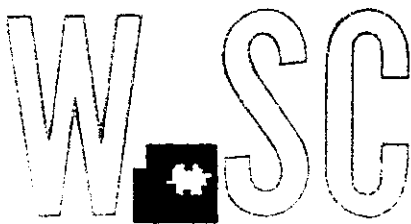


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

March 30, 1998

Wichita East YMCA
c/o Brad Martell
9333 E. Douglas
Wichita, KS 67207

RE: BZA 4-98 - Variance to reduce the parking requirement by 159 spaces from 553 spaces to 394 spaces on property zoned "GC" General Commercial and generally located west of Webb Road and south of Douglas Avenue (9333 E. Douglas).

Dear Mr. Martell

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals on March 24, 1998. 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 yours,

Keith Gooch
Assistant Secretary
Board of Zoning Appeals

KG/sah

cc: YMCA of Wichita, c/o Dennis Schoenbeck, P.O. Box 3636, Wichita, KS 67201-3636
J. R. Cox, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, City Clerk
Yolanda Anderson, MAPC (resolution only)

BZA RESOLUTION NO. BZA 4-98

WHEREAS, Wichita East YMCA, c/o Brad Martell, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the parking requirement by 159 spaces from 553 spaces to 394 on property zoned "GC" General Commercial and legally described as follows:

Lot 2, PHI 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located south of Douglas and west of Webb Road (9333 E. Douglas)

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 24, 1998, 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 YMCA is not able to construct any additional parking except for where the proposed playing fields will be built. If used for parking spaces the amount of land available for the playing fields would be reduced. The applicant is unable to move the fields any farther south due to steep slopes and a small creek. The applicant has also stated that the playing fields and the YMCA building will have their peak usage at different times of the year; and

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 nearest activities are commercial, and the neighbor to the east is allowing the use of their parking lot by the YMCA. Sufficient parking should be available on-site and through the agreement with Raytheon for all guests of the YMCA to park in one of these two places; and

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 portion of the playing fields would instead have to be used as parking spaces to meet the Unified Zoning Code parking requirements. Therefore, the amount of land dedicated for the playing fields would be reduced; and

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 area surrounding the property is commercial, and this activity serves the neighborhood to the north and other areas of Wichita. These fields once constructed will increase the opportunities for the youth of Wichita to engage in sporting activities; and

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 peak utilization of the building and playing fields will be at different times of the year as suggested by the applicant. Therefore, the number of spaces currently found on-site should be adequate to meet the parking needs of this 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 a variance to reduce the parking requirement by 159 spaces from 553 spaces to 394 on property zoned "GC" General Commercial and legally described as follows:

Lot 2, PHI 2nd Addition, Wichita, Sedgwick County, Kansas.

subject to the following conditions:

1. The variance is limited to the use of the property for indoor and outdoor recreation activities as presented in the March 24, 1998 staff report, and conditioned upon the continual availability of 65 parking spaces by a "shared parking" agreement with Raytheon. The "shared parking" agreement shall be approved by the Office of Central Inspection.
2. A ingress/egress opening shall be provided between the YMCA's and Raytheon's parking lots.
3. The resolution authorizing this variance may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 24th day of March, 1998.


C. Bickley Foster, President

ATTEST:


Keith Gooch, Assistant Secretary

W.S.C.

Wichita East YMCA
c/o Brad Martell
9333 E. Douglas
Wichita, KS 67207

RE: BZA 4-98 - Variance to reduce the parking requirement by 159 spaces from 553 spaces to 394 spaces on property zoned "GC" General Commercial and generally located west of Webb Road and south of Douglas Avenue (9333 E. Douglas).

At the regular meeting of the Board of Zoning Appeals on March 24, 1998, your request for a variance was considered. It was the action of the Board to grant your request, subject to the following conditions:

1. The variance is limited to the use of the property for indoor and outdoor recreation activities as presented in the March 24, 1998 staff report, and conditioned upon the continual availability of 65 parking spaces by a "shared parking" agreement with Raytheon. The "shared parking" agreement shall be approved by the Office of Central Inspection.
2. An ingress/egress opening shall be provided between the YMCA's and Raytheon's two parking lots.
3. The resolution authorizing this variance may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

The resolution setting forth the official action of the Board is being prepared and a copy will be forwarded to you as soon as the necessary signatures have been obtained.

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.

Keith Goch

Keith Gooch, Assistant Secretary
Board of Zoning Appeals

cc: YMCA of Wichita, c/o Dennis Schoenbeck, 402 N. Market, Wichita, KS 67201
J. R. Cox, OCI
Paul Hays, OCI
Ray Sledge, OCI

④ 在 1997 年 12 月 31 日以前, 凡在境内销售货物或提供应税劳务, 且年应税销售额未达到规定标准的企业、单位和个人, 未领发增值税专用发票, 发生的销售行为, 暂不视为专用发票使用。

SECRETARY'S REPORT

CASE NUMBER: BZA 4-98

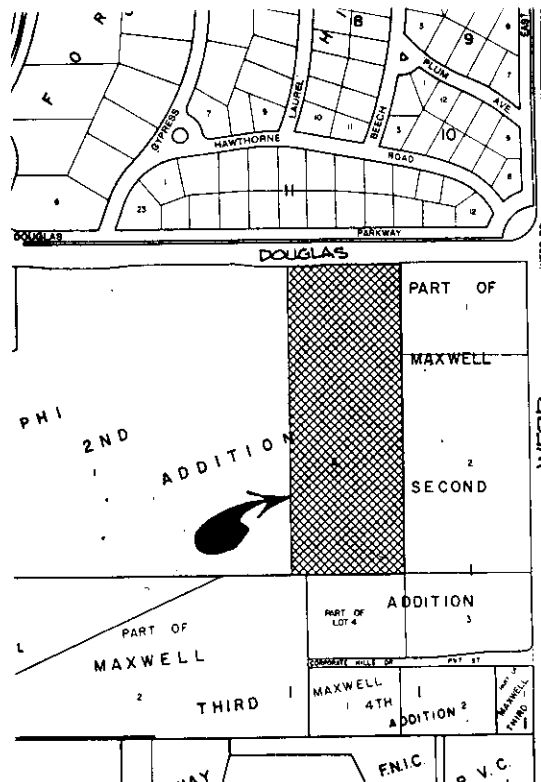
OWNER/APPLICANT: Wichita East YMCA, c/o Brad Martell

REQUEST: A variance to reduce the parking requirement by 159 spaces from 553 spaces to 394.

CURRENT ZONING: "GC" General Commercial

SITE SIZE: 4 acres

LOCATION: South of Douglas and west of Webb Road (9333 E. Douglas)



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 a variance to reduce the number of required parking spaces by 159, from 553 to 394, on a 4 acre tract of land located south of Douglas and west of Webb Road. The YMCA offers a variety of services to its members. These activities include a swimming pool, day care facility weight room, track, office space and gymnasium. The applicant is proposing to construct four ball fields and three soccer fields south of the existing parking lot.

The applicant has indicated that the building facilities and the ball fields will be used at different times of the year. The building is used most intensively during the winter months, when persons are not able to exercise outdoors. However, the playing fields will typically be utilized mostly during the spring, summer and fall, and usually after 5 p.m.

The parking requirement for the existing building, based on the uses of the building and amount of square footage dedicated to each use, has been calculated to be 277 spaces. A 10,625 square foot addition, which will be used as a fitness center, was recently completed. This addition increased the parking requirement by 118. The playing fields will be located just south of this existing building. These additional playing fields (158,000 square feet) will increase the required parking by another 158 stalls, for a total of 553 spaces needed by the YMCA. These figures are shown on attachments, with which the Office of Central Inspection is in agreement.

The YMCA currently has a total of 329 stalls available on-site, with an additional 65 spaces available from the Raytheon parking lot. The YMCA and Raytheon have reached an agreement which will allow persons to park in the Raytheon lot, between the hours of 5-10 p.m. Monday through Friday and all day Saturday and Sunday. (See attached letter) This will give the YMCA a total of 394 spaces for their patrons.

The surrounding area is characterized by commercial activity south of Douglas. North of the YMCA and across Douglas are residential properties, buffered by trees in a parkway area along that frontage.

ADJACENT ZONING AND LAND USE:

NORTH	"SF-6"	Single-Family Residences
SOUTH	"LC"	Commercial Property
EAST	"LC"	Raytheon Offices
WEST	"GO"	Offices

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the YMCA is not able to construct any additional parking except for where the proposed playing fields will be built. If used for parking spaces the amount of land available for the playing fields would be reduced. The applicant is unable to move the fields any farther south due to steep slopes and a small creek. The applicant has also stated that

the playing fields and the YMCA building will have their peak usage at different times of the year.

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 nearest activities are commercial, and the neighbor to the east is allowing the use of their parking lot by the YMCA. Sufficient parking should be available on-site and through the agreement with Raytheon for all guests of the YMCA to park in one of these two places.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning regulations may constitute an unnecessary hardship upon the applicant inasmuch as a portion of the playing fields would instead have to be used as parking spaces to meet the Unified Zoning Code parking requirements. Therefore, the amount of land dedicated for the playing fields would be reduced.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as the area surrounding the property is commercial, and this activity serves the neighborhood to the north and other areas of Wichita. These fields once constructed will increase the opportunities for the youth of Wichita to engage in sporting activities.

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 zoning regulations inasmuch as the peak utilization of the building and playing fields will be at different times of the year as suggested by the applicant. Therefore, the number of spaces currently found on-site should be adequate to meet the parking needs of this facility.

RECOMMENDATION: 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 variance be granted, subject to the following conditions:

1. The variance is limited to the use of the property for indoor and outdoor recreation activities as presented in the March 24, 1998 staff report, and conditioned upon the continual availability of 65 parking spaces by a "shared parking" agreement with Raytheon. The "shared parking" agreement shall be approved by the Office of Central Inspection.
2. The resolution authorizing this variance may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.



HOWARD & HELMER
architects p.a.

THIS PLAN AND ALL
OTHERS HEREON
SHOWN ARE THE PROPERTY OF
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HELMER ARCHITECTS P.A.

project no.
96218
for the addition of a two-story
building to the existing building
at the intersection of Douglas
and Raytheon Streets in the
City of Douglas, Kansas.
prepared by
Howard & Helmer Architects P.A.
2/18/97

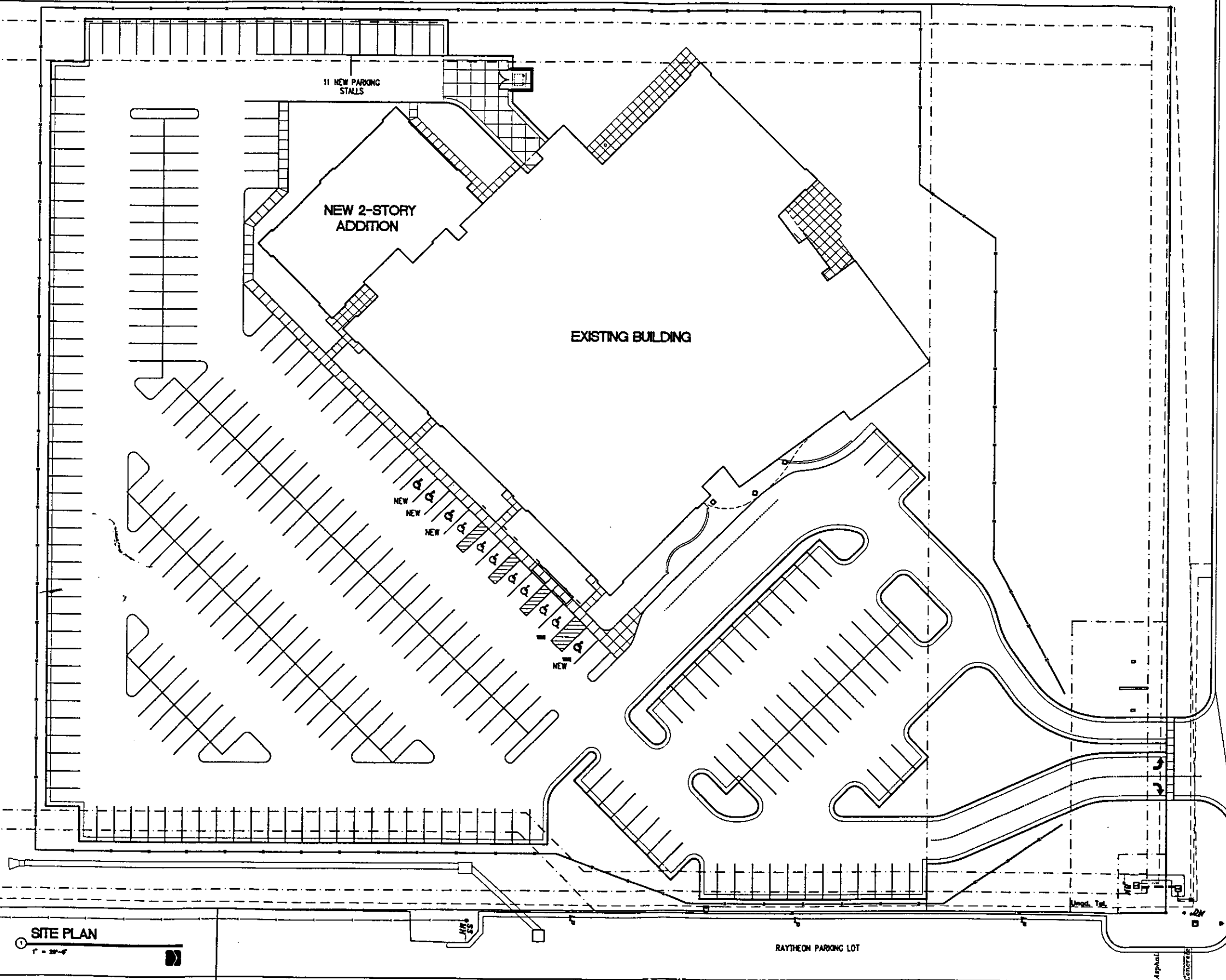
EAST YMCA ADDITION
9333 EAST DOUGLAS
CITY, STATE

sheet

A-1.0

of ONE

DOUGLAS



SITE PLAN

1" = 30'-0"

RAYTHEON PARKING LOT

Asphalt
CONCRETE