

DM 73-12 - Zoning Policy on 29th Street from Broadway to point West of Amidon

ACTION

DATE

COMMITTEE

M.A.P.C.

MAPC

B.C.C./B.C.C.G.

Accepted 6.14.73
Accepted, PE's memo - 12.13.73
Return to 7.3.73

MAPC for Public Hearing

Review File 1-2-74

OR 73-12 - Zoning Policy on 29th Street from Broadway to point West of Audon

ACTION

COMMITTEE	DATE
M.A.P.C.	<u>Accepted</u> 6.14.73
MAPC	<u>Accepted per's recom- mentation</u> 12.13.73
B.C.C./ B.C.C.	<u>Return to</u> 7.3.73 MAPC for Public Hearing
BCC	<u>Review & File</u> 1.2.74

IMPORTANT MESSAGE

FOR Bernice

DATE _____ TIME _____ A. M.
P. M.

WHILE YOU WERE AWAY

MR. C.F. Augustine

OF 2902 Wellington Pl.

PHONE No. 67204

TELEPHONED	PLEASE CALL HIM
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	RETURNED YOUR CALL

MESSAGE send results of action on 29th St. action

SIGNED _____

FORM 000-017

*Delia Ray Knowles Write on follow-up - Dec. 13th meeting
(Mrs. Waynes) - 1500 Jewell, Topeka, KS 66604
cc of minutes to Mrs. Warhurst*

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 13, 1974

TO Policy Statement File
FROM Jack H. Galbraith, Chief Planner *JHG*
SUBJECT Zoning Policy on 29th Street North from Broadway to a point west of Amidon

On December 13, 1973, after the surrounding property owners were notified and a public hearing was held, the Metropolitan Area Planning Commission adopted the following recommendations to be used as general guidelines when remapping of new zoning districts occurs and as guidelines during the interim for considering zone change applications along 29th Street North from Broadway to a point west of Amidon. The Board of City Commissioners received and filed these recommendations on January 2, 1974, and requested that Condition #11 be discussed at a later date.

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".

Policy Statement File

March 13, 1974

Page Two

6. The "BB" Office District (B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood. It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").
7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
8. The "B" Multiple Family District (the "R-7" General Residential District) from Coolidge to the intersection of 29th and Amidon (all four corners).
9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
10. Maintain the present "AA" Single Family District ("R-3") west of the intersection of 29th and Amidon.
11. When 29th Street is improved that the city-at-large pay for the street improvement through General Obligation bonds.

JHG:MM:js

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

December 27, 1973

TO Ralph Wulz, City Manager
FROM Jack H. Galbraith, Chief Planner *JHG*

SUBJECT DR 73-12 - Zoning Policy on 29th Street North
from Broadway to a point west of Amidon

On May 15, 1973, when considering and approving a zone change to the "IC" Light Commercial District at the southwest corner of 29th Street North and Salina, the City Commission requested a zoning policy for 29th Street from Broadway to a point west of Amidon. On June 14, 1973, the Planning Commission considered and accepted the recommendations contained in the summary of the staff report (contained in full in the minutes from this meeting, which are attached) for use as general guidelines when remapping of new zoning districts occurs and as guidelines during the interim for considering zone change applications. The Board of City Commissioners, at the meeting of July 3, 1973, returned the policy recommendations to the Planning Commission for reconsideration following "meaningful notification" of property owners in the area. (The notification procedure utilized is outlined in the attached MAPC minutes from December 13, 1973.)

On December 13, 1973, the Planning Commission reconsidered the zoning policy recommendations for 29th Street and, after considerable discussion, again accepted the ten recommendations outlined in the staff report as a general guideline when remapping of new zoning districts occurs and as a guideline during the interim for consideration of zoning applications that are received for this area. In addition, the Planning Commission recommended to the City Commission that when 29th Street is improved, the city-at-large pay for the street improvements through general obligation bonds (recommendation #11).

Consideration of this policy is scheduled for your agenda on January 2, 1974.

JHG:MM:ber

Attachments

*Received & Filed
1/2/74
JHG*

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 14, 1973:

6. DR 73-12 - Zoning Policy - Request from City Commissioners for zoning policy on 29th Street North from Broadway to a point west of Amidon.

LAKIN reviewed the following staff report which had been provided the Commissioners prior to the meeting:

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. This is an area characterized by a wide range of mixed uses, from the industrial uses at Broadway to the well maintained

single family residences near Amidon and to the northeast of the Little Arkansas River. The Transportation Plan Element of the Comprehensive Plan designates 29th Street as an arterial, but it has not yet been improved to major street standards. Improvements are scheduled for 1974 for 29th from Broadway to Arkansas; and for 1977 from Arkansas to Amidon. Most residential streets in the study area are unimproved. The area was annexed in 1961 and 1962. Several legal nonconforming uses remain along the 29th Street frontage.

Broadway to Drainage Ditch - South side

On the south side of 29th from Broadway to the Drainage Ditch there are commercial and manufacturing uses intermixed with residential. The "C" Commercial District, containing a service station, liquor store and office, extends from Broadway to Market. From Market to Park Place is a light manufacturing use. Place and 29th is zoned the "B" Multiple Family classification and used for parking associated with the auction business and restaurant located in the "E" Light Industrial zoning in the middle of the block. The remainder of the block is zoned "B" and contains residences. There is "E" zoning from Wellington to Fairview, occupied by a restaurant, parking lot and duplexes; and the frontage from Fairview to the Drainage Ditch is zoned the "B" classification, with two houses and a nonconforming television repair service. This tract zoned "B" adjoins a large tract with "E" zoning to the south.

Recommendation: It is therefore recommended that a policy be established of looking with favor on the "E" District on the south side of 29th Street from Broadway to the Drainage Ditch. (When the new zoning ordinance is adopted, the "M1-A" Light Industrial District would be appropriate.) It is also recommended that the property zoned the "F" Heavy Industrial District be rezoned the "E" classification, either now or to "M1-A" with the new ordinance.

In view of the existing "E" zoning on the north side of 29th from Broadway to Market and the recent approval of the "E" classification for the northwest corner of 29th and Market (Z-1411), a policy of looking with favor on the "E" District (or "M1-A") on the north side of 29th from Broadway to Park Place is also recommended.

Broadway to Drainage Ditch - North side

From Park Place to the Drainage Ditch on the north side of 29th Street the property is zoned "AA" and developed with single family homes of varying conditions. There are also several nonconforming uses: a furniture store at the northwest corner of 29th and Park Place; a restaurant, two vacant commercial buildings and an automobile supply business between Fairview and the Drainage Ditch. (Zone case Z-1140 involved a zone change request to "LC" at the northwest corner of Fairview which was approved in 1969, subject to platting within one year. Due to the applicant's failure to plat, the case was closed in 1970.)

Recommendation: It is recommended that the Planning Commission adopt a policy of looking with favor on the "C" District from Park Place to the Drainage Ditch on the north side of 29th Street. The "B-7" Service Business District would seem to be the most appropriate zoning classification under the new zoning ordinance.

Drainage Ditch to Mascot

The 29th Street frontage (both north and south) from the Drainage Ditch to Mascot is predominately zoned "LC" and contains light commercial type uses, and some nonconforming uses: the express company warehouse at the northwest corner of Jackson; the auto repair service (in "AA" zoning district) and the boiler welding service, both located at the northeast corner of Mascot and 29th. A violation currently being reviewed by the Community Greivance Officer involves the use of land on the southeast corner of 29th and Arkansas for a used car lot and truck storage. Some of the "LC" frontage on the south side of 29th remains undeveloped and there are also a few vacant commercial structures.

Recommendation: The "C" Commercial District ("B-7" Service Business District) would appear to be appropriate for both sides of 29th from the Drainage Ditch to the east side of Arkansas Avenue. The "LC" District is recommended from the west side of Arkansas to Mascot, with the "B-5" General Business District recommended under the new zoning ordinance. Much of the light commercial should be removed where located on interior streets and now developed for homes.

Mascot to Little Arkansas River

All four corners at Woodland and 29th have small areas of "LC". The northeast and southwest corners contain residences; the northwest corner contains a house which was apparently converted into a church; and only the southeast corner has been developed for commercial purposes - a nonconforming garden center. Between Mascot and the garden center are nonconforming storage buildings associated with the garden center business and outdoor storage of firewood. These are in a "AA" zone and would require "C" to make them conforming. The northwest and southeast corners of Salina and 29th are zoned "LC", and Case Z-1515 requesting "LC" zoning for the southwest corner was approved by the MAPC on May 15, 1973, subject to replatting. There is an auto repair business at the northwest corner and an animal hospital on the south side of 29th near Salina. Between Salina and Hood on the north side of 29th, a club and liquor store exist on "LC" zoned property. The remaining property from Salina to Hood is zoned "AA" and is developed for single family homes.

Recommendation: Due to the fact that much of the property from Mascot to the "LC" zoning east of Hood zoned the "LC" classification has not been developed for commercial purposes, and due to the availability of undeveloped "LC" zoned property between the

Drainage Ditch and Mascot, it is recommended that the Planning Commission adopt a policy of looking with favor on either the "BB" ("B-3" Restricted Business District) or the "R-6" General Residence District between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District (the "B-3" Restricted Business District under the new zoning ordinance). Other property could be rezoned to "BB" on request.

Little Arkansas River to Amidon

From the Little Arkansas to Coolidge, "LC" zoning exists on both sides of 29th Street. There is some commercial development on the south side of 29th between Porter and Coolidge, and a shopping center and rental equipment business (Case BZA 45-65) on the north side of the street. No commercial development of any type exists west of Coolidge. Much of the "LC" is of poor quality. Uses have been unstable. It is suggested that owners study economics of removing and rebuilding for apartments near the River. In addition, the "LC" classification was denied for the northeast and southeast corners of Amidon and 29th in 1971 and 1972 (Z-1321 and Z-1362). A fire station is scheduled to be constructed on the northwest corner in 1974. The "B" Multiple Family District, however, was recently approved for the southeast corner of Amidon at 29th, subject to replatting and dedication of right-of-way (Z-1502).

Recommendation: In view of the quality of the single family residential development to the northwest of the Little Arkansas and west of Hood, it is recommended that in the event the Planning Commission considers a zone change appropriate, a policy of looking with favor on medium density residential development ("R-5" and "R-6") for 29th Street from the "LC" zoning just east of Hood to Coolidge be adopted, with the "R-5" and "R-6" General Residence Districts also appropriate under the new zoning ordinance.

From Coolidge to the intersection of 29th Street and Amidon (all four corners) the "B" multiple family district, or the "R-7" General Residence District, would seem to be appropriate. It is further recommended that the residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" classification. It is recommended that the current policy of "AA" Single Family zoning ("R-3") be maintained west of the intersection of 29th and Amidon.

SUMMARY

It is recommended that the Planning Commission adopt a policy of looking with favor on zone change applications requesting the following zoning classifications:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District (M1-A) on the north side of 29th from Broadway to Park Place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District (B-7) for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood. It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").
7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
8. The "B" Multiple Family District (the "R-7" General Residential District) from Coolidge to the intersection of 29th and Amidon (all four corners).
9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
10. Maintain the present "AA" Single family District ("R-3") west of the intersection of 29th and Amidon.

The deplorable condition of 29th Street roadway was brought out in the discussion and LAKIN said the City Commission has considered the improvement of 29th Street on several occasions, but has hesitated to initiate such a project because of the cost to the property owners in the area. HENNESSY thought the improvement of the street and any zoning policy established are inter-related. LAKIN agreed that the poor condition of the street would tend to lessen the need for a policy, but at some point in time the street will be improved.

JOHN PRUITT, operator of a garden center at the southeast corner of 29th and Woodland asked for clarification of this matter. His two questions were: why is a policy necessary? and when would it become effective if adopted? He said he and others who own property on 29th have been concerned for a number of years with the cost of the reimprovement of 29th, and pointed out that they are already overtaxed with special assessments for sewer and water, and that another assessment would put him out of business.

PRUITT said the greenhouse operation has been at 29th and Woodland for 51 years and was annexed to the City in 1962, and that part of his operation (warehouse and storage of fireplace wood) is now zoned "AA". He asked if any change in zoning would affect his taxes. He did not understand the reasoning for a policy on zoning at this time and was skeptical of what might be in the plans for the area.

LAKIN pointed out that the City Commission several times in recent months has returned zone cases to the Planning Commission and asked for a policy statement on a given street. He felt that the reason for such action in this case is, in large part, because of a scattered and mixed land use pattern along 29th Street which makes it difficult to know just what is best - should more commercial be approved or not, and a generalized policy would serve to guide in the consideration of zoning along this street.

As to increased taxes in case of rezoning, LAKIN said it would depend on what type of policy might be established and when zone changes might occur. He pointed out that the staff report suggests "BB" or "R-6" for a good share of the nonconforming area of the garden center which, if this policy is adopted, would indicate the Planning Commission would look with favor on such zoning if an application for such was received, or if no application is received, then such zoning would be considered in adopting the new zoning ordinance.

So far as special assessments, LAKIN said the County Assessor doesn't consider to any great degree how a property is zoned, but places a valuation on what he thinks the property is worth and its potential for development. It was his opinion that if the suggested policy is applied that there would be very little, if any, change in tax assessments to the property owners.

Questions arose as to whether improvement of 29th Street was in the Capital Improvement Program, and LAKIN said certain sections of it have been in several times, but deferred, and at the present time it is in the program for 1974 and 1977. In further explanation of assessments for street improvements, LAKIN pointed out that on arterials the City at large pays the cost for extra thickness and width of paving and the property owners are assessed for the equivalent of a regular residential type street.

PRUITT said this area is a part of the Model Cities area and that there has been much discussion in the last two years as to improvement, but no project has been initiated as a result of Model Cities involvement. He asked if his nonconforming warehouse and outdoor storage of firewood could continue if the zoning is later changed. LAKIN responded that it would be non-conforming use but that the operation could be continued, the only limitations being in terms of expansion or rebuilding.

HENNESSY suggested it might be desirable to not adopt a policy until the final development of the new zoning ordinance, and PRUITT agreed that there could be no reason for one at this time.

W. B. WARHURST, 129 West 29th Street, was in favor of no action with respect to a zone policy until improvement of the street is determined. He said that while this area is a part of the NDP, there has been no indication as to what might be done because of its inclusion in the NDP area, but he did not feel that a major street is needed. He asked if the adoption of this policy meant establishment of zoning in line with such policy, and also how it might affect taxes.

It was pointed out that any special assessments which have already been levied would remain the same, but it is possible that future assessments would be affected by a change in zoning. WARHURST referred to the considerably higher rate of assessment per square foot between residential and commercial property as obtained from the City Clerk's Office.

LAKIN answered that a set figure per square foot is not utilized - that it depends entirely on the appraisers' opinion on a specific project or area. WARHURST did not consider it right to assess residential property the same as a business, and said he has lived in the area 28 years and contended with much misery because of the trucks and noise.

BURNETT reminded those present that this discussion is related to zoning and not the improvement of 29th Street.

HAROLD IRWIN, attorney for the property owner just east of Arkansas on 29th Street, said his client's property is now non-conforming and asked if, regardless of the policy, his client could continue to operate under the "grandfather clause", realizing that he would be limited on expansion or improvements as long as it is a nonconforming use.

LAKIN said such would be the case if the zoning and use remain as is, but if the use is one permitted in the zone which might be established as a result of the adoption of this policy statement, then he would be conforming. IRWIN said it was his understanding one of the recommendations would establish "C" zoning for his client's property.

HENNESSY said the City Commission might look with favor on such zoning, but it has not been definitely decided, but if and when any zoning is established as a result of the suggested policy, Mr. Irwin's client would be protected.

MRS. R. D. WEIR, 3041 Shelton, pointed out that on some of the interior streets light commercial zoning presently exists. She asked that such be changed to a residential classification in any future overall consideration of rezoning in this area.

HENNESSY said that such would probably be established as residential in the adoption of the new zoning ordinance.

MOTION: That the Commission recognize that land uses on 29th Street are quite complex, therefore, accept the recommendations of the Planning Department as outlined in the summary of the staff report as general guidelines when re-mapping of new zoning districts occur, and as guidelines during the interim for consideration of new zoning applications that are received. TAYLOR moved, JACKSON seconded and it carried unanimously. (HARRISON and KAMEN absent).

EXCERPT FROM PLANNING COMMISSION MINUTES OF DECEMBER 13, 1973:

11. Case No. DR 73-12 - Zoning Policy. Request from Board of City Commissioners to establish a zoning policy on 29th Street North from Broadway to a point west of Amidon.

GALBRAITH reviewed the following staff report which had been provided the Commissioners prior to the meeting.

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. The Planning Commission considered the policy study submitted by the Planning Department at their meeting of June 14, 1973. The action of the Commission was to accept the recommendations of the Planning Department, as outlined in the summary of the staff report (in memorandum dated June 8, 1973) as general guidelines when remapping of new zoning districts occurs, and as guidelines during the interim for consideration of new zoning applications which are received.

The Board of City Commissioners, at their meeting of July 3, 1973, returned the zoning policy recommendations to the Planning Commission for reconsideration at a public hearing following "meaningful notification" of the property owners in the area. Owners of property for a depth of one block (600 feet) on either side of 29th Street from Broadway to one-half block west of Amidon were mailed a notification of the proposed hearing. The ownership list was obtained from a computer print-out from the County Assessor's data as of February 1, 1973, and 291 notices were mailed to individual property owners.

Consideration of this zoning policy study for 29th Street has been scheduled for your agenda on December 13, 1973. Attached is a copy of our original memorandum dated June 8, 1973, and a copy of the minutes of the Board of City Commissioners.

GALBRAITH pointed out the area being considered and reviewed the staff report and recommendations which had been submitted at the meeting of June 14, 1973. (See minutes of June 14, 1973, for staff report in full.)

A number of people in the audience indicated their desire to be heard on this matter. CHAIRMAN KAMEN stated that the Commission wants as much information as possible on the subject, but asked that speakers refrain from repeating statements already made by a previous speaker.

KAMEN explained to the group that the hearing is not for consideration of a change in zoning, but only the possibility of adopting a policy with respect to future zoning.

GRAGERT suggested that each of the suggested policy statements for various segments of 29th Street be considered and voted on one-by-one. HILL agreed that it might be desirable to hear those interested in the various segments and then make a decision on that particular segment.

HENNESSY pointed out, however, that it actually has nothing to do with properties so far as rezoning at this time.

JOHN PRUITT, 863 West 29th Street North, said he was not officially attempting to speak for others in the area, but he had visited with them, and their principal concern is "why" this study or adoption of a policy is being considered, and they do not understand the action of the City Commission in asking for such a policy. He stated further that it is the feeling of many of the owners in the area being considered that there may be some future development being planned of which they have not been informed. He suggested that if the area is to be zoned a certain way, apparently somebody wants to redevelop some portion of the area. PRUITT commented that the situation is the same as he stated to the City Commission last summer - the people in the area will think someone is "up to something" until it is explained to the owners in the area just why such action is being taken.

PRUITT said he personally knew that a number of big realtors have expressed interest in the area, which is why he feels somebody is "up to something". PRUITT said he had no objection to the proposed policy per se.

HILL said he did not know what the City Commissioners had in mind particularly, but as far as he knew, there was nothing going on in the area, and the only reason he would vote in favor of the staff recommendation would be to give the people in the area an idea of how the property might be zoned in the future. HILL pointed out further that he would vote in favor of a policy because it would tend to stabilize the area, and unless any zoning requested is in line with the policy, he would be inclined to vote in opposition, unless there were extenuating circumstances.

W. B. WARHURST, 129 West 29th Street, inquired as to what classification is necessary for a parking lot. GALBRAITH said the "B" Multiple family district first permits parking, but not in the front 20-foot setback; the "BB" district also permits parking, including the 20-foot setback; also the Board of Zoning Appeals is authorized to permit parking in any residential area by granting an exception.

WARHURST said he had lived at his present home 28 years and would not appreciate being zoned light industrial, which is what is proposed by the policy being considered. He stated that the area between Wellington Place and Fairview has been zoned light industrial for 11 years and no new development has occurred as yet, so there appeared to be no need for light industrial zoning in this area.

LAKIN pointed out that the City Commission has rather consistently in the last two years requested the Planning Commission to set policy on particular streets where zoning requests have been numerous, or where spot requests have been submitted. Among such streets have been West 13th, West and East Douglas, and South Seneca. As far as possible future development, LAKIN stated, he was not aware of anything proposed for this area, and that the Planning Department had not been approached along this line. He suggested the request is merely a continuation of the City Commission basic philosophy of wanting to establish ground rules so far as zoning for particular streets or neighborhoods, so that

owners and applicants might know to some degree what they might expect.

HENNESSY brought up the fact that paving of the street is no doubt of major importance to the owners abutting it, and whether or not such improvement would be paid for by special assessment or the city-at-large. He referred to the fact that only recently one of the City Commissioners had indicated his desire that all arterial streets be paved through General Obligation bond financing.

LAKIN said the consultant who had prepared a report for the City Commission had made such a recommendation and, although the City Commission has not acted finally on the report, there was some indication of approval of such a recommendation, although he could not speak with respect to 29th Street North. He continued to point out that this street has been considered for improvement several times in the last four or five years, and if the present policy is followed, the normal cost of improving the street to residential standards would be assessed to a benefit district, and costs above residential street improvement would be absorbed by the city-at-large. He stated that appraisers are appointed to establish the assessment figures and often times the valuation established is based to some degree on the zoning, the residentially zoned property being assessed at less than commercially or industrially zoned properties.

HENNESSY asked what protection could be given to the owners along the street so far as assessments, as he felt they were entitled to special consideration. He suggested the possibility of the Planning Commission recommending to the City Commission that if and when the street is improved, it be through General Obligation bond financing, or in other words, the city-at-large pay for the entire improvement.

LAKIN said the City Commission will be the one to make the final decision, but that the Planning Commission could pass along its recommendation.

HENNESSY commented that this is one of the roughest streets in the City and he wondered what assurance could be given the property owners so far as payment for the street improvements at some future time. LAKIN stated again that the Planning Commission could make a recommendation and that they would soon be receiving the City's Capital Improvement Program, and he was not sure of the priority of 29th Street so far as scheduling. He thought the recommendation of city-at-large funding for improvement of 29th would be about the only possible protection at this time, commenting further that, under the present policy, it would seem that single-family homes in an area zoned for commercial or industrial would be the most affected so far as higher assessments.

HILL pointed out that not too long ago a letter from the County Assessor was presented in which it was stated that assessments are not based on zoning. HILL stated further that it was his understanding that appraisers for the City have applied a higher rate per square foot on commercially or industrially zoned property than on residential, but that if an area is being used as residential that is the basis on which it should be assessed - residents won't use a street as much as somebody operating a business.

HENNESSY thought now was a good time to make a recommendation to the City Commission that arterials be improved through city-at-large funding, and referred to the possibility of the Planning Commission's "voice" not being heard by the City Commission as in the case at 13th and Oliver.

One of the residents of the area said he was concerned that assessments might be so much they could not afford to continue to live in the area. KAMEN pointed out again that at this time the Commission is not considering rezoning of any property or the pavement of 29th Street.

HENNESSY said the adoption of a policy at this time does not bind a future Commission to act accordingly, and that each case would be considered on its own merits. HILL referred to the policy established on West Street from Douglas north to 13th, and the fact that such policy was amended several times.

GRAGERT again requested that the various recommendations submitted by the staff be considered individually.

GALBRAITH pointed out the area covered by Recommendation #1 and reviewed surrounding zoning and land uses.

MRS. ABRHAMS, 1033 West 29th, pointed out that the street, when improved, should be charged to the city-at-large because it is also Highway K-96, and also in view of the location of the Northeast Industries, and the fact that it would be used considerably by industry. CHAIRMAN KAMEN commented that that is the very thing Mr. Hennessy had commented on in suggesting that improvement be by the city-at-large.

HENNESSY asked that the presence of County Commissioner Rush be recognized. KAMEN acknowledged the presence of Mr. Rush and offered words of welcome.

In further discussion, it was pointed out that improvement of such arterials has been handled both ways - special assessment bonds or general obligation bonds, and LAKIN stated that the City Commission has not made a final determination with respect to 29th Street North.

ARNHOLZ felt it should be paid for by the city-at-large since it is a prime arterial, and several other Commissioners agreed.

MOTION: That the Planning Commission adopt recommendation #1 of the staff report, which reads as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.

Gragert moved, Hill seconded, and it carried unanimously. (Taylor and Rising absent.)

GALBRAITH pointed out the area involved in Recommendation #2 and reviewed the present land use and zoning in the area.

No one appeared to speak concerning this segment of 29th Street.

MOTION: That the Planning Commission adopt recommendation #2 of the staff report, which reads as follows:

1. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.

Arnholtz moved, Hill seconded and it carried unanimously. (Taylor and Rising absent.)

MRS. BUCKLEY, 114 West 29th Street, was concerned for six lots which she owns. KAMEN advised her that until such time as she applied for a change of zoning there would be no change, and anything which is nonconforming legally at this time would remain in the same status.

WARHURST noted that 29th Street is going to have heavier use from the industrial park and asked that when zoning is considered, the increased traffic also be considered.

PRUITT spoke again, pointing out that the major issue and point of concern by the property owners in this area is who is going to pay for the improvement of 29th Street and how much the owners in the area will be expected to pay. He said that is the reason for their presence, and when the court case was decided with respect to sewer assessment, it was determined that assessment could not be made based on the zoning of property. In the case of the sewer, he stated that people in the area were told what the sewer was estimated to cost and yet when finished, the cost was four times the amount estimated.

CHAIRMAN KAMEN said the Commission realized why the property owners were present, but the matter of how the improvement of the street is paid is a matter to be established by the City Commission, and several of the Planning Commissioners have already indicated their desire that it be paid for by the city-at-large.

PRUITT said if the Planning Commission would make such a recommendation at this time, he thought the discussion could be reduced considerably. He further indicated that there is no opposition actually to the suggested policy on zoning.

MOTION: That the Planning Commission adopt as a policy and recommend to the City Commission for adoption the ten recommendations suggested by the staff with respect to zoning along 29th Street North from Broadway to a point west of Amidon and, further, that another point or recommendation be added as 11. - That when 29th Street is improved,

the City-at-large pay for the street improvement through general obligation bonds. Hill moved and Blakey seconded.

MRS. R. D. WEIR, 3041 Shelton, said they own 6 25-foot lots on a side street, three lots being vacant and a house on the others, which is zoned light commercial and that they are paying higher taxes because of the zoning. She said that many of the people in this area are retired and the high assessment is a hardship for them. She asked that her residential property be rezoned as suggested in the recommendation in view of the statement that assessments should be based on how the property is used rather than zoning.

VOTE ON ABOVE MOTION: Carried unanimously.
(Taylor and Rising absent.)

ARNHOLZ suggested to the people in the area that they write the City Commission stating that if the street is improved, it should be paid for by the city-at-large.

HENNESSY said he thought the people should realize that the Planning Commission cannot assure them or guarantee that the City Commission will go along with the street being paved by general obligation bonds, and that the Planning Commission can only recommend.

The policy in full as adopted by the Planning Commission was as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").

7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
 8. The "B" Multiple Family District (the "R-7" General Residence District) from Coolidge to the intersection of 29th and Amidon (all four corners).
 9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
 10. Maintain the present "AA" Single Family District ("R-3") west of the intersection of 29th and Amidon.
 11. When 29th Street is improved, that the city-at-large pay for the street improvement through General Obligation bonds.
-

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

December 27, 1973

TO Ralph Wulz, City Manager
FROM Jack H. Galbraith, Chief Planner

SUBJECT DR 73-12 - Zoning Policy on 29th Street North
from Broadway to a point west of Amidon

On May 15, 1973, when considering and approving a zone change to the "LC" Light Commercial District at the southwest corner of 29th Street North and Salina, the City Commission requested a zoning policy for 29th Street from Broadway to a point west of Amidon. On June 14, 1973, the Planning Commission considered and accepted the recommendations contained in the summary of the staff report (contained in full in the minutes from this meeting, which are attached) for use as general guidelines when remapping of new zoning districts occurs and as guidelines during the interim for considering zone change applications. The Board of City Commissioners, at the meeting of July 10, 1973, returned the policy recommendations to the Planning Commission for reconsideration following "meaningful notification" of property owners in the area. (The notification procedure utilized is outlined in the attached MAPC minutes from December 13, 1973.)

On December 13, 1973, the Planning Commission considered the zoning policy recommendations for 29th Street and, after considerable discussion, again accepted the recommendations outlined in the staff report as a general guideline when remapping of new zoning districts occurs and as a guideline during the interim for consideration of zoning applications that are received for this area. In addition, the Planning Commission recommended to the City Commission that when 29th Street is improved, the city-at-large pay for the street improvements through general obligation bonds (recommendation #11).

Consideration of this policy is scheduled for our agenda on January 2, 1974.

JHG:MM:ber

Attachments

EXCERPT FROM PLANNING COMMISSION MINUTES OF DECEMBER 13, 1973:

11. Case No. DR 73-12 - Zoning Policy. Request from Board of City Commissioners to establish a zoning policy on 29th Street North from Broadway to a point west of Amidon.

GALBRAITH reviewed the following staff report which had been provided the Commissioners prior to the meeting.

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. The Planning Commission considered the policy study submitted by the Planning Department at their meeting of June 14, 1973. The action of the Commission was to accept the recommendations of the Planning Department, as outlined in the summary of the staff report (in memorandum dated June 8, 1973) as general guidelines when remapping of new zoning districts occurs, and as guidelines during the interim for consideration of new zoning applications which are received.

The Board of City Commissioners, at their meeting of July 3, 1973, returned the zoning policy recommendations to the Planning Commission for reconsideration at a public hearing following "meaningful notification" of the property owners in the area. Owners of property for a depth of one block (600 feet) on either side of 29th Street from Broadway to one-half block west of Amidon were mailed a notification of the proposed hearing. The ownership list was obtained from a computer print-out from the County Assessor's data as of February 1, 1973, and 291 notices were mailed to individual property owners.

Consideration of this zoning policy study for 29th Street has been scheduled for your agenda on December 13, 1973. Attached is a copy of our original memorandum dated June 8, 1973, and a copy of the minutes of the Board of City Commissioners.

GALBRAITH pointed out the area being considered and reviewed the staff report and recommendations which had been submitted at the meeting of June 14, 1973. (See minutes of June 14, 1973, for staff report in full.)

A number of people in the audience indicated their desire to be heard on this matter. CHAIRMAN KAMEN stated that the Commission wants as much information as possible on the subject, but asked that speakers refrain from repeating statements already made by a previous speaker.

KAMEN explained to the group that the hearing is not for consideration of a change in zoning, but only the possibility of adopting a policy with respect to future zoning.

GRAGERT suggested that each of the suggested policy statements for various segments of 29th Street be considered and voted on one-by-one. HILL agreed that it might be desirable to hear those interested in the various segments and then make a decision on that particular segment.

HENNESSY pointed out, however, that it actually has nothing to do with properties so far as rezoning at this time.

JOHN PRUITT, 863 West 29th Street North, said he was not officially attempting to speak for others in the area, but he had visited with them, and their principal concern is "why" this study or adoption of a policy is being considered, and they do not understand the action of the City Commission in asking for such a policy. He stated further that it is the feeling of many of the owners in the area being considered that there may be some future development being planned of which they have not been informed. He suggested that if the area is to be zoned a certain way, apparently somebody wants to redevelop some portion of the area. PRUITT commented that the situation is the same as he stated to the City Commission last summer - the people in the area will think someone is "up to something" until it is explained to the owners in the area just why such action is being taken.

PRUITT said he personally knew that a number of big realtors have expressed interest in the area, which is why he feels somebody is "up to something". PRUITT said he had no objection to the proposed policy per se.

HILL said he did not know what the City Commissioners had in mind particularly, but as far as he knew, there was nothing going on in the area, and the only reason he would vote in favor of the staff recommendation would be to give the people in the area an idea of how the property might be zoned in the future. HILL pointed out further that he would vote in favor of a policy because it would tend to stabilize the area, and unless any zoning requested is in line with the policy, he would be inclined to vote in opposition, unless there were extenuating circumstances.

W. B. WARHURST, 129 West 29th Street, inquired as to what classification is necessary for a parking lot. GALBRAITH said the "B" Multiple family district first permits parking, but not in the front 20-foot setback; the "BB" district also permits parking, including the 20-foot setback; also the Board of Zoning Appeals is authorized to permit parking in any residential area by granting an exception.

WARHURST said he had lived at his present home 28 years and would not appreciate being zoned light industrial, which is what is proposed by the policy being considered. He stated that the area between Wellington Place and Fairview has been zoned light industrial for 11 years and no new development has occurred as yet, so there appeared to be no need for light industrial zoning in this area.

LAKIN pointed out that the City Commission has rather consistently in the last two years requested the Planning Commission to set policy on particular streets where zoning requests have been numerous, or where spot requests have been submitted. Among such streets have been West 13th, West and East Douglas, and South Seneca. As far as possible future development, LAKIN stated, he was not aware of anything proposed for this area, and that the Planning Department had not been approached along this line. He suggested the request is merely a continuation of the City Commission basic philosophy of wanting to establish ground rules so far as zoning for particular streets or neighborhoods, so that

owners and applicants might know to some degree what they might expect.

HENNESSY brought up the fact that paving of the street is no doubt of major importance to the owners abutting it, and whether or not such improvement would be paid for by special assessment or the city-at-large. He referred to the fact that only recently one of the City Commissioners had indicated his desire that all arterial streets be paved through General Obligation bond financing.

LAKIN said the consultant who had prepared a report for the City Commission had made such a recommendation and, although the City Commission has not acted finally on the report, there was some indication of approval of such a recommendation, although he could not speak with respect to 29th Street North. He continued to point out that this street has been considered for improvement several times in the last four or five years, and if the present policy is followed, the normal cost of improving the street to residential standards would be assessed to a benefit district, and costs above residential street improvement would be absorbed by the city-at-large. He stated that appraisers are appointed to establish the assessment figures and often times the valuation established is based to some degree on the zoning, the residentially zoned property being assessed at less than commercially or industrially zoned properties.

HENNESSY asked what protection could be given to the owners along the street so far as assessments, as he felt they were entitled to special consideration. He suggested the possibility of the Planning Commission recommending to the City Commission that if and when the street is improved, it be through General Obligation bond financing, or in other words, the city-at-large pay for the entire improvement.

LAKIN said the City Commission will be the one to make the final decision, but that the Planning Commission could pass along its recommendation.

HENNESSY commented that this is one of the roughest streets in the City and he wondered what assurance could be given the property owners so far as payment for the street improvements at some future time. LAKIN stated again that the Planning Commission could make a recommendation and that they would soon be receiving the City's Capital Improvement Program, and he was not sure of the priority of 29th Street so far as scheduling. He thought the recommendation of city-at-large funding for improvement of 29th would be about the only possible protection at this time, commenting further that, under the present policy, it would seem that single-family homes in an area zoned for commercial or industrial would be the most affected so far as higher assessments.

HILL pointed out that not too long ago a letter from the County Assessor was presented in which it was stated that assessments are not based on zoning. HILL stated further that it was his understanding that appraisers for the City have applied a higher rate per square foot on commercially or industrially zoned property than on residential, but that if an area is being used as residential that is the basis on which it should be assessed - residents won't use a street as much as somebody operating a business.

HENNESSY thought now was a good time to make a recommendation to the City Commission that arterials be improved through city-at-large funding, and referred to the possibility of the Planning Commission's "voice" not being heard by the City Commission as in the case at 13th and Oliver.

One of the residents of the area said he was concerned that assessments might be so much they could not afford to continue to live in the area. KAMEN pointed out again that at this time the Commission is not considering rezoning of any property or the pavement of 29th Street.

HENNESSY said the adoption of a policy at this time does not bind a future Commission to act accordingly, and that each case would be considered on its own merits. HILL referred to the policy established on West Street from Douglas north to 13th, and the fact that such policy was amended several times.

GRAGERT again requested that the various recommendations submitted by the staff be considered individually.

GALBRAITH pointed out the area covered by Recommendation #1 and reviewed surrounding zoning and land uses.

MRS. ABRHAMS, 1033 West 29th, pointed out that the street, when improved, should be charged to the city-at-large because it is also Highway K-96, and also in view of the location of the Northeast Industries, and the fact that it would be used considerably by industry. CHAIRMAN KAMEN commented that that is the very thing Mr. Hennessy had commented on in suggesting that improvement be by the city-at-large.

HENNESSY asked that the presence of County Commissioner Rush be recognized. KAMEN acknowledged the presence of Mr. Rush and offered words of welcome.

In further discussion, it was pointed out that improvement of such arterials has been handled both ways - special assessment bonds or general obligation bonds, and LAKIN stated that the City Commission has not made a final determination with respect to 29th Street North.

ARNHOLZ felt it should be paid for by the city-at-large since it is a prime arterial, and several other Commissioners agreed.

MOTION: That the Planning Commission adopt recommendation #1 of the staff report, which reads as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned "E" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.

Gragert moved, Hill seconded, and it carried unanimously. (Taylor and Rising absent.)

GALBRAITH pointed out the area involved in Recommendation #2 and reviewed the present land use and zoning in the area.

No one appeared to speak concerning this segment of 29th Street.

MOTION: That the Planning Commission adopt Recommendation #2 of the staff report, which reads as follows:

1. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.

Arnholz moved, Hill seconded and it carried unanimously. (Taylor and Rising absent.)

MRS. BUCKLEY, 114 West 29th Street, was concerned for six lots which she owns. KAMEN advised her that until such time as she applied for a change of zoning there would be no change, and anything which is nonconforming legally at this time would remain in the same status.

WARHURST noted that 29th Street is going to have heavier use from the industrial park and asked that when zoning is considered, the increased traffic also be considered.

PRUITT spoke again, pointing out that the major issue and point of concern by the property owners in this area is who is going to pay for the improvement of 29th Street and how much the owners in the area will be expected to pay. He said that is the reason for their presence, and when the court case was decided with respect to sewer assessment, it was determined that assessment could not be made based on the zoning of property. In the case of the sewer, he stated that people in the area were told what the sewer was estimated to cost and yet when finished, the cost was four times the amount estimated.

CHAIRMAN KAMEN said the Commission realized why the property owners were present, but the matter of how the improvement of the street is paid is a matter to be established by the City Commission, and several of the Planning Commissioners have already indicated their desire that it be paid for by the city-at-large.

PRUITT said if the Planning Commission would make such a recommendation at this time, he thought the discussion could be reduced considerably. He further indicated that there is no opposition actually to the suggested policy on zoning.

MOTION: That the Planning Commission adopt as a policy and recommend to the City Commission for adoption the ten recommendations suggested by the staff with respect to zoning along 29th Street North from Broadway to a point west of Amidon and, further, that another point or recommendation be added as 11. - That when 29th Street is improved,

the City-at-large pay for the street improvement through general obligation bonds. Hill moved and Blakey seconded.

MRS. R. D. WEIR, 3041 Shelton, said they own 6 25-foot lots on a side street, three lots being vacant and a house on the others, which is zoned light commercial and that they are paying higher taxes because of the zoning. She said that many of the people in this area are retired and the high assessment is a hardship for them. She asked that her residential property be rezoned as suggested in the recommendation in view of the statement that assessments should be based on how the property is used rather than zoning.

VOTE ON ABOVE MOTION: Carried unanimously.
(Taylor and Rising absent.)

ARNHOLZ suggested to the people in the area that they write the City Commission stating that if the street is improved, it should be paid for by the city-at-large.

HENNESSY said he thought the people should realize that the Planning Commission cannot assure them or guarantee that the City Commission will go along with the street being paved by general obligation bonds, and that the Planning Commission can only recommend.

The policy in full as adopted by the Planning Commission was as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood.

- It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").
7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
 8. The "B" Multiple Family District (the "R-7" General Residence District) from Coolidge to the intersection of 29th and Amidon (all four corners).
 9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
 10. Maintain the present "AA" Single Family District ("R-3") west of the intersection of 29th and Amidon.
 11. When 29th Street is improved, that the city-at-large pay for the street improvement through General Obligation bonds.
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WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

December 27, 1973

TO Ralph Wulz, City Manager
FROM Jack H. Galbraith, Chief Planner
SUBJECT DR 73-12 - Zoning Policy on 29th Street North
from Broadway to a point west of Amidon

On May 15, 1973, when considering and approving a zone change to the "LC" Light Commercial District at the southwest corner of 29th Street North and Salina, the City Commission requested a zoning policy for 29th Street from Broadway to a point west of Amidon. On June 14, 1973, the Planning Commission considered and accepted the recommendations contained in the summary of the staff report (contained in full in the minutes from this meeting, which are attached) for use as general guidelines when remapping of new zoning districts occurs and as guidelines during the interim for considering zone change applications. The Board of City Commissioners, at the meeting of July 3, 1973, returned the policy recommendations to the Planning Commission for reconsideration following "meaningful notification" of property owners in the area. (The notification procedure utilized is outlined in the attached MAPC minutes from December 13, 1973.)

On December 13, 1973, the Planning Commission reconsidered the zoning policy recommendations for 29th Street and, after considerable discussion, again accepted the ten recommendations outlined in the staff report as a general guideline when remapping of new zoning districts occurs and as a guideline during the interim for consideration of zoning applications that are received for this area. In addition, the Planning Commission recommended to the City Commission that when 29th Street is improved, the city-at-large pay for the street improvements through general obligation bonds (recommendation #11).

Consideration of this policy is scheduled for your agenda on January 2, 1974.

JHG:MM:ber

Attachments

EXCERPT FROM PLANNING COMMISSION MINUTES OF DECEMBER 13, 1973:

11. Case No. DR 73-12 - Zoning Policy. Request from Board of City Commissioners to establish a zoning policy on 29th Street North from Broadway to a point west of Amidon.

GALBRAITH reviewed the following staff report which had been provided the Commissioners prior to the meeting.

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. The Planning Commission considered the policy study submitted by the Planning Department at their meeting of June 14, 1973. The action of the Commission was to accept the recommendations of the Planning Department, as outlined in the summary of the staff report (in memorandum dated June 8, 1973) as general guidelines when remapping of new zoning districts occurs, and as guidelines during the interim for consideration of new zoning applications which are received.

The Board of City Commissioners, at their meeting of July 3, 1973, returned the zoning policy recommendations to the Planning Commission for reconsideration at a public hearing following "meaningful notification" of the property owners in the area. Owners of property for a depth of one block (600 feet) on either side of 29th Street from Broadway to one-half block west of Amidon were mailed a notification of the proposed hearing. The ownership list was obtained from a computer print-out from the County Assessor's data as of February 1, 1973, and 291 notices were mailed to individual property owners.

Consideration of this zoning policy study for 29th Street has been scheduled for your agenda on December 13, 1973. Attached is a copy of our original memorandum dated June 8, 1973, and a copy of the minutes of the Board of City Commissioners.

GALBRAITH pointed out the area being considered and reviewed the staff report and recommendations which had been submitted at the meeting of June 14, 1973. (See minutes of June 14, 1973, for staff report in full.)

A number of people in the audience indicated their desire to be heard on this matter. CHAIRMAN KAMEN stated that the Commission wants as much information as possible on the subject, but asked that speakers refrain from repeating statements already made by a previous speaker.

KAMEN explained to the group that the hearing is not for consideration of a change in zoning, but only the possibility of adopting a policy with respect to future zoning.

GRAGERT suggested that each of the suggested policy statements for various segments of 29th Street be considered and voted on one-by-one. HILL agreed that it might be desirable to hear those interested in the various segments and then make a decision on that particular segment.

HENNESSY pointed out, however, that it actually has nothing to do with properties so far as rezoning at this time.

JOHN PRUITT, 863 West 29th Street North, said he was not officially attempting to speak for others in the area, but he had visited with them, and their principal concern is "why" this study or adoption of a policy is being considered, and they do not understand the action of the City Commission in asking for such a policy. He stated further that it is the feeling of many of the owners in the area being considered that there may be some future development being planned of which they have not been informed. He suggested that if the area is to be zoned a certain way, apparently somebody wants to redevelop some portion of the area. PRUITT commented that the situation is the same as he stated to the City Commission last summer - the people in the area will think someone is "up to something" until it is explained to the owners in the area just why such action is being taken.

PRUITT said he personally knew that a number of big realtors have expressed interest in the area, which is why he feels somebody is "up to something". PRUITT said he had no objection to the proposed policy per se.

HILL said he did not know what the City Commissioners had in mind particularly, but as far as he knew, there was nothing going on in the area, and the only reason he would vote in favor of the staff recommendation would be to give the people in the area an idea of how the property might be zoned in the future. HILL pointed out further that he would vote in favor of a policy because it would tend to stabilize the area, and unless any zoning requested is in line with the policy, he would be inclined to vote in opposition, unless there were extenuating circumstances.

W. B. WARHURST, 129 West 29th Street, inquired as to what classification is necessary for a parking lot. GALBRAITH said the "B" Multiple family district first permits parking, but not in the front 20-foot setback; the "BB" district also permits parking, including the 20-foot setback; also the Board of Zoning Appeals is authorized to permit parking in any residential area by granting an exception.

WARHURST said he had lived at his present home 28 years and would not appreciate being zoned light industrial, which is what is proposed by the policy being considered. He stated that the area between Wellington Place and Fairview has been zoned light industrial for 11 years and no new development has occurred as yet, so there appeared to be no need for light industrial zoning in this area.

LAKIN pointed out that the City Commission has rather consistently in the last two years requested the Planning Commission to set policy on particular streets where zoning requests have been numerous, or where spot requests have been submitted. Among such streets have been West 13th, West and East Douglas, and South Seneca. As far as possible future development, LAKIN stated, he was not aware of anything proposed for this area, and that the Planning Department had not been approached along this line. He suggested the request is merely a continuation of the City Commission basic philosophy of wanting to establish ground rules so far as zoning for particular streets or neighborhoods, so that

owners and applicants might know to some degree what they might expect.

HENNESSY brought up the fact that paving of the street is no doubt of major importance to the owners abutting it, and whether or not such improvement would be paid for by special assessment or the city-at-large. He referred to the fact that only recently one of the City Commissioners had indicated his desire that all arterial streets be paved through General Obligation bond financing.

LAKIN said the consultant who had prepared a report for the City Commission had made such a recommendation and, although the City Commission has not acted finally on the report, there was some indication of approval of such a recommendation, although he could not speak with respect to 29th Street North. He continued to point out that this street has been considered for improvement several times in the last four or five years, and if the present policy is followed, the normal cost of improving the street to residential standards would be assessed to a benefit district, and costs above residential street improvement would be absorbed by the city-at-large. He stated that appraisers are appointed to establish the assessment figures and often times the valuation established is based to some degree on the zoning, the residentially zoned property being assessed at less than commercially or industrially zoned properties.

HENNESSY asked what protection could be given to the owners along the street so far as assessments, as he felt they were entitled to special consideration. He suggested the possibility of the Planning Commission recommending to the City Commission that if and when the street is improved, it be through General Obligation bond financing, or in other words, the city-at-large pay for the entire improvement.

LAKIN said the City Commission will be the one to make the final decision, but that the Planning Commission could pass along its recommendation.

HENNESSY commented that this is one of the roughest streets in the City and he wondered what assurance could be given the property owners so far as payment for the street improvements at some future time. LAKIN stated again that the Planning Commission could make a recommendation and that they would soon be receiving the City's Capital Improvement Program, and he was not sure of the priority of 29th Street so far as scheduling. He thought the recommendation of city-at-large funding for improvement of 29th would be about the only possible protection at this time, commenting further that, under the present policy, it would seem that single-family homes in an area zoned for commercial or industrial would be the most affected so far as higher assessments.

HILL pointed out that not too long ago a letter from the County Assessor was presented in which it was stated that assessments are not based on zoning. HILL stated further that it was his understanding that appraisers for the City have applied a higher rate per square foot on commercially or industrially zoned property than on residential, but that if an area is being used as residential that is the basis on which it should be assessed - residents won't use a street as much as somebody operating a business.

HENNESSY thought now was a good time to make a recommendation to the City Commission that arterials be improved through city-at-large funding, and referred to the possibility of the Planning Commission's "voice" not being heard by the City Commission as in the case at 13th and Oliver.

One of the residents of the area said he was concerned that assessments might be so much they could not afford to continue to live in the area. KAMEN pointed out again that at this time the Commission is not considering rezoning of any property or the pavement of 29th Street.

HENNESSY said the adoption of a policy at this time does not bind a future Commission to act accordingly, and that each case would be considered on its own merits. HILL referred to the policy established on West Street from Douglas north to 13th, and the fact that such policy was amended several times.

GRAGERT again requested that the various recommendations submitted by the staff be considered individually.

GALBRAITH pointed out the area covered by Recommendation #1 and reviewed surrounding zoning and land uses.

MRS. ABRHAMS, 1033 West 29th, pointed out that the street, when improved, should be charged to the city-at-large because it is also Highway K-96, and also in view of the location of the Northeast Industries, and the fact that it would be used considerably by industry. CHAIRMAN KAMEN commented that that is the very thing Mr. Hennessy had commented on in suggesting that improvement be by the city-at-large.

HENNESSY asked that the presence of County Commissioner Rush be recognized. KAMEN acknowledged the presence of Mr. Rush and offered words of welcome.

In further discussion, it was pointed out that improvement of such arterials has been handled both ways - special assessment bonds or general obligation bonds, and LAKIN stated that the City Commission has not made a final determination with respect to 29th Street North.

ARNHOLZ felt it should be paid for by the city-at-large since it is a prime arterial, and several other Commissioners agreed.

MOTION: That the Planning Commission adopt recommendation #1 of the staff report, which reads as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.

Gragert moved, Hill seconded, and it carried unanimously. (Taylor and Rising absent.)

GALBRAITH pointed out the area involved in Recommendation #2 and reviewed the present land use and zoning in the area.

No one appeared to speak concerning this segment of 29th Street.

MOTION: That the Planning Commission adopt recommendation #2 of the staff report, which reads as follows:

1. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.

Arnholz moved, Hill seconded and it carried unanimously. (Taylor and Rising absent.)

MRS. BUCKLEY, 114 West 29th Street, was concerned for six lots which she owns. KAMEN advised her that until such time as she applied for a change of zoning there would be no change, and anything which is nonconforming legally at this time would remain in the same status.

WARHURST noted that 29th Street is going to have heavier use from the industrial park and asked that when zoning is considered, the increased traffic also be considered.

PRUITT spoke again, pointing out that the major issue and point of concern by the property owners in this area is who is going to pay for the improvement of 29th Street and how much the owners in the area will be expected to pay. He said that is the reason for their presence, and when the court case was decided with respect to sewer assessment, it was determined that assessment could not be made based on the zoning of property. In the case of the sewer, he stated that people in the area were told what the sewer was estimated to cost and yet when finished, the cost was four times the amount estimated.

CHAIRMAN KAMEN said the Commission realized why the property owners were present, but the matter of how the improvement of the street is paid is a matter to be established by the City Commission, and several of the Planning Commissioners have already indicated their desire that it be paid for by the city-at-large.

PRUITT said if the Planning Commission would make such a recommendation at this time, he thought the discussion could be reduced considerably. He further indicated that there is no opposition actually to the suggested policy on zoning.

MOTION: That the Planning Commission adopt as a policy and recommend to the City Commission for adoption the ten recommendations suggested by the staff with respect to zoning along 29th Street North from Broadway to a point west of Amidon and, further, that another point or recommendation be added as 11. - That when 29th Street is improved,

the City-at-large pay for the street improvement through general obligation bonds. Hill moved and Blakey seconded.

MRS. R. D. WEIR, 3041 Shelton, said they own 6 25-foot lots on a side street, three lots being vacant and a house on the others, which is zoned light commercial and that they are paying higher taxes because of the zoning. She said that many of the people in this area are retired and the high assessment is a hardship for them. She asked that her residential property be rezoned as suggested in the recommendation in view of the statement that assessments should be based on how the property is used rather than zoning.

VOTE ON ABOVE MOTION: Carried unanimously.
(Taylor and Rising absent.)

ARNHOLZ suggested to the people in the area that they write the City Commission stating that if the street is improved, it should be paid for by the city-at-large.

HENNESSY said he thought the people should realize that the Planning Commission cannot assure them or guarantee that the City Commission will go along with the street being paved by general obligation bonds, and that the Planning Commission can only recommend.

The policy in full as adopted by the Planning Commission was as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").

7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
 8. The "B" Multiple Family District (the "R-7" General Residence District) from Coolidge to the intersection of 29th and Amidon (all four corners).
 9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
 10. Maintain the present "AA" Single Family District ("R-3") west of the intersection of 29th and Amidon.
 11. When 29th Street is improved, that the city-at-large pay for the street improvement through General Obligation bonds.
-

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
WICHITA, KANSAS 67202

November 29, 1973

NOTICE TO ADJOINING PROPERTY OWNERS:

In response to a request from the Board of City Commissioners for a zoning policy for 29th Street North, the Wichita-Sedgwick County Metropolitan Area Planning Commission will consider a zoning policy study for the general area on both sides of 29th Street North from Broadway to Amidon at their regular meeting of December 13, 1973, at 1:30 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas. Copies of the zoning policy study are available upon request at the Planning Department. If additional information is desired so that you may be more fully informed on this matter, please call the Metropolitan Area Planning Department at 262-0611, Extension 205. If you desire, you may write to the Planning Commission at 104 South Main to express your opinion on this matter. You are also welcome to speak or be represented by a spokesman at the Planning Commission meeting when this matter is considered.

Jack H. Galbraith
Assistant Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
WICHITA, KANSAS 67202

November 29, 1973

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Jack H. Galbraith
Assistant Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
WICHITA, KANSAS 67202

November 29, 1973

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Jack H. Galbraith
Assistant Secretary

JB

1/2

December 26, 1973

Mr. W. E. Warhurst
129 West 29th Street
Wichita, Kansas 67204

Dear Mr. Warhurst:

Mr. Eberly has handed this office your letter indicating that you wish to address the City Commission at the meeting of January 2, 1974, concerning a proposed zoning change on 29th Street between Park Place and Wellington Place.

City Commission policy provides that no further hearing be made on zoning cases at the City Commission meeting unless an individual alleges unfair hearing before the Planning Commission or indicates new evidence which should be considered.

Your letter does not allege unfair hearing or propose new evidence; however, copies are being provided to the City Commissioners for their information.

Sincerely,

Elmer Karstensen
Executive Assistant

EK:jh

cc: Board of City Commissioners w/a
Robert A. Lakin, Director of Planning w/a

called E.K. - hoty Warhurst can
head.
pa



RECEIVED
CITY CLERK'S OFFICE
12-26-73
W.B. Warhurst
CITY CLERK

Mr. Ralph C. Eberly
City Clerk
Wichita, Kansas

W.B. Warhurst
Dec-24-1973

Dear Sir:

This is to inform you I
wish to be heard on the zoning matter
on 29th north Between Park Place +
Wellington Place on 29th. I was to the meeting
Dec 14th I was heard but they got off of
zoning subject & talked about paving
of which of course I was interested in
but not that day I was there to talk
about zoning.

It will not take more than 5 min to
show the commission what I am talking
about.

Thanking you for your attention

W.B. Warhurst
129 West 29th
Wichita

Kansas 67204

December 27, 1973

Ralph Wulz, City Manager

Jack H. Galbraith, Chief Planner

DR 73-12 - Zoning Policy on 29th Street North
from Broadway to a point west of Amidon

On May 15, 1973, when considering and approving a zone change to the "LC" Light Commercial District at the southwest corner of 29th Street North and Salina, the City Commission requested a zoning policy for 29th Street from Broadway to a point west of Amidon. On June 14, 1973, the Planning Commission considered and accepted the recommendations contained in the summary of the staff report (contained in full in the minutes from this meeting, which are attached) for use as general guidelines when re-mapping of new zoning districts occurs and as guidelines during the interim for considering zone change applications. The Board of City Commissioners, at the meeting of July 3, 1973, returned the policy recommendations to the Planning Commission for reconsideration following "meaningful notification" of property owners in the area. (The notification procedure utilized is outlined in the attached MAPC minutes from December 13, 1973.)

On December 13, 1973, the Planning Commission reconsidered the zoning policy recommendations for 29th Street and, after considerable discussion, again accepted the ten recommendations outlined in the staff report as a general guideline when remapping of new zoning districts occurs and as a guideline during the interim for consideration of zoning applications that are received for this area. In addition, the Planning Commission recommended to the City Commission that when 29th Street is improved, the city-at-large pay for the street improvements through general obligation bonds (recommendation #11).

Consideration of this policy is scheduled for your agenda on January 2, 1974.

JHG:MM:ber

Attachments

December 14, 1973

Mr. W. B. Warhurst
129 West 29th Street North
Wichita, Kansas 67204

Re: DR 73-12 - Zoning Policy
29th Street North from
Broadway to a point west
of Amidon

Dear Mr. Warhurst:

At the regular meeting of the Metropolitan Area Planning Commission on December 13, 1973, the establishment of a zoning policy for 29th Street North from Amidon to Broadway was reconsidered.

After considerable discussion, the action of the Commission was to accept the recommendation of the Planning Department as outlined in the summary of our staff report as a general guideline when remapping of new zoning districts occurs and as a guideline during the interim for consideration of zoning applications that are received in this area.

In addition to the ten comments in our staff report, the Planning Commission recommended to the City Commission that when 29th Street is improved, the city at large pay for the street improvement through General Obligation bonds.

The 11 recommendations are as follows:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

December 4, 1973

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Jack H. Galbraith, Chief Planner

J.H.G.

SUBJECT DR 73-12 - Zoning Policy - Request from Board
of City Commissioners to Establish a Zoning
Policy on 29th Street North from Broadway to
a Point West of Amidon

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. The Planning Commission considered the policy study submitted by the Planning Department at their meeting of June 14, 1973. The action of the Commission was to accept the recommendations of the Planning Department, as outlined in the summary of the staff report (in memorandum dated June 8, 1973) as general guidelines when remapping of new zoning districts occurs, and as guidelines during the interim for consideration of new zoning applications which are received.

The Board of City Commissioners, at their meeting of July 3, 1973, returned the zoning policy recommendations to the Planning Commission for reconsideration at a public hearing following "meaningful notification" of the property owners in the area. Owners of property for a depth of one block (600 feet) on either side of 29th Street from Broadway to one-half block west of Amidon were mailed a notification of the proposed hearing. The ownership list was obtained from a computer print-out from the County Assessor's data as of February 1, 1973, and 291 notices were mailed to individual property owners.

Consideration of this zoning policy study for 29th Street has been scheduled for your agenda on December 13, 1973. Attached is a copy of our original memorandum dated June 8, 1973, and a copy of the minutes of the Board of City Commissioners.

JHG:ber
Attachment

List of those sent Zoning Policies per telephone request, etc.

<u>NAME AND ADDRESS</u>	<u>DATE MAILED</u>
John L. Wilson, 3061 Somerset Drive, 67204	12-4-73
Mrs. Hampton D. Gossard, 5051 E. Lincoln, Apt. 7E, 67218	12-4-73
Mrs. Wayne Knowles, 1500 Jewell, Topeka, Ks. 66604	12-4-73
Al H. Garrett % W. W. Grinder Corp., 2957 N. Market,	12-4-73
Mrs. Thompson, 3054 Arkansas Avenue, 67204	12-4-73
These sent with copies of letter from MM	Kester Specialties, Inc., 4105 Taft, 67209 12-4-73
	Dillon Investment Co., Inc., 2700 E. 4th, Hutchinson, 67501 12-4-73
Mr. Alex Murk, 1722 West 29th St. N., 67204	12-4-73
Bud Palmer Auction, 101 West 29th St. N., 67204	12-4-73
W. M. Nays, 3046 Somerset, 67204	12 5-73
Benny Meek, 1712 West 29th Street North, 67204	12-5-73
Howard Brickley, 5625 No. Seneca, 67204	12-5-73
Sam J. Brooks, 1622 West 29th St. N, 67204	12-10-73
George E. Hasty, 4554 S. Jamestown, Tulsa, Okla. 74135	12-14-73
Ray Trotter, 736 N. Broadway, 67214 (Copy of Zoning Policy memo of June 8, 1973; and copy of December 14, 1973, followup letter)	12-19-73

Page 2 - Mr. W. B. Warhurst
December 14, 1973

4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").

7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
8. The "B" Multiple Family District (the "R-7" General Residential District) from Coolidge to the intersection of 29th and Amidon (all four corners).
9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
10. Maintain the present "AA" Single family district ("R-3") west of the intersection of 29th and Amidon.
11. When 29th Street is improved, that the city at large pay for the street improvement through General Obligation bonds.

This is to advise you, and others speaking at the meeting or expressing an interest in this matter, that the action of the Planning Commission will be forwarded to the Board of City Commissioners for their consideration at their regular meeting of Wednesday, January 2, 1974, such meeting to start at 9:00 a.m. in Room 201 City Building, 204 South Main.

If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: John Pruitt, 863 West 29th Street North 67204
Harold Irwin, Attorney, Century Plaza Building 67202

Page 3 - Mr. W. B. Warhurst
December 14, 1973

cc: (Continued)

Mrs. R. D. Weir, 3041 Shelton 67204
Fred T. Davey, 1118 West 29th Street North 67204
Kester Specialties, Inc., 4105 Taft 67209
Dillon Investment Company, Inc., 2700 East 4th Street,
Hutchinson, Kansas 67501
Mrs. H. D. Gossard, 5051 East Lincoln, Apt. 7E 67218
Mrs. Wayne Knowles, 1500 Jewell, Topeka 66604
Mrs. Abraham, 1033 West 29th Street North 67204
C. F. Augustine, 2902 Wellington Place 67204

December 14, 1973

Mr. George E. Hasty
4554 S. Jamestown
Tulsa, Oklahoma 74135

Dear Mr. Hasty:

Enclosed is the copy of the 29th Street zoning study that you requested. At the meeting of December 13, 1973, it was the action of the Planning Commission to adopt the recommendations contained in the summary for use as guidelines in future zone change requests. In regard to your property at 2453 North Shelton, according to our records there are no zone changes proposed at the present time. You will receive written notification of any zone change request filed for property located within 200 feet of your property.

If we can be of further assistance to you, please contact us.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rw

attachment

Dec. 10, 1973

Dear Sir,

Please mail me some
copies of the zoning policy
study for 29th Street North.
Also any information you
have concerning the
area around 2453 N. Shelton
as I also have property
there.

Thank you,

Mr. George E. Hasty
4554 S. Jamestown
Tulsa,
Okla.

74135



December 10, 1973

Ms. Gloria Sheinbein
Ms. Isadore Sheinbein
8613 North Georgia
Oklahoma City, Oklahoma 73114

Dear Mesdames:

Enclosed is the zoning policy study for 29th Street North and a summary of Wichita's zoning districts. It should be pointed out that no zone changes are contemplated as a result of the study itself, but that the zoning policy study contains recommendations to be used as guidelines by the Planning Commission in considering future zone change requests.

You will note (pages 3 and 4 of the study) that medium density residential zoning is recommended for your property. This should, however, in no way affect the existing light commercial zoning for the property unless you file a zone change application. Requests for information concerning property concerning property taxes and tax assessments should be directed to:

Sedgwick County Assessor's Office
(City Assessment - Wichita)
525 North Main
Wichita, Kansas 67202

Inquiries regarding special assessments for improvements such as sanitary sewers and street construction should be directed to:

Department of Public Works
City Building Annex
104 South Main
Wichita, Kansas 67202

Ms. Gloria Sheinbe
Ms. Isadore Sheinbein
Page 2

Regarding a list of realtors, please contact the Wichita Board
of Realtors, 230 South Market, Wichita, Kansas, 67202.

If we can be of further assistance to you, please contact this
office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rw

enclosures

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
WICHITA, KANSAS 67202

November 29, 1973

NOTICE TO ADJOINING PROPERTY OWNERS:

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GLORIA SHEINBEIN
8613 N. Georgia, Okla. City, Okla.

Jack H. Galbraith
Assistant Secretary

Dear Sir: R.E. property 1525 W 29th - Wichita
we own a place on 29th + Coolidge
there. Please send full information + an
explanation of what effect this would have
on this property - also will it hinder or help
our place or just raise the abominable high
taxes we are presently paying on this
decrepid area + Request answer by return
mail. No real estate firm in Wichita or elsewhere
will handle sales of real estate in this area -

Legal: north 100 ft of lot 4
Hilders court - Sedgwick county

yours truly

Gloria Sheinbein
GLORIA SHEINBEIN

8613 N. Georgia, Okla. City, Okla.

Dear Sir: as information

Everyone says this area should be declared an urban renewal area as the cut off by the highway has ruined it. For over 2 years we have tried to get some real estate firm to try to sell it for us. Please advise some one you may know who would be able to sell it. This property is being legally confiscated from us by high taxes with no regard by the tax dept of knowing any true values or income from any property. It's simply expropriation of ones property by a taxing unit as is done in other foreign nations & we have tried & tried to decrease the tax as they should be as advised by experts, but your assessor does not heed the matter - as you saw in the newsweek of November it shows wichita as the 3rd highest tax on property in the nation - not a good compliment - Newark N.J. is #1 - & see what has happened there because of high taxes -

Yours truly

I Sheinbein

ISADORE SHEINBEIN
8613 N. GEORGIA
OKLA. CITY 14, OKLA.

29th St.
file

December 10, 1973

Mr. Fred Dole
Peel, Arkansas 72668

Dear Mr. Dole:

Enclosed is a copy of the zoning policy study for 29th Street North. In answer to your request for information regarding possible zone changes involving your property at 29th Street and Broadway and at 29th Street and Park Place, it should be pointed out that no zone changes are contemplated at this time as a result of the zoning study. The policy contains recommendations to be used as guidelines by the Planning Commission in considering future zone change requests in the area. You will note that the study recommends the "E" Light Industrial District on the south side of 29th and the "C" Commercial zoning district for the north side of 29th Street from Broadway to the Drainage Ditch several blocks west of your property.

If you have any further questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rw

enclosures



Triangle Properties

Main Office at 2957 North Broadway
WICHITA, KANSAS 67219

Please -
ADDRESS COMMUNICATION
To: FRED DOLE
PEEL ARKANSAS
72668

FRED DOLE

Commercial Rentals and Property Management

Dec - 4 - 1973



Wichita Sedgwick Co. Metro.
Area Planning Comm.
City Bldg Annex
104 So Main
Wichita Kansas

Attn. Mr. J. H. Galbraith

Dear Mr. Galbraith:

I received the notice to adjoining property Owners, concerning a zoning policy study for the area of 29th Street North. I will be unable to attend the Dec 13th meeting because of prior commitments in the State of Arkansas. Therefore, I respectfully request a copy of the zoning study from the Planning Department. I am enclosing postage to cover mailing costs.

I will be in Wichita again on the 20th of December. I would appreciate it, Mr. Galbraith, if you would advise me as to the status of my commercial property zoning on 29th street - i.e. - am I in danger of getting zoned back to residential on my Service Station and Tavern property at 29th and Broadway, and at 29th and Park Place? Thanking you in advance for any information you might offer.

Fred Dole
(314-72668) Peel Arkansas

December 3, 1973

Mr. Fred T. Davey
1118 West 29th Street North
Wichita, Kansas 67204

Dear Mr. Davey:

Sorry I was not in the office when you stopped by to request the 29th Street zoning policy study. Attached is a copy of the policy recommendations which were submitted to the Planning Commission at an earlier date. It is not proposed that these recommendations be revised prior to the meeting of December 13, 1973.

If you have any questions concerning this matter, please feel free to contact us.

Sincerely,

Martha McMurry
Junior Planner

MM:rw

enclosure

December 4, 1973

Kester Specialties, Inc.
4105 Taft
Wichita, Kansas 67209

Gentlemen:

Enclosed is the copy of the zoning policy study on 29th Street that you requested. These policy recommendations were submitted to the Planning Commission at an earlier date, but it is not proposed that the study be revised prior to the meeting of December 13, 1973.

If you have any questions, please contact our office.

Sincerely,

Martha McMurry
Junior Planner

MM:rw

enclosure

December 4, 1973

Dillon Investment Company, Inc.
2700 East 4th Street
Hutchinson, Kansas 67501

Gentlemen:

Enclosed is the copy of the zoning policy study on 29th Street that you requested. These policy recommendations were submitted to the Planning Commission at an earlier date, but it is not proposed that the study be revised prior to the meeting of December 13, 1973.

If you have any questions, please contact our office.

Sincerely,

Martha McMurry
Junior Planner

MM:rw

enclosure

December 4, 1973

Wichita-Sedgwick County Metropolitan
Area Planning Commission
Jack H. Galbraith, Chief Planner

DR 73-12 - Zoning Policy - Request from Board
of City Commissioners to Establish a Zoning
Policy on 29th Street North from Broadway to
a Point West of Amidon

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. The Planning Commission considered the policy study submitted by the Planning Department at their meeting of June 14, 1973. The action of the Commission was to accept the recommendations of the Planning Department, as outlined in the summary of the staff report (in memorandum dated June 8, 1973) as general guidelines when remapping of new zoning districts occurs, and as guidelines during the interim for consideration of new zoning applications which are received.

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Consideration of this zoning policy study for 29th Street has been scheduled for your agenda on December 13, 1973. Attached is a copy of our original memorandum dated June 8, 1973, and a copy of the minutes of the Board of City Commissioners.

JHG:ber
Attachment

Mrs. Hampton D. Gossard
5051 East Lincoln Apt. 7E
Wichita, Kansas 67218

Nov. 30 - 1973

Metropolitan Area Planning Commission
104 So. Main -

Dear Sir -

Would you please send
a copy of the zoning policy
study for 29th St. North
to O. S. Gossard

523 E. Douglas
Wichita, Kan.

Thank you

Yours truly

Louise Shirk Gossard (Mrs. H.D.)



Mrs. Wayne Knowles
1500 Jewell
Topeka, Kansas 66604

Mr. Jack Galbraith
Planning Commission
Wichita, Kans.

Dear Sir,

In response to your notice of the meeting December 13, 1973 relative to a zoning study of 29th street, Broadway to Amidon, I wish you to know that I will be unable to attend.

Inasmuch as I own Lot 2 Gilde's River bend add., I am done what affected.

Please be good enough to mail me a copy of the policy zoning study which your notice mentions.

Thank you.



Yours,
Delia Ray Knowles
(Mrs. Wayne)

mailout 11/29/73

290

Harry Newsum
7803 W. rt St. North

George S. Michner
2996 Wedgewood Dr

Ray W. Parrott
755 W. 29th North
D

Robert P. Trimble
8055 S. 51st East
Derby

W-W Grinder Corp
2959 N. Market

James D. Burns
158 N. Butler
Kechi

Robert D. Wickham
2035 Somerset

Simon D. Mason
3049 Park Place

James L. Thurman
2915 Amidon

Lawrence E. Timmermeyer
3139 N. St Clair

Loren E. Walter
3040 Cromwell Dr

Deroy Warhurst
3016 Wellington Pl

Garnett M. Warhurst
129 w 29th North

Wm W. Watkins
1612 Westlynn St

Pete J. Weigel
2970 Coolidge Ave

Gerald L. Wilson
2915 Coolidge Ave

Carl H. Wilson
3235 Cromwell Dr

Don N. Young
Rm 25 Stockyards Exch Bldg

W.M. Secoy
3056 Schnitzler

H.D. Shelton
2701 Jackson Ave

M Wayne Shirley
2961 Amidon Ave

Charles Slack Jr
1219 Brady St

Clark D. Smith
2904 Wellington Place

Donald L. Somers
956 W. 29th St. North

Clyde H. Stancer
754 Toh-N-Hah Trail

Robt A Swain
2901 Mascot St

Andrew L. Telford
3023 N. Market

John M Ternes
2905 Mascot Street

Bessie N. Thomas
3018 Woodland

Ellis W. Thornburg
2903 Shelton St.

Richard F Timmeger
3209 Woodland

Howard E. Thompson
11524 Love Ave NE
Albuquerque

Adeana R.D. Thompson
3054 Arkansas

Glen C. Thomas
32kk Crinwekk Dr

Teachers Ins & annuity Assn of Am
P O Box 2159
Dallas

Jerry A King
2944 Coolidge

Golda Kent
3017 Woodland

Wm J. Keitel
2440 N. Wellington

Charles H. Jones
3044 Schnitzler

J V Isbell
Box 92

Cleta Howard Hunt
3117 Mascot

Solomon L Langhover
1920 W. 35th

R H Langhover
1920 W 35th No

Delia Ray Knowles
1500 Jewell
Topeka, KS

Rickey Devail Kisling
340 S. Broadway

Alfreda Thrush Maxmiller
3031 Wellington Pl

Ed Mapel
2238 Pattie

Bessie L Mankoff
2921 Porter

J R Thomason
2945 Wellington Pl

Thermal Products Inc
3020 Mascot

Super-Market Bldg Co Inc
2901 N. Bdwy

Cecil G. Keller
1005 Century Plaza Bldg

Leonard Kelley
3039 Salina

Fred R. Katenbach
3655 N. Oliver

Mildred F. Jaeger
3020 Somerset Dr

Jack W. Ingram
102 E 28th N

Frank & Hazel A. Langston
3248 Woodland

Harry Lankford
3921 E. English

Fred Kosek
2310 48th Ave
San Francisco, CA

Geo T. Kissire
2906 N. Arkansas

Betty Mc Elhinny
3015 Jeanette

Martel Inc
500 N. Main

Fred Mankoff
2957 N. Market

Lester A. Lynch
2927 Mascot

Gage W. Lee
931 W. 29th North

Kathryn Lavin
1137 W. 29th N

Betty M Minkler
Box 785

Mid Kansas Sav & Ln
230 S Market

H E Megee
RR 1 Box 197
Valley Center, KS

S S McDonald
2914 Wedgewood

Norman McCreery
3001 Mascot

Delbert C. Parrish
1954 N. Waco

Walter Palmer III
101 W 29th North

Lawrence R. Nickel
3048 Salina

Lavern Nance
2943 Wellington Pl

Ruby E. Murrell
2367 Marigold

Marilyn J. Moore
3016 Jeanette Ave

Mokan Warehouse & Stg Inc
402 Moffet
Joplin MO 64801

BF Farha
1201 Riverside

Mrs Earl H. Jones
3044 Wellington Place

Ovie Pugh
2968 Wedgewood Dr

Jesse L. Lechner
3125 Mascot

Clara M Lavin
3019 Mascot

Herbert W Miller
2141 Park Place

Melvin E. Meyer
2850 Woodland

Hazel MeGee
3900 W Central

Lola M Meagher
1126 W 29th North

McBride Equipment
PO Box 4046

Edward L. Palmer
PO Box 92

Howard W. Overstake
2936 Wedgewood

Natl Bank of Wichita
PO Box 13096

Thomas H. Murrell
2920 Mascot

Inez C. Murrell
2935 Shelton

Kenneth R. Moore
2118 Walker

Phillip O Fellers
2456 Porter
Haysville, KS

Jose T. Esponzoza
3013 Wellington Pl

The RR Bldg LSV Assn
106 W. Douglas Ave

John R. Pruitt
863 W. 29th North

Norman R. Pruitt
801 2 29th North

Gertrude Powell
2906 Woodland

Marshall L Piper
2825 Arkansas

John M. Perez
3054 Wellington Pl

H R Goble
Box 85
Benton, KS 67017

Vernon E. Galyardt
2659 N. Clarence

Alvin Gaeddert
3400 Amidon

Henry F Fisher
3200 Hood

Chester L Grove
3009 Jeanette

Freida J Greintz
2904 Amidon

Earl Goodrich
3025 Shelton

Gene D Henderson
2928 Woodland

Archie L Haynes
3035 Park Place

Rbt 1 Hayes
3227 Cromwell

Geo E. Hasty
4554 Jamestown
Tulsa, OK 74135

Larry T. Hart
125 N. Main

Doyne S. Hall
3052 Shelton

A.J. Pruitt
801 W 29 St 67204

Elvira Powell
2924 Wellington Pl

Mary Perez
3052 Wellington Pl

Geo F Godfrey
2943 Porter

John P Gibb
5047 44 Ave S
Seattle, WA 98118

Tony Gallardo Jr
2920 Amidon

Chas F. Gable
1106 W. 29th N

Luther Fewin
1509 W 29th St N

Chester Lee Grove
861 W 29th No

Louise Shirk Gossard
5051 E. Lincoln Apt 7E

J.W Goldston
11900 W 21st N

Kenneth L Headley
430 W. 29th St N

William N Hayes
3046 Summerset

Mary F Hawks
315 N. Clifton

Walter J Harveille
820 W 29th No.

Leona Harshman
3229 Carlock

Vernon L. Guy
3019 Wellington Pl

David E. Guy
418 San Carlos
Grand Prairie TX

Larry I Hullett
9301 Provincial

Frank H. Hoover
2900 Shelton

Roy Holloway
Rm 9 Livestock Exch Bldg

Leslie Ray Hodge
3142 Mascot

Blanche I Hladik
3041 Jeanette

Donald W. Hixon
3030 Mascot

E K Hinkle
620 Goebel

Francis C Hilger
9601 W Third

E.F. Hines
3051 Fairview

Gary L; Highfill
229 S Market

Ogle F. Bailey
907 Royal Gorge Manor
Cannon, CO 81212

Francis I Armstrong
2700 Coolidge

Delvin J Allen
3859 N Hydraulic

Ila June Allen
204 E Aley

Lew H Akin
2321 Palisade

Schafer Abraham
1033 W 29th N

Sam J Brooks
1622 W 29th

Howard W. Brickley
5625 N Seneca

R. H. Boyd
3015 Arkansas

Elaine Bowman
1442 N. Emporia

Grace M Botkin
724 W 29th No.

Roberta I Boren
3017 N. Market

Gary Booher
2600 N Halstead

M H Berger
2961 Coolidge

Clarence E Barnett
917 N Waco

C E Barnes
105 W 29th Street No.

Wm Olin Bannon
3353 Riverdale Rd

Carl O Bannon
2930 Shelton

F J & Annie Erne
2913 N Market

Lucille M Endres
2932 Fairview

Lucille M Endres
12700 W 39th So RR 8
Goddard, KS 67212

G W Edwards
1727 Porter

Myrta Eklund
2909 Mascot

John P Egan
3026 Cromwell Dr

Glenn M Duncan
1963 Litchfield

Clay E. D^onnohue
225 W 29th No

Sylvia E. Dirksen
3005 N. Market

Dillon Inv Co Inc
2700 E 4th
Hutchinson, Ks 67501

Alice L Danby
924 W. 29th North

Milo B Cook
3037 N Arkansas

Maurice Caster
3158 Mascot

Richard Canfield
207 S. Brookside
Eureka, KS 67218

Vernon V. Bull
3010 Hood

Frances Buckley
114 W 29th St N

Wayne Edward James
1505 W 30th St Court North

Kenneth E. Houghham
2932 A_midon Ave

Eugene W Huffman
2925 N Meridian Ave

Lester C Hoch
3001 Shelton St

Luther Fewin
1509 W 29th St North

Wm S Everhart
3044 Hood Ave

W L Dunsworth
3027 Cromwell Dr

Fred Davey
1118 W 29th St North

Fred Dole
2957 N Broadway

Gary Wayne Dixon
135 N Main

Rosa Dawson
3051 Salina

Audy Creed
1629 N Market

Maurice E Chase
3129 Carlock

Frank Cannan
633 W 20th North

Earl S Burke
2025 W 37th North

Jack D Budkley
3026 Park Pl

Inez J Brown
1072 10th St
Imperial Beach CA

Donald E. Jackson
~~726 Woodchuck Lane~~

G E Hullett
2923 Coolidge Ave

Donald D Hollar
1309 Charlotte St

Virgil E. Fisher
945 N Old Manor Rd

Harvey R Ferril
2909 Arkansas Ave

Loren A Dyson
3139 Coolidge Ave

Otis E. Dearing
942 W 29th North

Loren C Cooper
3045 Arkansas Ave

1001 W. 29th St. N.

Darrell D Craft
3052 Jeannette Ave

Walter E Burnham
3026 Somerset Dr

W A Bonwell Jr
3037 Cromwell Drive

Melvin Alderson
2905 Arkansas Ave

Mike Seltzer
213 E 21st St

Fredrick Builders Inc
3233 Arkansas Ave

Glen Yarbrough
3035 Mascot

Chester C Yelton
3040 Wellington Pl

Jimmie R. Woods
1145 Coolidge

John L Wilson
3061 Summerset Dr

Wichita Wholesale Dist
3055 N Broadway

Letitia C Wegley
2900 Mascot

Geo Warning
827 Savannah

Donald D Vaughn
Clearwater KS 67204

Urban Inc
2603 Amidon

Richard H Turner
1600 W 29th North

Esther Trimble
3051 N Market

Victor Triana
3038 Park Place

Emery J Steele

Bertha Carter
1031 W 29th North

Ralph Buettgenbach
2947 N Coolidge Ave

Robert Earl Baker
3025 Somerset Dr

Jack W. Osterman
311 W 29th St No.

R-H Langhouer
3025 N Broadway

Roy W. Zickefoose
3011 Wellington Pl

Otha T Wright
3014 Woodland

Geo H Wunsch
721 S Volutsia

Rbt B Winegarnder
230 S Market

C H Willard
3048 Park Place

Mayme Weir
3041 Shelton

Charles A Watson
3043 Arkansas

Vet. Adm
VA Centr 5500 E Kellogg

Dila King Van Arsdale
1017 Litchfield

Walter Turner
PO Box 891
Fairbanks AK 99701

Raymond B Trotter
736 N Broadway

Jess Casuth Triana
3038 N Market

Emery J Steele
3228 Jeanette

James M Steele
3140 Shelton

Kenneth K Stafford
3029 Fairview

Southland Ins Co
100 Park Ave Bldg
Ok City, OK 73102

Bernard J Simon
3011 Shelton

John F Sheaks
3038 Park Pl

W A Secon
3056 Schnitzler

John Savute
2457 N Market

Herbert D Sanders
731 W 52nd St No

Jerry J Safrik
2941 Shelton

Imobene Rust
4215 W 13th

Chas C Rogers
214 W 29th North

Twila Reynolds
3022 Woodland

Max W Ranney
736 Dayton

Leonard J Kelley
3039 Salina Ave

Delford Kerns
3045 Wellington Place

Hershel W. King
837 N Gow Ave

Pharis M Mackey
2905 Amidon Ave

Ross Lassley
2905 N Market

Richard L Steck
1235 Vanview

Alice I Stafford
3020 Fairview

Reginald Smith
3029 N Arkansas

Paul D Shiblom
1511 W 29th North

Russell Shultz
1502 N Broadway

Sherman H Scott
3011 Wellington Pl

Gloria Sheinbein
8613 N Georgia
Ok City, OK

Robert S Sailor
3026 Hood

Albert E Sabin Jr
3011 Mascot Ave

Nadine L Rumsey
1043 N Delrose

John L Richardson
2211 McCoy Ave

Sophia M Resing
2900 Wedgewood Dr

Veterans Admn
Little Rock AR

Ray Kelly
2918 Coolidge Ave

Kester Specialties
4105 Taft Ave

Charles L Kyser
3002 Hood Ave

Carolyn Kauffman
927 Pinecrest

Wilbur W McGuire
2931 Coolidge Ave

Benjamine J Meek
1712 W 29th North

Millard M Moore
2930 Coolidge Ave

Newell E & Iva Mae Murphy
3018 Hood Ave

Michael Mohr
2924 Woodland Ave

Earl F Overley
3019 Shelton

Robert V Parish
3060 Mascot St

Wm A Ray
2925 Amidon Ave

Richard M Reynolds
3022 Woodland Ave

Leo Messenger
1732 W 29th North

Alexander J Mruk
1722 W 29th North

Wm W McDowell
2938 Woodland Ave

L L Montgomery
208 W 24th North

Clyde W Noell
1028 W 29th St North

Vernon David Parker
2902 Amidon Ave

Straude E Renick
3042 Hood Ave

Cruce Sanders
3041 Park Place

November 14, 1973

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 73-12 - 29th Street North

As per your direction, I am directing Galbraith to place the above policy question on the Planning Commission agenda for December 13. We will plan on forwarding it to you for your meeting of January 4, 1974.

I had hoped that, based on the City Commission's request for a right of notice policy, that we could conform to whatever is developed for the City generally. This was why I was waiting for Mr. Dekker to submit his recommendations. Apparently there is some misunderstanding on this question. Mr. Dekker did call me, requesting what information we had on notice procedures, and I had Galbraith furnish him the material that we had obtained concerning this question relative to this particular DR and the general policy of how to notify. It was during that conversation that I was under the impression that he was developing a City policy for submission to you. Frankly, I didn't want to get off establishing a practice which we might get locked into.

For your general information, I have instructed Galbraith to notify everyone for a full block in depth along the length of 29th Street for which the policy is being considered. This should catch all the properties which would be affected by the zoning change directly, plus those within 200 feet that would normally be notified of such a change. We will take the ownership list from the County Assessor's files. It should be recognized that this is not as good as the abstract ownership list that we use on zoning cases, but such a list for this particular zoning policy would cost us \$2 or \$3 thousand dollars. I certainly don't think that that is justified at this time.

RAL:ber

cc: John Dekker, Director of Law

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE November 6, 1973




TO Robert A. Lakin, Director of Planning
FROM Ralph Wulz, City Manager

SUBJECT DR 73-12, 29th Street North

On July 3, 1973, this office at the direction of the City Commission, returned the captioned report to you for public hearing by the MAPC following notification to residents of the street.

Our follow-up on this matter indicates some confusion as to the status of this activity. You indicate that you are awaiting a legal opinion as to area to be notified and Mr. Dekker has stated he is not aware of the request.

In any event it has been over four months and it is now time to resolve the matter. Please advise me of the date set for the hearing which I hope can be held prior to January 1, 1974.


Ralph Wulz
City Manager

RW/fmp

cc: John Dekker, Director of Law



July 20, 1973

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Jack H. Galbraith, Chief Planner

DR 73-12 - Zoning Policy on 29th
Street from Broadway to Amidon

The Board of City Commissioners, at its meeting of July 3, 1973, returned the above-captioned recommended policy to the Planning Commission for reconsideration at a public hearing following "meaningful notification" of the property owners in the study area. For studies such as 29th Street, and recent studies for Meridian, Waco, etc., it should first be determined whether "meaningful notification" includes:

- (1) only the abutting property owners along the street under consideration;
- (2) abutting property owners and owners of property for a depth of one block on either side of the street in question; or
- (3) a larger area, extending several blocks in depth or perhaps a quarter mile to a mile in all directions of the study area.

In addition to determining the area to be notified, a method of notification also needs to be selected. Notices could be hand delivered to each resident, however, in the case of rented, leased, or undeveloped property, such notices would not necessarily reach the property owner. A certified abstract ownership list could be ordered from an abstract company at a cost of \$1.00 per platted lot, or \$1.50 or \$2.00 per unplatted tract. This is the same type of list submitted by applicants with zoning cases. Using these figures, a list of property owners for a depth of approximately one block along 29th Street would cost in excess of \$1,000. A program could also be written to obtain a computer print out using census block numbers keyed to County Assessor's data as of February 1, 1973. Census blocks, however, often include several city blocks, and staff time would be required to determine which names and addresses were not in the notification area.

As another alternative, Planning Department personnel could go to the County Clerk's office, obtain a key number for each lot and unplatted tract in the notification area from the maps available there, submit this list and receive a card for each key number containing the name and address of the property owner. The major expense involved would be the staff time (both Planning Department

Page 2 - Metropolitan Area Planning Commission
July 20, 1973

and County Clerk) required to compile the list of key numbers. The 29th Street study area taken for a depth of one block would include nearly 1,000 key numbers.

From these alternatives, it is suggested that we first try the computer print out from the County Assessor's data. At such time as both the area and method of notification is determined, this reconsideration of the zoning policy on 29th Street will be rescheduled.

Consideration of this matter on "meaningful notification" has been scheduled on your noon luncheon agenda for July 26, 1973.

JHG:ber

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE July 3, 1973



TO Robert A. Lakin, Director of Planning

FROM Ralph Wulz, City Manager

SUBJECT DR 73-12-29th Street North

At the meeting of July 3, 1973, the City Commission returned the captioned report to the Planning Commission for public hearing following notification to residents of the street.

Please schedule this matter for public hearing by the Planning Commission following notification to residents of the date of hearing.


Ralph Wulz
City Manager

RW/kmp



June 20, 1973

Ralph Wulz, City Manager

Jack H. Galbraith, Chief Planner

DR 73-12 - Zoning Policy on 29th Street North
from Broadway to a point west of Amidon

Recently, when considering and approving a zone change to the "LC" Light Commercial classification for the southwest corner of 29th Street North and Salina, the City Commission requested a zoning policy for 29th Street from Broadway to a point west of Amidon. The attached staff report was submitted to the Planning Commission for consideration at their regular meeting of June 14, 1973.

After considerable discussion, the Planning Commission recognized that the land uses on 29th Street were quite complex; therefore, their action was to accept the recommendations of the Planning Department, as outlined in the summary of the staff report, as general guidelines when remapping of new zoning districts occurs, and as guidelines during the interim for consideration of new zoning applications that are received. Attached are the minutes of the Planning Commission meeting.

Consideration of this policy is scheduled for your agenda on July 3, 1973.

JHG:MM:ber

Attachment

June 15, 1973

Mr. John Pruitt
Pruitt's Hardware & Garden Center
863 West 29th Street North
Wichita, Kansas 67204

Re: DR 73-12 - Zoning Policy
29th Street North from
Broadway to a point west
of Amidon

Dear Mr. Pruitt:

The Planning Commission, at its regular meeting of June 14, 1973, discussed the establishment of a policy on zoning for 29th Street North from Amidon to Broadway. After considerable discussion, the Planning Commission recognized that land uses on 29th Street were quite complex, therefore, their action was to accept the recommendations of the Planning Department as outlined in the summary of our staff report, as general guidelines when re-mapping of new zoning districts occur, and as guidelines during the interim for consideration of new zoning applications that are received.

This is to advise you, and those receiving copies of this letter, that this action will be forwarded to the Board of City Commissioners for their consideration at their regular meeting on July 3, 1973, the meeting to start at 9:00 a.m. in Room 201 City Building, 204 South Main, Wichita, Kansas.

If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber
Enclosure

cc: W. B. Warhurst, 129 West 29th Street North 67204, w/a
Harold Irwin, Attorney, Century Plaza Building 67202, w/a
Mrs. R. D. Weir, 3041 Shelton 67204, w/a

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 14, 1973:

6. DR 73-12 - Zoning Policy - Request from City Commissioners for zoning policy on 29th Street North from Broadway to a point west of Amidon.

LAKIN reviewed the following staff report which had been provided the Commissioners prior to the meeting:

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. This is an area characterized by a wide range of mixed uses, from the industrial uses at Broadway to the well maintained single family residences near Amidon and to the northeast of the Little Arkansas River. The Transportation Plan Element of the Comprehensive Plan designates 29th Street as an arterial, but it has not yet been improved to major street standards. Improvements are scheduled for 1974 for 29th from Broadway to Arkansas; and for 1977 from Arkansas to Amidon. Most residential streets in the study area are unimproved. The area was annexed in 1961 and 1962. Several legal nonconforming uses remain along the 29th Street frontage.

Broadway to Drainage Ditch - South Side

On the south side of 29th from Broadway to the Drainage Ditch there are commercial and manufacturing uses intermixed with residential. The "C" Commercial District, containing a service station, liquor store and office, extends from Broadway to Market. From Market to Park Place is a light manufacturing use in "F" Heavy Industrial zoning. The southwest corner of Park Place and 29th is zoned the "B" Multiple Family classification and used for parking associated with the auction business and restaurant located in the "E" Light Industrial zoning in the middle of the block. The remainder of the block is zoned "B" and contains residences. There is "E" zoning from Wellington to Fairview, occupied by a restaurant, parking lot and duplexes; and the frontage from Fairview to the Drainage Ditch is zoned the "B" classification, with two houses and a nonconforming television repair service. This tract zoned "B" adjoins a large tract with "E" zoning to the south.

Recommendation: It is therefore recommended that a policy be established of looking with favor on the "E" District on the south side of 29th Street from Broadway to the Drainage Ditch. (When the new zoning ordinance is adopted, the "M1-A" Light Industrial District would be appropriate.) It is also recommended that the property zoned the "F" Heavy Industrial District be rezoned the "E" classification, either now or to "M1-A" with the new ordinance.

In view of the existing "E" zoning on the north side of 29th from Broadway to Market and the recent approval of the "E" classification for the northwest corner of 29th and Market (Z-1411), a policy of looking with favor on the "E" District (or "M1-A") on the north side of 29th from Broadway to Park Place is also recommended.

Broadway to Drainage Ditch - North Side

From Park Place to the Drainage Ditch on the north side of 29th Street the property is zoned "AA" and developed with single family homes of varying conditions. There are also several nonconforming uses: a furniture store at the northwest corner of 29th and Park Place; a restaurant, two vacant commercial buildings and an automobile supply business between Fairview and the Drainage Ditch. (Zone case Z-1140 involved a zone change request to "LC" at the northwest corner of Fairview which was approved in 1969, subject to platting within one year. Due to the applicant's failure to plat, the case was closed in 1970.)

Recommendation: It is recommended that the Planning Commission adopt a policy of looking with favor on the "C" District from Park Place to the Drainage Ditch on the north side of 29th Street. The "B-7" Service Business District would seem to be the most appropriate zoning classification under the new zoning ordinance.

Drainage Ditch to Mascot

The 29th Street frontage (both north and south) from the Drainage Ditch to Mascot is predominately zoned "LC" and contains light commercial type uses, and some nonconforming uses: the express company warehouse at the northwest corner of Jackson; the auto repair service (in "AA" zoning district) and the boiler welding service, both located at the northeast corner of Mascot and 29th. A violation currently being reviewed by the Community Greivance Officer involves the use of land on the southeast corner of 29th and Arkansas for a used car lot and truck storage. Some of the "LC" frontage on the south side of 29th remains undeveloped and there are also a few vacant commercial structures.

Recommendation: The "C" Commercial District ("B-7" Service Business District) would appear to be appropriate for both sides of 29th from the Drainage Ditch to the east side of Arkansas Avenue. The "LC" District is recommended from the west side of Arkansas to Mascot, with the "B-5" General Business District recommended under the new zoning ordinance. Much of the light commercial should be removed where located on interior streets and is now developed for homes.

Mascot to Little Arkansas River

All four corners at Woodland and 29th have small areas of "LC". The northeast and southwest corners contain residences; the northwest corner contains a house which was apparently converted into a church; and only the southeast corner has

been developed for commercial purposes - a nonconforming garden center. Between Mascot and the garden center are nonconforming storage buildings associated with the garden center business and outdoor storage of firewood. These are in a "AA" zone and would require "C" to make them conforming. The northwest and southeast corners of Salina and 29th are zoned "LC", and Case Z-1515 requesting "LC" zoning for the southwest corner was approved by the MAPC on May 15, 1973, subject to replatting. There is an auto repair business at the northwest corner and an animal hospital on the south side of 29th near Salina. Between Salina and Hood on the north side of 29th, a club and liquor store exist on "LC" zoned property. The remaining property from Salina to Hood is zoned "AA" and is developed for single family homes.

Recommendation: Due to the fact that much of the property from Mascot to the "LC" zoning east of Hood zoned the "LC" classification has not been developed for commercial purposes, and due to the availability of undeveloped "LC" zoned property between the Drainage Ditch and Mascot, it is recommended that the Planning Commission adopt a policy of looking with favor on either the "BB" ("B-3" Restricted Business District) or the "R-6" General Residence District between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District (the "B-3" Restricted Business District under the new zoning ordinance). Other property could be rezoned to "BB" on request.

Little Arkansas River to Amidon

From the Little Arkansas to Coolidge, "LC" zoning exists on both sides of 29th Street. There is some commercial development on the south side of 29th between Porter and Coolidge, and a shopping center and rental equipment business (Case BZA 45-65) on the north side of the street. No commercial development of any type exists west of Coolidge. Much of the "LC" is of poor quality. Uses have been unstable. It is suggested that owners study economics of removing and rebuilding for apartments near the River. In addition, the "LC" classification was denied for the northeast and southeast corners of Amidon and 29th in 1971 and 1972 (Z-1321 and Z-1362). A fire station is scheduled to be constructed on the northwest corner in 1974. The "B" Multiple Family District, however, was recently approved for the southeast corner of Amidon at 29th, subject to replatting and dedication of right-of-way (Z-1502).

Recommendation: In view of the quality of the single family residential development to the northwest of the Little Arkansas and west of Hood, it is recommended that in the event the Planning Commission considers a zone change appropriate, a policy of looking with favor on medium density residential development ("R-5"

and "R-6") for 29th Street from the "LC" zoning just east of Hood to Coolidge be adopted, with the "R-5" and "R-6" General Residence Districts also appropriate under the new zoning ordinance.

From Coolidge to the intersection of 29th Street and Amidon (all four corners) the "B" multiple family district, or the "R-7" General Residence District, would seem to be appropriate. It is further recommended that the residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" classification. It is recommended that the current policy of "AA" Single Family zoning ("R-3") be maintained west of the intersection of 29th and Amidon.

SUMMARY

It is recommended that the Planning Commission adopt a policy of looking with favor on zone change applications requesting the following zoning classifications:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood. It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").
7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.

8. The "B" Multiple Family District (the "R-7" General Residential District) from Coolidge to the intersection of 29th and Amidon (all four corners).
9. The residential property zoned "IC" on the west side of Coolidge be rezoned the "BB" Office District.
10. Maintain the present "AA" Single family District ("R-3) west of the intersection of 29th and Amidon.

The deplorable condition of 29th Street roadway was brought out in the discussion and LAKIN said the City Commission has considered the improvement of 29th Street on several occasions, but has hesitated to initiate such a project because of the cost to the property owners in the area. HENNESSY thought the improvement of the street and any zoning policy established are inter-related. LAKIN agreed that the poor condition of the street would tend to lessen the need for a policy, but at some point in time the street will be improved.

JOHN PRUITT, operator of a garden center at the southeast corner of 29th and Woodland asked for clarification of this matter. His two questions were: Why is a policy necessary? and when would it become effective if adopted? He said he and others who own property on 29th have been concerned for a number of years with the cost of the reimprovement of 29th, and that they are already overtaxed with special assessments for sewer and water, and that another assessment would put him out of business.

PRUITT said the greenhouse operation has been at 29th and Woodland for 51 years and was annexed to the City in 1962, and that part of his operation (warehouse and storage of fireplace wood) is now zoned "AA". He asked if any change in zoning would affect his taxes. He did not understand the reasoning for a policy on zoning at this time and was skeptical of what might be in the plans for this area.

LAKIN pointed out that the City Commission several times in recent months has returned zone cases to the Planning Commission and asked for a policy statement on a given street. He felt that the reason for such action in this case is, in large part, because of a scattered and mixed land use pattern along 29th Street which makes it difficult to know just what is best - should more commercial be approved or not, and a generalized policy would serve to guide in the consideration of zoning along this street.

As to increased taxes in case of rezoning, LAKIN said it would depend on what type of policy might be established and when zone changes might occur. He pointed out that the staff report suggests "BB" or "R-6" for a good share of the nonconforming area of the garden center which, if this policy is adopted, would indicate the Planning Commission would look with favor on such zoning if an application for such was received, or if no application is received, then such zoning would be considered in adopting the new zoning ordinance.

So far as special assessments, LAKIN said the County Assessor doesn't consider to any great degree how a property is zoned, but places a valuation of what he thinks the property is worth and its potential for development. It was his opinion that if the suggested policy is applied that there would be very little, if any, change in tax assessments to the property owners.

Questions arose as to whether improvement of 29th Street was in the Capital Improvement Program, and LAKIN said certain sections of it have been in several times, but deferred, and at the present time it is in the program for 1974 and 1977. In further explanation of assessment of street improvements, LAKIN pointed out that on arterials the City at large pays the cost for extra thickness and width of paving and the property owners are assessed for the equivalent of a regular residential type street.

PRUITT said this area is a part of the Model Cities area and that there has been much discussion in the last two years as to improvement, but no project has been initiated as a result of Model Cities involvement. He asked if his nonconforming warehouse and outdoor storage of firewood could continue if the zoning is later changed. LAKIN responded that it would be nonconforming but that the operation could be continued, the only limitations being in terms of expansion or rebuilding.

HENNESSY suggested it might be desirable to not adopt a policy until the final development of the new zoning ordinance, and PRUITT agreed that there could be no reason for one at this time.

W. B. WARHURST, 129 West 29th Street, was in favor of no action with respect to a zone policy until improvement of the street is determined. He said that while this area is a part of the NDP, there has been no indication as to what might be done because of its inclusion in the NDP area, but he did not feel that a major street is needed. He asked if the adoption of this policy meant establishment of zoning in line with such policy, and also how it might affect taxes.

It was pointed out that any special assessments which have already been levied would remain the same, but it is possible that future assessments would be affected by a change in zoning. WARHURST referred to the considerably higher rate of assessment per square foot between residential and commercial property as obtained from the City Clerk's office.

LAKIN answered that a set figure per square foot is not utilized - that it depends entirely on the appraisers' opinion on a specific project or area. WARHURST did not consider it right to assess residential property the same as a business, and said he has lived in the area 28 years and contended with much misery because of the trucks and noise.

BURNETT reminded those present that this discussion is related to zoning and not the improvement of 29th Street.

HAROLD IRWIN, attorney for the property owner just east of Arkansas on 29th Street, said his client's property is now non-conforming and asked if, regardless of the policy, his client could continue to operate under the "grandfather clause", realizing that he would be limited on expansion or improvements as long as it is a nonconforming use.

LAKIN said such would be the case if the zoning and use remain as is, but if the use is one permitted in the zone which might be established as a result of the adoption of this policy statement, then he would be conforming. IRWIN said it was his understanding one of the recommendations would establish "C" zoning for his client's property.

HENNESSY said the City Commission might look with favor on such zoning, but it has not been definitely decided, but if and when any zoning is established as a result of the suggested policy, Mr. Irwin's client would be protected.

MRS. R. D. WEIR, 3041 Shelton, pointed out that on some of the interior streets light commercial zoning presently exists. She asked that such be changed to a residential classification in any future overall consideration of rezoning in this area.

HENNESSY said that such would probably be established as residential in the adoption of the new zoning ordinance.

MOTION: That the Commission recognize that land uses on 29th Street are quite complex, therefore, accept the recommendations of the Planning Department as outlined in the summary of the staff report as general guidelines when remapping of new zoning districts occur, and as guidelines during the interim for consideration of new zoning applications that are received. Taylor moved, Jackson seconded and it carried unanimously. (Harrison and Kamen absent.)

June 8, 1973

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Robert A. Lakin, Director of Planning

DR 73-12 - Zoning Policy - Request from Board
of City Commissioners to Establish a Zoning
Policy on 29th Street North from Broadway to
a Point West of Amidon

On May 15, 1973, when considering and approving a zone change from "AA" to "LC" at the southwest corner of 29th Street North and Salina, the Board of City Commissioners requested a zoning policy for 29th Street from Broadway to a point west of Amidon. This is an area characterized by a wide range of mixed uses, from the industrial uses at Broadway to the well maintained single family residences near Amidon and to the northeast of the Little Arkansas River. The Transportation Plan Element of the Comprehensive Plan designates 29th Street as an arterial, but it has not yet been improved to major street standards. Improvements are scheduled for 1974 for 29th from Broadway to Arkansas; and for 1977 from Arkansas to Amidon. Most residential streets in the study area are unimproved. The area was annexed in 1961 and 1962. Several legal nonconforming uses remain along the 29th Street frontage.

Broadway to Drainage Ditch - South side

On the south side of 29th from Broadway to the Drainage Ditch there are commercial and manufacturing uses intermixed with residential. The "C" Commercial District, containing a service station, liquor store and office, extends from Broadway to Market. From Market to Park Place is a light manufacturing use in "F" Heavy Industrial zoning. The southwest corner of Park Place and 29th is zoned the "B" Multiple Family classification and used for parking associated with the auction business and restaurant located in the "E" Light Industrial zoning in the middle of the block. The remainder of the block is zoned "B" and contains residences. There is "E" zoning from Wellington to Fairview, occupied by a restaurant, parking lot and duplexes; and the frontage from Fairview to the Drainage Ditch is zoned the "B" classification, with two houses and a nonconforming television repair service. This tract zoned "B" adjoins a large tract with "E" zoning to the south.

Recommendation: It is therefore recommended that a policy be established of looking with favor on the "E" District on the south side of 29th Street from Broadway to the Drainage Ditch. (When the new zoning ordinance is adopted, the "M1-A" Light

Industrial District would be appropriate.) It is also recommended that the property zoned the "F" Heavy Industrial District be rezoned the "E" classification, either now or to "M1-A" with the new ordinance.

In view of the existing "E" zoning on the north side of 29th from Broadway to Market and the recent approval of the "E" classification for the northwest corner of 29th and Market (Z-1411), a policy of looking with favor on the "E" District (or "M1-A") on the north side of 29th from Broadway to Park Place is also recommended.

Broadway to Drainage Ditch - North side

From Park Place to the Drainage Ditch on the north side of 29th Street the property is zoned "AA" and developed with single family homes of varying conditions. There are also several nonconforming uses: a furniture store at the northwest corner of 29th and Park Place; a restaurant, two vacant commercial buildings and an automobile supply business between Fairview and the Drainage Ditch. (Zone case Z-1140 involved a zone change request to "LC" at the northwest corner of Fairview which was approved in 1969, subject to platting within one year. Due to the applicant's failure to plat, the case was closed in 1970.)

Recommendation: It is recommended that the Planning Commission adopt a policy of looking with favor on the "C" District from Park Place to the Drainage Ditch on the north side of 29th Street. The "B-7" Service Business District would seem to be the most appropriate zoning classification under the new zoning ordinance.

Drainage Ditch to Mascot

The 29th Street frontage (both north and south) from the Drainage Ditch to Mascot is predominately zoned "LC" and contains light commercial type uses, and some nonconforming uses: the express company warehouse at the northwest corner of Jackson; the auto repair service (in "AA" zoning district) and the boiler welding service, both located at the northeast corner of Mascot and 29th. A violation currently being reviewed by the Community Grievance Officer involves the use of land on the southeast corner of 29th and Arkansas for a used car lot and truck storage. Some of the "LC" frontage on the south side of 29th remains undeveloped and there are also a few vacant commercial structures.

Recommendation: The "C" Commercial District ("B-7" Service Business District) would appear to be appropriate for both sides of 29th from the Drainage Ditch to the east side of Arkansas Avenue. The "LC" District is recommended from the west side of Arkansas to Mascot, with the "B-5" General Business District recommended under the new zoning ordinance. Much of the light commercial should be removed where located on interior streets and now developed for homes.

Mascot to Little Arkansas River

All four corners at Woodland and 29th have small areas of "LC". The northeast and southwest corners contain residences; the northwest corner contains a house which was apparently converted into a church; and only the southeast corner has been developed for commercial purposes - a nonconforming garden center. Between Mascot and the garden center are nonconforming storage buildings associated with the garden center business and outdoor storage of firewood. These are in a "AA" zone and would require "C" to make them conforming. The northwest and southeast corners of Salina and 29th are zoned "LC", and Case Z-1515 requesting "LC" zoning for the southwest corner was approved by the MAPC on May 15, 1973, subject to replatting. There is an auto repair business at the northwest corner and an animal hospital on the south side of 29th near Salina. Between Salina and Hood on the north side of 29th, a club and liquor store exist on "LC" zoned property. The remaining property from Salina to Hood is zoned "AA" and is developed for single family homes.

Recommendation: Due to the fact that much of the property from Mascot to the "LC" zoning east of Hood zoned the "LC" classification has not been developed for commercial purposes, and due to the availability of undeveloped "LC" zoned property between the Drainage Ditch and Mascot, it is recommended that the Planning Commission adopt a policy of looking with favor on either the "BB" ("B-3" Restricted Business District) or the "R-6" General Residence District between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District (the "B-3" Restricted Business District under the new zoning ordinance). Other property could be rezoned to "BB" on request.

Little Arkansas River to Amidon

From the Little Arkansas to Coolidge, "LC" zoning exists on both sides of 29th Street. There is some commercial development on the south side of 29th between Porter and Coolidge, and a shopping center and rental equipment business (Case BZA 45-65) on the north side of the street. No commercial development of any type exists west of Coolidge. Much of the "LC" is of poor quality. Uses have been unstable. It is suggested that owners study economics of removing and rebuilding for apartments near the River. In addition, the "LC" classification was denied for the northeast and southeast corners of Amidon and 29th in 1971 and 1972 (Z-1321 and Z-1362). A fire station is scheduled to be constructed on the northwest corner in 1974. The "B" Multiple Family District, however, was recently approved for the southeast corner of Amidon at 29th, subject to replatting and dedication of right-of-way (Z-1502).

Recommendation: In view of the quality of the single family residential development to the northwest of the Little Arkansas and west of Hood, it is recommended that in the event the Planning Commission considers a zone change appropriate, a policy of looking with favor on medium density residential development ("R-5" and "R-6") for 29th Street from the "LC" zoning just east of Hood to Coolidge be adopted, with the "R-5" and "R-6" General Residence Districts also appropriate under the new zoning ordinance.

From Coolidge to the intersection of 29th Street and Amidon (all four corners) the "B" multiple family district, or the "R-7" General Residence District, would seem to be appropriate. It is further recommended that the residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" classification. It is recommended that the current policy of "AA" Single Family zoning ("R-3") be maintained west of the intersection of 29th and Amidon.

SUMMARY

It is recommended that the Planning Commission adopt a policy of looking with favor on zone change applications requesting the following zoning classifications:

1. The "E" Light Industrial District (or "M1-A" Light Industrial District) on the south side of 29th from Broadway to the Drainage Ditch, with the property zoned the "F" Heavy Industrial District to be rezoned "E" now, or reclassified as "M1-A" under the new zoning ordinance.
2. The "E" Light Industrial District ("M1-A") on the north side of 29th from Broadway to Park Place.
3. The "C" Commercial District (the "B-7" Service Business District) on the north side of 29th between Park Place and the Drainage Ditch.
4. The "C" Commercial District ("B-7") for both sides of 29th Street from the Drainage Ditch to the east side of Arkansas Avenue.
5. The "LC" Light Commercial District ("B-5" General Business District) for both sides of 29th from the west side of Arkansas to Mascot. Remove interiorly located "LC" developed for residential purposes, replacing it with "R-5" or "R-6".
6. The "BB" Office District ("B-3" Restricted Business District) or the "R-6" General Residence District on both sides of 29th Street between Mascot and the "LC" zoning east of Hood.

It is further recommended that the "LC" zoned property in this area which has not been developed for light commercial purposes be rezoned the "BB" Office District ("B-3").

7. The "R-5" and "R-6" General Residence Districts for both sides of 29th Street from the "LC" zoning just east of Hood to Coolidge.
8. The "B" Multiple Family District (the "R-7" General Residential District) from Coolidge to the intersection of 29th and Amidon (all four corners).
9. The residential property zoned "LC" on the west side of Coolidge be rezoned the "BB" Office District.
10. Maintain the present "AA" Single family District ("R-3) west of the intersection of 29th and Amidon.

RAL:MM:ber

DR 73-12

June 8, 1973

Mr. Stan Hendrix
Waco Finn Model Cities Council
2617 Wellington Place
Wichita, Kansas 67204

Dear Mr. Hendrix:

Enclosed is a copy of a zoning policy recommendation for 29th Street from Broadway to Amidon, requested by the City Commission on May 15, 1973. Although the study area is not within the Waco Finn boundaries, your group has expressed an interest in being informed about zoning activities in the adjacent area. This matter is scheduled for discussion at the Planning Commission meeting of June 14, 1973, and your comments and/or your presence at the meeting are welcomed. The Planning Commission meets at 1:30 p.m. in Room 401 of the City Building Annex, 104 South Main.

Sincerely,

Martha McMurry
Junior Planner

MM:rw
enclosure

cc: Dean Smith, CDA Coordinator

WICHITA-SEDGWICK COUNTY

DATE May 15, 1973

METROPOLITAN AREA PLANNING DEPARTMENT

TO Martha McMurry, Junior Planner
FROM Jack H. Galbraith, Chief Planner

JHG

SUBJECT Zone Case Z-1515 - "AA" to "LC" - At the Southwest corner of
29th Street North and Salina

The Board of City Commissioners on May 15, 1973, considered and approved the above captioned case. In addition, the City Commission requested that the Metropolitan Area Planning Commission consider a policy on zoning for 29th Street from Broadway to a point West of Amidon. I have asked Rhondda to set up a DR file as was done for Waco and 13th Street. Please review the area and prepare a recommendation for the Planning Commission meeting of June 14, 1973.

JHG:rw

cc: Bob Lakin

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

HAROLD H FRY
WICHITA

A 13369
KS

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WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

CHARLES F CRISWELL ETUX
WICHITA

A 14206
KS

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WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

N/A

INEZ J BROWN
1072 10TH ST
IMPERIAL BEACH

A 14042
CA

IMPER.
CALIF.

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12-17-73*

*29th
Street*

Important! Notice of Hearing Enclosed

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WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

WINSTON C HUFFMAN A 13148
WICHITA KS

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METROPOLITAN AREA PLANNING
COMMISSION

CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

LEONA B FLUERY ETAL A 13108
WICHITA KS

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METROPOLITAN AREA PLANNING
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104 S. MAIN ST.
WICHITA, KANSAS 67202

VERNON W HATLE ETUX A 12955
WICHITA KS

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WICHITA - SEDGWICK COUNTY



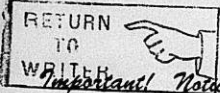
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

29th St.



JESS CASUTH TRIANA ETAL
3038 N MARKET
WICHITA KS 67219

N/A



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WICHITA - SEDGWICK COUNTY



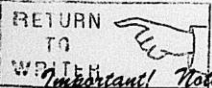
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

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- Addressee unknown



CHESTER C YELTON ETUX
3040 WELLINGTON PL
WICHITA KS 67204

N/A 29th St



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WICHITA - SEDGWICK COUNTY



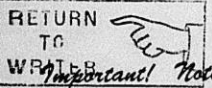
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CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

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CLETA HOWARD HUNT
3117 MASCOT
WICHITA KS

N/A 29th St



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WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING COMMISSION

CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

2925^{N.} Shelton
67204



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0308H

CLARENCE E. BARNETT ETUX
917 N. WACO
WICHITA

A 13422
KS



29th St

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WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING COMMISSION

CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



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3224 N. Jackson

67203

J. R. THOMASON ETUX
2945 WELLINGTON PL
WICHITA

A 12327
KS



29th St

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104 S. MAIN ST.
WICHITA, KANSAS 67202

6435 Jarrytown

67219



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LESLIE RAY HODGE
1142 HASCOT
WICHITA

A 12988
KS 67204



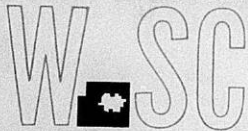
29th St

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METROPOLITAN AREA PLANNING COMMISSION

CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

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ing address



29th St.

LARRY I HULLETT ETAL A 14038
9381 PROVINCIAL
WICHITA KS 67212



N/A

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CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

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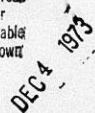


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SOUTHLAND INS CO A 13438
100 HARK AVE BLDG
OKLA CITY OK 73102

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213



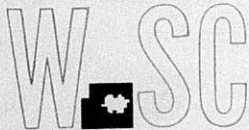
29th Street

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METROPOLITAN AREA PLANNING COMMISSION

CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



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Unclaimed Returned

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Other



DEC 15 1973

DONALD D VAUGHN A 0001000UP
CLEARWATER KS 67204

29th St.

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