

DR 78-5 Oliver Street Zoning
Policy Study

ACTION

DATE

COMMITTEE _____

M.A.P.C. Approved 4-13-78

~~B.C.C./B.C.C.C.~~ Approved by 5-9-78
Recorded by MAPC

WICHITA-SEDGWICK COUNTY

13

DATE

April 18, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

Adopted 4-0

*Memo Report
Staff Report
CPO Recommendation
MAPC minutes*

*03 57
59
\$60
\$61
\$62*

TO E. H. Denton, City Manager

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 78-5 Oliver Street Zoning Policy Study

In previous consideration of zone case 2-1846, a request for the "BB" Office District on the west side of Oliver in an area between Arbor and Lewis, it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of recommending appropriate zoning policies adjacent to Oliver from city limit to city limit.

Attached is a copy of the land use study and zoning policy recommendations which were prepared by the MAPD staff. On Thursday, April 13, 1978, the Metropolitan Area Planning Commission considered the study and Oliver Zoning Policy Recommendations. As a result of this consideration, the MAPC modified staff recommendations numbers 4, 5, and 6, while approving staff recommendations 1, 2, 3, and 7 as contained in the staff report. The MAPC also recommended that the entire set of policy recommendations be pre-
faced by a statement that future requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits. With these changes, the Metropolitan Area Planning Commission's recommendations for zoning policies on Oliver are as follows: #

Oliver Street Zoning Policy Recommendations

Requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits other recommendations notwithstanding.

21 to CL

13 to 21

Central to 13th

BB English N to 1st

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to Lewis on the east side of Oliver; favor the "A" Two Family District from Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing

Staff recommended "BB" to a point south of Lewis rather than to Lewis itself. Reason was to preserve two quality duplexes on west side + 2 SF houses on east side of Oliver. PC preferred that boundaries be at streets.

"BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

*BB & R-5
Staff rec.
existing zoning
districts shown
with 180' zoning
district
of 180'.*

Look with favor on the retention of existing zoning classifications from Harry north to Gilbert and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Gilbert north to Kellogg on both the east and west sides of Oliver.

Council "G" would R-5 (as opposed to EB) from Gilbert north to Kellogg north to Harry on both the east and west sides of Oliver.

Staff rec. R-5 from Kinkaid north to Harry on west side of Oliver and EB/R-5 from Kinkaid south to Pawnee

7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

In further explaining recommendation #5 the Commission stated that in the area from Gilbert north to Kellogg either the "R-5" General Residence District or the "BB" Office District might be appropriate depending on the specific application.

It should be noted that the recommendations as contained in the study are intended to provide a guide to the Planning and City Commissions in consideration of future zone change requests on Oliver. Those sites which are currently zoned a more intensive district than that recommended for the respective segment of Oliver will continue to be so zoned and will be unaffected by these policy recommendations. The MAPC's recommendations are not intended to initiate changes of existing zoning except at the owner's request and the proposed zoning policies will only apply to those intervening lots which may be involved in future zone change requests.

Attached are copies of the zoning policy study, excerpt from the MAPC minutes of April 13, 1978, and the recommendations of Citizen Participation Organization Councils "D", "F", "G", and "I".

Recommendation:

It is recommended that the Board of City Commissioners adopt the zoning policy recommendations on Oliver as approved by the Metropolitan Area Planning Commission.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:MM:jm
Attachments

1. Oliver Street Zoning Policy Study
2. Excerpt from MAPC minutes of April 13, 1978
3. Recommendations of CPO Councils "D", "F", "G", and "I"

PROPOSED ZONING POLICY FOR OLIVER STREET

Several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit. The following information is supplied pursuant to that request.

Oliver Street provides for north-south through traffic movement on the east side of Wichita. Primary traffic generators that utilize Oliver are the Cessna Pawnee Plant, McConnell Air Force Base, the Boeing Company to the south, and Wichita State University to the north. Community shopping centers are located at Harry and Oliver (Parklane), 13th and Oliver (KenMar), and 21st and Oliver (University Gardens); as well as several small neighborhood type centers and some strip commercial scattered at other locations adjacent to Oliver.

Oliver is an arterial for its entire length within the city limits and generally consists of four moving lanes of traffic on concrete roadway although some segments are blacktop and north of 25th Street North, the street reverts to two lanes of blacktop with open drainage ditches on the side. The pavement width varies from a low of 24 feet on the two lane segment north of 29th Street North to a high of 50 feet in the segment from 9th to 10th, with the average width approximately 44 feet. Street improvements within the City of Wichita are designed, if possible, to provide a service level of "C" (average wait of one red signal indication at intersection) over a projected twenty year period. The Division of Traffic Engineering estimates that a 48 foot paved street has a service level "C" capacity of 15,500 vehicles per day assuming 50% green time on traffic signals. Since Oliver averages 44 feet in width, one can assume that slightly lower traffic counts than 15,500 would represent a service level of "C". The traffic counts on Oliver are depicted by Table I:

TABLE I
TRAFFIC COUNTS ON OLIVER

	<u>1970</u>	<u>1972</u>	<u>1974</u>	<u>1976</u>
South of 29th N.	4142	2123	3670	6044
North of 21st N.	5269	5094	6955	6777
South of 21st N.	8253	9026	12481	14883
North of 17th	6964	9499	9769	12161
South of 17th	12248	12338	14274	15140
North of 13th	13364	13570	13644	10849
South of 13th	12670	12512	13199	14231
North of Central	13574	12694	16250	12179
South of Central	14250	13335	14700	12629
North of 2nd	NA	13335	15417	14951
South of 2nd	NA	13471	14410	17009
North of 1st	NA	13471	14410	17009
South of 1st	13963	14434	14828	16761
North of Douglas	13963	14434	16958	16761
South of Douglas	15506	13219	18105	13940
North of Kellogg	16298	15633	16849	18197
South of Kellogg	18267	16942	21685	23203
North of Lincoln	17911	17040	16387	17862
South of Lincoln	14415	13756	19343	21471
North of Harry	16064	16290	19259	20460
South of Harry	14010	14545	22966	15132
North of Mt. Vernon	13025	14159	16844	17518
South of Mt. Vernon	11510	12659	14524	15541
North of Pawnee	11450	14108	17733	16920
South of Pawnee	10576	9988	15848	12870
North of Geo.Wash.Blvd.	NA	9097	13789	13380
South of Geo.Wash.Blvd.	NA	8565	11342	11598
North of 31st S.	9822	8538	11357	11760
South of 31st S.	4214	7385	8665	10203

As may be seen from the above table, many sections of Oliver are experiencing traffic counts above those for "C" level capacity. This is especially true at the Oliver/Kellogg intersection which operates at a low service level ("E" or "F") much of the time. Another indication of intersection problems is the accident rate. Table II reflects accident rates at Oliver intersections in 1977.

TABLE II
1977 OLIVER INTERSECTION ACCIDENT RATES

Intersection	Rank In City	Number Accidents	Accidents/Million Vehicles	AADT
13th	19	34	3.16	29,455
Lincoln	20	33	2.82	32,032
Central	31	29	2.75	28,859
21st	37	26	3.59	19,835
Mt. Vernon	NA	16	1.88	23,333
Pawnee	NA	16	1.42	30,771
Douglas	NA	12	1.20	27,384
Harry	NA	17	1.19	39,192
Kellogg	NA	18	1.09	45,358
First	NA	7	.82	23,464
Second	NA	5	.71	19,212

The 1978-83 City of Wichita Capital Improvements Program contains several projects for the improvement of Oliver. These projects are:

1978	TE23	Signalization Douglas and Oliver-complete revision, widening of intersection
1978	TE24	Signalization Central and Oliver-partial upgrade
1980	TE25	Signalization Central and Oliver-completion of upgrade
1980	TE25	Signalization Oliver near Ninth-upgrade school signal
1980	TE25	Signalization 31st St. S. and Oliver-major modification
1980	MS255	Widening and reconstruction of Oliver from 750 feet south of Central to 9th St. from present 40 feet to 48 feet

1982	MS267	Channelization Oliver from Glendale to 1,000 feet north of Lincoln
1982	TE27	Signalization 13th and Oliver-full upgrade
1982	TE27	Signalization Oliver and Lincoln-partial upgrade
1982	TE27	Signalization Oliver at Parklane-new installation

The above projects are intended to maintain (or reach) a level of service "C" based on current traffic counts and some projected increases. At present, only one Oliver intersection (Harry) has been upgraded for full left turns, free flow right turns, and channelization. The Pawnee intersection contains channelization on Pawnee and the Kellogg intersection contains channelization at Kellogg. The programmed projects over the next six years should correct the worst deficiencies. It must be emphasized, however, that major changes in land use adjacent to Oliver could result in increased traffic generation and impact the present system.

The study area has been divided into various segments and a descriptive narrative has been developed for each, together with a suggested zoning policy. Staff has reviewed, in the field, the extent of new development and the conditions of existing uses. Although Oliver contains several community shopping centers and strips of commercial usage, much of the adjoining land use is well maintained single family development. It should also be noted that as a result of previous zoning policy adoption, Hillside is available for office development from Lincoln north to 17th. The development of Hillside with intensive uses should lessen some of the demand for intensive land use conversions on Oliver.

21st Street North to the City Limits

West Side of Oliver

From 21st Street North to the north city limits line approximately one third of a mile north of 21st Street North, the development is either high quality single family residential or remains undeveloped. Residential structures have been built as far north as Greenbriar Lane with undeveloped land to the north of that. The zoning remains single family residential except for the six hundred foot squares of "LC" Light Commercial zoning established in 1958, north and south of where 29th Street North "T" intersects with Oliver from the east. A buffer row of "RB" Four Family lots has been established to the south of the "LC" and the remainder of the zoning is "AA" Single Family residential. Both the "LC" and the "RB" zoned areas remain undeveloped although a Commercial Community Unit Plan has been filed on a portion of the "LC". The only recent zone case history on the west side of Oliver in this area was a request for the "A" Two Family district on several lots at 27th Street North which was denied by the Board of City Commissioners on August 16, 1977 (Z-1936).

East side of Oliver

The northeast corner of 21st Street North and Oliver is developed with a community shopping center, University Gardens, with the Shadow Lake Apartments developed to the north of that. The shopping center site is zoned the "LC" Light Commercial district except for a small strip of "AA" Single Family zoning adjacent to Oliver, whereas the apartment site is zoned the "B" Multiple Family district. However, both areas are covered by development controls established on a Commercial Community Unit Plan (DP-8 University Gardens C.U.P.). The only other "LC" Light Commercial zoning exists in 600 foot squares north and south of 29th Street North with both of these areas remaining undeveloped. The remainder of the east side of Oliver is developed with quality single family residences with the exception of a church at the northeast corner of Ethel and Oliver. Those residences south of 25th Street North are developed on 8,000 to 10,000 foot lots whereas those developed north of 29th Street North are developed on five and ten acre tracts with the exception of an ongoing farm operation developed on a larger site. The most recent zone change history in the area is the approval of amendments to the University Gardens Community Unit Plan by the Board of City Commissioners on August 24, 1976 and subsequent controversies before the City Commission regarding the screening and landscaping of that area. To the north of Shadow Lake Apartments, there have been three rezoning requests in recent years (Z-1436 "AA" to "R-5" in 1972; Z-1465 "AA" to "A" and "R-6" in 1972; Z-1594 "AA" to "R-5"), all of which were denied by the City Commission and the areas involved in those requests have now been developed with single family residences.

Based upon the recent zone change history of denial of duplex requests and the quality of the single family structures which have recently been built in the area, it is recommended that the Planning Department and the City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.

13th Street North to 21st Street North

West Side of Oliver

At the northwest corner of 13th and Oliver is the KenMar Community Shopping Center developed on "LC" Light Commercial zoning with the parking lot to the north of the center zoned the "B" Multiple Family District, to provide a buffer between the commercial uses and the residential areas to the north. A church is developed at the northwest corner of 14th and a pre-school is located on "B" Multiple Family zoning at the southwest corner of Vesta Drive and Oliver. Otherwise, the frontage between 14th and 17th is developed with modest yet well maintained single family residences; the frontage from 17th to 21st is zoned the "U" University District and developed with the Wichita State University golf course. The pre-school at Vesta Drive was zoned the "B" Multiple Family District in 1964,

however, a request for "B" zoning on an adjacent lot to enlarge the school in 1973 (Z-1492) was deferred by the Board of City Commissioners to permit the applicant to seek an exception from the Board of Zoning Appeals for a child care center; the BZA approved the request (BZA 15-73) and the zone change request was closed. Otherwise, there has been no rezoning request activity on the west side of Oliver in this area.

East Side of Oliver

The northeast corner of 13th and Oliver is developed with a Safeway Store on "LC" Light Commercial zoning with small offices developed to the north of that on "BB" Office District zoning at the northeast corner of 14th and Oliver. Immediately north of the offices there is a transition area of "A" Two Family district zoning at the southeast corner of Floberta and Oliver which is developed with a single family residence. The frontage between Floberta and the railroad tracks at approximately 17th Street is zoned "AA" Single Family and developed with single family residences with the exception of a nonconforming use duplex at the northeast corner of Kensington and Oliver, and a home occupation beauty shop between 15th and Crestway. The remaining frontage between the railroad tracks and 21st Street North is developed with two cemeteries, one (White Chapel Memorial Gardens) zoned "B" Multiple Family and the other (Wichita Hebrew) a nonconforming use in the "AA" Single Family district; some small offices and an animal hospital on "BB" Office District zoning, and two churches on "AA" Single Family District zoning.

This section of Oliver has been developed and there appears to be little demand for change as evidenced by a lack of zone change requests in recent years. However, it is not uncommon for dilapidated single family structures to be removed and replaced with new two family (duplex) development. On a major street such as Oliver both the Planning and City Commissions have generally looked with favor on the "A" Two Family District.

Based upon the level of development and the lack of any recent zone change requests, it is recommended that the Planning Commission and the Board of City Commissioners look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.

Central to 13th

West Side of Oliver

The northwest corner of Central and Oliver is developed as a tire, battery and accessory store, with a convenience food store and coin shop located to the north, all of which are zoned the "LC" Light Commercial District. Immediately north of the coin shop is a real estate office and apartment complex zoned the "BB" Office District. At the southwest corner of Ninth and Oliver a small grocery store and cleaners have been developed on "LC" Light Commercial zoning

with a church and school developed on "B" Multiple Family District zoning on the northwest corner of the intersection. The southwest corner of 13th and Oliver has a service station on "LC" zoning with a restaurant immediately south of the station in the "LC" district; south of the restaurant is a parking lot for the restaurant developed on "BB" Office zoning. The remainder of this section of Oliver is zoned "A" Two Family and is developed with single family houses and duplexes with the exception of the frontage for 450 feet north of 8th Street which is zoned the "B" Multiple Family District, yet developed with single and two family uses.

The only recent zone change history in the area is the approval of "LC" zoning where the convenience food store and coin shop are developed (Z-1437, 1972) and "BB" zoning where the real estate office and apartments have been constructed (Z-1753, 1975). Both sites being located between Elm and Central on the west side of Oliver.

East Side of Oliver

At the southeast corner of 13th and Oliver is an undeveloped tract of "LC" Light Commercial zoning (the Lamb property) which has been the subject of a Commercial Community Unit Plan request which was withdrawn in 1973. From 9th to 12th Streets North, the frontage is zoned the "A" Two Family District and developed with single family residences, two churches, and Adams Elementary School at the northeast corner of 10th and Oliver. The two blocks from Murdock to 9th Street are zoned the "RB" Four Family District and developed primarily with fourplexes although two single family houses are located at the northeast corner of Murdock and Oliver. The southeast corner of Murdock and Oliver contains a residence and pre-school for children developed in the "A" Two Family District. The northeast corner of Central and Oliver contains a restaurant and offices developed on "LC" Light Commercial zoning with "B" Multiple Family zoning containing two medical offices and duplexes, and single family residences located immediately north of the "LC"; the remainder of the block between Central and Murdock is zoned "A" Two Family and developed with single family residences and scattered duplexes.

Recent zone change history in the area includes the approval of the pre-school by the Board of Zoning Appeals at the southeast corner of Murdock and Oliver (BZA 41-77) and the denial of "BB" Office District zoning to permit an animal hospital at the southeast corner of 12th and Oliver (Z-1472, 1973).

It is recommended that the Planning Commission and Board of City Commissioners not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.

Kellogg to Central

West Side of Oliver

The west side of Oliver between Kellogg and Central is predominantly zoned the "A" Two Family District and developed with duplexes and single family residences except for concentrations of "LC" Light Commercial and "BB" Office District zoning and uses at the major intersections of Kellogg, Douglas, and Central. In addition, spots of "B" Multiple Family have been established between English and Oakland, as well as the "BB" Office District at the southwest corner of English and Oliver.

Recent zone change requests in the area are the approval of "BB" Office District zoning immediately north of the "LC" Light Commercial District at the northwest corner of Douglas and Oliver (Z-1426, 1972) and the aforementioned request for the "BB" Office District located between Arbor and Lewis (Z-1846) which was deferred by the Board of City Commissioners for completion of a zoning policy study. It should be noted that although the west side of Oliver south of Lewis is zoned "A" Two Family and developed with duplexes, the east side of the street south of Lewis contains scattered spots of "BB" Office District zoning and spots of office development.

East Side of Oliver

The east side of Oliver contains concentrations of "LC" Light Commercial and "BB" Office District zoning and development at the northeast corner of Kellogg, the southeast corner of Central, and the two block area between English and First Streets. The two block area from Lewis to English is zoned "A" Two Family and developed with single family houses and a couple of duplexes, whereas the three block area from 1st Street north to the "LC" at Central is zoned the "B" Multiple Family District and developed with two schools (Hyde Elementary, Robinson Junior High), duplexes, fourplexes, and single family houses. South of Lewis the zoning is primarily "A" Two Family, "BB" Office, and "LC" Light Commercial. However, the "A" Two Family zoning is developed with home occupation offices and a photography studio which was approved by the Board of Zoning Appeals for a use variance prior to a change in state legislation which prohibits use variances.

Recent zone change request history includes the approval of four tracts of "BB" Office zoning between English and 1st Streets (Z-1151, Z-1155, Z-1160 and Z-1211, all in 1970) although two of the cases were requests for the "LC" Light Commercial District which was not approved.

It is recommended that the Planning Commission and Board of City Commissioners look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and

favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

Harry to Kellogg

West Side of Oliver

The northwest corner of Harry and Oliver is zoned the "LC" Light Commercial District and developed with a small shopping center. From Boston Drive north to Lincoln the west side of Oliver is zoned the "B" Multiple Family District and is developed with duplexes and multi-family uses as part of the Hilltop Manor Development. From Lincoln north to Morris the zoning is predominantly "LC" Light Commercial with a buffer area of "BB" Office District zoning at the north end of the block. From Morris north to Kellogg the zoning is primarily "A" Two Family and is developed with duplexes and single family houses except for a service station developed on "LC" at Kellogg and a spot of "BB" Office zoning between Gilbert and Orme which contains insurance offices. The block from Orme north to Highland Lane is zoned the "RB" Four Family District although it is developed with single family residences.

Recent zone change history in the area includes approval of the "BB" Office District in an area north of Gilbert (Z-1106, 1969) and approval of "LC" with a buffer strip of "BB" for a Taco Tico and parking at the southwest corner of Morris and Oliver.

East Side of Oliver

From Harry north to Lincoln the development is commercial uses associated with the Parklane Shopping Center, zoned "LC", and controlled by a Community Unit Plan (DP-60, Parklane C.U.P.). From Lincoln north to Kellogg the zoning is a mixture of "LC", "BB", "A", and "AA", with commercial and office uses predominant and a few residential uses.

Recent zone change history includes the amendment of the Parklane C.U.P. in 1977, the approval of "LC" at the northeast corner of Eilerts and Oliver (Z-1255, 1971), and the denial of the "LC" Light Commercial District and approval of the "BB" Office District at the southeast corner of Morris and Oliver (Z-1916, 1977).

In viewing this segment of Oliver in the field, the staff had somewhat mixed feelings about the small pockets of residential development north of Morris on the east and west sides of the street. Although similar residential structures are proposed to be retained as residential on other segments of Oliver, it was felt that the traffic, noise, and considerable amounts of office and commercial development (often across the street from residential) which already exist in this area combine to render this segment of Oliver unsuitable for retention of a viable residential neighborhood. Actions of the governing body to approve "BB" Office zoning on both the east and west sides of Oliver in this area have also lessened the potential for retention of low density residential classifications.

It is recommended that the Planning Commission and the Board of City Commissioners look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.

Pawnee to Harry

West Side of Oliver

This portion of Oliver contains concentrations of "LC" Light Commercial zoning and usage adjacent to the intersections of Mt. Vernon and Oliver and Pawnee and Oliver. A small buffer area of "A" Two Family District zoning has also been established immediately north of the "LC" at the northwest corner of Pawnee and Oliver; otherwise the zoning and usage remains "AA" Single Family in this section of Oliver. A church is located at the southwest corner of Kinkaid and Oliver and Clapp Golf Course occupies the frontage between Meadowlane and Harry. No recent zone change requests have occurred in the area.

East Side of Oliver

This section of Oliver contains a wide mixture of residential and commercial uses and several spots of "BB" Office and "LC" Light Commercial zoning which have remained undeveloped or been developed with multi-family residential uses. The commercial uses are concentrated around the intersection of Mt. Vernon and Oliver and in a strip extending north of Pawnee.

Recent zone change request activity in the area includes the approval of the "BB" Office District at the northeast corner of Funston and Oliver (Z-1215, 1970) and the southeast corner of Kinkaid and Oliver (Z-1701, 1975). A request for the "R-6" General Residence District was denied and the "R-5" General Residence District was approved on a site in an area between Mt. Vernon Road and Funston (Z-1626, 1975).

It is recommended that the Planning Commission and Board of City Commissioners look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

South City Limits to Pawnee

West Side of Oliver

The south city limits line is located at Colfax Avenue and Oliver and from that point north to 31st Street South the frontage is zoned the "E" Light Industrial District and developed with a small strip commercial center. From 31st Street south to the Kansas Turnpike the land is owned by the City or County and is a portion of Planeview Park with the fireman training area and Civil Defense Headquarters located at the northwest corner of 31st Street South and Oliver. A discount store is developed on "LC" Light Commercial zoned property which is controlled by a Community Unit Plan at the northwest corner of George Washington Boulevard and Oliver, with a large undeveloped (except for a power substation) tract existing at the southwest corner of Pawnee and Oliver.

The only recent zone change history has been the approval of the "R-6" General Residence District on the large tract north of the discount store and south of Pawnee; said approval conditioned on approval of a residential Community Unit Plan and platting of the tract (Z-1927, 1977).

East Side of Oliver

The city limits on the east side of Oliver is located adjacent to 31st Street South. From that point north to New Jersey Drive the zoning is predominantly "AA" Single Family with a spot of "A" Two Family, although only 2 single family and 1 two family residences have been built. From New Jersey Drive north to Pawnee the zoning is either "B" Multiple Family or "LC" Light Commercial and the

Oliver frontage is either undeveloped or developed with office, commercial, or apartment uses.

The only recent zone change history in the area was a request for the "B" Multiple Family District at the southeast corner of New Jersey Drive was denied, with the "RB" Four Family District approved on the application area.

It is recommended that the Planning Commission and the Board of City Commissioners look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

THE CITY OF WICHITA

OFFICE OF

Citizen Participation

DATE

April 7, 1978

TO

Jack Galbraith, Chief Planner, Current Plans, MAPD

FROM

Mary Pitman, CPO Administrative Aide

SUBJECT

Council "D" and "F"
Actions on the Oliver
Street zoning policy

For several meetings, CPO Neighborhood Council Area "F" has been discussing the proposed zoning policy for Oliver Street. Council "F" has unanimously endorsed retention of existing zoning on Oliver from city limit to city limit, with two exceptions:

- (1) The Council favored "LC" Light Commercial zoning (as proposed in the policy) for the northwest corner of George Washington Boulevard and Oliver.
- (2) In concurrence with an earlier recommendation of Council "I" with regard to new draft zoning ordinance maps, Council "F" favors "downzoning" the western side of the intersection at 29th and Oliver to a residential district.

Council "F's" emphatic recommendation for the retention of existing zoning districts on Oliver (with the exceptions outlined above) is based on the following reasoning:

- (1) In view of the housing shortage in the city, the Council recommends that all existing residential zones be preserved.
- (2) It is the express desire of the City Commission to provide the maximum amount of housing in the city.
- (3) If additional office space is needed, the Council feels that it is most logical for offices to be established in the downtown area, to revitalize that area. There, it would be centralized to facilitate mass transit. Through Urban Renewal programs, much space has been opened up in the downtown area for the development of offices without the elimination of residential areas.
- (4) An advantage to retaining residential development on Oliver is that through traffic is expedited, since it does not have to wait on the cars turning into or out of business parking lots.

CPO Neighborhood Council Area "D" considered the Oliver zoning policy at their meeting on April 6, 1978. The Council voted unanimously to endorse the retention of existing zoning districts on Oliver from city limit to city limit.

Mary Pitman

Mary Pitman
CPO Administrative Aide

Free

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 4, 1978

TO Jack Galbraith, Chief Planner, Current Plans

FROM Dennis Bishop, CPO Administrative Aide

SUBJECT Oliver Street Zoning Policy

At the April 3, 1978, CPO Area Council "G" meeting the policy of zoning on Oliver between Central and Lincoln was discussed. By a 7-0 vote Area "G" concurred with the MAPD recommendations with the following exception:

On the west side of Oliver between Kellogg and Lincoln, Area "G" recommended that the zoning of R-5 be looked upon with favor and (in addition to all existing "BB" and "LC" zoning) that not any additional "BB" zoning, with the exception of the lot immediately to the south of the school playground and to the north of the insurance office.

Dennis Bishop

Dennis Bishop
CPO Administrative Aide

DB:sm

Noted:

David L. Furnas

David Furnas
Citizen Participation Coordinator



THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE March 22, 1978

TO Jack Galbraith, Chief Planner, Current Plans, MAPD
FROM Gail Williams, CPO Administrative Aide
SUBJECT Zoning Policy for Oliver

At their meeting of March 7, 1978, CPO Council "I" discussed the proposed zoning policy for Oliver Street from city limit to city limit.

The Council voted 6-0 to recommend that the MAPC and City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from the northern city limits to the southern city limits, with the single exception of the northwest corner of Oliver and George Washington Boulevard, for which "LC" Light Commercial zoning is appropriate.

Council "I" recommends the retention, if not the reduction, of existing zoning classifications for several reasons, including their commitment to preserving residential neighborhoods, and their desire to centralize business and commercial uses in areas that are non-residential.

It should be noted that the Council's recommendations to the MAPD pertaining to the proposed zoning ordinance included the recommendation that the western side of the intersection of Oliver and 29th Street North be downzoned. Residents in the area had expressed their concern over possible commercial encroachment into their neighborhood. The Council voted 5-4 at their meeting of December 6, 1977, to suggest that the western portion of the intersection be rezoned on the proposed zoning ordinance maps from "B-2" to "R-3" to be consistent with the property in the vicinity. This recommendation was forwarded to the MAPD on December 29, 1977.

Please provide these recommendations to the MAPC when they consider the proposed zoning policy on April 13.

Gail Williams
Gail Williams
CPO Administrative Aide

GW:rh

NOTED:

David Furnas
David Furnas
CPO Coordinator



EXCERPT FROM THE PLANNING COMMISSION MINUTES OF APRIL 13, 1978:

16. Case No. DR 78-5 - Oliver Street Zoning Policy Study

MIKE MEEK, Senior Planner, stated that several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit. MEEK continued that the staff has prepared a zoning policy study and the recommendations as contained in this study are intended to provide a guide to the Planning and City Commissions in consideration of future zone change requests on Oliver. Requests for expansion of existing businesses will be considered on their own merits. MEEK then showed slides of the area and summarized the policy recommendations as follows:

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.
5. Look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

Individual Commissioners made comments and suggestions as each segment of Oliver was discussed.

MEEK read the CPO recommendations to the Commission. CPO Council area "I" voted 6-0 to recommend that the MAPC and City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from the northern city limits to the southern city limits, with the single exception of the northwest corner of Oliver and George Washington Boulevard, for which "LC" Light Commercial zoning is appropriate. CPO Council Area "G" concurred with the staff recommendations with the exception of on the west side of Oliver between Kellogg and Lincoln, they recommended that the zoning of "R-5" be looked upon with favor and (in addition to all existing "BB" and "LC" zoning) that not any additional "BB" zoning, with the exception of the lot immediately to the south of the school playground and to the north of the insurance office. CPO Council Area "F" unanimously endorsed retention of existing zoning on Oliver from city limit to city limit, with two exceptions: 1) the Council favored "LC" Light Commercial zoning (as proposed in the policy) for the northwest corner of George Washington Boulevard and Oliver, and 2) in concurrence with an earlier recommendation of Council "I" with regard to new draft zoning ordinance maps, Council "F" favors "downzoning" the western side of the intersection at 29th and Oliver to a residential district. CPO Council Area "D" voted unanimously to endorse the retention of existing zoning districts on Oliver from city limit to city limit.

CHAIRMAN TAYLOR suggested taking all of the policy study in one motion, and MAY wanted to deal with numbers 4, 5 and 6 separately. TAYLOR ruled that items 1, 2, 3 and 7 as contained in the staff report would be taken in one motion and items 4, 5 and 6 would be considered individually.

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

MOTION: That the Planning Commission recommend to the City Commission that the zoning policies numbers 1, 2, 3 and 7 be approved as recommended by staff. Cole moved, Greider seconded.

BAYOUTH asked if the Commission would make studies on every street in the city.

GALBRAITH stated that the staff prepared zoning policy studies in response to requests by either the MAPC or the Board of City Commissioners. He noted that the staff would soon be preparing a zoning policy study on Pawnee at the direction of the City Commission.

VOTE ON THE MOTION: It carried with a vote of 6 in favor (Cole, Taylor, Savina, Barrier, May and Jones) and 2 opposed (Bayouth and Greider). Bell and Hennessy were absent.

BELL returned.

4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

SAVINA stated he could not support this item unless it clearly stated that existing business could expand.

MEEK noted that all the policy studies provide that requests for expansion of existing businesses will be considered on their own merits.

SAVINA replied that he wanted that in writing.

MEEK stated that the entire zoning policy on Oliver would be predicated by such a statement.

BARRIER felt that the whole area should be talked about. She said that she could not be in favor of this item at this time.

MOTION: That the Planning Commission recommend to the City Commission that this zoning policy (number 4) be approved with the exception that the "BB" Office District be favored from Kellogg north to Lewis. Cole moved.

The motion died for lack of a second. The Commission then further discussed this segment of Oliver.

MOTION: That the Planning Commission recommend to the City Commission that this zoning policy (number 4) be approved with the exception that the "BB" Office District be favored from Kellogg north to Lewis on both the east and west sides of Oliver. Savina moved, Bayouth seconded.

BARRIER mentioned that on one hand we talk about a shortage of duplexes and 4-plexes and now we are talking about changing to "BB" Office District where there are duplexes. This encourages removal of these types of units and was a bad policy in her opinion.

VOTE ON THE MOTION: It carried by a vote of 6 in favor (Savina, Bayouth, Cole, Bell, Taylor and Jones) and 3 opposed (Barrier, Greider and May). Hennessy was absent.

5. Look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.

MOTION: That the Planning Commission recommend to the City Commission that the zoning policy be approved except that existing zoning be favored from Harry north to Gilbert (instead of Morris) and that "BB" Office District or "R-5" General Residence District be recommended from Gilbert north to Kellogg. Cole moved, May seconded and it carried with a vote of 7 in favor (Cole, May, Barrier, Bell, Taylor, Jones and Savina) and 2 opposed (Bayouth and Greider). Hennessy was absent.

6. Look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

BARRIER commented that even though the zoning on the map indicates one thing that is not what the development is. The "R-5" zoning would be more compatible than "BB". She said that the "A" zoning across from Clapp Park is developed with nice homes. She was in favor of the existing zoning being retained.

MOTION: That the Planning Commission recommend to the City Commission that the existing zoning be retained on the east side of Oliver from Mt. Vernon north to Harry and "R-5" General Residence District on the west side from Pawnee to Kinkaid. Barrier moved, Cole seconded.

MOTION: That the motion be divided into two parts, one, encompassing Kinkaid north to Harry and the other, Kinkaid south to Pawnee. Cole moved, Barrier seconded and it carried unanimously. Hennessy was absent.

COLE argued against the south part of the motion (look with favor on "R-5" on the west side of Oliver between Kinkaid and Pawnee) because he felt that the staff recommendations offered more flexibility by giving the Commission the option of either "BB" or "R-5".

BARRIER stated that Mr. Cole was right and she would vote against her own motion.

VOTE ON SOUTH PART: The Commission voted unanimously to oppose "R-5" zoning on the west side of Oliver between Kinkaid and Pawnee. Hennessy was absent.

VOTE ON NORTH PART: The motion to look with favor on existing zoning from Kinkaid north to Harry on both the east and west sides of Oliver carried with a vote of 6 in favor (Cole, Barrier, Taylor, May, Jones and Bell) and 3 opposed (Bayouth, Gredier and Savina). Hennessy was absent.

NEW MOTION ON SOUTH PART: That the Planning Commission recommend to the City Commission that the staff recommendations for Kinkaid south to Pawnee be approved. Cole moved, May seconded and it failed by a vote of 2 in favor (Cole and May) and 7 opposed (Barrier, Taylor, Bell, Jones, Savina, Bayouth and Greider). Hennessy was absent.

MOTION: That the Planning Commission recommend to the City Commission that the existing zoning be retained on both the east and west sides of Oliver from Pawnee to Kinkaid. Bell moved, Cole seconded and it carried with a vote of 7 in favor (Bell, Cole, Barrier, Jones, Taylor, May and Savina) and 2 opposed (Bayouth and Greider). Hennessy was absent.

As a result of the preceding actions, the Metropolitan Area Planning Commission's recommendations for zoning policies on Oliver are as follows:

Oliver Street Zoning Policy Recommendations

Requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits other recommendations notwithstanding.

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to Lewis on the east side of Oliver; favor the "A" Two Family District from Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those

properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning district from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

5. Look with favor on the retention of existing zoning classifications from Harry north to Gilbert and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Gilbert north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the retention of existing zoning classifications from Pawnee north to Harry on both the east and west sides of Oliver.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

In further explaining recommendation #5, the Commission stated that in the area from Gilbert north to Kellogg either the "R-5" General Residence District or the "BB" Office District might be appropriate depending on the specific application.

April 18, 1978

E. H. Denton, City Manager

Robert A. Lakin, Director of Planning

DR 78-5 Oliver Street Zoning Policy Study

In previous consideration of zone case Z-1846, a request for the "BB" Office District on the west side of Oliver in an area between Arbor and Lewis, it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of recommending appropriate zoning policies adjacent to Oliver from city limit to city limit.

Attached is a copy of the land use study and zoning policy recommendations which were prepared by the MAPD staff. On Thursday, April 13, 1978, the Metropolitan Area Planning Commission considered the study and Oliver Zoning Policy Recommendations. As a result of this consideration, the MAPC modified staff recommendations numbers 4, 5, and 6 while approving staff recommendations 1, 2, 3, and 7 as contained in the staff report. The MAPC also recommended that the entire set of policy recommendations be prefaced by a statement that future requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits. With these changes, the Metropolitan Area Planning Commission's for zoning policies on Oliver are as follows:

Oliver Street Zoning Policy Recommendations

Requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits other recommendations notwithstanding.

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
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3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to Lewis on the east side of Oliver; favor the "A" Two Family District from Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing

"BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

5. Look with favor on the retention of existing zoning classifications from Harry north to Gilbert and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Gilbert north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the retention of existing zoning classifications from Pawnee north to Harry on both the east and west sides of Oliver.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

In further explaining recommendation #5 the Commission stated that in the area from Gilbert north to Kellogg either the "R-5" General Residence District or the "BB" Office District might be appropriate depending on the specific application.

It should be noted that the recommendations as contained in the study are intended to provide a guide to the Planning and City Commissions in consideration of future zone change requests on Oliver. Those sites which are currently zoned a more intensive district than that recommended for the respective segment of Oliver will continue to be so zoned and will be unaffected by these policy recommendations. The MAPC's recommendations are not intended to initiate changes of existing zoning except at the owner's request and the proposed zoning policies will only apply to those intervening lots which may be involved in future zone change requests.

Attached are copies of the zoning policy study, excerpt from the MAPC minutes of April 13, 1978, and the recommendations of Citizen Participation Organization Councils "D", "F", "G", and "I".

Recommendation:

It is recommended that the Board of City Commissioners adopt the zoning policy recommendations on Oliver as approved by the Metropolitan Area Planning Commission.

RAL:MM:jm
Attachments

Robert A. Lakin
Director of Planning

1. Oliver Street Zoning Policy Study
2. Excerpt from MAPC minutes of April 13, 1978
3. Recommendations of CPO Councils "D", "F", "G", and "I".

WICHITA-SEDGWICK COUNTY

DATE

April 18, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning

SUBJECT DR 78-5 Oliver Street Zoning Policy Study

In previous consideration of zone case Z-1846, a request for the "BB" Office District on the west side of Oliver in an area between Arbor and Lewis, it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of recommending appropriate zoning policies adjacent to Oliver from city limit to city limit.

Attached is a copy of the land use study and zoning policy recommendations which were prepared by the MAPD staff. On Thursday, April 13, 1978, the Metropolitan Area Planning Commission considered the study and Oliver Zoning Policy Recommendations. As a result of this consideration, the MAPC modified staff recommendations numbers 4, 5, and 6 while approving staff recommendations 1, 2, 3, and 7 as contained in the staff report. The MAPC also recommended that the entire set of policy recommendations be pre-faced by a statement that future requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits. With these changes, the Metropolitan Area Planning Commission's recommendations for zoning policies on Oliver are as follows:

Oliver Street Zoning Policy Recommendations

Requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits other recommendations notwithstanding.

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"BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

5. Look with favor on the retention of existing zoning classifications from Harry north to Gilbert and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Gilbert north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the retention of existing zoning classifications from Pawnee north to Harry on both the east and west sides of Oliver.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

In further explaining recommendation #5 the Commission stated that in the area from Gilbert north to Kellogg either the "R-5" General Residence District or the "BB" Office District might be appropriate depending on the specific application.

It should be noted that the recommendations as contained in the study are intended to provide a guide to the Planning and City Commissions in consideration of future zone change requests on Oliver. Those sites which are currently zoned a more intensive district than that recommended for the respective segment of Oliver will continue to be so zoned and will be unaffected by these policy recommendations. The MAPC's recommendations are not intended to initiate changes of existing zoning except at the owner's request and the proposed zoning policies will only apply to those intervening lots which may be involved in future zone change requests.

Attached are copies of the zoning policy study, excerpt from the MAPC minutes of April 13, 1978, and the recommendations of Citizen Participation Organization Councils "D", "F", "G", and "I".

Recommendation:

It is recommended that the Board of City Commissioners adopt the zoning policy recommendations on Oliver as approved by the Metropolitan Area Planning Commission.


Robert A. Lakin

Director of Planning

RAL:MM:jm
Attachments

1. Oliver Street Zoning Policy Study
2. Excerpt from MAPC minutes of April 13, 1978
3. Recommendations of CPO Councils "D", "F", "G", and "I"

PROPOSED ZONING POLICY FOR OLIVER STREET

Several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit. The following information is supplied pursuant to that request.

Oliver Street provides for north-south through traffic movement on the east side of Wichita. Primary traffic generators that utilize Oliver are the Cessna Pawnee Plant, McConnell Air Force Base, the Boeing Company to the south, and Wichita State University to the north. Community shopping centers are located at Harry and Oliver (Parklane), 13th and Oliver (KenMar), and 21st and Oliver (University Gardens); as well as several small neighborhood type centers and some strip commercial scattered at other locations adjacent to Oliver.

Oliver is an arterial for its entire length within the city limits and generally consists of four moving lanes of traffic on concrete roadway although some segments are blacktop and north of 25th Street North, the street reverts to two lanes of blacktop with open drainage ditches on the side. The pavement width varies from a low of 24 feet on the two lane segment north of 29th Street North to a high of 50 feet in the segment from 9th to 10th, with the average width approximately 44 feet. Street improvements within the City of Wichita are designed, if possible, to provide a service level of "C" (average wait of one red signal indication at intersection) over a projected twenty year period. The Division of Traffic Engineering estimates that a 48 foot paved street has a service level "C" capacity of 15,500 vehicles per day assuming 50% green time on traffic signals. Since Oliver averages 44 feet in width, one can assume that slightly lower traffic counts than 15,500 would represent a service level of "C". The traffic counts on Oliver are depicted by Table I:

TABLE I
TRAFFIC COUNTS ON OLIVER

	<u>1970</u>	<u>1972</u>	<u>1974</u>	<u>1976</u>
South of 29th N.	4142	2123	3670	6044
North of 21st N.	5269	5094	6955	6777
South of 21st N.	8253	9026	12481	14883
North of 17th	6964	9499	9769	12161
South of 17th	12248	12338	14274	15140
North of 13th	13364	13570	13644	10849
South of 13th	12670	12512	13199	14231
North of Central	13574	12694	16250	12179
South of Central	14250	13335	14700	12629
North of 2nd	NA	13335	15417	14951
South of 2nd	NA	13471	14410	17009
North of 1st	NA	13471	14410	17009
South of 1st	13963	14434	14828	16761
North of Douglas	13963	14434	16958	16761
South of Douglas	15506	13219	18105	13940
North of Kellogg	16298	15633	16849	18197
South of Kellogg	18267	16942	21685	23203
North of Lincoln	17911	17040	16387	17862
South of Lincoln	14415	13756	19343	21471
North of Harry	16064	16290	19259	20460
South of Harry	14010	14545	22966	15132
North of Mt. Vernon	13025	14159	16844	17518
South of Mt. Vernon	11510	12659	14524	15541
North of Pawnee	11450	14108	17733	16920
South of Pawnee	10576	9988	15848	12870
North of Geo.Wash.Blvd.	NA	9097	13789	13380
South of Geo.Wash.Blvd.	NA	8565	11342	11598
North of 31st S.	9822	8538	11357	11760
South of 31st S.	4214	7385	8665	10203

As may be seen from the above table, many sections of Oliver are experiencing traffic counts above those for "C" level capacity. This is especially true at the Oliver/Kellogg intersection which operates at a low service level ("E" or "F") much of the time. Another indication of intersection problems is the accident rate. Table II reflects accident rates at Oliver intersections in 1977.

TABLE II
1977 OLIVER INTERSECTION ACCIDENT RATES

Intersection	Rank In City	Number Accidents	Accidents/Million Vehicles	AADT
13th	19	34	3.16	29,455
Lincoln	20	33	2.82	32,032
Central	31	29	2.75	28,859
21st	37	26	3.59	19,835
Mt. Vernon	NA	16	1.88	23,333
Pawnee	NA	16	1.42	30,771
Douglas	NA	12	1.20	27,384
Harry	NA	17	1.19	39,192
Kellogg	NA	18	1.09	45,358
First	NA	7	.82	23,464
Second	NA	5	.71	19,212

The 1978-83 City of Wichita Capital Improvements Program contains several projects for the improvement of Oliver. These projects are:

1978	TE23	Signalization Douglas and Oliver-complete revision, widening of intersection
1978	TE24	Signalization Central and Oliver-partial upgrade
1980	TE25	Signalization Central and Oliver-completion of upgrade
1980	TE25	Signalization Oliver near Ninth-upgrade school signal
1980	TE25	Signalization 31st St. S. and Oliver-major modification
1980	MS255	Widening and reconstruction of Oliver from 750 feet south of Central to 9th St. from present 40 feet to 48 feet

1982	MS267	Channelization Oliver from Gle.ale to 1,000 feet north of Lincoln
1982	TE27	Signalization 13th and Oliver-full upgrade
1982	TE27	Signalization Oliver and Lincoln-partial upgrade
1982	TE27	Signalization Oliver at Parklane-new installation

The above projects are intended to maintain (or reach) a level of service "C" based on current traffic counts and some projected increases. At present, only one Oliver intersection (Harry) has been upgraded for full left turns, free flow right turns, and channelization. The Pawnee intersection contains channelization on Pawnee and the Kellogg intersection contains channelization at Kellogg. The programmed projects over the next six years should correct the worst deficiencies. It must be emphasized, however, that major changes in land use adjacent to Oliver could result in increased traffic generation and impact the present system.

The study area has been divided into various segments and a descriptive narrative has been developed for each, together with a suggested zoning policy. Staff has reviewed, in the field, the extent of new development and the conditions of existing uses. Although Oliver contains several community shopping centers and strips of commercial usage, much of the adjoining land use is well maintained single family development. It should also be noted that as a result of previous zoning policy adoption, Hillside is available for office development from Lincoln north to 17th. The development of Hillside with intensive uses should lessen some of the demand for intensive land use conversions on Oliver.

21st Street North to the City Limits

West Side of Oliver

From 21st Street North to the north city limits line approximately one third of a mile north of 21st Street North, the development is either high quality single family residential or remains undeveloped. Residential structures have been built as far north as Greenbriar Lane with undeveloped land to the north of that. The zoning remains single family residential except for the six hundred foot squares of "LC" Light Commercial zoning established in 1958, north and south of where 29th Street North "T" intersects with Oliver from the east. A buffer row of "RB" Four Family lots has been established to the south of the "LC" and the remainder of the zoning is "AA" Single Family residential. Both the "LC" and the "RB" zoned areas remain undeveloped although a Commercial Community Unit Plan has been filed on a portion of the "LC". The only recent zone case history on the west side of Oliver in this area was a request for the "A" Two Family district on several lots at 27th Street North which was denied by the Board of City Commissioners on August 16, 1977 (Z-1936).

East side of Oliver

The northeast corner of 21st Street North and Oliver is developed with a community shopping center, University Gardens, with the Shadow Lake Apartments developed to the north of that. The shopping center site is zoned the "LC" Light Commercial district except for a small strip of "AA" Single Family zoning adjacent to Oliver, whereas the apartment site is zoned the "B" Multiple Family district. However, both areas are covered by development controls established on a Commercial Community Unit Plan (DP-8 University Gardens C.U.P.). The only other "LC" Light Commercial zoning exists in 600 foot squares north and south of 29th Street North with both of these areas remaining undeveloped. The remainder of the east side of Oliver is developed with quality single family residences with the exception of a church at the northeast corner of Ethel and Oliver. Those residences south of 25th Street North are developed on 8,000 to 10,000 foot lots whereas those developed north of 29th Street North are developed on five and ten acre tracts with the exception of an ongoing farm operation developed on a larger site. The most recent zone change history in the area is the approval of amendments to the University Gardens Community Unit Plan by the Board of City Commissioners on August 24, 1976 and subsequent controversies before the City Commission regarding the screening and landscaping of that area. To the north of Shadow Lake Apartments, there have been three re-zoning requests in recent years (Z-1436 "AA" to "R-5" in 1972; Z-1465 "AA" to "A" and "R-6" in 1972; Z-1594 "AA" to "R-5"), all of which were denied by the City Commission and the areas involved in those requests have now been developed with single family residences.

Based upon the recent zone change history of denial of duplex requests and the quality of the single family structures which have recently been built in the area, it is recommended that the Planning Department and the City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.

13th Street North to 21st Street North

West Side of Oliver

At the northwest corner of 13th and Oliver is the KenMar Community Shopping Center developed on "LC" Light Commercial zoning with the parking lot to the north of the center zoned the "B" Multiple Family District, to provide a buffer between the commercial uses and the residential areas to the north. A church is developed at the northwest corner of 14th and a pre-school is located on "B" Multiple Family zoning at the southwest corner of Vesta Drive and Oliver. Otherwise, the frontage between 14th and 17th is developed with modest yet well maintained single family residences; the frontage from 17th to 21st is zoned the "U" University District and developed with the Wichita State University golf course. The pre-school at Vesta Drive was zoned the "B" Multiple Family District in 1964,

however, a request for "B" zoning on an adjacent lot to enlarge the school in 1973 (Z-1492) was deferred by the Board of City Commissioners to permit the applicant to seek an exception from the Board of Zoning Appeals for a child care center; the BZA approved the request (BZA 15-73) and the zone change request was closed. Otherwise, there has been no rezoning request activity on the west side of Oliver in this area.

East Side of Oliver

The northeast corner of 13th and Oliver is developed with a Safeway Store on "LC" Light Commercial zoning with small offices developed to the north of that on "BB" Office District zoning at the northeast corner of 14th and Oliver. Immediately north of the offices there is a transition area of "A" Two Family district zoning at the southeast corner of Floberta and Oliver which is developed with a single family residence. The frontage between Floberta and the railroad tracks at approximately 17th Street is zoned "AA" Single Family and developed with single family residences with the exception of a nonconforming use duplex at the northeast corner of Kensington and Oliver, and a home occupation beauty shop between 15th and Crestway. The remaining frontage between the railroad tracks and 21st Street North is developed with two cemeteries, one (White Chapel Memorial Gardens) zoned "B" Multiple Family and the other (Wichita Hebrew) a nonconforming use in the "AA" Single Family district; some small offices and an animal hospital on "BB" Office District zoning, and two churches on "AA" Single Family District zoning.

This section of Oliver has been developed and there appears to be little demand for change as evidenced by a lack of zone change requests in recent years. However, it is not uncommon for dilapidated single family structures to be removed and replaced with new two family (duplex) development. On a major street such as Oliver both the Planning and City Commissions have generally looked with favor on the "A" Two Family District.

Based upon the level of development and the lack of any recent zone change requests, it is recommended that the Planning Commission and the Board of City Commissioners look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.

Central to 13th

West Side of Oliver

The northwest corner of Central and Oliver is developed as a tire, battery and accessory store, with a convenience food store and coin shop located to the north, all of which are zoned the "LC" Light Commercial District. Immediately north of the coin shop is a real estate office and apartment complex zoned the "BB" Office District. At the southwest corner of Ninth and Oliver a small grocery store and cleaners have been developed on "LC" Light Commercial zoning

with a church and school developed on "B" Multiple Family District zoning on the northwest corner of the intersection. The southwest corner of 13th and Oliver has a service station on "LC" zoning with a restaurant immediately south of the station in the "LC" district; south of the restaurant is a parking lot for the restaurant developed on "BB" Office zoning. The remainder of this section of Oliver is zoned "A" Two Family and is developed with single family houses and duplexes with the exception of the frontage for 450 feet north of 8th Street which is zoned the "B" Multiple Family District, yet developed with single and two family uses.

The only recent zone change history in the area is the approval of "LC" zoning where the convenience food store and coin shop are developed (Z-1437, 1972) and "BB" zoning where the real estate office and apartments have been constructed (Z-1753, 1975). Both sites being located between Elm and Central on the west side of Oliver.

East Side of Oliver

At the southeast corner of 13th and Oliver is an undeveloped tract of "LC" Light Commercial zoning (the Lamb property) which has been the subject of a Commercial Community Unit Plan request which was withdrawn in 1973. From 9th to 12th Streets North, the frontage is zoned the "A" Two Family District and developed with single family residences, two churches, and Adams Elementary School at the northeast corner of 10th and Oliver. The two blocks from Murdock to 9th Street are zoned the "RB" Four Family District and developed primarily with fourplexes although two single family houses are located at the northeast corner of Murdock and Oliver. The southeast corner of Murdock and Oliver contains a residence and pre-school for children developed in the "A" Two Family District. The northeast corner of Central and Oliver contains a restaurant and offices developed on "LC" Light Commercial zoning with "B" Multiple Family zoning containing two medical offices and duplexes, and single family residences located immediately north of the "LC"; the remainder of the block between Central and Murdock is zoned "A" Two Family and developed with single family residences and scattered duplexes.

Recent zone change history in the area includes the approval of the pre-school by the Board of Zoning Appeals at the southeast corner of Murdock and Oliver (BZA 41-77) and the denial of "BB" Office District zoning to permit an animal hospital at the southeast corner of 12th and Oliver (Z-1472, 1973).

It is recommended that the Planning Commission and Board of City Commissioners not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.

Kellogg to Central

West Side of Oliver

The west side of Oliver between Kellogg and Central is predominantly zoned the "A" Two Family District and developed with duplexes and single family residences except for concentrations of "LC" Light Commercial and "BB" Office District zoning and uses at the major intersections of Kellogg, Douglas, and Central. In addition, spots of "B" Multiple Family have been established between English and Oakland, as well as the "BB" Office District at the southwest corner of English and Oliver.

Recent zone change requests in the area are the approval of "BB" Office District zoning immediately north of the "LC" Light Commercial District at the northwest corner of Douglas and Oliver (Z-1426, 1972) and the aforementioned request for the "BB" Office District located between Arbor and Lewis (Z-1846) which was deferred by the Board of City Commissioners for completion of a zoning policy study. It should be noted that although the west side of Oliver south of Lewis is zoned "A" Two Family and developed with duplexes, the east side of the street south of Lewis contains scattered spots of "BB" Office District zoning and spots of office development.

East Side of Oliver

The east side of Oliver contains concentrations of "LC" Light Commercial and "BB" Office District zoning and development at the northeast corner of Kellogg, the southeast corner of Central, and the two block area between English and First Streets. The two block area from Lewis to English is zoned "A" Two Family and developed with single family houses and a couple of duplexes, whereas the three block area from 1st Street north to the "LC" at Central is zoned the "B" Multiple Family District and developed with two schools (Hyde Elementary, Robinson Junior High), duplexes, fourplexes, and single family houses. South of Lewis the zoning is primarily "A" Two Family, "BB" Office, and "LC" Light Commercial. However, the "A" Two Family zoning is developed with home occupation offices and a photography studio which was approved by the Board of Zoning Appeals for a use variance prior to a change in state legislation which prohibits use variances.

Recent zone change request history includes the approval of four tracts of "BB" Office zoning between English and 1st Streets (Z-1151, Z-1155, Z-1160 and Z-1211, all in 1970) although two of the cases were requests for the "LC" Light Commercial District which was not approved.

It is recommended that the Planning Commission and Board of City Commissioners look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and

favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

Harry to Kellogg

West Side of Oliver

The northwest corner of Harry and Oliver is zoned the "LC" Light Commercial District and developed with a small shopping center. From Boston Drive north to Lincoln the west side of Oliver is zoned the "B" Multiple Family District and is developed with duplexes and multi-family uses as part of the Hilltop Manor Development. From Lincoln north to Morris the zoning is predominantly "LC" Light Commercial with a buffer area of "BB" Office District zoning at the north end of the block. From Morris north to Kellogg the zoning is primarily "A" Two Family and is developed with duplexes and single family houses except for a service station developed on "LC" at Kellogg and a spot of "BB" Office zoning between Gilbert and Orme which contains insurance offices. The block from Orme north to Highland Lane is zoned the "RB" Four Family District although it is developed with single family residences.

Recent zone change history in the area includes approval of the "BB" Office District in an area north of Gilbert (Z-1106, 1969) and approval of "LC" with a buffer strip of "BB" for a Taco Tico and parking at the southwest corner of Morris and Oliver.

East Side of Oliver

From Harry north to Lincoln the development is commercial uses associated with the Parklane Shopping Center, zoned "LC", and controlled by a Community Unit Plan (DP-60, Parklane C.U.P.). From Lincoln north to Kellogg the zoning is a mixture of "LC", "BB", "A", and "AA", with commercial and office uses predominant and a few residential uses.

Recent zone change history includes the amendment of the Parklane C.U.P. in 1977, the approval of "LC" at the northeast corner of Eilerts and Oliver (Z-1255, 1971), and the denial of the "LC" Light Commercial District and approval of the "BB" Office District at the southeast corner of Morris and Oliver (Z-1916, 1977).

In viewing this segment of Oliver in the field, the staff had somewhat mixed feelings about the small pockets of residential development north of Morris on the east and west sides of the street. Although similar residential structures are proposed to be retained as residential on other segments of Oliver, it was felt that the traffic, noise, and considerable amounts of office and commercial development (often across the street from residential) which already exist in this area combine to render this segment of Oliver unsuitable for retention of a viable residential neighborhood. Actions of the governing body to approve "BB" Office zoning on both the east and west sides of Oliver in this area have also lessened the potential for retention of low density residential classifications.

It is recommended that the Planning Commission and the Board of City Commissioners look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.

Pawnee to Harry

West Side of Oliver

This portion of Oliver contains concentrations of "LC" Light Commercial zoning and usage adjacent to the intersections of Mt. Vernon and Oliver and Pawnee and Oliver. A small buffer area of "A" Two Family District zoning has also been established immediately north of the "LC" at the northwest corner of Pawnee and Oliver; otherwise the zoning and usage remains "AA" Single Family in this section of Oliver. A church is located at the southwest corner of Kinkaid and Oliver and Clapp Golf Course occupies the frontage between Meadowlane and Harry. No recent zone change requests have occurred in the area.

East Side of Oliver

This section of Oliver contains a wide mixture of residential and commercial uses and several spots of "BB" Office and "LC" Light Commercial zoning which have remained undeveloped or been developed with multi-family residential uses. The commercial uses are concentrated around the intersection of Mt. Vernon and Oliver and in a strip extending north of Pawnee.

Recent zone change request activity in the area includes the approval of the "BB" Office District at the northeast corner of Funston and Oliver (Z-1215, 1970) and the southeast corner of Kinkaid and Oliver (Z-1701, 1975). A request for the "R-6" General Residence District was denied and the "R-5" General Residence District was approved on a site in an area between Mt. Vernon Road and Funston (Z-1626, 1975).

It is recommended that the Planning Commission and Board of City Commissioners look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

South City Limits to Pawnee

West Side of Oliver

The south city limits line is located at Colfax Avenue and Oliver and from that point north to 31st Street South the frontage is zoned the "E" Light Industrial District and developed with a small strip commercial center. From 31st Street south to the Kansas Turnpike the land is owned by the City or County and is a portion of Planeview Park with the fireman training area and Civil Defense Headquarters located at the northwest corner of 31st Street South and Oliver. A discount store is developed on "LC" Light Commercial zoned property which is controlled by a Community Unit Plan at the northwest corner of George Washington Boulevard and Oliver, with a large undeveloped (except for a power substation) tract existing at the southwest corner of Pawnee and Oliver.

The only recent zone change history has been the approval of the "R-6" General Residence District on the large tract north of the discount store and south of Pawnee; said approval conditioned on approval of a residential Community Unit Plan and platting of the tract (Z-1927, 1977).

East Side of Oliver

The city limits on the east side of Oliver is located adjacent to 31st Street South. From that point north to New Jersey Drive the zoning is predominantly "AA" Single Family with a spot of "A" Two Family, although only 2 single family and 1 two family residences have been built. From New Jersey Drive north to Pawnee the zoning is either "B" Multiple Family or "LC" Light Commercial and the

Oliver frontage is either undeveloped or developed with office, commercial, or apartment uses.

The only recent zone change history in the area was a request for the "B" Multiple Family District at the southeast corner of New Jersey Drive was denied, with the "RB" Four Family District approved on the application area.

It is recommended that the Planning Commission and the Board of City Commissioners look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

THE CITY OF WICHITA

OFFICE OF

Citizen Participation

DATE

April 7, 1978

TO

Jack Galbraith, Chief Planner, Current Plans, MAPD

FROM

Mary Pitman, CPO Administrative Aide

SUBJECT

Council "D" and "F"
Actions on the Oliver
Street zoning policy

For several meetings, CPO Neighborhood Council Area "F" has been discussing the proposed zoning policy for Oliver Street. Council "F" has unanimously endorsed retention of existing zoning on Oliver from city limit to city limit, with two exceptions:

- (1) The Council favored "LC" Light Commercial zoning (as proposed in the policy) for the northwest corner of George Washington Boulevard and Oliver.
- (2) In concurrence with an earlier recommendation of Council "I" with regard to new draft zoning ordinance maps, Council "F" favors "downzoning" the western side of the intersection at 29th and Oliver to a residential district.

Council "F's" emphatic recommendation for the retention of existing zoning districts on Oliver (with the exceptions outlined above) is based on the following reasoning:

- (1) In view of the housing shortage in the city, the Council recommends that all existing residential zones be preserved.
- (2) It is the express desire of the City Commission to provide the maximum amount of housing in the city.
- (3) If additional office space is needed, the Council feels that it is most logical for offices to be established in the downtown area, to revitalize that area. There, it would be centralized to facilitate mass transit. Through Urban Renewal programs, much space has been opened up in the downtown area for the development of offices without the elimination of residential areas.
- (4) An advantage to retaining residential development on Oliver is that through traffic is expedited, since it does not have to wait on the cars turning into or out of business parking lots.

CPO Neighborhood Council Area "D" considered the Oliver zoning policy at their meeting on April 6, 1978. The Council voted unanimously to endorse the retention of existing zoning districts on Oliver from city limit to city limit.

Mary Pitman

Mary Pitman
CPO Administrative Aide

Sneed

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 4, 1978

TO Jack Galbraith, Chief Planner, Current Plans

FROM Dennis Bishop, CPO Administrative Aide

SUBJECT Oliver Street Zoning Policy

At the April 3, 1978, CPO Area Council "G" meeting the policy of zoning on Oliver between Central and Lincoln was discussed. By a 7-0 vote Area "G" concurred with the MAPD recommendations with the following exception:

On the west side of Oliver between Kellogg and Lincoln, Area "G" recommended that the zoning of R-5 be looked upon with favor and (in addition to all existing "BB" and "LC" zoning) that not any additional "BB" zoning, with the exception of the lot immediately to the south of the school playground and to the north of the insurance office.

Dennis Bishop

Dennis Bishop
CPO Administrative Aide

DB:sm

Noted:

David L. Furnas

David Furnas
Citizen Participation Coordinator



THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE March 22, 1978

TO Jack Galbraith, Chief Planner, Current Plans, MAPD

FROM Gail Williams, CPO Administrative Aide

SUBJECT Zoning Policy for Oliver

At their meeting of March 7, 1978, CPO Council "I" discussed the proposed zoning policy for Oliver Street from city limit to city limit.

The Council voted 6-0 to recommend that the MAPC and City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from the northern city limits to the southern city limits, with the single exception of the northwest corner of Oliver and George Washington Boulevard, for which "LC" Light Commercial zoning is appropriate.

Council "I" recommends the retention, if not the reduction, of existing zoning classifications for several reasons, including their commitment to preserving residential neighborhoods, and their desire to centralize business and commercial uses in areas that are non-residential.

It should be noted that the Council's recommendations to the MAPD pertaining to the proposed zoning ordinance included the recommendation that the western side of the intersection of Oliver and 29th Street North be downzoned. Residents in the area had expressed their concern over possible commercial encroachment into their neighborhood. The Council voted 5-4 at their meeting of December 6, 1977, to suggest that the western portion of the intersection be rezoned on the proposed zoning ordinance maps from "B-2" to "R-3" to be consistent with the property in the vicinity. This recommendation was forwarded to the MAPD on December 29, 1977.

Please provide these recommendations to the MAPC when they consider the proposed zoning policy on April 13.

Gail Williams
Gail Williams
CPO Administrative Aide

GW:rh

NOTED:

David Furnas
David Furnas
CPO Coordinator



EXCERPT FROM THE PLANNING COMMISSION MINUTES OF APRIL 13, 1978:

16. Case No. DR 78-5 - Oliver Street Zoning Policy Study

MIKE MEEK, Senior Planner, stated that several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit. MEEK continued that the staff has prepared a zoning policy study and the recommendations as contained in this study are intended to provide a guide to the Planning and City Commissions in consideration of future zone change requests on Oliver. Requests for expansion of existing businesses will be considered on their own merits. MEEK then showed slides of the area and summarized the policy recommendations as follows:

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.
5. Look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

Individual Commissioners made comments and suggestions as each segment of Oliver was discussed.

MEEK read the CPO recommendations to the Commission. CPO Council area "I" voted 6-0 to recommend that the MAPC and City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from the northern city limits to the southern city limits, with the single exception of the northwest corner of Oliver and George Washington Boulevard, for which "LC" Light Commercial zoning is appropriate. CPO Council Area "G" concurred with the staff recommendations with the exception of on the west side of Oliver between Kellogg and Lincoln, they recommended that the zoning of "R-5" be looked upon with favor and (in addition to all existing "BB" and "LC" zoning) that not any additional "BB" zoning, with the exception of the lot immediately to the south of the school playground and to the north of the insurance office. CPO Council Area "F" unanimously endorsed retention of existing zoning on Oliver from city limit to city limit, with two exceptions: 1) the Council favored "LC" Light Commercial zoning (as proposed in the policy) for the northwest corner of George Washington Boulevard and Oliver, and 2) in concurrence with an earlier recommendation of Council "I" with regard to new draft zoning ordinance maps, Council "F" favors "downzoning" the western side of the intersection at 29th and Oliver to a residential district. CPO Council Area "D" voted unanimously to endorse the retention of existing zoning districts on Oliver from city limit to city limit.

CHAIRMAN TAYLOR suggested taking all of the policy study in one motion, and MAY wanted to deal with numbers 4, 5 and 6 separately. TAYLOR ruled that items 1, 2, 3 and 7 as contained in the staff report would be taken in one motion and items 4, 5 and 6 would be considered individually.

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

MOTION: That the Planning Commission recommend to the City Commission that the zoning policies numbers 1, 2, 3 and 7 be approved as recommended by staff. Cole moved, Greider seconded.

BAYOUTH asked if the Commission would make studies on every street in the city.

GALBRAITH stated that the staff prepared zoning policy studies in response to requests by either the MAPC or the Board of City Commissioners. He noted that the staff would soon be preparing a zoning policy study on Pawnee at the direction of the City Commission.

VOTE ON THE MOTION: It carried with a vote of 6 in favor (Cole, Taylor, Savina, Barrier, May and Jones) and 2 opposed (Bayouth and Greider). Bell and Hennessy were absent.

BELL returned.

4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

SAVINA stated he could not support this item unless it clearly stated that existing business could expand.

MEEK noted that all the policy studies provide that requests for expansion of existing businesses will be considered on their own merits.

SAVINA replied that he wanted that in writing.

MEEK stated that the entire zoning policy on Oliver would be predicated by such a statement.

BARRIER felt that the whole area should be talked about. She said that she could not be in favor of this item at this time.

MOTION: That the Planning Commission recommend to the City Commission that this zoning policy (number 4) be approved with the exception that the "BB" Office District be favored from Kellogg north to Lewis. Cole moved.

The motion died for lack of a second. The Commission then further discussed this segment of Oliver.

MOTION: That the Planning Commission recommend to the City Commission that this zoning policy (number 4) be approved with the exception that the "BB" Office District be favored from Kellogg north to Lewis on both the east and west sides of Oliver. Savina moved, Bayouth seconded.

BARRIER mentioned that on one hand we talk about a shortage of duplexes and 4-plexes and now we are talking about changing to "BB" Office District where there are duplexes. This encourages removal of these types of units and was a bad policy in her opinion.

VOTE ON THE MOTION: It carried by a vote of 6 in favor (Savina, Bayouth, Cole, Bell, Taylor and Jones) and 3 opposed (Barrier, Greider and May). Hennessy was absent.

5. Look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.

MOTION: That the Planning Commission recommend to the City Commission that the zoning policy be approved except that existing zoning be favored from Harry north to Gilbert (instead of Morris) and that "BB" Office District or "R-5" General Residence District be recommended from Gilbert north to Kellogg. Cole moved, May seconded and it carried with a vote of 7 in favor (Cole, May, Barrier, Bell, Taylor, Jones and Savina) and 2 opposed (Bayouth and Greider). Hennessy was absent.

6. Look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

BARRIER commented that even though the zoning on the map indicates one thing that is not what the development is. The "R-5" zoning would be more compatible than "BB". She said that the "A" zoning across from Clapp Park is developed with nice homes. She was in favor of the existing zoning being retained.

MOTION: That the Planning Commission recommend to the City Commission that the existing zoning be retained on the east side of Oliver from Mt. Vernon north to Harry and "R-5" General Residence District on the west side from Pawnee to Kinkaid. Barrier moved, Cole seconded.

MOTION: That the motion be divided into two parts, one, encompassing Kinkaid north to Harry and the other, Kinkaid south to Pawnee. Cole moved, Barrier seconded and it carried unanimously. Hennessy was absent.

COLE argued against the south part of the motion (look with favor on "R-5" on the west side of Oliver between Kinkaid and Pawnee) because he felt that the staff recommendations offered more flexibility by giving the Commission the option of either "BB" or "R-5".

BARRIER stated that Mr. Cole was right and she would vote against her own motion.

VOTE ON SOUTH PART: The Commission voted unanimously to oppose "R-5" zoning on the west side of Oliver between Kinkaid and Pawnee. Hennessy was absent.

VOTE ON NORTH PART: The motion to look with favor on existing zoning from Kinkaid north to Harry on both the east and west sides of Oliver carried with a vote of 6 in favor (Cole, Barrier, Taylor, May, Jones and Bell) and 3 opposed (Bayouth, Gredier and Savina). Hennessy was absent.

NEW MOTION ON SOUTH PART: That the Planning Commission recommend to the City Commission that the staff recommendations for Kinkaid south to Pawnee be approved. Cole moved, May seconded and it failed by a vote of 2 in favor (Cole and May) and 7 opposed (Barrier, Taylor, Bell, Jones, Savina, Bayouth and Greider). Hennessy was absent.

MOTION: That the Planning Commission recommend to the City Commission that the existing zoning be retained on both the east and west sides of Oliver from Pawnee to Kinkaid. Bell moved, Cole seconded and it carried with a vote of 7 in favor (Bell, Cole, Barrier, Jones, Taylor, May and Savina) and 2 opposed (Bayouth and Greider). Hennessy was absent.

As a result of the preceding actions, the Metropolitan Area Planning Commission's recommendations for zoning policies on Oliver are as follows:

Oliver Street Zoning Policy Recommendations

Requests for expansion of existing businesses adjacent to Oliver will be considered on their own merits other recommendations notwithstanding.

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to Lewis on the east side of Oliver; favor the "A" Two Family District from Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those

properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning district from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

5. Look with favor on the retention of existing zoning classifications from Harry north to Gilbert and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Gilbert north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the retention of existing zoning classifications from Pawnee north to Harry on both the east and west sides of Oliver.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

In further explaining recommendation #5, the Commission stated that in the area from Gilbert north to Kellogg either the "R-5" General Residence District or the "BB" Office District might be appropriate depending on the specific application.

WICHITA-SEDGWICK COUNTY

DATE April 7, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Metropolitan Area Planning Commission
FROM Robert A. Lakin, Director of Planning

SUBJECT DR 78-5 Oliver Street Zoning Policy Study

Several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit.


The MAPD staff has prepared a zoning policy study which is attached for your reference. The recommendations as contained in this study are intended to provide a guide to the Planning and City Commissions in consideration of future zone change requests on Oliver. Requests for expansion of existing businesses will be considered on their own merits. It is recommended that zoning policies be established on Oliver as follows:

1. Not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.
2. Look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.
3. Not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.
4. Look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention

of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

5. Look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.
6. Look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.
7. Look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.

Consideration of this matter has been placed on your agenda for April 13, 1978, along with zone case Z-1846 which was returned for a policy statement.


Robert A. Lakin
Director of Planning

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 9, 1978

TO Gary Pierce, Graphics Supervisor
FROM Mike Meek, Senior Planner
SUBJECT Zoning policy studies on Seneca and Oliver

We have prepared zoning policy studies on Seneca and Oliver which have been scheduled before the MAPC on March 30 and April 13, respectively. It will be necessary to have slides of the entire length of these streets prepared for those meetings. Inasmuch as this will require considerable time for either Bob or Karen when she returns, this is to give you advance notice.

The map slides on Oliver have already been shot and I am preparing maps for the Seneca study. It would be impossible to have slides of each individual structure, but panoramic views of entire blocks would be desirable.

Please let me know when you are ready to shoot the slides, and I will get with you.

Mike Meek

Mike Meek, Senior Planner

MM:bbc

cc: Jack Galbraith ✓

February 14, 1978

Dave Furnas, Citizen Participation Organization

Jack Galbraith, Chief Planner, Current Plans Division

DR-78-5 Oliver Street Zoning Policy Study

Several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit.

We have now completed that study which is attached for your information. Consideration of this item has been tentatively scheduled before the Metropolitan Area Planning Commission on March 16, 1978. Would you please circulate this study to the appropriate CPO councils for review and advise if there are any scheduling conflicts which would necessitate a change from the March 16, 1978 date?

The Graphics Section is currently preparing a series of presentation maps for use with the proposed study, and such should be available in time for use by the CPO aides in presentation to neighborhood councils.

If you have questions or problems regarding this matter, please do not hesitate to call.

Jack Galbraith
Chief Planner

JG:MM:bbc

Attachment

PROPOSED ZONING POLICY FOR OLIVER STREET

Several months ago, when considering a request for rezoning to the "BB" Office District for a tract on the west side of Oliver between Arbor and Lewis (Z-1846), it was the action of the Board of City Commissioners to return the request to the Metropolitan Area Planning Commission for consideration of establishing appropriate zoning policies adjacent to Oliver from city limit to city limit. The following information is supplied pursuant to that request.

Oliver Street provides for north-south through traffic movement on the east side of Wichita. Primary traffic generators that utilize Oliver are the Cessna Pawnee Plant, McConnell Air Force Base, the Boeing Company to the south, and Wichita State University to the north. Community shopping centers are located at Harry and Oliver (Parklane), 13th and Oliver (KenMar), and 21st and Oliver (University Gardens); as well as several small neighborhood type centers and some strip commercial scattered at other locations adjacent to Oliver.

Oliver is an arterial for its entire length within the city limits and generally consists of four moving lanes of traffic on concrete roadway although some segments are blacktop and north of 25th Street North, the street reverts to two lanes of blacktop with open drainage ditches on the side. The pavement width varies from a low of 24 feet on the two lane segment north of 29th Street North to a high of 50 feet in the segment from 9th to 10th, with the average width approximately 44 feet. Street improvements within the City of Wichita are designed, if possible, to provide a service level of "C" (average wait of one red signal indication at intersection) over a projected twenty year period. The Division of Traffic Engineering estimates that a 48 foot paved street has a service level "C" capacity of 15,500 vehicles per day assuming 50% green time on traffic signals. Since Oliver averages 44 feet in width, one can assume that slightly lower traffic counts than 15,500 would represent a service level of "C". The traffic counts on Oliver are depicted by Table I:

TABLE I
TRAFFIC COUNTS ON OLIVER

	<u>1970</u>	<u>1972</u>	<u>1974</u>	<u>1976</u>
South of 29th N.	4142	2123	3670	6044
North of 21st N.	5269	5094	6955	6777
South of 21st N.	8253	9026	12481	14883
North of 17th	6964	9499	9769	12161
South of 17th	12248	12338	14274	15140
North of 13th	13364	13570	13644	10849
South of 13th	12670	12512	13199	14231
North of Central	13574	12694	16250	12179
South of Central	14250	13335	14700	12629
North of 2nd	NA	13335	15417	14951
South of 2nd	NA	13471	14410	17009
North of 1st	NA	13471	14410	17009
South of 1st	13963	14434	14828	16761
North of Douglas	13963	14434	16958	16761
South of Douglas	15506	13219	18105	13940
North of Kellogg	16298	15633	16849	18197
South of Kellogg	18267	16942	21685	23203
North of Lincoln	17911	17040	16387	17862
South of Lincoln	14415	13756	19343	21471
North of Harry	16064	16290	19259	20460
South of Harry	14010	14545	22966	15132
North of Mt. Vernon	13025	14159	16844	17518
South of Mt. Vernon	11510	12659	14524	15541
North of Pawnee	11450	14108	17733	16920
South of Pawnee	10576	9988	15848	12870
North of Geo.Wash.Blvd.	NA	9097	13789	13380
South of Geo.Wash.Blvd.	NA	8565	11342	11598
North of 31st S.	9822	8538	11357	11760
South of 31st S.	4214	7385	8665	10203

As may be seen from the above table, many sections of Oliver are experiencing traffic counts above those for "C" level capacity. This is especially true at the Oliver/Kellogg intersection which operates at a low service level ("E" or "F") much of the time. Another indication of intersection problems is the accident rate. Table II reflects accident rates at Oliver intersections in 1977.

TABLE II
1977 OLIVER INTERSECTION ACCIDENT RATES

Intersection	Rank In City	Number Accidents	Accidents/Million Vehicles	ADT
13th	19	34	3.16	29,455
Lincoln	20	33	2.82	32,032
Central	31	29	2.75	28,859
21st	37	26	3.59	19,835
Mt. Vernon	NA	16	1.88	23,333
Pawnee	NA	16	1.42	30,771
Douglas	NA	12	1.20	27,384
Harry	NA	17	1.19	39,192
Kellogg	NA	18	1.09	45,358
First	NA	7	.82	23,464
Second	NA	5	.71	19,212

The 1978-83 City of Wichita Capital Improvements Program contains several projects for the improvement of Oliver. These projects are:

- 1978 TE23 Signalization Douglas and Oliver-complete revision, widening of intersection
- 1978 TE24 Signalization Central and Oliver-partial upgrade
- 1980 TE25 Signalization Central and Oliver-completion of upgrade
- 1980 TE25 Signalization Oliver near Ninth-upgrade school signal
- 1980 TE25 Signalization 31st St. S. and Oliver-major modification
- 1980 MS255 Widening and reconstruction of Oliver from 750 feet south of Central to 9th St. from present 40 feet to 48 feet

1982	MS267	Channelization Oliver from Glendale to 1,000 feet north of Lincoln
1982	TE27	Signalization 13th and Oliver-full upgrade
1982	TE27	Signalization Oliver and Lincoln-partial upgrade
1982	TE27	Signalization Oliver at Parklane-new installation

The above projects are intended to maintain (or reach) a level of service "C" based on current traffic counts and some projected increases. At present, only one Oliver intersection (Harry) has been upgraded for full left turns, free flow right turns, and channelization. The Pawnee intersection contains channelization on Pawnee and the Kellogg intersection contains channelization at Kellogg. The programmed projects over the next six years should correct the worst deficiencies. It must be emphasized, however, that major changes in land use adjacent to Oliver could result in increased traffic generation and impact the present system.

The study area has been divided into various segments and a descriptive narrative has been developed for each, together with a suggested zoning policy. Staff has reviewed, in the field, the extent of new development and the conditions of existing uses. Although Oliver contains several community shopping centers and strips of commercial usage, much of the adjoining land use is well maintained single family development. It should also be noted that as a result of previous zoning policy adoption, Hillside is available for office development from Lincoln north to 17th. The development of Hillside with intensive uses should lessen some of the demand for intensive land use conversions on Oliver.

21st Street North to the City Limits

West Side of Oliver

From 21st Street North to the north city limits line approximately one third of a mile north of 21st Street North, the development is either high quality single family residential or remains undeveloped. Residential structures have been built as far north as Greenbriar Lane with undeveloped land to the north of that. The zoning remains single family residential except for the six hundred foot squares of "LC" Light Commercial zoning established in 1958, north and south of where 29th Street North "T" intersects with Oliver from the east. A buffer row of "RB" Four Family lots has been established to the south of the "LC" and the remainder of the zoning is "AA" Single Family residential. Both the "LC" and the "RB" zoned areas remain undeveloped although a Commercial Community Unit Plan has been filed on a portion of the "LC". The only recent zone case history on the west side of Oliver in this area was a request for the "A" Two Family district on several lots at 27th Street North which was denied by the Board of City Commissioners on August 16, 1977 (Z-1936).

East side of Oliver

The northeast corner of 21st Street North and Oliver is developed with a community shopping center, University Gardens, with the Shadow Lake Apartments developed to the north of that. The shopping center site is zoned the "LC" Light Commercial district except for a small strip of "AA" Single Family zoning adjacent to Oliver, whereas the apartment site is zoned the "B" Multiple Family district. However, both areas are covered by development controls established on a Commercial Community Unit Plan (DP-8 University Gardens C.U.P.). The only other "LC" Light Commercial zoning exists in 600 foot squares north and south of 29th Street North with both of these areas remaining undeveloped. The remainder of the east side of Oliver is developed with quality single family residences with the exception of a church at the northeast corner of Ethel and Oliver. Those residences south of 25th Street North are developed on 8,000 to 10,000 foot lots whereas those developed north of 29th Street North are developed on five and ten acre tracts with the exception of an ongoing farm operation developed on a larger site. The most recent zone change history in the area is the approval of amendments to the University Gardens Community Unit Plan by the Board of City Commissioners on August 24, 1976 and subsequent controversies before the City Commission regarding the screening and landscaping of that area. To the north of Shadow Lake Apartments, there have been three rezoning requests in recent years (Z-1436 "AA" to "R-5" in 1972; Z-1465 "AA" to "A" and "R-6" in 1972; Z-1594 "AA" to "R-5"), all of which were denied by the City Commission and the areas involved in those requests have now been developed with single family residences.

Based upon the recent zone change history of denial of duplex requests and the quality of the single family structures which have recently been built in the area, it is recommended that the Planning Department and the City Commission not look with favor on more intensive zoning classifications than those currently existing on individual tracts on both the east and west sides of Oliver from 21st Street North to the city limit lines on the north.

13th Street North to 21st Street North

West Side of Oliver

At the northwest corner of 13th and Oliver is the KenMar Community Shopping Center developed on "LC" Light Commercial zoning with the parking lot to the north of the center zoned the "B" Multiple Family District, to provide a buffer between the commercial uses and the residential areas to the north. A church is developed at the northwest corner of 14th and a pre-school is located on "B" Multiple Family zoning at the southwest corner of Vesta Drive and Oliver. Otherwise, the frontage between 14th and 17th is developed with modest yet well maintained single family residences; the frontage from 17th to 21st is zoned the "U" University District and developed with the Wichita State University golf course. The pre-school at Vesta Drive was zoned the "B" Multiple Family District in 1964,

however, a request for "B" zoning on an adjacent lot to enlarge the school in 1973 (Z-1492) was deferred by the Board of City Commissioners to permit the applicant to seek an exception from the Board of Zoning Appeals for a child care center; the BZA approved the request (BZA 15-73) and the zone change request was closed. Otherwise, there has been no rezoning request activity on the west side of Oliver in this area.

East Side of Oliver

The northeast corner of 13th and Oliver is developed with a Safeway Store on "LC" Light Commercial zoning with small offices developed to the north of that on "BB" Office District zoning at the northeast corner of 14th and Oliver. Immediately north of the offices there is a transition area of "A" Two Family district zoning at the southeast corner of Floberta and Oliver which is developed with a single family residence. The frontage between Floberta and the railroad tracks at approximately 17th Street is zoned "AA" Single Family and developed with single family residences with the exception of a nonconforming use duplex at the northeast corner of Kensington and Oliver, and a home occupation beauty shop between 15th and Crestway. The remaining frontage between the railroad tracks and 21st Street North is developed with two cemeteries, one (White Chapel Memorial Gardens) zoned "B" Multiple Family and the other (Wichita Hebrew) a nonconforming use in the "AA" Single Family district; some small offices and an animal hospital on "BB" Office District zoning, and two churches on "AA" Single Family District zoning.

This section of Oliver has been developed and there appears to be little demand for change as evidenced by a lack of zone change requests in recent years. However, it is not uncommon for dilapidated single family structures to be removed and replaced with new two family (duplex) development. On a major street such as Oliver both the Planning and City Commissions have generally looked with favor on the "A" Two Family District.

Based upon the level of development and the lack of any recent zone change requests, it is recommended that the Planning Commission and the Board of City Commissioners look with favor on retaining the existing zoning classifications on both the east and west sides of Oliver between 13th and 21st Streets North with the exception that requests for duplex development (the "A" Two Family District) should not be discouraged from 13th to 17th Streets North on both the east and west sides of Oliver.

Central to 13th

West Side of Oliver

The northwest corner of Central and Oliver is developed as a tire, battery and accessory store, with a convenience food store and coin shop located to the north, all of which are zoned the "LC" Light Commercial District. Immediately north of the coin shop is a real estate office and apartment complex zoned the "BB" Office District. At the southwest corner of Ninth and Oliver a small grocery store and cleaners have been developed on "LC" Light Commercial zoning

with a church and school developed on "B" Multiple Family District zoning on the northwest corner of the intersection. The southwest corner of 13th and Oliver has a service station on "LC" zoning with a restaurant immediately south of the station in the "LC" district; south of the restaurant is a parking lot for the restaurant developed on "BB" Office zoning. The remainder of this section of Oliver is zoned "A" Two Family and is developed with single family houses and duplexes with the exception of the frontage for 450 feet north of 8th Street which is zoned the "B" Multiple Family District, yet developed with single and two family uses.

The only recent zone change history in the area is the approval of "LC" zoning where the convenience food store and coin shop are developed (Z-1437, 1972) and "BB" zoning where the real estate office and apartments have been constructed (Z-1753, 1975). Both sites being located between Elm and Central on the west side of Oliver.

East Side of Oliver

At the southeast corner of 13th and Oliver is an undeveloped tract of "LC" Light Commercial zoning (the Lamb property) which has been the subject of a Commercial Community Unit Plan request which was withdrawn in 1973. From 9th to 12th Streets North, the frontage is zoned the "A" Two Family District and developed with single family residences, two churches, and Adams Elementary School at the northeast corner of 10th and Oliver. The two blocks from Murdock to 9th Street are zoned the "RB" Four Family District and developed primarily with fourplexes although two single family houses are located at the northeast corner of Murdock and Oliver. The southeast corner of Murdock and Oliver contains a residence and pre-school for children developed in the "A" Two Family District. The northeast corner of Central and Oliver contains a restaurant and offices developed on "LC" Light Commercial zoning with "B" Multiple Family zoning containing two medical offices and duplexes, and single family residences located immediately north of the "LC"; the remainder of the block between Central and Murdock is zoned "A" Two Family and developed with single family residences and scattered duplexes.

Recent zone change history in the area includes the approval of the pre-school by the Board of Zoning Appeals at the southeast corner of Murdock and Oliver (BZA 41-77) and the denial of "BB" Office District zoning to permit an animal hospital at the southeast corner of 12th and Oliver (Z-1472, 1973).

It is recommended that the Planning Commission and Board of City Commissioners not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North.

Kellogg to Central

West Side of Oliver

The west side of Oliver between Kellogg and Central is predominantly zoned the "A" Two Family District and developed with duplexes and single family residences except for concentrations of "LC" Light Commercial and "BB" Office District zoning and uses at the major intersections of Kellogg, Douglas, and Central. In addition, spots of "B" Multiple Family have been established between English and Oakland, as well as the "BB" Office District at the southwest corner of English and Oliver.

Recent zone change requests in the area are the approval of "BB" Office District zoning immediately north of the "LC" Light Commercial District at the northwest corner of Douglas and Oliver (Z-1426, 1972) and the aforementioned request for the "BB" Office District located between Arbor and Lewis (Z-1846) which was deferred by the Board of City Commissioners for completion of a zoning policy study. It should be noted that although the west side of Oliver south of Lewis is zoned "A" Two Family and developed with duplexes, the east side of the street south of Lewis contains scattered spots of "BB" Office District zoning and spots of office development.

East Side of Oliver

The east side of Oliver contains concentrations of "LC" Light Commercial and "BB" Office District zoning and development at the northeast corner of Kellogg, the southeast corner of Central, and the two block area between English and First Streets. The two block area from Lewis to English is zoned "A" Two Family and developed with single family houses and a couple of duplexes, whereas the three block area from 1st Street north to the "LC" at Central is zoned the "B" Multiple Family District and developed with two schools (Hyde Elementary, Robinson Junior High), duplexes, fourplexes, and single family houses. South of Lewis the zoning is primarily "A" Two Family, "BB" Office, and "LC" Light Commercial. However, the "A" Two Family zoning is developed with home occupation offices and a photography studio which was approved by the Board of Zoning Appeals for a use variance prior to a change in state legislation which prohibits use variances.

Recent zone change request history includes the approval of four tracts of "BB" Office zoning between English and 1st Streets (Z-1151, Z-1155, Z-1160 and Z-1211, all in 1970) although two of the cases were requests for the "LC" Light Commercial District which was not approved.

It is recommended that the Planning Commission and Board of City Commissioners look with favor on the "BB" Office District (except on those properties already zoned "LC") from Kellogg to approximately 120 feet south of Lewis on the west side of Oliver and

favor the "BB" Office District (except for those properties already zoned "LC") from Kellogg to approximately 145 feet south of Lewis on the east side of Oliver; favor the "A" Two Family District from those points south of Lewis north to English on both the east and west sides of Oliver; favor the "BB" Office District (except on those properties already zoned "LC") from English north to 1st Street on the east side of Oliver and from English to the existing "BB" approximately 215 feet north of Douglas on the west side of Oliver; and favor the retention of the existing zoning districts from 1st Street to Central on the east side of Oliver and from the existing "BB" approximately 215 feet north of Douglas north to Central Avenue on the west side of Oliver with the exception that the "BB" Office District be favored on the 75 feet of "A" Two Family frontage located adjacent to the south of the existing "LC" at the southwest corner of Central and Oliver.

Harry to Kellogg

West Side of Oliver

The northwest corner of Harry and Oliver is zoned the "LC" Light Commercial District and developed with a small shopping center. From Boston Drive north to Lincoln the west side of Oliver is zoned the "B" Multiple Family District and is developed with duplexes and multi-family uses as part of the Hilltop Manor Development. From Lincoln north to Morris the zoning is predominantly "LC" Light Commercial with a buffer area of "BB" Office District zoning at the north end of the block. From Morris north to Kellogg the zoning is primarily "A" Two Family and is developed with duplexes and single family houses except for a service station developed on "LC" at Kellogg and a spot of "BB" Office zoning between Gilbert and Orme which contains insurance offices. The block from Orme north to Highland Lane is zoned the "RB" Four Family District although it is developed with single family residences.

Recent zone change history in the area includes approval of the "BB" Office District in an area north of Gilbert (Z-1106, 1969) and approval of "LC" with a buffer strip of "BB" for a Taco Tico and parking at the southwest corner of Morris and Oliver.

East Side of Oliver

From Harry north to Lincoln the development is commercial uses associated with the Parklane Shopping Center, zoned "LC", and controlled by a Community Unit Plan (DP-60, Parklane C.U.P.). From Lincoln north to Kellogg the zoning is a mixture of "LC", "BB", "A", and "AA", with commercial and office uses predominant and a few residential uses.

Recent zone change history includes the amendment of the Parklane C.U.P. in 1977, the approval of "LC" at the northeast corner of Eilerts and Oliver (Z-1255, 1971), and the denial of the "LC" Light Commercial District and approval of the "BB" Office District at the southeast corner of Morris and Oliver (Z-1916, 1977).

In viewing this segment of Oliver in the field, the staff had somewhat mixed feelings about the small pockets of residential development north of Morris on the east and west sides of the street. Although similar residential structures are proposed to be retained as residential on other segments of Oliver, it was felt that the traffic, noise, and considerable amounts of office and commercial development (often across the street from residential) which already exist in this area combine to render this segment of Oliver unsuitable for retention of a viable residential neighborhood. Actions of the governing body to approve "BB" Office zoning on both the east and west sides of Oliver in this area have also lessened the potential for retention of low density residential classifications.

It is recommended that the Planning Commission and the Board of City Commissioners look with favor on the retention of existing zoning classifications from Harry north to Morris and favor the "BB" Office District (except on those properties already zoned "LC") and medium density residential (R-5) from Morris north to Kellogg on both the east and west sides of Oliver.

Pawnee to Harry

West Side of Oliver

This portion of Oliver contains concentrations of "LC" Light Commercial zoning and usage adjacent to the intersections of Mt. Vernon and Oliver and Pawnee and Oliver. A small buffer area of "A" Two Family District zoning has also been established immediately north of the "LC" at the northwest corner of Pawnee and Oliver; otherwise the zoning and usage remains "AA" Single Family in this section of Oliver. A church is located at the southwest corner of Kinkaid and Oliver and Clapp Golf Course occupies the frontage between Meadowlane and Harry. No recent zone change requests have occurred in the area.

East Side of Oliver

This section of Oliver contains a wide mixture of residential and commercial uses and several spots of "BB" Office and "LC" Light Commercial zoning which have remained undeveloped or been developed with multi-family residential uses. The commercial uses are concentrated around the intersection of Mt. Vernon and Oliver and in a strip extending north of Pawnee.

Recent zone change request activity in the area includes the approval of the "BB" Office District at the northeast corner of Funston and Oliver (Z-1215, 1970) and the southeast corner of Kinkaid and Oliver (Z-1701, 1975). A request for the "R-6" General Residence District was denied and the "R-5" General Residence District was approved on a site in an area between Mt. Vernon Road and Funston (Z-1626, 1975).

It is recommended that the Planning Commission and Board of City Commissioners look with favor on the "BB" Office District (except on those properties already zoned "LC") or medium density residential (R-5) from Pawnee north to Kinkaid and retention of the existing zoning districts from Kinkaid north to Harry on the west side of Oliver; and look with favor on the retention of existing zoning district classifications from Pawnee north to Mt. Vernon and the "R-5" General Residence District (except on those properties already zoned "BB" or "LC") from Mt. Vernon north to Harry on the east side of Oliver.

South City Limits to Pawnee

West Side of Oliver

The south city limits line is located at Colfax Avenue and Oliver and from that point north to 31st Street South the frontage is zoned the "E" Light Industrial District and developed with a small strip commercial center. From 31st Street south to the Kansas Turnpike the land is owned by the City or County and is a portion of Planeview Park with the fireman training area and Civil Defense Headquarters located at the northwest corner of 31st Street South and Oliver. A discount store is developed on "LC" Light Commercial zoned property which is controlled by a Community Unit Plan at the northwest corner of George Washington Boulevard and Oliver, with a large undeveloped (except for a power substation) tract existing at the southwest corner of Pawnee and Oliver.

The only recent zone change history has been the approval of the "R-6" General Residence District on the large tract north of the discount store and south of Pawnee; said approval conditioned on approval of a residential Community Unit Plan and platting of the tract (Z-1927, 1977).

East Side of Oliver

The city limits on the east side of Oliver is located adjacent to 31st Street South. From that point north to New Jersey Drive the zoning is predominantly "AA" Single Family with a spot of "A" Two Family, although only 2 single family and 1 two family residences have been built. From New Jersey Drive north to Pawnee the zoning is either "B" Multiple Family or "LC" Light Commercial and the

Oliver frontage is either undeveloped or developed with office, commercial, or apartment uses.

The only recent zone change history in the area was a request for the "B" Multiple Family District at the southeast corner of New Jersey Drive was denied, with the "RB" Four Family District approved on the application area.

It is recommended that the Planning Commission and the Board of City Commissioners look with favor on retention of the existing zoning district classifications (including the "R-6" as approved in Z-1927) on both the east and west sides of Oliver from the south city limits to Pawnee with the exception that the "R-5" General Residence District be looked upon with favor for the east side of Oliver between 31st Street South and New Jersey Drive, and the "LC" Light Commercial District be favored for the northwest corner of George Washington Boulevard and Oliver.