property owners-I mean the reason that we have these screening requirements and the code in the first place is to protect the commercial property or the residential property from the commercial property. In this situation both parties are agreeing to wave for the 5 yr. period the screening requirements so what we feel staff is doing and perhaps appropriately so is looking out and trying to protect any future potential buyer of the property and that's understandable.*
- If the five years doesn't begin until each parcel is developed when will the deadline for the wall be, there is not uniformity. *When the deferral period is up there are several conditions that apply: a.) Properties adjacent to each individual parcel along the S. & W. lines of the CUP are still zoned residential and b.) obviously if it's commercial the screening goes away and that the owners of said property desire screen wall to be constructed.*
- There is a high potential for the current owner to change hands causing the residents to not have a wall.
- There needs to be continuity of development. There is no uncertainty.
- I'm not comfortable if there is no wall due to trash in the open field and the river is not far from this location.
- If in six months the adjacent property goes residential, then will the wall go up? *The residential will need to ask for the wall to go in.*

There were no members of the public to speak in favor or opposition of this case.

******Action:** The District VI Advisory Board members made a motion to recommend to City Council that a request of a permanent waiver of the wall be DENIED based on staff recommendations. **(Aldrich/Claycomb7-0)**

******Action:** The District VI Advisory Board members made a motion to recommend to City Council that the deferral be APPROVED per staff recommendations, with two additions: 1) the filing of the CUP notice on adjacent properties, and 2) that the staff recommendations be edited to show that conditions A1 and A2 also apply to condition B. **(Aldrich/VanWalleghen 7-0)**

Board Agenda

4. **Problem Properties**

- Pile of Debris at the Dillon's at Douglas and Meridian
- 2446 Wilson: Parking in front yard

*******Action:** Receive and propose appropriate action.

5. Neighborhood Reports

It was mentioned about the School Bus Lot in the Sherwood Glen NA newsletter if there had been any more discussion.

*******Action:** Receive and file.

Updates from the Council Member

About the Bus parking it is a use zoning allowed by right but not longer than 72 hours. Over spring break, holidays it's okay. It's an administrative determination and nothing will happen to stop the use.

Announcements

- Next DAB meeting will be Monday February 7, 2011

With no further business to discuss the meeting adjourned at 7:55 p.m.

Guests

Dick Siemer

Doug and Laura Wilson

Russ Ewy

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant