

**District VI Advisory Board
Minutes**
www.wichita.gov

Wednesday
October 18, 2006
6:00 p.m.

Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom

The District VI Advisory Board meeting was held at 6:00 p.m. at the Evergreen Recreation Center Lounge Clubroom 2700 N. Woodland. City Council Member Fearey led the meeting with Nine (9) District Advisory Board members in attendance. Three(3) city staff were present and seven (7) members of the public who signed in.

Members Present

C. Bickley Foster
John VanWalleghen
Linda Matney
Marsha Carr
Carol Skaff
Charlie Claycomb
Sandra Whittington
Bob Wine
Bob Schreck

Members Absent

Jaya Escobar

Staff Present

Kurt Schroeder, OCI
Terri Dozal, Neighborhood Assistant
Bill Longnecker MAPD

Guests

Listed at end

Call to Order

Councilmember Sharon Fearey called the meeting to order at 6:01 p.m.

Approval of Minutes

The minutes from September 20 and October 2, 2006 were approved with amendments (**Wine/VanWalleghen 9-0**)

Approval of Agenda

The agenda was approved as submitted (**Schreck/Wine 9-0**)

Public Agenda

1. **Scheduled items-** No items were scheduled
2. **Off-agenda items-** No items were scheduled

Staff Presentations

3. **Community Police Report**

There were no police reports for this meeting

Old Business

4. **ZON 2006-00035**

Bill Longnecker, Planner reviewed the background on this previously discussed case and reported on the input from the Midtown residents meeting held on October 10th.

Longnecker stated the neighbors agreed to the zone change with emphasis on staff's recommendation including landscaping along the right-of-way with the city engineer's approval.

Russ Ewy, agent presented a handout with pictures of the requested zone change area explaining **Lot A:** has been a lot for many years and is zoned B-Multi residential by right. We want to bring the lot to zoning code. **Lot B:** is developed with residential area. **Lot C:** no immediate plans for this area but is included in the application. *Ewy* continued the MAPC has already approved the application and in meeting with the neighbors their concern is the landscaping. They expect the lots to meet the landscape ordinance standards

The following are comments/questions from the DAB and Council member Fearey: Responses in Italics

- What egress/ingress would there be for lot C? *This would be a slide driveway to the south with the access drive to remain the same. The new part where the 15 parking spaces will be available the egress will be the alley.*
- What does contractual obliged mean? *We have to provide a certain amount of parking spaces, the contractual will allow the 59 spaces. They won't close on the deal if they can't have 59 spots? No.*
- Where is Envision located? *Building #610 Lot C. Are you taking two (2) spaces from the lot north to access lot C? Yes. Are the spaces between lots B & C not contractual? We need the 15 space bays. Are Envision parking lots A & B? Yes Lot C is for # 600 & 604 buildings for parking. There are prescribed numbers of parking spaces for certain numbers of buildings.*
- To what extent can the landscape be waived? *It can be waived but we have tentative approval and hope it meets everyone's solution.*
- Are we going to see requests for variances coming back to DAB? *All other properties are properly zoned.*

Kent Wilson, Envision stated he plans for rehabbing the Eby building and when it is remodeled they will redo the lot entrance on the North side of the building to comply with the ordinance.

- The new 911 center, do they have enough parking? *They have divided alleyway for parking.*

Fearey asked when MAPC heard this case, did they talk about landscape? *No dialog about this.*

Janet Miller, Midtown resident and Historic Preservation board member gave thanks to DAB 6 for sending this zone request back to the neighborhood association to be heard. *Miller* stated we have flooding now in the area and with more paving areas we will continue to flood.

This plan takes away the last piece of green space. I ask we limit surface parking.

The city needs to enact the landscape ordinance to address long-term issues for having parking brought into compliance with the landscaping ordinance. If they see low vision applicants, there may not need to be that much parking. If MAPC voted on this it has to comply with the landscape ordinance. Our neighborhood suggests this is the time to see the ordinance brought into compliance.

Wilson said the Envision building down south made improvements to the neighborhood. We want to make significant improvements to this neighborhood including landscaping. Using the 610 building offering vision rehab services we hope to see a 1000 patients from throughout four states both geriatric and pediatric coming here.

- Could we split the variance and ignore landscape for lot C and have landscaping for only lots A & B?
- Can the DAB separate the request? City Council could suggest a compromise as Cowtown has diamonds and trees mixed with parking.
- Where they claim landscaping on the south, this area is not worth adding landscaping as it's nothing but concrete.

Wilson stated we will make improvements to surrounding area but we need enough parking to meet the requirements of the city.

- Can you take 15 spots from lot A north of building? *No we will have plantings to the front of the building on north side.*
- Who will maintain the trees? *Maintenance of the trees will be by the applicant.*

Matney asked aren't we just considering zoning?

Fearey finished saying the lots should have to come into conformance of the landscape ordinance. Midtown does not oppose the zone change request they want the landscape ordinance met.

- How will the water drainage be taken care of and what about future flooding? Run off wouldn't be significant and drainage would have to be solved by the Capital Improvement Program (CIP).

******* Action:** Motion to recommend Approval of zone change request (**Schreck/Wine 9-0**) and to include that Lot A has landscaping within property as redeveloped, Lot B include landscaping within the property when developed and an extra tree in the right-of-way and Lot C allow landscape in the right-of-way when property is developed and that maintenance to the landscape/trees is the applicants responsibility.

New Business

5. StopBlight Update and Summary of Proposed Ordinance Revisions for obtaining compliance from property owners.

Kurt Schroeder Director of Office of Central Inspection gave the background process that led to the implementation of proposed ordinances under the StopBlight initiative.

The Board had the following comments and questions: responses in *Italics*

- 1.) What kind of timeframe for notifying property owners would be given once the ordinance was implemented? *One month*
- 2.) The financial considerations - are these people who don't have money to do the repairs or is it slumlords not doing the repairs? *Both, people hold onto the property for whatever reason or they don't know what to do with it.*
- 3.) A property that is boarded but being used as storage (not a residence) can we enforce that? *This will be looked at as condemned buildings or possible rehab.*
- 4.) Could the fines be added to the yearly property tax? *No not to taxes.*
- 5.) Do these vacant/abandoned homes, mainly belong to elderly people or to heirs of the estates that don't know what to do with the property? *Don't know*
- 6.) Would the agents for properties be given a limited power of attorney so they can comply by making repairs of property? *If they do not comply this will be assessed as penalties. During registration the agent should have the authority to do repairs or what the city is requesting.*

- 7.) Redevelopment authority is this a new department? *We don't have a mechanism to take care of property given to the city.*
- 8.) Is the city of Wichita going into the real estate business?
- 9.) Penalty fees - will this assist in funding some city departments? *The fee is only \$25.00.*
- 10.) The Wichita Area Builders Association do they have veto power over the funding OCI receives? *A percent of the money goes to code enforcement. Do you need WABA approval? Yes, if the housing code enforcement generates revenue.*
- 11.) How will the properties be identified? *The city will identify the properties and we will work closely with neighborhoods.*
- 12.) Are the properties listed on the website for public review? *Not at this time. If the ordinance passes we could possibly do it.*
- 13.) Housing cases have been in court for years and automatic action needs to be implemented. Fines are necessary in these ordinances
- 14.) Would an educational component be included for people on how to stay in compliance of the codes? *We would hope to do this.*

Scott Patrick Daniels, 241 Holyoke Rental Owner's Inc. stated we are in support 95% of the Stop Blight program. We believe the fines are excessive and recommend the fines be allowed to be converted back into the property. The owner registration is already taking place with the county. Private process servers should be hired to make sure court papers are served to frequent out of town violators. We need aggressive enforcement of the existing codes and I'm in support of properties being enforced if they have not paid property tax. Let the city put these properties up for sale or give to a charity organization.

Another man from *Rental Owners, Inc* also stated the same concerns but introduced a letter from the their group and submitted to Kurt Schroeder.

Kathy Dittmer, 823 Litchfield and member of the Riverside Citizens Association board member stated her group had discussed this topic and stated something needs to be done with the current codes. The current system does not work. We support City Council efforts to Stop Blight and the Diversion program is one concrete step. I ask you to please be in support of the changes.

Janet Miller, Midtown supports STOP BLIGHT initiatives. This is the legal backbone to assist with the solution. This will guarantee a quality of good housing shock and assist in redevelopment.

Schreck stated the idea of a private process server is good. Fines should have been used to begin with. This is a good ordinance. **Foster** said there should be a review of the program to see if it is working, maybe every year or 18th months.

*******Action:** DAB members provided comments and input on the proposed ordinances and made a motion to recommend Approval (**Schreck/Carr 9-0**) of the two ordinances reviewed including evaluation of the STOP BLIGHT program after a certain time period (1year/ 18 months) to see if it is working.

BOARD AGENDA

6. Problem Properties

1217 N. Bitting: continued landscape equipment

1206 Riverside: working on cars

Broadway and Pine: weekly sales

Zoo and Bickell at 9th street: doesn't get mowed. East of Zoo and West of Bickell near the railroad tracks

Political signs all along the right of ways

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

7. **Neighborhood Reports**

Attend the I-235- meeting scheduled for October 24th at the Sedgwick County Extension office from 5-7 p.m. the consultants need input from the public.

Riverside Citizens Association is holding their annual Chili Feed on Nov. 14th Chili @ 5 p.m. at the Gloria De Lutheran church at 1101 River Blvd.

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

Updates from Council Member Fearey

None

With no further business to discuss the meeting adjourned at 8:40 p.m.

Guests

Russ Ewy	315 Ellis
Paul Han	311 Harrel 67206
Janet L. Miller	1102 Jefferson 67203 HMCA
Pat Daniels	241 S. Holyoke
Kathy Dittmer	823 Litchfield
Romualdo Lopez	2055 N Mosley
Francisco Banelos	2209 N. Waco

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant