CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

April 10, 2000

FILE COPY

Via Christi Regional Medical Center, Inc.
%Robert C. Copple, P.E.
3600 E. Harry
Wichita, KS 67218

RE: BZA 2000-00001 – 1) Variance to increase to increase number of building signs permitted on a single elevation from one to two; and 2) Variance to increase the maximum square footage of signage for a single use for 32 square feet to 132 square feet. Generally located north of Central and east of Socora. (854 N. Socora)

Dear Mr. Copple:

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals on March 28, 2000, this resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please call our office.

Sincerely,

Dale Miller

Dale Miller
Chief Planner

DM/rs

CC: Genesis Health Club, %Rodney Steven II, 854 N. Socora, Wichita, KS 67212
P.E.C., P.A., %Gary Wiley, 303 S. Topeka, Wichita, KS 67202
Bob Martz, City Council Member
Yolanda Anderson, MAPD

BZA RESOLUTION NO. 2000-00001

WHEREAS, Via Christi Regional Medical Center, Inc., c/o Rob Copple; Genesis Health Clubs, c/o Rodney Steven II pursuant to Section 2.12.590.B, Code of the City of Wichita, requests 1) Variance to increase number of building signs permitted on a single elevation from one to two; and 2) Variance to increase the maximum square footage of signage for a single use form 32 square feet to 132 square feet on property zoned "GO" General Office and legally described as follows:

A tract of land in Tyler Acres 6th Addition Wichita, Kansas, including Part of Lot 1 and LOTS 3, 4, and 5, more particularly described as:

BEGINNING AT THE N.W. CORNER OF LOT 3; THENCE BEARING S89DEG46'50"E ALONG THE NORTH LINE OF LOTS 3 AND 4 AND DISTANCE OF 105.66 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 104.60 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44DEG30'17" A DISTANCE OF 81.24 FEET MORE OR LESS TO THE MOST NORTHERLY CORNER OF LOT 5;THENCE BEARING S89DEG46'50"E ALONG THE NORTH LINE OF LOTS 5 AND 1 A DISTANCE OF 342.43 FEET; THENCE BEARING S44DEG16'40"E A DISTANCE OF 119.00 FEET TO A POINT IN THE EAST LINE OF SAID LOT 1; THENCE BEARING S1DEG42'20"W A DISTANCE OF 335.24 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 554.82 FEET AND A CHORD OF 159.46 FEET BEARING S12DEG22'15"W; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16DEG31'30"ALONG THE WEST LINE OF WOODCHUCK STREET AN ARC DISTANCE OF 160.02 FEET;THENCE BEARING N90DEG00'00"W A DISTANCE OF 425.44 FEET; THENCE BEARING N0DEG00'00"E A DISTANCE OF 54.00 FEET; THENCE BEARING N90DEG00'00"E A DISTANCE OF 11.00 FEET; THENCE BEARING N0DEG00'00"E A DISTANCE OF 141.00 FEET; THENCE BEARING N90DEG00'00"E A DISTANCE OF 19.00 FEET; THENCE BEARING N0DEG00'00"E A DISTANCE OF 31.00 FEET; THENCE BEARING N90DEG00'00"W A DISTANCE OF 288.73 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1 AND ON A CURVE TO THE RIGHT HAVING A RADIUS OF 960.00 FEET AND A CHORD OF 52.59 FEET BEARING N2DEG55'37"E;THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3DEG08'22" AN ARC DISTANCE OF 52.60 FEET; THENCE BEARING S89DEG46'50"E A DISTANCE OF 119.99 FEET; THENCE BEARING N0DEG13'10"E ALONG THE WEST LINE OF LOT 1 AND LOT 3 A DISTANCE OF 270.00 FEET TO THE POINT OF BEGINNING. CONTAINING 307,644 SQ. FT. OR 7.0625 ACRES MORE OR LESS. Generally located north of Central and east of Socora (854 N. Socora).

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of March 28, 2000, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owners or the applicant. It is the opinion of the staff that this property is unique, inasmuch as the property is located off of the major roadway and is positioned behind other buildings that shield the fitness center. Further, this use was formerly associated with Via Christi, which has offices on Central, providing an identity for the center on Central. Now that the fitness center is not a part of Via Christi, the center is in a somewhat unique location, hidden by Via Christi's offices.

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. It is the opinion of staff the granting of the variance requested will not adversely affect the rights of adjacent property owners, inasmuch as adjacent properties are constructed with similar office type buildings; or are residential uses, which can not see the proposed signage.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application. It is the opinion of the staff that the strict application of the provisions of the zoning regulation and C.U.P. wil constitute an unnecessary hardship upon the applicant, inasmuch as the facility is not readily identified from Central. There are other buildings in the area of similar scale and appearance. The fitness center is located behind these other buildings. Additional signage would make it easier to locate the center.

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale, and has minimal lighting.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. It is the opinion of staff that the granting of the variance requested would not oppose the general spirit and intent of the Sign Code inasmuch as the signage will make it easier for customers to locate the facility.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for 1) Variance to increase number of building signs permitted on a single elevation from one to two; and 2) Variance to increase the maximum square footage of signage for a single use form 32 square feet to 132 square feet on property zoned "GO" General Office and legally described as follows:

A tract of land in Tyler Acres 6th Addition Wichita, Kansas, including Part of Lot 1 and LOTS 3, 4, and 5, more particularly described as:

BEGINNING AT THE N.W. CORNER OF LOT 3; THENCE BEARING S89DEG46'50"E ALONG THE NORTH LINE OF LOTS 3 AND 4 AND DISTANCE OF 105.66 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 104.60 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44DEG30'17" A DISTANCE OF 81.24 FEET MORE OR LESS TO THE MOST NORTHERLY CORNER OF LOT 5;THENCE BEARING S89DEG46'50"E ALONG THE NORTH LINE OF LOTS 5 AND 1 A DISTANCE OF 342.43 FEET; THENCE BEARING S44DEG16'40"E A DISTANCE OF 119.00 FEET TO A POINT IN THE EAST LINE OF SAID LOT 1; THENCE BEARING S1DEG42'20"W A DISTANCE OF 335.24 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 554.82 FEET AND A CHORD OF 159.46 FEET BEARING S12DEG22'15"W; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16DEG31'30"ALONG THE WEST LINE OF WOODCHUCK STREET AN ARC DISTANCE OF 160.02 FEET;THENCE BEARING N90DEG00'00"W A DISTANCE OF 425.44 FEET; THENCE BEARING N0DEG00'00"E A DISTANCE OF 54.00 FEET; THENCE BEARING N90DEG00'00"E A DISTANCE OF 11.00 FEET; THENCE BEARING N0DEG00'00"E A DISTANCE OF 141.00 FEET; THENCE BEARING N90DEG00'00"E A DISTANCE OF 19.00 FEET; THENCE BEARING N0DEG00'00"E A DISTANCE OF 31.00 FEET; THENCE BEARING N90DEG00'00"W A DISTANCE OF 288.73 FEET

TO A POINT ON THE WEST LINE OF SAID LOT 1 AND ON A CURVE TO THE RIGHT HAVING A RADIUS OF 960.00 FEET AND A CHORD OF 52.59 FEET BEARING N2DEG55'37"E;THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3DEG08'22" AN ARC DISTANCE OF 52.60 FEET; THENCE BEARING S89DEG46'50"E A DISTANCE OF 119.99 FEET; THENCE BEARING N0DEG13'10"E ALONG THE WEST LINE OF LOT 1 AND LOT 3 A DISTANCE OF 270.00 FEET TO THE POINT OF BEGINNING. CONTAINING 307,644 SQ. FT. OR 7.0625 ACRES MORE OR LESS. Generally located north of Central and east of Socora (854 N. Socora).

RECOMMENDATION: It is staff's opinion that the additional signage requested would be appropriate for a building located on an interior lot that is located some 900 feet away from Central. Should the Board determine that all five conditions necessary to the granting of the variance can be found to exist, then it is the recommendation of the Secretary that the variances to increase the size and number of signs be GRANTED, subject to the following conditions:

1. The signs shall be placed in locations that are in substantial conformance with those shown on the attachments submitted with this application.

2. The signs shall be limited to one back-lit sign that is 8 feet in diameter and one sign that is 68 feet in area, both less than 25 feet in height.

3. The applicant shall obtain all permits necessary to construct the signs and the signs shall be erected within one year of the issuance of the sign permit, unless such time period is extended by the BZA.

4. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 28th DAY of MARCH, 2000.

Floyd Pitts, President

ATTEST:

Dale Miller, BZA Secretary

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 3
March 28, 2000

SECRETARY'S REPORT

CASE NUMBER: BZA2000-00001

OWNER/APPLICANT: Via Christi Regional Medical Center, Inc., c/o Rob Copple; Genesis Health Clubs, c/o Rodney Steven II

AGENT: P.E.C., P.A. c/o Gary Wiley

REQUEST:

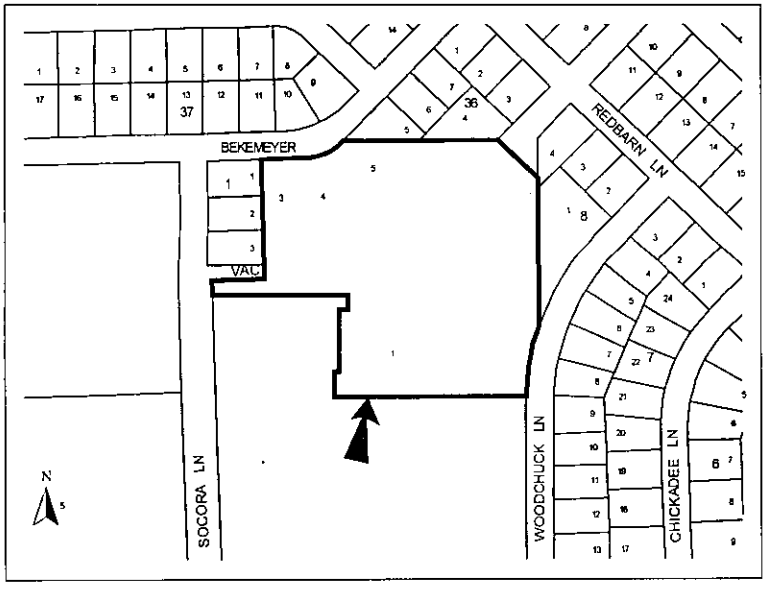
1. Variance to increase number of building signs permitted on a single elevation from one to two; and

2. Variance to increase the maximum square footage of signage for a single use from 32 square feet to 132 square feet.

CURRENT ZONING: "GO" – General Office

SITE SIZE: 7.06 Acres

LOCATION: North of Central and east of Socora (854 N. Socora)



JURISTICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board my grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant is requesting two variances. One variance is to increase the number of building signs permitted on a single elevation from one to two, and the second variance is to increase the maximum square footage of signage for a single use from 32 square feet to 132 square feet. The signage is for Genesis Health Club that is located behind other office buildings, some 900 feet north of Central and east of Socora,. Until recently, this facility was affiliated with Via Christi Hospital that has frontage on Central. The health club has now become a separate facility and desires signage that would clearly identify the health club as a separate entity. The applicants propose two building signs on the southwest façade that overlooks the facility's parking lot. One sign is a logo type sign (8 feet in diameter) while the other spells out the name "Genesis Health Club" in letters 2 feet in height by 34 feet in length. Both signs are less than 25 feet in height. One sign is unlighted while the other is back-lit. (See attachments.) The property is zoned "GO" General Office.

Specifically, in the "GO" District, the Sign Code would permit the placement of a building sign for a single tenant that is 32 square feet in area and 30 feet high, and limited to one sign per building elevation provided that the building elevations shall have street frontage, be adjacent to nonresidential zoning or if adjacent to residential zoning there must be parking, loading or open space with a depth of 150 feet. Additionally, the Sign Code does not permit flashing or moving images on signs in the "GO" District.

The facility currently has two directional signs. One is located on Central and the other is located on Socora. Even with these two signs, it is somewhat difficult to locate the correct building due to the fitness center's location and the proximity of the other office buildings located adjacent to the site.

The surrounding uses are mixed in nature and include residential and office uses on property zoned "SF-6" and "GO". The uses facing the side of the building on which the signs are to be located are all non-residential. The residences are located on the rear and side of the fitness center and would not be able to see the proposed signs.

ADJACENT ZONING AND LAND USE:

NORTH	"SF-6"	– residential
SOUTH	"GO"	– medical office
EAST	"SF-6"	– residential
WEST	"GC"	– office

The five criteria necessary for approval apply to both variances requested.

UNIQUENESS: It is the opinion of staff that this property is unique, inasmuch as the property is located off of the major roadway and is positioned behind other buildings that shield the fitness center. Further, this use was formerly associated with Via Christi, which has offices on Central, providing an identity for the center on Central. Now that

the fitness center is not a part of Via Christi, the center is in a somewhat unique location, hidden by Via Christi's offices.

ADJACENT PROPERTY: It is the opinion of staff the granting of the variance requested will not adversely affect the rights of adjacent property owners, inasmuch as adjacent properties are constructed with similar office type buildings; or are residential uses, which can not see the proposed signage.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning regulation and C.U.P. will constitute an unnecessary hardship upon the applicant, inasmuch as the facility is not readily identified from Central. There are other buildings in the area of similar scale and appearance. The fitness center is located behind these other buildings. Additional signage would make it easier to locate the center.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale, and has minimal lighting.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not oppose the general spirit and intent of the Sign Code inasmuch as the signage will make it easier for customers to locate the facility.

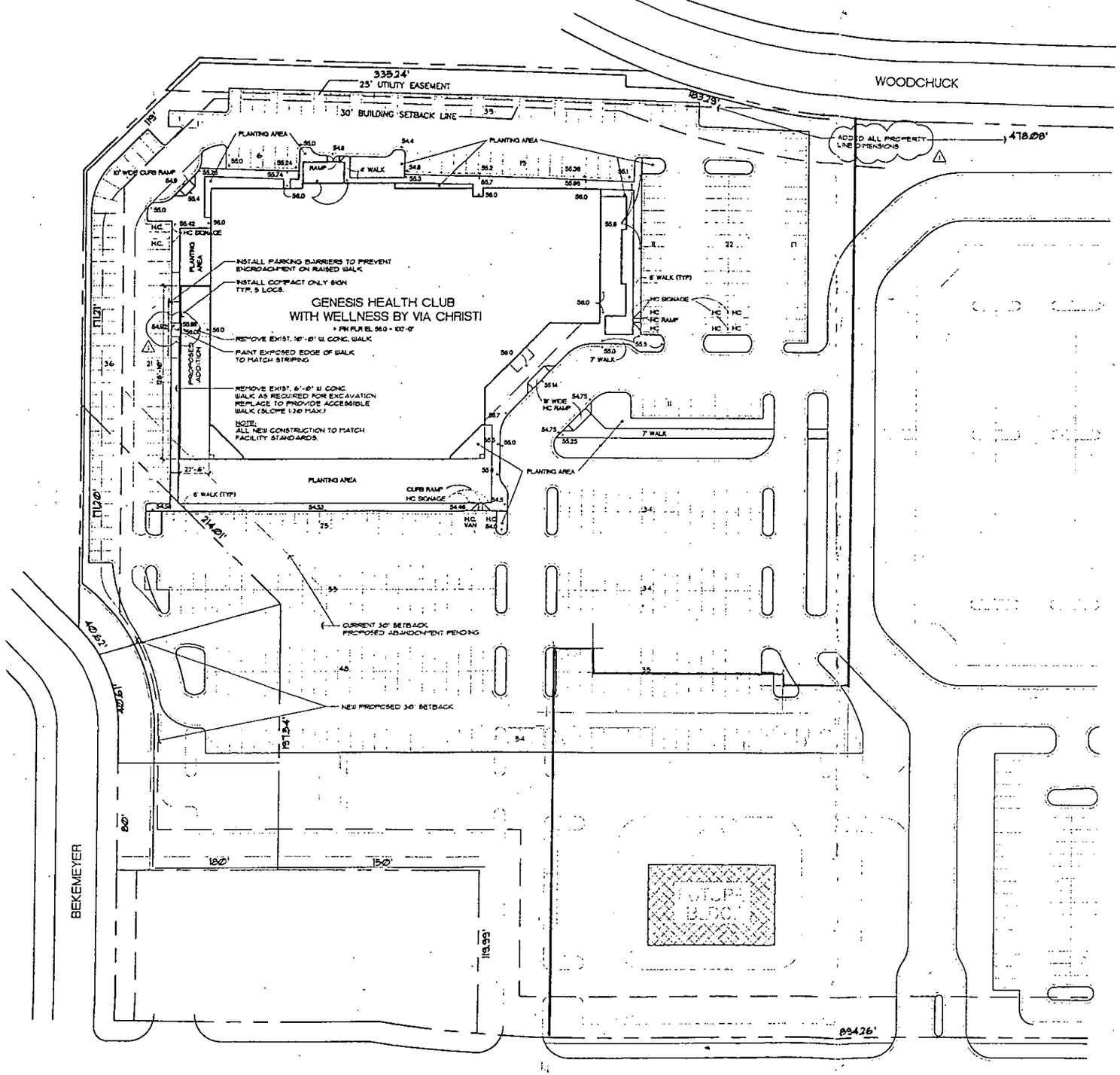
RECOMMENDATION: It is staff's opinion that the additional signage requested would be appropriate for a building located on an interior lot that is located some 900 feet away from Central. Should the Board determine that conditions necessary to the granting of the variance exist, then it is the recommendation of the Secretary that the variances to increase the size and number of signs be GRANTED, subject to the following conditions:

1. The signs shall be placed in locations that are in substantial conformance with those shown on the attachments submitted with this application.

2. The signs shall be limited to one back-lit sign that is 8 feet in diameter and one sign that is 68 feet in area, both less than 25 feet in height.

3. The applicant shall obtain all permits necessary to construct the signs and the signs shall be erected within one year of the issuance of the sign permit, unless such time period is extended by the BZA.

4. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.



SITE LAYOUT PLAN

GENERAL LAYOUT NOTES:

1. UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE NOT BEEN SHOWN. THEREFORE IT SHALL BE THE RESPONSIBILITY OF THE G.C. TO LOCATE ALL EXISTING FACILITIES, STRUCTURES AND UNDERGROUND UTILITIES BY CONTACTING KANSAS ONE CALL CENTER AT (316) 681-2410 A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF DIGGING OPERATIONS. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES HE MAY CAUSE TO UTILITIES.
2. POINT OF BEGINNING SHALL BE THE NORTHWEST CORNER OF EXISTING BUILDING.
3. SEE ARCHITECTURAL PLANS FOR BUILDING DEMOLITION AND CONSTRUCTION.
4. CONTRACTOR IS TO PROVIDE ALL SAFETY BARRIERS, FENCING ETC. AROUND CONSTRUCTION SITE AS REQUIRED BY LOCAL REGULATIONS.
5. EXISTING CONDITIONS SHALL BE VERIFIED BY GENERAL CONTRACTOR. DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT PRIOR TO STARTING CONSTRUCTION.
6. THE CONTRACTOR SHALL RESTORE TO THE ORIGINAL CONDITION, ADJACENT (OFF-SITE) PROPERTY DISTURBED BY HIS OPERATIONS.
7. SEE PLUMBING AND MECHANICAL DRAWING FOR UTILITY CONNECTIONS TO NEW BUILDING.

LEGAL DESCRIPTION:

LOTS 1,3,4 AND 5, TYLER ACRES SIXTH ADDITION
WICHITA, KANSAS

LANDSCAPE DATA:

EXEMPT FROM CITY OF WICHITA LANDSCAPE ORDINANCE:
RENOVATION DOES NOT INCREASE THE VALUE OF THE PROPERTY
BY MORE THAN 50%, DOES NOT INCREASE BUILDING SQUARE FOOTAGE
BY MORE THAN 30% AND DOES NOT ADD ADDITIONAL PARKING TO THE PARKING LOT

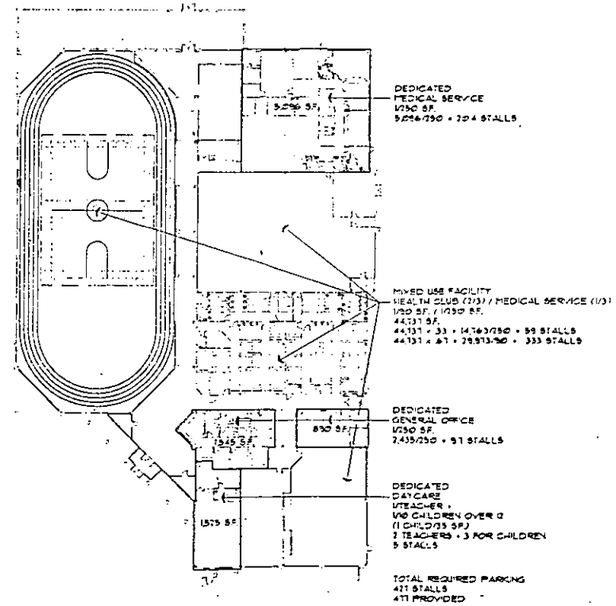
AREA CALCULATIONS

EXISTING BUILDING AREA
50,593 S.F.
PROPOSED ADDITION AREA
3,200 S.F.
TOTAL BUILDING AREA
53,793 S.F.

PARKING

NORTH LOT
59 STALLS PROVIDED (including 2 handicap)
EAST LOT
65 STALLS PROVIDED
SOUTH LOT
67 STALLS PROVIDED - SEE SITE KEY PLAN (including 6 handicap)
WEST LOT
287 STALLS PROVIDED (including 2 handicap)

TOTAL PARKING
477 STALLS PROVIDED (including 10 handicap)
427 STALLS REQUIRED (SEE PARKING CALCULATION PLAN)



PARKING CALCULATION PLAN

Wilson Darnell Mann P.A.
architects site planning interior design graphics
105 N. Washington
Wichita, Kansas 67202
316.262.4700
fax 316.262.0002

ROBERT L. MOCK
LICENSED
2-5-99
PROFESSIONAL ARCHITECT

© copyright 1999
Wilson Darnell Mann PA

GENESIS HEALTH CLUB
WITH WELLNESS BY VIA CHRISTI
854 SOCORA
WICHITA, KANSAS

PRINTS ISSUED
11/1/99 PERMIT SET 1
11/11/99 PERMIT SET 2
12/09/99 REV. 1

WDM No.	d.b. MJC
99229	c.b. MJC

SITE LAYOUT PLAN