



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

March 21, 2002

CORRECTED CONDITION #2 BZA RESOLUTION

Central Christian Church
%David D. Mann
2900 N. Rock Road
Wichita, KS 67226

RE: BZA 2002-00006: Variances to 1) permit a second bulletin board sign for a church along an arterial street frontage; and 2) permit lighting of a bulletin board sign by method other than indirect white light on property zoned "SF-5" Single-Family Residential. Generally located on the southeast corner of 29th Street North an Rock Road.

Enclosed is a corrected BZA Resolution. The correction to the resolution is to *Condition #2, to remove the word "red"*. The above-referenced variances were approved by the Board of Zoning Appeals on February 26, 2002. This resolution reflects the official action of the Board to grant your requests and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Scott Knebel
Assistant BZA Secretary

SK/rms

cc: Trimark, %Michael Bankston and Larry Boggs, 319 S. Oak, Wichita, KS 67213
David White, 1300 Sagebrush, Wichita, KS 67230
Mark Posson, 4921 Farmstead Ct., Wichita, KS 67220
City Council Member District II, Joe Pisciotte, Mail Stop 1-13
D.A.B. II, Donte Martin, Mail Stop 1-135
Sharon Dickgrafe, Law Department, Mail Stop 1-132
J. R. Cox, OCI, 1-72

BZA RESOLUTION NO. 2002-00006

WHEREAS, Central Christian Church c/o David D. Mann, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests variances to 1) permit a second bulletin board sign for a church along an arterial street frontage; and 2) permit lighting of a bulletin board sign by a method other than indirect white light on property zoned "SF-5" Single-Family Residential and legally described as follows:

Lot A, Central Christian Addition, Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of 29th Street North and Rock Road.

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 26, 2002, 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. It is the opinion of the Board that this property is unique, inasmuch as the property is 26.9 acres in size, which is several times larger than the a typical church site. Additionally, the property has over 1,000 feet of frontage along two arterial streets and is located immediately at the corner of an intersection carrying approximately 40,000 vehicles per day, neither of which is typical for a property found in the "SF-5" zoning district.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance will not adversely affect the rights of adjacent property owners or residents. It is the opinion of the Board that the granting of the variance requested would not adversely affect the rights of adjacent property owners, inasmuch as the view of the sign will be either obstructed from view from most nearby residential properties by the church building and/or commercial buildings in the area or will be an indirect view from the rear of residential properties approximately 1,000 feet away. Additionally, the church currently uses portable signage to relay information regarding events, and the proposed sign is more aesthetically pleasing than portable 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 Board that the strict application of the provisions of the Zoning Code constitutes an unnecessary hardship upon the applicant, inasmuch as the church is located in a heavily traveled, commercial area with many large commercial signs, and the church's ability to relay information regarding events is severely limited in such an environment if the church is only permitted one small sign with indirect white lighting along its Rock Road frontage.

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 the Board 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. Additionally, the sign will be located far enough from the intersection of 29th Street North and Rock Road as to not create sight distance problems for motorists, and the location of the sign does not encroach into any utility easements or right-of-way.

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 the Board the granting of the variance requested would not be opposed to the general spirit and intent of the zoning regulations, inasmuch as the regulations for most uses located along major streets allow for larger signs based on the length of the street frontage; whereas, residential zoning districts do not have such a provision for an increase in sign square footage based on the length of the street frontage. Additionally, the lighting regulations for church signs on residentially-zoned property are intended for instances where the sign is located within a residential neighborhood in close proximity to residences, rather than at the intersection of two major streets and far removed from residences.

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.

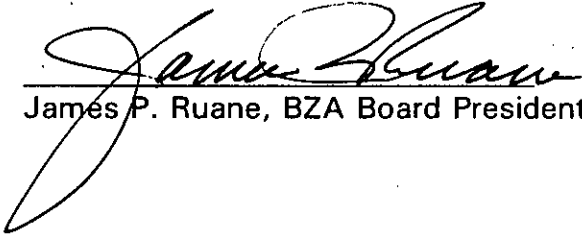
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that variances be granted to 1) permit a second bulletin board sign for a church along an arterial street frontage; and 2) permit lighting of a bulletin board sign by a method other than indirect white light on property zoned "SF-5" Single-Family Residential and legally described as follows:

Lot A, Central Christian Addition, Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of 29th Street North and Rock Road.

subject to the following conditions:

1. The sign shall be placed in a location that is in substantial conformance with the approved site plan.
2. The sign shall be limited to 44 square feet in area, 16' 6" in overall height, and an internally illuminated L.E.D. display. The sign shall be of a design that is in substantial conformance with the approved elevation rendering.
3. No flashing or moving images or text shall be displayed on the sign. The message displayed on the sign may change, but it shall not change more than once every 10 seconds.
4. Portable signage shall not be permitted on the site.
5. The applicant shall obtain all permits necessary to construct the sign and the sign shall be erected within one year of the issuance of the sign permit, unless such time period is extended by the Board.
6. 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 26th DAY of FEBRUARY, 2002.


James P. Ruane, BZA Board President

ATTEST:


Scott Knebel, BZA Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA2002-00006

OWNER/APPLICANT: Central Christian Church c/o David D. Mann

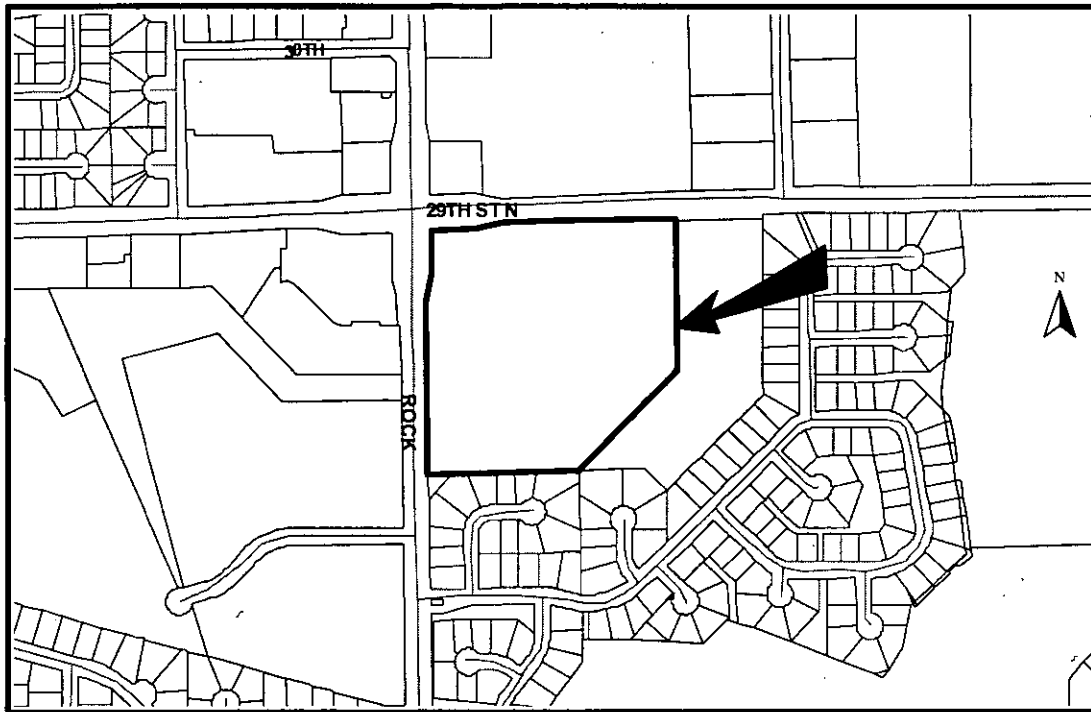
AGENT: Trimark Signworks c/o Michael Bankston

REQUEST: 1. Variance to permit a second bulletin board sign for a church along an arterial street frontage; and
2. Variance to permit lighting of a bulletin board sign by a method other than indirect white light.

CURRENT ZONING: "SF-5" Single-Family

SITE SIZE: 26.9 Acres

LOCATION: Southeast corner of 29th Street North and Rock Road (2900 N. Rock Rd.)



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 two variances on property zoned "SF-5" Single-Family and developed with Central Christian Church. The first variance is to permit a second bulletin board sign for a church along an arterial street frontage. The second variance is to permit lighting of a bulletin board sign by a method other than indirect white light.

The Sign Code defines a bulletin board sign as an on-site sign containing the name of the institution or organization, which may include names of persons connected with it; announcements of persons, events, or activities occurring on site; and a greeting or similar message. In the "SF-5" Single-Family zoning district, the Sign Code permits a church to have one 48 square foot bulletin board sign per arterial street frontage. The sign code limits the lighting of bulletin board signs in the "SF-5" Single-Family zoning district to indirect white light.

Central Christian Church currently has one bulletin board sign along its Rock Road frontage in the location shown on the attached site plan. The existing sign face cannot be economically and conveniently changed on a regular basis. When the church announces events, a portable sign is used. A church of this size offers many services and events in a variety of locations on the church campus.

The church proposes to add a second bulletin board sign along its Rock Road frontage in the location shown on the attached site plan. The second sign would eliminate the need to use portable signage. As shown on the attached elevation rendering, the sign is proposed to be 44 square feet in size and 16' 6" high. Additionally, the church proposes that the sign will have an L.E.D. reader board with internally illuminated red lighting. The church submitted the attached statement pertaining to the five conditions for granting the variances requested.

The uses immediately surrounding the proposed location of the sign are commercial in nature and include a multi-story office building and several shopping centers on properties zoned "LC" Limited Commercial. The proposed sign will be obstructed from view from most nearby residential properties by the church building and/or commercial buildings in the area. The sign will be visible from the rear of several residences located to the south along Greenbriar Court and to the east along Penstemon Circle. However, the sign will be 950 feet from the residences to the south and 1,250 feet from the residences to the east, and existing buffer trees planted along the church's property line will help screen the sign from view from residential properties.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Office, retail
SOUTH	"SF-5"	Single-family
EAST	"SF-5"	Single-family
WEST	"LC"	Office, retail

The five conditions 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 26.9 acres in size, which is several times larger than the a typical church site. Additionally, the property has over 1,000 feet of frontage along two arterial streets and is located immediately at the corner of an intersection carrying approximately 40,000 vehicles per day, neither of which is typical for a property found in the "SF-5" zoning district.

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 view of the sign will be either obstructed from view from most nearby residential properties by the church building and/or commercial buildings in the area or will be an indirect view from the rear of residential properties approximately 1,000 feet away. Additionally, the church currently uses portable signage to relay information regarding events, and the proposed sign is more aesthetically pleasing than portable signage.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning regulation will constitute an unnecessary hardship upon the applicant, inasmuch as the church is located in a heavily traveled, commercial area with many large commercial signs, and the church's ability to relay information regarding events is severely limited in such an environment if the church is only permitted one small sign with indirect white lighting along its Rock Road frontage.

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. Additionally, the sign will be located far enough from the intersection of 29th Street North and Rock Road as to not create sight distance problems for motorists, and the location of the sign does not encroach into any utility easements or right-of-way.

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 regulations for most uses located along major streets allow for larger signs based on the length of the street frontage; whereas, residential zoning districts do not have such a provision for an increase in sign square footage based on the length of the street frontage. Additionally, the lighting regulations for church signs on residentially-zoned property are intended for instances where the sign is located within a residential neighborhood in close proximity to residences, rather than at the intersection of two major streets and far removed from residences.

RECOMMENDATION: It is staff's opinion that the signage requested is appropriate for the intended purpose of relaying information regarding events at the church. Should the Board determine that the five conditions necessary for the granting of the variances exist, then it is the recommendation of the Secretary that the variances to permit a second bulletin board sign for a church along an arterial street frontage and to permit lighting of a

bulletin board sign by a method other than indirect white light be GRANTED, subject to the following conditions:

1. The sign shall be placed in a location that is in substantial conformance with the approved site plan.
2. The sign shall be limited to 44 square feet in area, 16' 6" in overall height, and an internally illuminated red L.E.D. display. The sign shall be of a design that is in substantial conformance with the approved elevation rendering.
3. No flashing or moving images or text shall be displayed on the sign. The message displayed on the sign may change, but it shall not change more than once every 10 seconds.
4. Portable signage shall not be permitted on the site.
5. The applicant shall obtain all permits necessary to construct the sign and the sign shall be erected within one year of the issuance of the sign permit, unless such time period is extended by the Board.
6. 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.

9'-8"
3'-0"

EVENING WORSHIP
6:00 PM

4'-6"
12'-0"



BZAZ007-00006
SITE PLAN

APPROVED 2-26-02 BY BZA



319 S. OAK
WICHITA, KS 67213
(316) 263-2224
FAX (316) 263-1463

CENTRAL CHRISTIAN CHURCH DWG NUMBER: D22343
LOCATION: WICHITA, KANSAS FILE NAME: CENCHRO1.CDR
SALES CONTACT: MICHAEL BANKSTON DATE: DECEMBER 17, 2001
SCALE 3/8" = 1'
DESIGN APPROVAL / SIGNATURE _____

BENCHMARK
ELEV. = 218.416
STD. CITY B.S.K.

29TH ST. NO.

10. COMPLETE ACCESS CONTROL

EXISTING
484

NEW
444

TYPICAL PARKING
STALL
9' x 18'

NEW BUILDING
MAIN LEVEL FIN. FLR. ELEV. = 228'-0"
LOWER LEVEL FIN. FLR. ELEV. = 218'-0"

EXISTING BUILDING
FIN. FLR. ELEV. = 228'-0"

WORKING POINT
(CORNER OF EXISTING BUILDING
WALL - CENTERLINE OF NEW BUILDING)

PARKING LEGEND	
EXISTING PARKING	947 SPACES
NORTHEAST PARKING - U.C.	161 SPACES
TOTAL EXISTING PARKING	1108 SPACES
PROPOSED NEW PARKING	76 SPACES
TOTAL PARKING	1184 SPACES
PARKING REQ'D BASED ON PRIMARY USE	
SANCTUARY - 3000 SEATS @ 1:4	750 SPACES

BZA 2002-00006 SITE PLAN

APPROVED 7-26-02 BY BZA



HOWARD & HELMER
architects p.c.

project no.
98102

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Howard & Helmer
Architects P.C.

CENTRAL CHRISTIAN CHURCH
2400 N. ROCK ROAD
WICHITA, KANSAS