CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

~~May 20, 2016~~
July 8, 2016

City of Wichita
455 N. Main St.
Wichita, KS 67202

Affordable Sign and LED
4015 E. 56th St.
Hutchinson, KS 67052

David Bodzy
826 Curie Dr.
Alpharetta, GA 60005

RE: **BZA2016-00018** – City BZA Variance request to increase the height, square footage and the number of signs allowed for Wesley Medical Center, generally located northeast of the intersection of North Hillside Avenue and East Central Avenue (550 N. Hillside Ave.)

Dear Applicants:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on **May 19, 2016.** This resolution reflects the official action of the Board, it is forwarded for your information and files.

If you have any questions concerning this matter, please call our office at 268-4421.

Sincerely,

Derrick Slocum
BZA Secretary

cc: Sleepy Hollow, c/o Dan Heflin, 714 N. Yale, Wichita, KS 67208
College Hill, c/o Celia Gorlich, 402 S. Crestway, Wichita, KS 67208
MacDonald, c/o Terry Cooper, 3318 Country Club Pl., Wichita, KS 67208
Murdock, c/o Isabelle Elder, 2623 E. 8th St., Wichita, KS 67214

BZA RESOLUTION NO. BZA2016-00018

WHEREAS, City of Wichita (Owner), Canam Signs & Imaging, c/o David Bodzy (Applicant/Agent), Affordable Sign and LED (Applicant) pursuant to Kansas Statutes Annotated 12-759, request to increase the height, square footage and the number of signs allowed for Wesley Medical Center on GO General Office zoned property; generally located northeast of the intersection of North Hillside Avenue and East Central Avenue (550 N. Hillside Ave.)

Legal Description: Lots 1 and 2, Wesley Medical Center Addition, Wichita, Sedgwick County, Kansas, except that part of Lot 1 described as beginning at the Southwest corner of said Lot 1; thence North along the West line of said lot 9.50 feet; thence Southeasterly to a point on the South line of said Lot 1; thence West along the South line of said Lot 1, 9.50 feet to the point of beginning.

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 May 19, 2016, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759; and

WHEREAS, the Board of Zoning Appeals has found that this property is unique, as the proposed signage is for on business providing a variety of services and located within a large medical center campus. Typically, such a large campus would house numerous businesses, and each business would be allowed separate signage with the likely square footage of the signage exceeding the square footage of signage requested by the applicant. The site is also unique given its location along Hillside, a heavily traveled arterial street with significant development of commercial with larger sign area allocations. The site is further unique in that this sign identifies the Children's Hospital within the larger hospital, and the uniqueness of a Children's Hospital would require easy identification.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variances requested will not adversely affect the rights of adjacent property owners, inasmuch as the only properties that will have a direct view of the signage are developed with non-residential uses.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the sign code would constitute a hardship upon the applicant inasmuch as the Children's Hospital needs its own building sign identification, and a 32 square foot sign would not be sufficiently visible on this multi-story building complex along an arterial street.

WHEREAS, the Board of Zoning Appeals has found that the requested variances would not adversely affect the public interest inasmuch as increased visibility of the Children's Hospital location would serve in the community's interest. The requested signage variances is at an appropriate, legible scale relative to the larger building.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variances would not oppose the general spirit and intent of the Sign Code inasmuch as the signage will make it easier to locate the facility and the services provided within the facility while balancing these identification needs with the needs for high-quality community aesthetics.

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, request to increase the height, square footage and the number of signs allowed for Wesley Medical Center on GO General Office zoned property; generally located northeast of the intersection of North Hillside Avenue and East Central Avenue (550 N. Hillside Ave.)

Legal Description: Lots 1 and 2, Wesley Medical Center Addition, Wichita, Sedgwick County, Kansas, except that part of Lot 1 described as beginning at the Southwest corner of said Lot 1; thence North along the West line of said lot 9.50 feet; thence Southeasterly to a point on the South line of said Lot 1; thence West along the South line of said Lot 1, 9.50 feet to the point of beginning.

The variance is hereby <u>GRANTED</u>, subject to the following conditions:

1. All signage on the subject property shall conform to the requirements of the Sign Code except that variances are granted to permit an increase to the BZA 2-97 approved height of 68'-6" to 74'-0" on the south elevation, increase the size from 32 square feet to 132.86 square feet and increase the height from 30 feet to 74 feet on the north elevation, and to allow five signs with a combined square footage of 156.33 square feet and to increase the height from 30 feet to 74 feet on the west elevation.
2. The signs permitted by the variance shall be placed in locations and be of a design that are in substantial conformance with the approved site plan and elevation renderings.
3. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year of the variance granting, unless such time period is extended by the BZA.
4. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

ADOPTED AT WICHITA, KANSAS, this 19th Day of May, 2016.

BZA Board Chair, David Dennis

ATTEST:

Derrick Slocum
BZA Secretary

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 2
May 19, 2016

SECRETARY'S REPORT

CASE NUMBER: BZA2016-00018

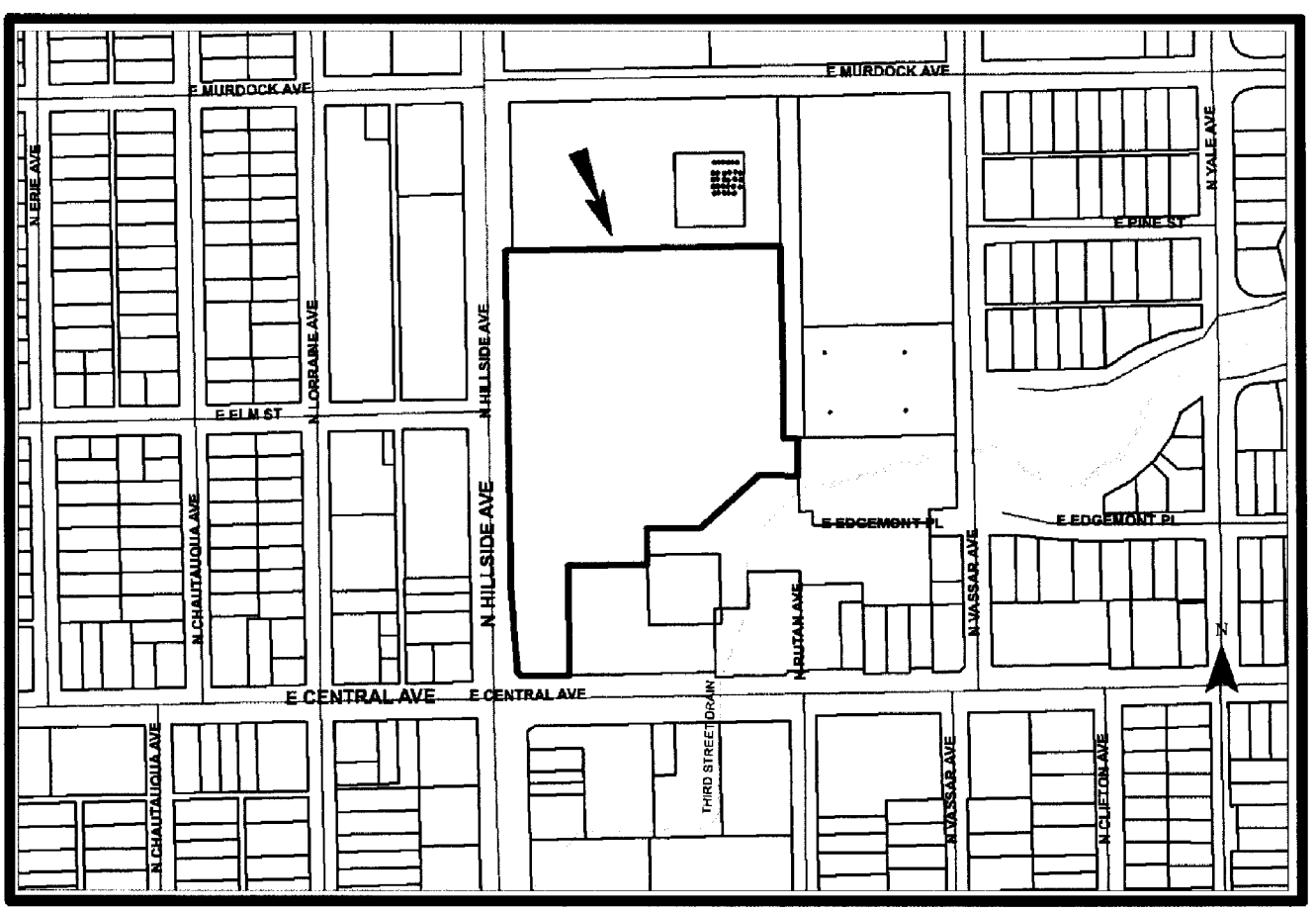
APPLICANT/AGENT: City of Wichita (Owner)
Canam Signs & Imaging, c/o David Bodzy (Applicant/Agent)
Affordable Sign and LED (Applicant)

REQUEST: City Sign Code variance request to increase the height, square footage and the number of signs allowed for Wesley Medical Center.

CURRENT ZONING: GO General Office ("GO")

SITE SIZE: 9.5 acres

LOCATION: Generally located northeast of the intersection of North Hillside Avenue and East Central Avenue (550 N. Hillside Ave.)



JURISDICTION: 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 may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant is requesting three variances of the Sign Code to permit signage for an addition to Wesley Medical Center, located at the northeast corner of East Central Avenue and North Hillside Avenue. The first variance is to increase BZA 2-97 approved height of 68'-6" to 74'-0" on the south elevation. The second variance is to increase the size from 32 square feet to 132.86 square feet and increase the height from 30 feet to 74 feet on the north elevation. The third variance is to allow five signs with a combined square footage of 156.33 square feet and to increase the height from 30 feet to 74 feet on the west elevation, which is the entrance to the facility. The applicant submitted the attached elevation renderings and site plan showing the design and location on the building of the proposed signage.

The applicant submitted information describing the need for the variances and the manner in which the variances requested meet the five criteria for the granting of the variances. The applicants indicate that the proposed signs are designed, laid out and shall be constructed in a manner that achieves harmony with the neighborhood, fosters peaceful relations with children and adults, and blends in visually in a low-key, unobtrusive manner with the surroundings. There have been many sign variances in the past on Wesley's campus, primarily due to the current zoning of the site. The GO General Office zoning is more restrictive for signage, and for a major regional hospital, clear, identifiable signage is important for its visibility. With a more intense zoning for the site, a number of these variances would not have been required. These past variances have been approved and Wesley has shown to be very considerate of the surrounding neighborhood.

Property north of the site is zoned GO General Office and is developed with more medical services attached to Wesley Hospital. South of the site, across Central Avenue, the property is zoned PUD Planned Unit Development (PUD-14) and GC General Commercial and is developed with retail and fast food restaurants. East of the site the property is zoned GO and is developed with medical services attached to Wesley Hospital. West of the site property is zoned LC and GC and is developed with fast food restaurants and additional medical services and offices.

ADJACENT ZONING AND LAND USE:

NORTH	GO	Medical Services / Offices
SOUTH	PUD and GC	Retail and Fast Food Restaurants
EAST	GO	Medical Services / Hospital
WEST	LC and GC	Fast Food Restaurants and Medical Services / Offices

The five criteria necessary for approval as they apply to the requested variance.

UNIQUENESS: It is staff's opinion that this property is unique inasmuch as the proposed signage is for on business providing a variety of services and located within a large medical center campus. Typically, such a large campus would house numerous businesses, and

each business would be allowed separate signage with the likely square footage of the signage exceeding the square footage of signage requested by the applicant. The site is also unique given its location along Hillside, a heavily traveled arterial street with significant development of commercial with larger sign area allocations. The site is further unique in that this sign identifies the Children's Hospital within the larger hospital, and the uniqueness of a Children's Hospital would require easy identification.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variances requested will not adversely affect the rights of adjacent property owners, inasmuch as the only properties that will have a direct view of the signage are developed with non-residential uses.

HARDSHIP: It is staff's opinion that the strict application of the provisions of the sign code would constitute a hardship upon the applicant inasmuch as the Children's Hospital needs its own building sign identification, and a 32 square foot sign would not be sufficiently visible on this multi-story building complex along an arterial street.

PUBLIC INTEREST: It is staff's opinion that the requested variances would not adversely affect the public interest inasmuch as increased visibility of the Children's Hospital location would serve in the community's interest. The requested signage variances is at an appropriate, legible scale relative to the larger building.

SPIRIT AND INTENT: It is staff's opinion that the granting of the variances would not oppose the general spirit and intent of the Sign Code inasmuch as the signage will make it easier to locate the facility and the services provided within the facility while balancing these identification needs with the needs for high-quality community aesthetics.

RECOMMENDATION: It is staff's opinion that the signage request is appropriate for identification of medical services on a large medical center campus. Should the Board determine that the 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 height of the signage be GRANTED, subject to the following conditions:

1. All signage on the subject property shall conform to the requirements of the Sign Code except that variances are granted to permit an increase to the BZA 2-97 approved height of 68'-6" to 74'-0" on the south elevation, increase the size from 32 square feet to 132.86 square feet and increase the height from 30 feet to 74 feet on the north elevation, and to allow five signs with a combined square footage of 156.33 square feet and to increase the height from 30 feet to 74 feet on the west elevation.
2. The signs permitted by the variance shall be placed in locations and be of a design that are in substantial conformance with the approved site plan and elevation renderings.
3. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year of the variance granting, unless such time period is extended by the BZA.

4. The above conditions are subject to enforcement by any legal means available to the City of Wichita.