

District II Advisory Board Minutes

May 7, 2007

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9th Street North. CM Schlapp, 10 board members, 7 staff and approximately 35 citizens were in attendance. Only those individuals who signed in are listed as guests below.

Members Present

Marty Weeks
David Mollhagen
Tim Goodpasture
Larry Frutiger
Aaron Mayes
Joe Johnson
Matt Hesse
Daryl Crotts
Phil Ryan
Sarah DeVries
Council Member Sue Schlapp

Staff Present

Officer John Ryan, Patrol East – Beat 39
Officer John Bogle, Patrol East – Beat 399
Sgt. Richard Brunow, Patrol East SCAT
Mark Stanberry, Housing & Community Svcs
Don Henry, Environmental Services
Dennis Graves, Environmental Services
LaShonda Porter, Neighborhood Assistant

Guests

Listed on the last page.

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 7:00 p.m. The **Board** did introductions as the first order of business. **LaShonda Porter** then advised that **CM Schlapp** was in route to the meeting as she had went to Greensburg in light of the recent disaster, and that **CM Schlapp** requested that the meeting proceed as scheduled.

APPROVAL OF MINUTES AND AGENDA

The meeting agenda for May 7, 2007 was approved. (**Hess: Ryan, 10-0**)

The meeting minutes for April 2, 2007 were approved as submitted. (**Frutiger: Weeks, 10-0**)

PUBLIC AGENDA

1. Scheduled items

Chris Kilewer with the American Institute of Architects (AIA) provided the Board with information regarding the Blueprint for America. A brainstorming session was held a year ago to address the local community need – lack of connectivity. The AIA Wichita chapter proposes to work with the local city government and individual neighborhoods to design transportation hubs throughout the city and surrounding areas that create a visual identity for the city while offering an opportunity for coffee shops and retail spots to develop. In turn, the public transit system would become better established and a series of bike and walking paths could be integrated to create a secondary layer, reinforcing hub locations.

Currently AIA has meet with City staff to determine hub locations and is working with WAMPO to collaborate ideas. Ideally this plan would create an interconnection between transit lines and between the East & West Wichita.

Board members wanted to know what stage the project was at; how many members are there in the AIA Wichita chapter and is the project coming together as planned? **Chris** advised that they are moving along and that they have 130 members in the local chapter, and that the plan is coming together better than plan with the collaboration with WAMPO. **Chris** also advised that this was his first public meeting and that he will present this information to other District Advisory Boards and then determine if a separate public meeting needs to occur.

The **Board** thanked **Chris** for his presentation and invited him to come back when more design information was available.

Nicholas Howell, presented information in support of the WAMPO study and the 17th Street Trail. **Nicholas** provided the **Board** with copies of the executive summary of the WAMPO plan and insisted that the **Board** members at their leisure review the summary, as this would help them understand the efforts surrounding the bike path for the 17th Street Trail. **Nicholas** explained that one of the issues that came out in the executive summary is the road diet. The plan is proposing to reduce some roads down from 4 lanes to 3 lanes to be inclusive of bike lanes. **Nicholas** expressed he would like to come back and present information to the **Board** members next month to get feedback and a recommendation for support of the 17th Street bike path.

Board members had the following questions for **Nicholas**: 1) Where does K-96 intersect with the proposed bike path, and 2) Was there a timing issue on the federal grant dollars? **Nicholas** advised that the path would intersect by the cemetery between 13th and 21st Street. He advised that he was not sure about the federal dollars and that this was the only section of the bike path that would be in District II.

Board also requested that information be gathered on project cost and federal dollar availability for project. **LaShonda** will work with staff to try and obtain requested information.

Board thanked **Nicholas** for his presentation.

2. **Off-agenda items**

No items were submitted.

STAFF REPORT

3. **Community Police Report**

Officer Bogle, 399 Beat (Patrol East), advised that there has been a string of burglaries in the College Hill neighborhood, and that the burglaries are occurring through forced entry. **Officer Bogle** advised that the Police are actively pursuing the perpetrator and have issued over 300+ flyers to the community to raise awareness. He also advised that special assignments are being done trying to capture the individual (s) as quickly as possible.

Beat 29 has completed a clean up and removed 11 skids of trash, weighing 80,000 pounds.

Beat 399 has initiated some aggressive driving assignments between Harry & Rock and Kellogg & Webb trying to address some of the speeding concerns and raising the awareness on the importance of driving safely.

Officer Bogle also advised that **Officer Shirkey** will be going back to the streets and that **Officer Ryan** will be moving to the 31 Beat.

Officer Ryan, 39 Beat, (Patrol East), advised that there is a tremendous amount of activity going on behind the scenes with trying to address the College Hill burglaries. He assured the **Board** and residents that the Officers are working diligently at capturing the perpetrator (s) that are involved in the burglaries. He also advised that three (3) of the suspects in relationship to the burglaries have been arrested however there is still one suspect remaining.

Sgt. Richard Bruno – SCAT Unit (Patrol East) provided an update on the SCAT unit and just advised that if anyone sees any suspicious activities or gang graffiti that they should report it immediately by calling 911 or 688-9300. **Sgt. Bruno** expressed the importance of reporting the information as soon as you identify it as it reduces the amount of time it goes without investigation.

Daryl Crotts also wanted to know if more information have been obtained in regards to the theft from mailboxes in the Wilderness Estates subdivision, he also advised that recently that their subdivision replaced over 100 mailboxes due to this issue.

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

Action Taken: Received and filed.

NEW BUSINESS

4. Request for Resolution of Support for Application for Low-Income Housing Tax Credits (Inwood Crossing Apartments)

Mark Stanberry, Housing and Community Services, provided information on the request for a low-income Housing Tax Credit in connection with development of the Inwood Crossings Apartment to be located on a currently vacant tract of land near Inwood and 35th Street North. **Mark** advised that the developers are seeking a resolution of support from the City of Wichita to apply for tax credits at the state level, as support from the local government is a requirement for the tax credit to be issued. He also advised that the developers are seeking a 4% tax credit in conjunction with IRB's from the City of Wichita to assist with the development.

The Housing Advisory Board (HAB), the City's Development Coordinating Committee (DCC), and the District I Advisory Board (DAB) as per the adopted Low-Income Housing Tax Credit policy have reviewed the development. The Planning Department and Central Inspection has also reviewed the project for design appropriateness, and consistency with applicable neighborhood plans and zoning. This development has been approved by each of these groups.

While this development does not fall in District II, it has an impact on some of the surrounding communities in District II thus **CM Schlapp** has requested that the information be presented to the District II Advisory Board.

The development will consist of 260 units in which 20% of the units will be available at market rate and the other 80% will be subsidized with the tax credit. The 20% is equivalent to 52 units. The development will include amenities such as: washer/dryer hook-up in each unit, a clubhouse, a fitness center, and a swimming pool.

Mark also advised that the property is zoned for a development of this nature and the question at hand is whether or not the City of Wichita wants to support the developer receiving the tax credit. He noted that the Office of Central Inspection has recommended additional setbacks and landscaping and the developer has agreed with this recommendation.

This item is to be presented at City Council on Tuesday, May 8, 2007 and staff is recommending approval of the project and their letter of intent for IRB's.

Tim Austin advised that the property was a 23-acre tract directly behind Sams Club. The north half of the property is zoned as MF18 and the south half is zoned MF29, which means that the developer could develop a total of 573 units, but will only develop 260 units. He discussed that there are two phases to this project: Phase I- 260 units and Phase II – there is no present plan, but it will be very limited if the developer decides to move forward.

Tim also advised that there would be an on site manager at the property, a Community Police Officer workstation and that the community would be gated. He also clarified that the Community Police Officer workstation has been included in the project at the request of the District I Advisory Board. Additionally, he addressed the drainage concerns and advised that the detention ponds will be expanded to address the additional drainage from the development.

After **Tim** presented this information the question and answer session began.

CM Schlapp wanted to understand what the occupancy rates were for the Eagle Rock; however, the developer was not able to specifically answer that question.

Board members had several questions for both the developer and staff:

Q: Is this a zoning modification?

A: No, this is a request for a Resolution of Support from City Council. The land is already zoned for this type of development.

Q: Where is the drainage going to go?

A: It will eventually hit Woodlawn, but the bulk of the drainage will go to the North.

Q: Is there a retention pond on the commercial properties?

A: No.

Q: You are proposing 260-units, how many people do you anticipate bringing in the area?

A: About 520, estimated at 2 - 2 ½ people per unit.

Q: Have you given any thought to the undeveloped area (Phase II) being a Park or used for green space?

A: The proposed development is inclusive of a picnic area for the residents.

Q: Have you designed any programs to make subsidies to the Police for rentals?

A: No we have not, but would be willing to discuss such programs.

Q: Will there be additional decreases in the rent if Section 8 is used?

A: The proposed rent exceeds Section 8 rental standards. Additionally, apartments will be rented to individuals based on their own income levels, so 30% of the gross income must meet the income requirements in order for us to rent to an individual.

Q: If the property is zoned for 573 units and there is a demand for rentals, why not build 573 units?

A: Managing 573 units would be a nightmare.

Q: If you don't get the tax credits what will you do?

A: The tax credit allows us to build a nicer facility, so we only work under these types of programs.

The structure of the unit-rents were described as follows:

Market Rate

\$650 – 1 bedroom

\$1,000 – 3 bedroom

The question and answer session was then opened to the residents.

Bud Cortner, President of Willlowbend HOA, 8215 E. Champions advised that he represented over 500 homes, approximately 720 residents in the Willowbend area and they were against the development. **Bud** identified the following issues with the development: 1) Has there been a study by the City of Wichita as to the need for low-income housing at the proposed location; 2) traffic issues, there are some concerns with congestion and safety; 3) 32nd Street needs a light at Woodlawn; 4) the local schools will be overcrowded; 5) crime – creating a gated community, is that designed to keep the crime in or out; 6) Police response time – additional Officers will be needed; 7) what impact will this have on home values?

Additionally, he noted that the community feels as if Willowbend is being converted into an island and will no longer be apart of the City of Wichita.

Adam Thompson, 322 N. Rushwood Court advised that the community has formed a new Neighborhood Association – NEK-96 NA in result of this development. The Neighborhood Association is against this development and feels that this area is not feasible for this project. **Adam** advised that there are over 900 apartments within the area currently and adding an additional 260 units is not acceptable. **Adam** also voiced concern with Phase II – would like to know the intentions of the developer.

Board members wanted to understand from **Adam** if they were opposed to the tax credits or the development. **Adam** responded that they are opposed to both. **Sarah Devries** asked if they were aware of how the land was zoned – since it has been zoned this way since 1986. **Adam** advised that he was not aware and there Neighborhood Associations understand that this is not a zoning request and feels that if the developer does not receive the tax credits the project will go away and they are willing to take the chance.

Kim Potochnik, 6929 Woodberry Court advised that she is also from the NEK-96 Neighborhood Association and has concerns with: 1) declining property values; 2) crime; 3) traffic; and 4) school district over crowding.

Marsha Strieff, 7210 Brookview Circle advised that her biggest issues with the development are: 1) declining property values, 2) crime rates, and 3) traffic congestion. She also expressed concern with the notification process and stated that if the newspaper had not ran an article they would have never known about the project. Additionally, she expressed concern with how the range of income was derived. She stated that income was drawn from 10 random zip codes in Wichita that do not reflect the income of the development area.

Connie Farha Clark, 6922 E 35th Street Ct North had questions about the commitment of the development and if Wichita was a development or citizen town? **Mark Stanberry** advised that it is a 15-year commitment.

David Babich, 4431 Ironwood how do we prevent future administrative adjustments?

Mark Stanberry advised that the resolution of support is sent to the Office of Central Inspection (OCI) to put on the system so that the information outlined in the resolution is met when building permits are pulled.

Rick Shore, 7412 Cedar Ridge wanted to know if the occupancy levels per unit could be put in writing, as the developer stated the occupancy would be 2-2 ½ people per apartment on average.

Chris, 8315 E. Champions Court identified that the numbers provided by the developers are projections and best-case scenarios. He is appalled that the developer does not know how many acres of land are available for Phase II. He is convinced that the CP Officers will not utilize the workstations and that the application-screening process will not occur. There will be no one managing this process and once the tax credits are approved who will monitor the project.

CM Schlapp advised that she still had some concerns with the resolution of support. She advised that this development does not fall in District II and would not normally come to District II Advisory Board but because of the concerns from surrounding communities she has requested that it be presented so that she could get feedback from the community and her DAB.

Joe Johnson expressed that the District II Advisory Board will generally allow the market to take care of itself, but the tax credits realm takes it out of the ordinary competition.

Tim Austin advised that a description of what the development is going to look like is needed in the resolution; additionally specifically stating the features in the resolution should also be defined.

Bud Cortner wanted to know why a local investor had not jumped on this project if it was such a demand?

Grant Tideman, advised that it is a timing issue.

Board members also wanted to know if the resolution could stipulate the number of units that could be added in Phase II, and if this could be deferred for a week or two?

CM Schlapp stated that this would all come down to what the resolution says and that the details of the resolution of support were not clear at this time.

With no further discussion, the **Board** thanked staff and the developers for their time.

Action Taken: **Board** provided feedback and received and filed.

5. Animal Control and Protection Ordinance

Don Henry, Environmental Services, provided information on the proposed changes to the Animal Control and Protection Ordinance. The Environmental Services Department administers Title Six of the City Code, which includes regulations for animal control and protection. Officers assigned to the departments Animal Services Section, enforce Chapter 6.04, which deals with animals running at large, dangerous animals, licensing of dogs, and cruelty to animals. The section receives approximately 22,000 citizen requests for service annually, investigates over 800 animal bites or attacks, and conducts more than 1800 cruelty investigations. Leash law and licensing enforcement also result in over 1600 citations annually.

The proposed change includes: 1) clarification of code requirements; 2) enhanced enforcement mechanisms; 3) requirements that better address current concerns with dangerous dogs and inherently dangerous breeds; and 4) revision of license fees.

Don advised that there have been request to ban pit bulls, however that is not a suggestion of Environmental Services; however, we do need to create an ordinance to regulate the ownership. The purpose would be to improve the control of aggressive animals. The ordinance would apply to all dogs and not just pit bulls.

Treva Farris, 3448 N. Emporia thought that the ordinance change overall was good, but was concerned with it being breed specific – would like for the breed specification to be removed. Additionally she would like comments added about it being illegal to breed animals in cars.

Chris Hesse, 230 N. Crestway, is also concerned with the ordinance being breed specific. He also had questions on how the statistics were derived: 1) when you investigate and find that the incident was provoked, does the incident remain on the record? *No it does not.* 2) Are we going to standardize the market? *We are not standardizing the market.* **Chris** stated that the ordinance should deal with the negative deed and not the breed.

Board members wanted to know if there has been a public meeting regarding this issue. *No.* **Board** members wanted to also understand why we couldn't do something before the dog attached and whom do we call? **Don** advised that we have the current leash laws that owners are to abide by. Concerns should be reported to animal control.

Joe Johnson advised that if there were additional concerns in regards to this issue that they should be sent to **LaShonda Porter**.

Board thanked **Don** for his presentation.

BOARD AGENDA

6. Updates, Issues, and Reports

No items were submitted.

With no further business, the meeting adjourned at 9:55 p.m. (**Mollhagen:Carduff, 7-0**)

The next DAB II meeting will be **June 4, 2007** at the Rockwell Branch Library.

Respectfully Submitted,

LaShonda Porter, Neighborhood Assistant

Guests

Tommie C. Dixon	3558 Rushwood Court
David Babich	4431 Ironwood
Bud Cortner	8215 E. Champions
Chris Kliewer	311 N. Rutland
Chris Hesse	230 N. Crestway
Kim Potochnik	6927 Woodbury Court
Connie Farha Clark	6922 E.35 th Street Court North
J. P. Wojtowicz	4503 N. Spy Glass Circle
Marcia Streiff	7210 E. Brookview Circle
Grant Tideman	5914 E. 93 rd Street
Victor Lawrence	3796 Rushwood Court
Rick Schroer	7214 Cedarridge Circle
Max Weddle	862 S Zelta Court
Jay M Sprecier	4116 Jasmine
Treva Faires	3448 N Emporia
Arleen Berry	8310 Brookhollow – 3448 N. Emporia
David Kimpler	6903 Woodbury
Margaret Dixon	3558 Rushwood Court
Tamara Upton	2100 Brentwood Street
Adam Thomson	3522 N Rushwood Court
Larry Schmitz	3522 N Governour