

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the sign ordinance inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or high-rise structures.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance in the height of building signs be granted, subject to the following conditions:

1. The only building signs located above the height limits specified in the sign code shall be installed on the elevator towers facing north, east, and west. The signs shall be installed at the top of the elevator towers located on the south and north portions of the building.
2. The building signs approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated signs. All sign sizes shall comply with the sign code, unless varied by the Board of Zoning Appeals.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 4
February 28, 1995

SECRETARY'S REPORT

CASE NUMBER: BZA 3-95

OWNER/APPLICANT: Riverside Health System, Inc., Robert Dixon, President & CEO

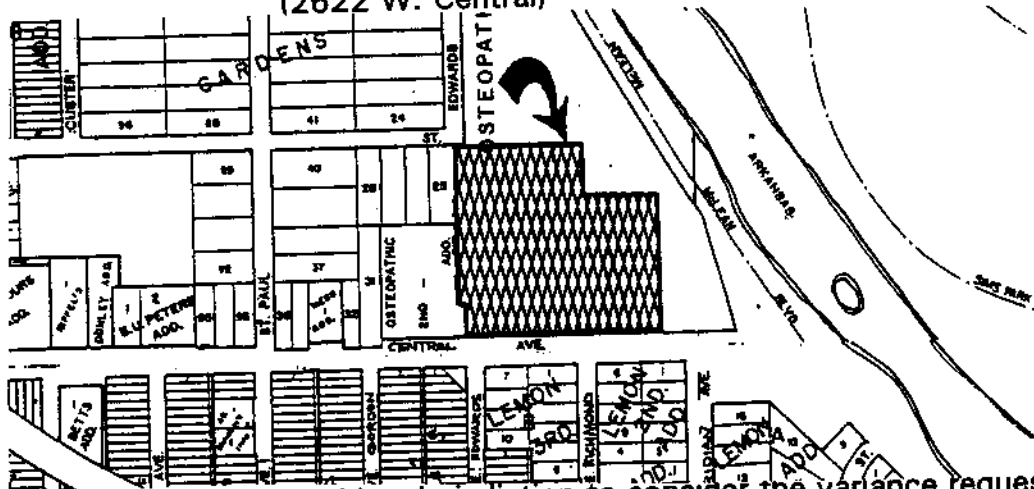
AGENT: Larry Boggs, Boggs Sign Co., Inc.

- REQUEST:
1. Variance to increase size of building signs from 32 square feet to 100 square feet.
 2. Variance to increase the number of building signs from 1 to 3.
 3. Variance to increase the height of building signs from 30 feet to 70.4 feet.

CURRENT ZONING: "BB" Office District

SITE SIZE: 7.2 Acres

LOCATION: North side of Central in an area west of McLean Blvd.
(2622 W. Central)



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, Riverside Health System, Inc., has recently changed its name and corporate identity from Riverside Hospital to Riverside Health System. They now desire to place three building signs on their current facility located at 2622 West Central to display their new name and logo and to identify the site to the public. The proposed building sign would be placed on the elevator towers facing north, east, and west. The building is a five-story structure with the elevator towers being 72 feet 3 inches above grade.

The sign code permits illuminated building signs in the "BB" Office District, with the following limits: building signs are not to exceed 32 square feet in size or be greater than 30 feet in height and only one sign is permitted for each major use in the building. Therefore, the applicant must obtain three variances to allow the building signs to be installed: (1) increase the sign from 32 square feet to 100 square feet; (2) increase the number of signs from 1 to 3; (3) increase the height from 30 feet to 70.4 feet.

These sign restrictions, with only minor changes, have been part of the development regulations since 1974 when the sign code was first adopted. Several recently-constructed multi-story buildings, such as the Marriott Hotel, the office building at 29th and Rock Road and the American National Bank of Wichita near Kellogg and Rock, have obtained variances to permit building signs at heights and sizes greater than allowed by the code.

All three proposed building signs are 70.4 feet above grade, on the upper most portion of the elevator towers. Each sign will consist of a 100 square-foot logo with the words "Riverside Health System." A sign will be placed on the east and west face of the elevator tower which is adjacent to Central which will be viewed from the east and west. The third sign will be placed on the north side of the northern elevator tower. All signs by code shall be limited to indirect or internal illumination of white light only and be without flashing or moving images.

ADJACENT ZONING AND LAND USE:

NORTH:	"BB"	Medical Office & Undeveloped Land
SOUTH:	"A" & "RB"	Single-Family Homes
EAST:	"BB"	Medical Office & Open Space
WEST:	"A" & "BB"	Pharmacy

Request No. 1 - Variance to increase size of building signs from 32 square feet to 100 square feet.

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the building is five stories tall and is being used as a hospital facility that provides emergency medical services to the public.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch

as the signs will be at a scale which when placed on a 5-story structure should not impact surrounding properties.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign ordinance may constitute an unnecessary hardship upon the applicant inasmuch as a 32-square foot logo would be insufficient to adequately identify this structure when approaching from the north, east, and west.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest but would, in fact, serve the public interest by providing adequate building identification from a sufficient distance to permit planned access to the site.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the sign ordinance inasmuch as the increased size is harmonious with the large building and site and its impact will be lessened because it will be viewed from a great distance.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance in size for a building sign be granted, subject to the following conditions:

1. Only one building sign shall be permitted larger than allowed by the sign code, unless a variance in number of building signs is granted by the Board in which case all building signs may be up to 100 square feet, each, in size.
2. The larger sign approved by this variance shall be limited to a non-flashing internally-illuminated or non-illuminated sign.

Request No. 2 - Variance to increase the number of building signs from 1 to 3.

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the building is five stories tall and is being used as a hospital facility that provides emergency medical services to the public yet has only one major use which limits the number of permitted building signs to one.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as, due to the larger size of the building, three signs is not an excessive number and will not detract from adjacent properties.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the applicant has made a substantial investment in this property to establish the only full-service hospital serving the west side of the community and without building signs similar to those proposed, this presence would not be easily identified.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest but would, in fact, serve the public interest by providing adequate building identification from all directions.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the sign ordinance inasmuch as the intent is to provide adequate but not excessive signage for all properties, and a large hospital such as this one, with visibility from several directions, needs more than one building sign to adequately identify its location.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance in the number of building signs be granted, subject to the following conditions:

1. Only three building signs shall be permitted to be located on this building.
2. The building signs approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated signs. All sign sizes and height shall comply with the sign code, unless varied by the Board of Zoning Appeals.

Request No. 3 - Variance to increase the height of building signs from 30 feet to 70.4 feet.

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the building is five stories tall and is being used as a hospital facility that provides emergency medical services to the public.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as all properties to the north, east, and west are commercially developed and the nearest residential property to the south will not have a sign faced in that direction. Furthermore, the lighting of the signs will be limited to internal illumination only and should not add measurably to the illumination already existing in this area.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the applicant has made a substantial investment in this property to establish the only full-service hospital serving the west side of the community and without building signs similar to those proposed, this presence would not be easily identified.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists or residents in the area.

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

March 1, 1995

Robert Dixon
Riverside Health System Inc.
2622 W. Central
Wichita, Kansas 67203

RE: BZA 3-95 Variance to increase the size of building signs from 32 square feet to 100 square feet, increase the number of building signs from 1 to 3 and increase the height of building signs from 30 feet to 70.4 feet above grade.

Dear Mr. Dixon:

Enclosed are signed copies of the above-referenced BZA Resolutions adopted by the Board of Zoning Appeals on February 28, 1995. These resolutions reflects the official action of the Board to grant your requests and sets out the conditions of approval. They are 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 268-4421.

Sincerely yours,

Lawrence P. Mitchell
Assistant Secretary
Board of Zoning Appeals

Enclosure
LPM/le

cc: Larry Boggs, 318 S. Osage, Wichita, KS 67213
Randy Sparkman, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk
Yolanda Anderson, MAPD

properties, but no provisions are made for building signs on mid-rise or high-rise structures.

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.

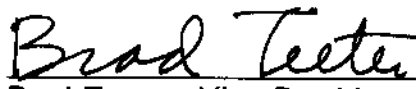
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase the height of building signs from 30 feet to 70.4 feet on property zoned the "BB" Office District and legally described as follows:

That part of Block 1, Osteopathis Addition to Wichita, Kansas, described as beginning at the Southwest corner of said Block 1; thence N00°E, along the west line of said Block 1, 100 feet; thence N89°55'30"W, along the westerly line of said Block 1, 25 feet to a corner of said Block 1; thence N00°E, along the west line of said Block 1, 485 feet to a corner of said Block 1; thence S89°55'30"E, along the westerly line of said Block 1, 35 feet to a corner of said Block 1; thence N90°E, 365 feet; thence S00°W, 150 feet; thence N90°E, 230 feet; thence S00°W, 435.78 feet more or less to a point on the south line of said Block 1; thence N89°55'30"W, 605 feet to the place of beginning. (2622 W. Central)

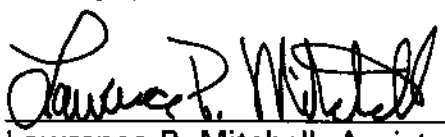
subject to the following conditions:

1. The only building signs located above the height limits specified in the sign code shall be installed on the elevator towers facing north, east, and west. The signs shall be installed at the top of the elevator towers located on the south and north portions of the building.
2. The building signs approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated signs. All sign sizes shall comply with the sign code, unless varied by the Board of Zoning Appeals.

ADOPTED AT WICHITA, KANSAS, this 28th day of February 1995.


Brad Teeter, Vice President

ATTEST:


Lawrence P. Mitchell, Assistant Secretary

BZA RESOLUTION NO. 3-95A

WHEREAS, Riverside Health System, Inc. pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase size of building signs from 32 square feet to 100 square feet on property zoned "BB" Office District and legally described as follows:

That part of Block 1, Osteopaths Addition to Wichita, Kansas, described as beginning at the Southwest corner of said Block 1; thence N00°E, along the west line of said Block 1, 100 feet; thence N89°55'30"W, along the westerly line of said Block 1, 25 feet to a corner of said Block 1; thence N00°E, along the west line of said Block 1, 485 feet to a corner of said Block 1; thence S89°55'30"E, along the westerly line of said Block 1, 35 feet to a corner of said Block 1; thence N90°E, 365 feet; thence S00°W, 150 feet; thence N90°E, 230 feet; thence S00°W, 435.78 feet more or less to a point on the south line of said Block 1; thence N89°55'30"W, 605 feet to the place of beginning. (2622 W. Central)

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 February 28, 1995, 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 inasmuch as the building is five stories tall and is being used as a hospital facility that provides emergency medical services to the public.

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 inasmuch as the signs will be at a scale which when placed on a 5-story structure should not impact surrounding properties.

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 inasmuch as a 32-square foot logo would be insufficient to adequately identify this structure when approaching from the north, east, and west.

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, inasmuch as serve the public interest by providing adequate building identification from a sufficient distance to permit planned access to the site.

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 inasmuch as the increased size is harmonious with the large building and site and its impact will be lessened because it will be viewed from a great distance.

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.

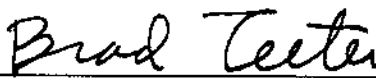
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase size of building signs from 32 square feet to 100 square feet on property zoned the "BB" Office District and legally described as follows:

That part of Block 1, Osteopathis Addition to Wichita, Kansas, described as beginning at the Southwest corner of said Block 1; thence N00°E, along the west line of said Block 1, 100 feet; thence N89°55'30"W, along the westerly line of said Block 1, 25 feet to a corner of said Block 1; thence N00°E, along the west line of said Block 1, 485 feet to a corner of said Block 1; thence S89°55'30"E, along the westerly line of said Block 1, 35 feet to a corner of said Block 1; thence N90°E, 365 feet; thence S00°W, 150 feet; thence N90°E, 230 feet; thence S00°W, 435.78 feet more or less to a point on the south line of said Block 1; thence N89°55'30"W, 605 feet to the place of beginning. (2622 W. Central)

subject to the following conditions:

1. Only three building signs shall be permitted larger than allowed by the sign code, all building signs may be up to 100 square feet, each, in size.
2. The larger signs approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated sign.

ADOPTED AT WICHITA, KANSAS, this 28th day of February, 1995.


Brad Teeter, Vice President

ATTEST:


Lawrence P. Mitchell, Assistant Secretary

BZA RESOLUTION NO. 3-95B

WHEREAS, Riverside Health System pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the number of building signs from 1 to 3 on property zoned the "BB" Office District and legally described as follows:

That part of Block 1, Osteopathis Addition to Wichita, Kansas, described as beginning at the Southwest corner of said Block 1; thence N00°E, along the west line of said Block 1, 100 feet; thence N89°55'30"W, along the westerly line of said Block 1, 25 feet to a corner of said Block 1; thence N00°E, along the west line of said Block 1, 485 feet to a corner of said Block 1; thence S89°55'30"E, along the westerly line of said Block 1, 35 feet to a corner of said Block 1; thence N90°E, 365 feet; thence S00°W, 150 feet; thence N90°E, 230 feet; thence S00°W, 435.78 feet more or less to a point on the south line of said Block 1; thence N89°55'30"W, 605 feet to the place of beginning. (2622 W. Central)

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 February 28, 1995, 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 inasmuch as the building is five stories tall and is being used as a hospital facility that provides emergency medical services to the public yet has only one major use which limits the number of permitted building signs to one.

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 inasmuch as due to the larger size of the building, three signs is not an excessive number and will not detract from adjacent properties.

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 inasmuch as the applicant has made a substantial investment in this property to establish the only full-service hospital serving the west side of the community and without building signs similar to those proposed, this presence would not be easily identified.

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, inasmuch as serve the public interest by providing adequate building identification from all directions.

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 inasmuch as the intent is to provide adequate but not excessive signage for all properties, and a large hospital such as this one, with visibility from several directions, needs more than one building sign to adequately identify its location.

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.

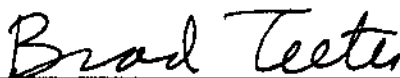
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase the number of building signs from 1 to 3 on property zoned the "BB" Office District and legally described as follows:

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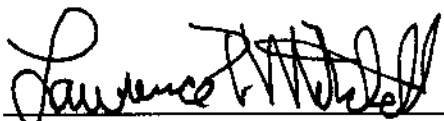
subject to the following conditions:

1. Only three building signs shall be permitted to be located on this building.
2. The building signs approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated signs. All sign sizes and height shall comply with the sign code, unless varied by the Board of Zoning Appeals.

ADOPTED AT WICHITA, KANSAS, this 28th day of February 1995.


Brad Teeter, Vice President

ATTEST:


Lawrence P. Mitchell, Assistant Secretary

BZA RESOLUTION NO. 3-95C

WHEREAS, Riverside Health System pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the height of building signs from 30 feet to 70.4 feet. on property zoned "BB" Office District and legally described as follows:

That part of Block 1, Osteopathis Addition to Wichita, Kansas, described as beginning at the Southwest corner of said Block 1; thence N00°E, along the west line of said Block 1, 100 feet; thence N89°55'30"W, along the westerly line of said Block 1, 25 feet to a corner of said Block 1; thence N00°E, along the west line of said Block 1, 485 feet to a corner of said Block 1; thence S89°55'30"E, along the westerly line of said Block 1, 35 feet to a corner of said Block 1; thence N90°E, 365 feet; thence S00°W, 150 feet; thence N90°E, 230 feet; thence S00°W, 435.78 feet more or less to a point on the south line of said Block 1; thence N89°55'30"W, 605 feet to the place of beginning. (2622 W. Central)

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 February 28, 1995, 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 inasmuch as the building is five stories tall and is being used as a hospital facility that provides emergency medical services to the public.

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 inasmuch as all properties to the north, east, and west are commercially developed and the nearest residential property to the south will not have a sign faced in that direction. Furthermore, the lighting of the signs will be limited to internal illumination only and should not add measurably to the illumination already existing in this area.

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 inasmuch as the applicant has made a substantial investment in this property to establish the only full-service hospital serving the west side of the community and without building signs similar to those proposed, this presence would not be easily identified.

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, inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists or residents in the area.

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 inasmuch as the intent is to provide adequate but not excessive signage for all