

DISTRICT ADVISORY BOARD (DAB) I

MEETING MINUTES

Monday, April 5, 2010

6:30 p.m.

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

Members Present

Twila Chaloupek
Gerald Domotrovic
Vicki Churchman
Steve Roberts
Bill Wynne
James Roseboro
Lisa Riley
KC Ohaebosim
Janice Rich

Guests

Listed on the last page

City of Wichita Staff Present

Council Member Lavonta Williams
Officer Wylie, Beat 25, Wichita Police Department
Officer Lowe, Beat 31, Wichita Police Department
Lt. Colby Robertson, Wichita Fire Department and 2 Firefighters
Bill Longnecker, Public Works Department
LaShonda Porter, District 1 Neighborhood Assistant

Order of Business

Call to Order

CM Williams called the meeting to order at 6:31p.m. and welcomed guests.

Approval of Agenda

Roberts (Roseboro) made a motion to approve the agenda as submitted. Motion carried **9:0**

Approval of Minutes

Roseboro (Wilson) made a motion to approve the minutes with noted correction. Motion carried **9:0**

Public Agenda

1. Agenda Items

Cynthia Martinez, AmeriCorps GRASP, presented information on the community garden established at the Dunbar Theater. She noted that they have had the area for 3-4 years but with the renovations at the Dunbar they are moving the garden to the other side of the grounds, providing an increase in space to allow for 5,000sqft. **Martinez** advised that the project is fully funded by donations from the community, serving over 200 families last year. She advised that they are in need of donations: vegetable seeds, vegetable plants, hoses, gardening tools, grass clippings and items for compost, financial contributions to purchase gas and other items to maintain the garden. She also noted that they need volunteers to help plant, water and weed the garden.

Martinez noted that their goal was to get area residents involved and serve at minimum 200 families. She noted that they will plant corn, greens, green beans, tomatoes, basil, okra, onions, garlic, and watermelon for sure.

Martinez can be reached at (316) 866-8185.

KC Ohaebosim arrived at 6:37 p.m.

CM Williams wanted to know if they were working with the Neighborhood Association. **Martinez** advised that they are working A. Price Woodard President Janet Wilson and that Janet advised that she would make contact with McAdams Neighborhood Association. **Martinez** also noted that they are working with Janet on her community garden at 11th and Estelle.

Riley wanted to know if there was a schedule created for volunteers. **Martinez** advised that they would get a schedule once they started receiving inquiries to assist from the community.

Roseboro advised that there is also a community garden at Grant Chapel.

Action Taken: Receive and file.

2. **Off Agenda Items**
No items submitted.

Staff Report

3. **Fire Report**
Lt. Colby Robertson provided the Board with a handout that discussed the statistics for District 1 for March 2010. The report noted the following activity occurred:

	Incidents	Resources
All Fire	25	156
EMS and Rescue Alarms	493	629
Service Alarms	178	384
Totals	696	1,169

The **Board** thanked for **Jones** for his time and service.

Action Taken: Receive and file.

4. **Police Report**
Officer Wylie, Beat 25 thanked the community for participating in the Walk Against Gangs, noting that the event was successful and attracted 1,500 participants. **Wylie** reported there is also a community garden at Garvey Park and that this is a great opportunity for the community.

Churchman noted that there is also want at Gilbert and Waco. **CM Williams** stated that community gardens are becoming more popular and that the City is working on a program that will really talk to use and promotion of community gardens.

Wylie also reported that they have the individual in custody responsible for the 9 burglaries at Linwood Apartments. She also noted that larcenies are up and the activity is occurring with unlocked vehicles, shoplifting, open garages and backyards.

Wylie reported there would be a new bar opening at 1710 E. Morris called Flava's the Old Max's club. She also noted that they are gearing up for River Fest.

Rich wanted to know if any updates were available about the use of the old Dillons. **Wylie** advised that there was going to be a bar opening up but the deal fell through. **CM Williams** advised that the owner pulled there request to have the zoning change from the City Council meeting.

Officer Matt Lowe, Beat 31 advised that he is the new Community Policing Officer replacing Officer Ryan who has been promoted to Detective. **Lowe** reported that burglaries are also up and WPD has created a burglary workgroup to try an address this issue. He noted that the workgroup is made up of a diverse group of Officers and includes staff from each bureau.

Lowe reported that there was a robbery at the Check-N-2-Cash at 303 N. Hillside and that the suspect has been arrested.

Lowe reported that the Walk Against Gangs was successful and had participation from over 35 businesses, 50 Kansas Guards, 1,500 walkers, 500 spectators, and Jabara assisted with providing trash receptacles and port-a-pots.

Lowe also reported that the 2010 goals for WPD include a comprehensive traffic plan that will look at: Kellogg traffic, construction zones and high accident locations.

Lowe also advised that they are holding IMPACT meetings with the community when crimes occur. They try to notify residents of the activity within 72 hours so that residents have a understanding of what's going on in the community.

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

Action Taken: Receive and file.

New Business

5. **CON2010-00011**

Bill Longnecker, Planning Department, presented information on the conditional use request for a dog grooming facility at 535 N. Oliver. **Longnecker** noted that the current zoning for the property is "GO" General Office and the applicant is seeking a conditional use permit to allow for a dog grooming facility.

Longnecker advised that there would not be any outdoor runs or kennels, nor will there be any boarding or day care of any kind with the proposed operation. He noted that the "Animal Care, Limited" is a use permitted in GO zone district only with a "Conditional Use" subject to the following conditions: 1) no noise or odor shall be discernable at the property line, 2) treatment of animals shall be limited to dogs, cats and other small animals and 3) all animals shall be harbored indoors.

Longnecker then went on to describe the adjacent zoning and land use surrounding the site that the conditional use request has been submitted for. The adjacent zoning and land use includes residences to the north, restaurant to the east, offices to the south, and more residences to the west.

Longnecker advised that this item went before the Planning Commission as a consent item only and passed. He also noted that know one showed up to protest.

Longnecker advised that staff is recommending approval based subject to the conditions in the staff report.

Wynne advised that the Country Overlook Neighborhood Association has no objections to this request as long as it's strictly for pet grooming. He also noted that he proposes that the approval be specific and limited to only pet grooming.

Michael Fieser, 1847 N. Wellington Place, Applicant advised that the application was only for dog grooming and that the property does not allow for any boarding.

**Action Taken: Recommend approval of the project with the specification of dog grooming only.
(Wynne: Chaloupek) Motion Passed 9:0**

6. ZON2010-00010

Bill Longnecker, Planning Department presented information on the zoning request for the property generally located on the east side of Market Street and north of Harry Street. The request was submitted for a change in zoning from Limited Commercial to General Commercial to allow for the business expansion.

Longnecker advised that the site is located in an area that has a mix of Limited Commercial and General Commercial zoning located on all four sides of Harry & Market Streets intersection. He noted that property abutting the south side of the site is zoned Limited Commercial and is developed as a Walgreen's pharmacy. Property abutting the north side of the site is zoned Limited Commercial and General Commercial and is developed as a Pawn Shop, with a small, screened General Commercial zoned outdoor storage area and Multi-family residential paved parking facing Market. The parking extends north to Boston Avenue and, past the pawn shop, from Market east to Broadway Avenue. Property abutting the east side of the site is a pest control business/office/warehouse zoned General Commercial.

Longnecker advised that staff recommends approval of the zoning request subject to the provisions of the Protective Overlay noted in the staff report. The Protective Overlay is to include:

- A. No off-site or portable signs shall be permitted on the subject property. Signs shall be in accordance with the City of Wichita sign code for LC Limited Commercial ("LC") zoning, with the exception that signs shall be monument-style and limited to 20 feet in height. No LED shall be permitted signs.
- B. Any new light poles or lighting fixtures on the buildings shall be of the same color and design and shall have cut-off fixtures which direct light away from the adjacent, eastern residential zoned residences and the northern residential zoned properties. Light poles shall be limited to a maximum height, including the base of the light pole of 15 feet. Light poles shall not be located within the western platted 35-foot setback.
- C. Outdoor speakers and sound amplification systems shall not be permitted.
- D. No buildings shall exceed one story in height with a maximum building height of 35 feet.
- E. Landscaping shall be installed that meets the Landscape Ordinance. A landscape plan shall be prepared by a licensed landscape architect, to be reviewed and approved by the Planning Department.
- F. The following uses shall not be permitted: hotel or motel; pawn shop; rodeo; riding academy or stable; tattooing or body piercing facility; vehicle and equipment sales; asphalt or concrete plant; outdoor storage; vehicle storage yard; adult entertainment establishment; correctional placement residence; recycling collection station; reverse

vending machine; car wash; convenience store; , kennel, night club; indoor and outdoor recreation and entertainment; restaurant with drive-in or drive-thru facilities; service station; tavern and drinking establishment.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site is located in an area that has a mix of LC and GC zoning located on all four sides of the Harry & Market Streets' intersection. Property abutting the south side of the site is zoned LC and is developed as a Walgreen's pharmacy (built 2003). Property abutting the north side of the site is zoned LC and GC and is developed as a Pawn Shop (1955), with a small, screened GC zoned outdoor storage area and B Multi-family Residential ("B") paved parking facing Market. This parking extends north to Boston Avenue and, past the pawn shop, from Market east to Broadway Avenue. Property abutting the east side of the site is a pest control business/office/ warehouse (built in 2002) zoned GC (ZON2001-64). West of the site, across Market are single-family residences (1882 – 1920) zoned SF-5 Single-Family Residential ("SF-5") and TF-3 Two-Family/Duplex Residential ("TF-5"). The subject site has access onto Market, a one-way (north), two-lane urban collector. The site does not have direct access onto either Broadway Avenue, a minor arterial, or Harry, a principal arterial.
2. The suitability of the subject property for the uses to which it has been restricted: The 2030 Functional Land Use Guide classifies the site as "Local Commercial." The current LC zoning is in conformance with this classification. The site has direct access onto Market Street an urban collector with close proximity to arterials (Harry Street and Broadway Avenue) and other urban collectors (Main Street). However Market is a one-way street, which does restrict traffic to and from the site, unlike full movement arterials or urban collectors.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed GC zoning will not introduce a new zoning into the area, as established GC zoned sites are located on all four corners of the Harry Street and Broadway Avenue intersection, although none of this existing GC zoning extends to the next blocks/streets located east (Topeka Avenue) and west (Market Street) of Broadway. This section of Harry Street is pretty much stripped out with mostly small LC zoned properties, with the subject site being one of the deeper penetrations of LC zoning off of Harry. The proposed Protective Overlay attempts to limit noise, lighting and other aspects of commercial activity that may adversely impact the adjacent, eastern single-family residences as well as prohibiting some of the GC zoning district's more intense uses.
4. Conformance of the requested change to the adopted or recognized Plans: The 2030 Functional Land Use Guide classifies the site as "Local Commercial." The current LC zoning is in conformance with this classification. The requested GC zoning allows a broader range of uses by-right (auto dealerships, car wash, outside storage), some which may be less closely aligned with the intended function of the "local commercial" designation. However, the GC zoning district also permits uses, such as the applicant's wholesale heating and air conditioning company, business services and the eastern abutting pest control business/office/warehouse. Those uses may be no more intense than

an LC permitted convenience store or a restaurant, especially if built on the scale of the applicant's site and the abutting pest business site; less than ½-acre. The commercial location guidelines of the Comprehensive Plan state that commercial uses should be located near arterial streets or major thoroughfares that provide needed ingress and egress in order to avoid traffic congestion. The site has direct access onto Market Street an urban collector with close proximity to arterials (Harry Street and Broadway Avenue) and other urban collectors (Main Street). However Market is a one-way street, which does restrict traffic to and from the site, unlike a full movement arterial or urban collector. The Plan states that commercial development should have required site design features that limit noise, lighting and other aspects of commercial activity that may adversely impact surrounding residential land uses. A Protective Overlay could address some of these development considerations as well as prohibiting some of the GC zoning districts more intense uses. Unlike the eastern abutting GC zoned pest control business/office/warehouse, the subject site is located east of (across Market) from SF-5 and TF-3 zoned single-family residences.

The site is located in the adopted "South Central Neighborhood Plan." The Plan was approved by the MAPC April 20, 2006, by the Board of County Commissioners, May 10, 2006, as Resolution #72-06, and by the Wichita City Council, May 16, 2006, as Ordinance #47-033. The Plan covers approximately 1.8-square miles, with its boundaries being located between Kellogg Avenue on the north, the Arkansas River on the south and west, and Washington Avenue, a railroad ROW, and the Arkansas River on the east. The Plan has noted that there is a lack of diversity in business development along Broadway, with car lots, bars and motels being common. The Plan states these businesses do not provide direct goods and services to the neighborhood, and, in some cases, have had a significant and detrimental impact on Broadway and a negative impact on the residential areas. A stated goal of the Plan is to bring more variety of business to the area, including the development of vacant lots for something other than car sales lots, motels and bars. The applicant's business and expansion as a manufacturing representative for a heating and air company which provides wholesale and business services to other companies/contractors at this site meets the Plan's goal.

5. Impact of the proposed development on community facilities: As proposed impact on community facilities should be no more than what an LC zoned site would have on them.

Churchman wanted to better understand what it meant that they could have outdoor storage, as she was concerned it would look like some of the other sites on St. Francis. **Longnecker** stated that they will have a little outdoor storage but this case prohibits outdoor storage.

Churchman followed up with a question regard the site usage if this business was to leave, wanting to know if it would allow for pay less cash places. **Longnecker** advised that currently it was not prohibited. **Churchman** wanted to know if it could be added to the list of prohibited uses.

Mike Turnis, Applicant advised that they just want to expand their business.

Action Taken: Recommend approval per the staff report with the addition of the use prohibiting pay-check-loans as an allowable use for the property. (Churchman:Roberts) 9:0

Update

Updates, Issues and Reports

Roseboro advised Crestview Heights meets on April 22nd. He also advised that the Job Fair at the Boys & Girls Club on April 17th has been cancelled. He noted that the Job Prep workshops for April 10th would still take place.

Wynne advised that Country Overlook Neighborhood Association would have there cleanup on April 24th with the help of Love Wichita.

Roberts advised that Crestview Heights would meet on April 15th.

Riley advised that the Douglas Design District and East Front Neighborhood Association will be hosting a bike safety clinic and workshop for Bike Month on May 22nd.

Churchman advised that they had a successful Easter egg hunt on April 3rd, and that on May 1st they will participate in the river clean up and will meet at 9 am that Saturday morning at Harry Street Bridge on the eastside. She also noted they will do a bike tour on May 23rd in the South Central neighborhood.

Chaloupek advised that Linwood Neighborhood Association would be meeting at 10 a.m. on April 10th.

CM Williams informed the Board that the City Council meeting on Tuesday would deal with projects concerning IRB's for Bill Warren's project, Cargill and Real Development. She advised that they had a lot of information coming before them at that meeting.

Roseboro added that the fraternities and sororities from WSU would be doing a community service project in the NE Heights community on April 24th. He noted that they have approximately 136 volunteers signed up to assist with painting, and creek and alleyway clean ups.

With no further business, a motion to adjourn was made. Motion carried 9-0. The meeting adjourned at 7:44 p.m.

Respectfully Submitted,
LaShonda Porter
Neighborhood Assistant

Guests

Cynthia Martinez
Rip Gooch
Michael Fieser
James Thompson
Beverly Domotrovic
Maxine L Bostic
Patricia Fields