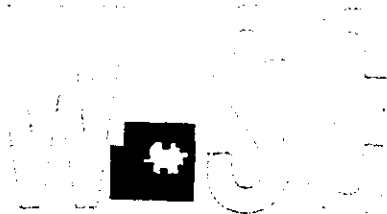


SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

June 25, 1997

Joan Hubbard
NationsBank
P.O. Box 4
Wichita, KS 67201-0004

RE: BZA - 11-97 - Variance to increase the height of a building sign from 30 feet to 57 feet on property zoned "LC" Limited Commercial and generally located on the southwest corner of Lincoln and George Washington Boulevard

Dear Ms. Hubbard:

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals on June 24, 1997. 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,

Lawrence P. Mitchell, Secretary
Board of Zoning Appeals

LPM/sah

cc: Brad Teeter, Spangenberg Phillips Architecture, 224 E. Douglas, Ste 500, Wichita, KS 67202
J. R. Cox, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk
Yolanda Anderson, MAPC (resolution only)

BZA RESOLUTION NO. 11-97

WHEREAS, NationsBank, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the height of a building sign from 30 feet to 57 feet on property zoned "LC" Limited Commercial and legally described as follows:

All of the reserve in Schweiter's Eighth Addition to Wichita, Sedgwick County, Kansas, except beginning at the northwest corner of said reserve; thence southwesterly and southeasterly along a curve having a radius of 10 feet to a point of tangency of said curve; thence in a southeasterly direction along the west line of said reserve, 164 feet; thence in a northeasterly direction for a distance of 40 feet, more or less to a point 150 feet east and 96 feet south of place of beginning; thence north on a line perpendicular to the north line of said reserve 96 feet; thence west 150 feet to the place of beginning, and except:

Beginning at a point 150 feet east of the northwest corner of said reserve; thence south along a line perpendicular to the north line of said reserve, 96 feet; thence in a southwesterly direction, 40 feet more or less, to the westerly line of said reserve; thence in a southeasterly direction along the westerly line of said reserve, 36 feet; thence east 156 feet; thence north 155 feet to the north line of said reserve; thence west along the north line of said reserve, 150 feet to the place of beginning, and except:

Beginning at a point 300 feet east and 155 feet south of the northwest corner of said reserve; thence west 156 feet to the northeast line of Schweiter Drive; thence southeasterly along said northeast line 270 feet; thence northerly to the place of beginning.

and;

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Block 3, Schweiter's Eighth Addition, Wichita, Sedgwick County, Kansas. Generally located southwest corner of Lincoln and George Washington Boulevard (901 George Washington Boulevard).

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 June 24, 1997, 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 scale of the building and site are much larger than other sites in the area and the development on the site is adjacent to a large public right-of-way; 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 sign will face a large public right-of-way and will be directed away from residential areas; 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 30-foot building sign would require the letters of the sign to be placed on the side of the building at a location which would not compliment the design of the structure and would tend to be visually lost on the building elevation; 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 requested sign height is in character with the building and the sign will not be illuminated, which will keep the sign from being a distraction to motorists or residents in the area; 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 intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or highrise 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 a building sign from 30 feet to 57 feet on property zoned "LC" Limited Commercial and legally described as follows:

All of the reserve in Schweiter's Eighth Addition to Wichita, Sedgwick County, Kansas, except beginning at the northwest corner of said reserve; thence southwesterly and southeasterly along a curve having a radius of 10 feet to a point of tangency of said curve; thence in a southeasterly direction along the west line of said reserve, 164 feet; thence in a northeasterly direction for a distance of 40 feet, more or less to a point 150 feet east and 96 feet south of place of beginning; thence north on a line perpendicular to the north line of said reserve 96 feet; thence west 150 feet to the place of beginning, and except:

Beginning at a point 150 feet east of the northwest corner of said reserve; thence south along a line perpendicular to the north line of said reserve, 96 feet; thence in a southwesterly direction, 40 feet more or less, to the westerly line of said reserve; thence in a southeasterly direction along the westerly line of said reserve, 36 feet; thence east 156 feet; thence north 155 feet to the north line of said reserve; thence west along the north line of said reserve, 150 feet to the place of beginning, and except:

Beginning at a point 300 feet east and 155 feet south of the northwest corner of said reserve; thence west 156 feet to the northeast line of Schweiter Drive; thence southeasterly along said northeast line 270 feet; thence northerly to the place of beginning.

and;

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Block 3, Schweiter's Eighth Addition, Wichita, Sedgwick County, Kansas.

subject to the following conditions:

1. Prior to installing the requested building sign, the applicant shall obtain a sign permit and shall comply with all sign code requirements except that the height of the sign may be up to 57 feet above grade.
2. The only building sign located above the height limit specified in the sign code shall be installed on the west face of the penthouse tower.
3. The building sign approved by this variance shall be: limited to a non-illuminated, use individual letters, and be limited to 83 square feet in size.
4. The sign shall be installed within one year or the resolution granting this variance shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 24th day of June, 1997.


Keith A. Alter, President

ATTEST:


Lawrence P. Mitchell, Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA 11-97

OWNER/APPLICANT: NationsBank, Joan Hubbard

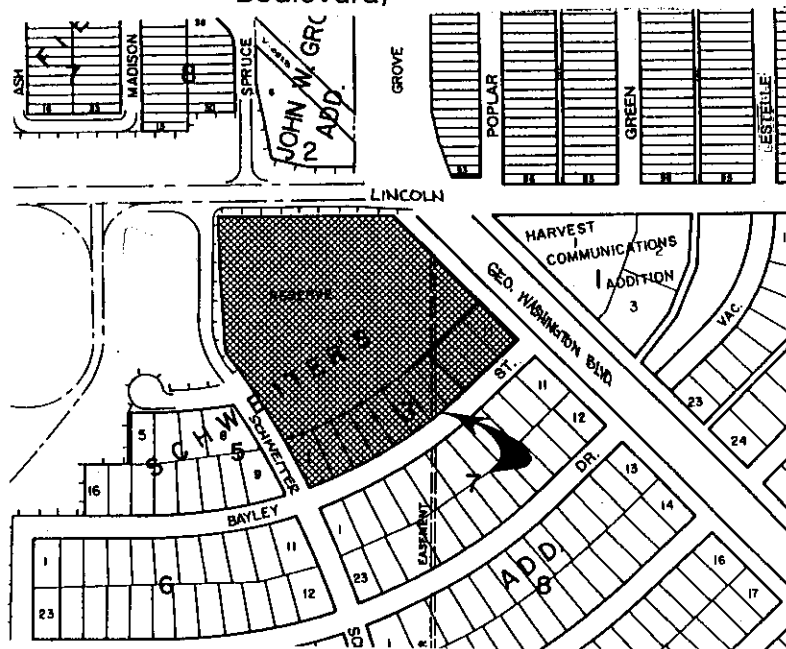
AGENT: Brad Teeter, Spangenberg Phillips Inc. Architects

REQUEST: Variance to increase the height of a building sign from 30 feet to 57 feet.

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: 8.64 acres

LOCATION: Southwest corner of Lincoln and George Washington Boulevard (901 George Washington Boulevard)



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, NationsBank, recently purchased and is renovating the 901 Building located on the southwest corner of Lincoln and George Washington Boulevard. This building will serve as the NationsBank banking call center for the Midwest region. The office building has frontage on Lincoln, George Washington Boulevard and Schweiter Drive and the applicant desires to place it's new sign 57 feet above grade on the west side of the penthouse tower adjacent to Schweiter Drive.

Therefore, the applicant is requesting a variance in the height of a building sign for this site from 30 feet to 57 feet above grade. The sign code requires that any building sign in the "LC" district shall not be more than 30 feet above grade, nor more than 400 square feet in area. The size of the proposed building sign is 83 square feet, which is approximately 1/4 of the size allowed. The building sign height restriction, with only minor changes, has been part of the development regulations since 1974 when the sign code was first adopted. Several recently constructed and existing multi-story buildings, such as the American National Bank of Wichita near Kellogg and Rock, the Hampton Inn near Kellogg and West Street, and Columbia Wesley Medical Center have obtained variances to permit building signs at heights greater than allowed by the code. The individual review allows for appropriate conditions to be imposed regarding the size, orientation, design, etc. of these very visible signs.

The building sign will be facing west, away from properties to the north and south which are developed with residential uses. The sign will face Interstate 135 and the Lincoln interchange, a large public right-of-way.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Financial Facility (Commerce Bank)
SOUTH	"TF-3"	Residential (Duplexes)
EAST	"LC"	Office (Harvest Communication)
WEST	"B" & I-135	Interstate Right-of-Way (I-135)

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the scale of the building and site are much larger than other sites in the area and the development on the site is adjacent to a large public right-of-way; and

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 sign will face a large public right-of-way and will be directed away from residential areas; and

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 30-foot building sign would require the letters of the sign to be placed on the side of the building at a location which would not compliment the design of the structure and would tend to be visually lost on the building elevation; and

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 sign will not be illuminated, which will keep the sign from being a distraction to motorists or residents in the area; and

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 intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or highrise structures.

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. Prior to installing the requested building sign, the applicant shall obtain a sign permit and shall comply with all sign code requirements except that the height of the sign may be up to 57 feet above grade.
2. The only building sign located above the height limit specified in the sign code shall be installed on the west face of the penthouse tower.
3. The building sign approved by this variance shall be: limited to a non-illuminated, use individual letters, and be limited to 83 square feet in size.
4. The sign shall be installed within one year or the resolution granting this variance shall become null and void.

23'-2 3/8"
30" **NationsBank**

16'-6 3/32"
18" **901 BUILDING**

Scale 1:64

NON-ILLUMINATED INDIVIDUAL
DARK BRONZE LETTERS (TYP.)

NationsBank
901 BUILDING

EL. 159'-4"

EL. 156'-6"

EL. 130'-0"

Plasti-Line, Inc.

WEST ELEVATION

Property of Plasti-Line, Inc. Not to be duplicated

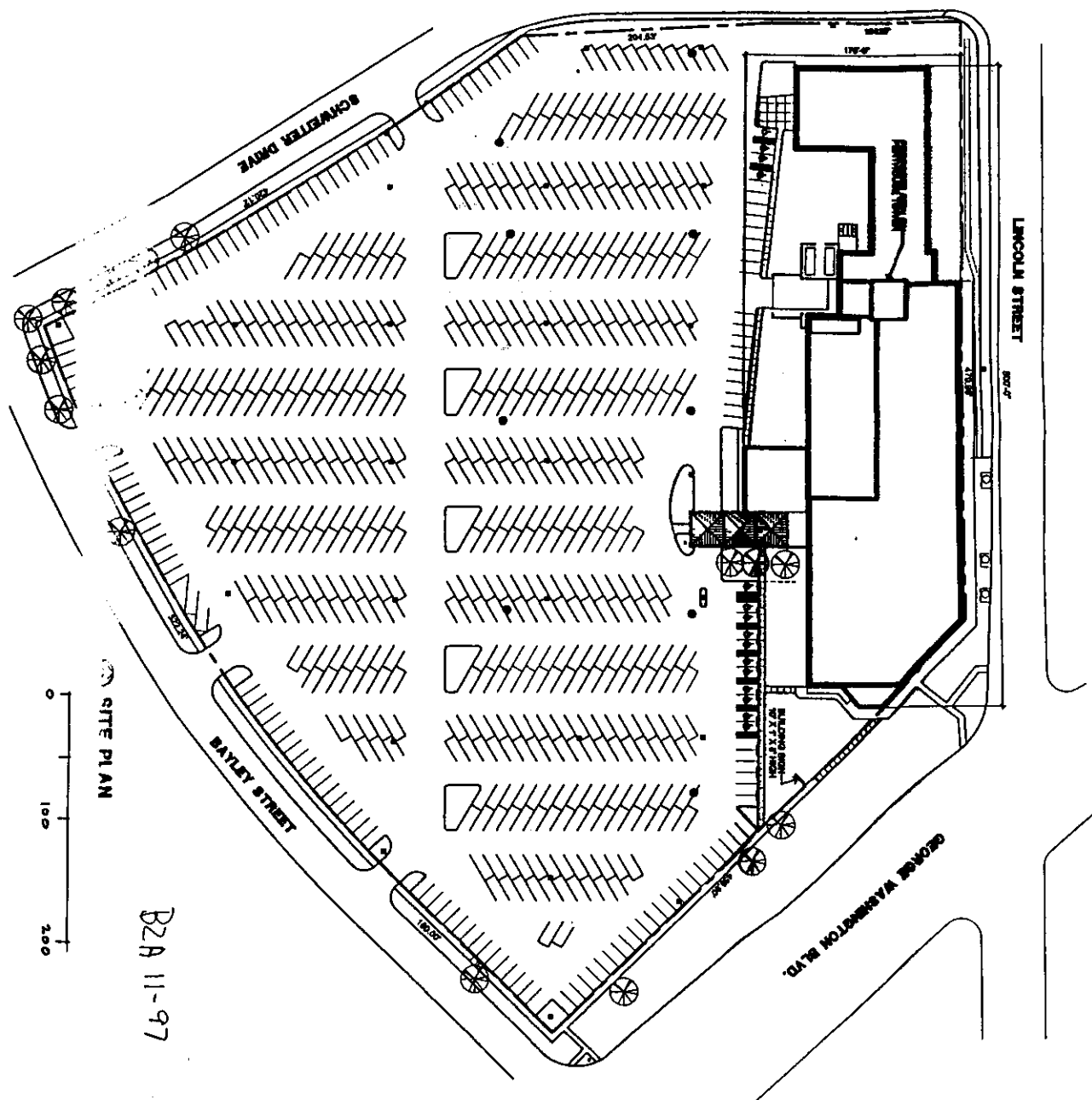
File Name: NB 30" LTR SET 901 ELEV.

Scale: 3/32"=1'-0" Approved By:

Date: 21APR97

Date:

BZA 11-97



A1.1

DATE: 11/97

BY: [Signature]

SCALE: 1/8" = 1'-0"

901 BUILDING

901 GEORGE WASHINGTON BLVD.
WICHITA, KANSAS

SPANGENBERG • PHILLIPS
ARCHITECTURE

304 E. Douglas, 20th Floor Wichita, KS 67202 T 316.267.4000 F 316.267.3999