

BZA 26-93

PROPOSED FITNESS CENTER AT THE WEST WICHITA MEDICAL PARK

S P S H
 ARCHITECTS/INTERIORS
 SPANGENBERG PHILLIPS SHERMAN HARRISON INC.
 224 E. DOUGLAS #500 WICHITA, KS 67202 (316) 267-4002



METROPOLITAN AREA PLANNING DEPARTMENT

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

January 27, 1994

Dave Godfrey
Affiliated Property Services, Inc.
818 N. Emporia, Suite 100
Wichita, KS 67214

Re: BZA 26-93 - Use exception to permit off-street parking on property located on the South side of Bekemeyer in an area East of Socora.

Dear Mr. Godfrey:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on October 26, 1993. 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 now that the landscape plan as required by condition #5 has been submitted and approved.

Sincerely yours,

Louise Olivarez, Secretary
Board of Zoning Appeals

Enclosure
LO/prf


- cc: Brad Teeter, SPSH Architects, 224 E. Douglas, Suite 500, 67202
- Randy Sparkman, OCI
- Paul Hays, OCI
- Ray Sledge, OCI
- Pat Burnett, Deputy City Clerk
- Penny Atchley, MAPD

*cc of
Conditio...
file*



7. The parking lot shall be striped in accordance with the approved parking and site plans, and shall have adequate markings for channelization and movement of vehicles.
8. If lighting facilities are provided, they shall be arranged so as to deflect or direct light away from all adjacent dwelling district(s). Light poles shall be no taller than 15 feet, and shall have full cut-off fixtures to direct light downward.
9. As there is to be no access to or from Bekemeyer, there shall be no signs along the Bekemeyer frontage of these lots. There shall be no signs within this use exception parking lot area except as needed for proper operation of the parking lot, such as directional signs and parking restriction signs.
10. In no instance shall a fee be charged for parking facilities provided within this use exception area.
11. The parking lot shall be used for passenger vehicles only, and shall not be used for sales, repair work, storage or dismantling or servicing of any vehicles, equipment, materials or supplies.
12. All required improvements for this parking lot shall be satisfactorily completed within 24 months following approval by the Board. An extension of time may be granted by the Board if requested by the applicant in a timely manner prior to expiration of the 24-month time limit.
13. The resolution authorizing this use exception 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 26th day of October, 1993.



Keith A. Alter, President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 26-93

WHEREAS, Affiliated Property Services, Inc., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit an off-street parking lot on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lots 3, 4 and 5, Block 1, Tyler Acres Sixth Addition, Wichita, Sedgwick County, Kansas. Generally located North of Central, East of Tyler (South of Bekemeyer, East of 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 October 26, 1993, consider said application; and

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

WHEREAS, the Board of Zoning Appeals has authority to permit an off-street parking lot on property zoned the "AA" One-Family Dwelling District, subject to the conditions outlined in Section 28.04.145, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit an off-street parking lot on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lots 3, 4 and 5, Block 1, Tyler Acres Sixth Addition, Wichita, Sedgwick County, Kansas. Generally located North of Central, East of Tyler (South of Bekemeyer, East of Socora).

subject to the following conditions:

1. The parking lot shall be paved with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
2. There shall be no access to or from Bekemeyer from this proposed parking lot.
3. A solid or semi-solid screening wall composed of brick, stone, architectural tile, formed and textured concrete, or similar materials, not less than 6 feet nor more than 8 feet in height, shall be erected at the following locations:
 - A. for Lot 3, along the [north] 25-foot building setback line,
 - B. for Lot 4, along the [north] 25-foot building setback line, and
 - C. for Lot 5, along the [north] 25-foot building setback line and the north boundary adjacent Lot 5, Block 36, Country Acres 2nd Addition.
4. A solid or semi-solid wall (as provided in Comment 3), or a wooden fence not less than 6 feet nor more than 8 feet in height, shall be erected along the west boundary of Lot 3. The finished side of all fences and/or walls shall face outward.
5. The area between the wall and curb along Bekemeyer shall be landscaped with trees, shrubs and groundcover to create a residential atmosphere. Within 90 days following approval by the Board, and prior to release of the resolution authorizing this use exception, applicant shall submit a landscape plan to the Secretary for review and approval. The plan shall identify proposed plant materials by scientific and common names, by size of planting, and by quantity. The method of providing water to the plants shall be specified.
6. Plant materials shall be installed, and groundcover shall be provided in all yard areas not planted with trees or shrubs, prior to the use of this parking lot. If weather prohibits planting, a sufficient guarantee shall be provided to the Office of Central Inspection to assure that all plants will be installed during the course of the next planting season. All plants shall be properly maintained and replaced when necessary.

13. The resolution authorizing this use exception 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.

SECRETARY'S REPORT

CASE NUMBER: BZA 26-93

OWNER/APPLICANT: Affiliated Property Services, Inc., Attn: Dave Godfrey

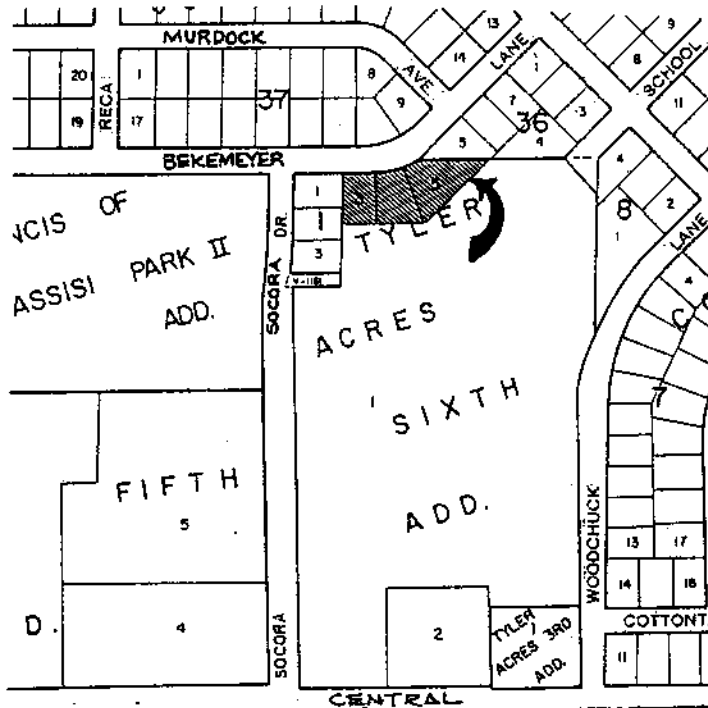
AGENT: SPSH Architects, Attn: Brad Teeter

REQUEST: Exception to allow off-street parking lot for additional parking for proposed St. Francis medical complex and fitness center

CURRENT ZONING: "AA" One-Family Dwelling

SITE SIZE: .85 acres

LOCATION: North of Central, East of Tyler (South of Bekemeyer, East of Socora)



JURISDICTION: The Board of Zoning Appeals has jurisdiction to consider the exception request, as authorized by Section 2.12.590.C, The Code of the City of Wichita. The Board may grant the exception, provided the conditions identified in Section 28.04.145 of the City of Wichita Zoning Ordinance are satisfied.

BACKGROUND: This use exception includes Lots 3, 4, and 5, Block 1, Tyler Acres 6th Addition. Though these lots are not within an approved Community Unit Plan, this site is adjacent to an approved CUP (DP-11). Applicant proposes to build a medical complex and fitness center within Parcel 7 of the approved CUP, legally defined as Lot 1, Block 1, Tyler Acres 6th Addition, and intends to utilize Lots 3, 4, and 5 for additional surface parking for the fitness center. A use exception was determined to be more appropriate than a rezoning of Lots 3, 4, and 5 because the exception requires that all conditions of the underlying zoning (in this case, "AA") be enforced [unless explicitly voided by the Board]. Specifically, in the present request for a use exception, the 25-foot front yard building setback, as required in the "AA" district, will remain. This will permit applicant to appropriately landscape the "front yard" area (i.e. - the area between the curb and the wall) so that the site maintains the residential nature and character of the neighborhood. A wood fence, rather than a concrete or masonry-type wall, is being permitted along the west boundary of Lot 3, at the applicant's discretion, because applicant intends, at some future date, to attempt to acquire Lots 1, 2, and 3, Tyler Acres 1st Addition. At that time, applicant may then apply for another use exception in order to utilize those lots for additional parking.

ADJACENT ZONING AND LAND USE:

North: "AA" - Residential
East: "BB" - Agricultural
South: "BB" - Agricultural
West: "AA" - Residential

RECOMMENDATION: Should the Board determine that an off-street parking lot is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. The parking lot shall be paved with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
2. There shall be no access to or from Bekemeyer from this proposed parking lot.
3. A solid or semi-solid screening wall composed of brick, stone, architectural tile, formed and textured concrete, or similar materials, not less than 6 feet nor more than 8 feet in height, shall be erected at the following locations:
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 - c. for Lot 5, along the [north] 25-foot building setback line and the north boundary adjacent Lot 5, Block 36, Country Acres 2nd Addition.

4. A solid or semi-solid wall (as provided in Comment 3), or a wooden fence not less than 6 feet nor more than 8 feet in height, shall be erected along the west boundary of Lot 3. The finished side of all fences and/or walls shall face outward.
5. The area between the wall and curb along Bekemeyer shall be landscaped with trees, shrubs and groundcover to create a residential atmosphere. Within 90 days following approval by the Board, and prior to release of the resolution authorizing this use exception, applicant shall submit a landscape plan to the Secretary for review and approval. The plan shall identify proposed plant materials by scientific and common names, by size of planting, and by quantity. The method of providing water to the plants shall be specified.
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