CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

August 25, 2010

City of Wichita
Property Management
455 N Main 13th Floor
Wichita KS 67202

FILE COPY

DSW Broadway LLC
ATTN: Krisandra Lippert
400 W Douglas
Wichita KS 67202

RE: BZA2010-00036 Variance of the Wichita Sign Code to permit a roof sign on the Broadview Hotel generally located on the northwest corner of North Waco Avenue and West Douglas Avenue (400 West Douglas Avenue).

Dear Ladies and Gentlemen:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Wichita Board of Zoning Appeals on **August 24, 2010.** This resolution reflects the official action of the Board. 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,

Donna Goltry

Donna Goltry, Principal Planner, AICP
Current Plans Division

DG/yja

Cc: Kurt Schroeder, Office of Central Inspections, 1-72
Paul Hays, Office of Central Inspections, 1-72
J R Cox Office of Central Inspection, 1-72
Janet Miller, WCC VI, 1-13
Larry Weber, The Garvey Center, 250 West Dougls Suite 100, Wichita, KS 67202
Janet Wright, President and CEO, Wichita Festivals, Inc., 1820 E. Douglas Ave., Wichita, KS 67214

BZA RESOLUTION NO. 2010-00036

WHEREAS, City of Wichita (owner), DSW Broadway, LLC (applicant); Krisandra Lippert (agent), pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance of the Wichita Sign Code to permit a roof sign on the Broadview Hotel, generally located on the northwest corner of North Waco Avenue and West Douglas Avenue (400 West Douglas Avenue):

> A tract in the Southeast Quarter of Section 20, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, including Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Holmes Addition to Wichita, described as follows: Beginning at the Northwest corner of Waco and Douglas Avenue; thence North approximately 308.95 feet to the South line of the Missouri Pacific Railroad property, now owned by Wichita Festivals, Inc.; thence West and Southwest along the South line of the Missouri Pacific property and right-of-way to the left or East bank of the Arkansas River; thence South and Southeast along the left or East bank of the Arkansas River to the North line of Douglas Avenue; thence East and Northeast along the North line of Douglas Avenue to point of beginning, except therefrom that part lying within the Northeast Quarter of Section 20.
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> Parcel 2:
> A tract in the Northeast Quarter of Section 20, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as: Beginning at the intersection of the South line of Government Lot 2 in the Northeast Quarter of Section 20 (being the same as the South line of the Northeast Quarter of Section 20), Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, and the West line of Waco Street; thence North along the West line of Waco Street 266 feet more or less to the South line of the Missouri Pacific Railroad property, now owned by Wichita Festivals, Inc., thence West along the South line of said property and the Missouri Pacific right-of-way to the East bank of the Arkansas River; thence Southeasterly along said bank of said River to the South line of said Lot 2; thence East to the place of beginning.

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 August 24, 2010, 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 conditions that are unique, inasmuch as the Broadview Hotel was built in 1921 and opened in 1922. It was one of the most important hotels in Wichita and was oriented at an angle to Douglas and Waco so as to command a "broad view" of Wichita from its upper stories, looking toward downtown Wichita to the east and over the river and Delano to the west. The rooftop sign is original to the hotel. The original rooftop sign was

removed (fell down) at some point and was replaced with a second rooftop sign. This sign remained at least through the 1950s. The prominent location and unique orientation made the hotel a visual landmark. It was visible for long distances as one traveled westward on Douglas to the heart of downtown Wichita, an anchor in the visual corridor.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance would not adversely affect the rights of adjacent property owners, inasmuch as the sign would face Century II, the location of conventions, cultural performances and exhibitions for tourists as well as residents from all parts of the metro area. It benefits Century II to have quality hotel and convention facilities nearby. The Broadview is similar in use and function to the nearby Hyatt Hotel, which is connected to Century II on the south. The Hyatt has building wall signage on its uppermost tower, which is similar or higher in height to the proposed roof sign for the Broadview. The Wichita Chamber of Commerce is located directly to the east of the Broadview and supports the variance for similar reasons of it attracting tourists, conventions and events to Wichita.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the Sign Code would constitute a hardship upon the applicant. The restoration and renovation of the Broadview costs more than the construction of a new hotel, and can only be financially feasible by obtaining Historic Tax Credits from both the State of Kansas and the National Park Service. The applicant has indicated that the lack of these credits would cause the restoration of the Broadview to be unfeasible and that obtaining these credits partially hinges on replacing the missing features from the original hotel, of which the roof sign is a significant missing feature.

WHEREAS, the Board of Zoning Appeals has found that the variance request for setback reductions do not adversely affect the public interest. inasmuch as in terms of safety, the Sign Code requires competent professionals to install the sign and that it be securely attached to the building. Also a bond is required. In terms of general public interest, the Historic Preservation Board found the proposed sign to be beneficial in maintaining the historic fabric of downtown Wichita, thus supporting the general public interest from the historic preservation standpoint.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance would not be opposed to the general spirit and intent of the Sign Code. Roof signs are not generally allowed in Wichita, but were typical of the tallest buildings, especially hotels, during earlier eras. Today, the Sign Code specifies that roof signs are to be granted in CBD or LI zoning districts only as a variance to keep from an undue proliferation of roof signs on all buildings, restricting them to the tallest buildings that are not otherwise suited for wall signage. Historically, hotels were one of the building types associated with roof signs in Wichita, and often the building's architecture with banks of windows clear to the top of the building made it difficult to use wall signage and preferable to use roof signs. In fact, the remaining historic roof sign in Wichita like signage that was on the Broadview is the sign on the Commodore Hotel located on the northwest corner of Broadway and Elm Street. The roof sign on the Commodore harks back to the era when this was the standard identification for the tall hotels in the city.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Section 2.12.590.B, Code of the City of Wichita, a variance of the Wichita Sign Code to permit a roof sign on the Broadview Hotel, generally located on the northwest corner of North Waco Avenue and West Douglas Avenue (400 West Douglas Avenue):

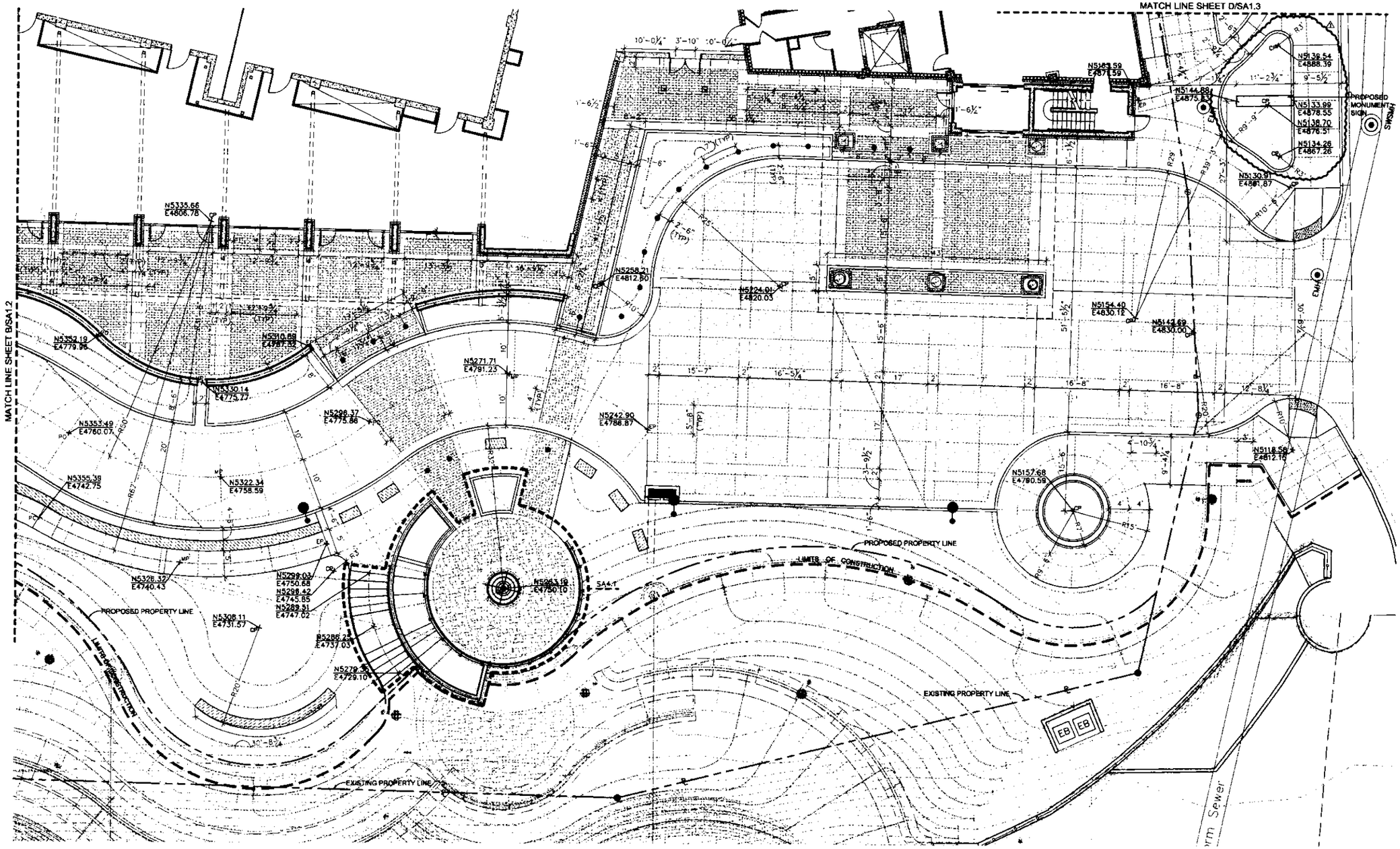
A tract in the Southeast Quarter of Section 20, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, including Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Holmes Addition to Wichita, described as follows: Beginning at the Northwest corner of Waco and Douglas Avenue; thence North approximately 308.95 feet to the South line of the Missouri Pacific Railroad property, now owned by Wichita Festivals, Inc.; thence West and Southwest along the South line of the Missouri Pacific property and right-of-way to the left or East bank of the Arkansas River; thence South and Southeast along the left or East bank of the Arkansas River to the North line of Douglas Avenue; thence East and Northeast along the North line of Douglas Avenue to point of beginning, except therefrom that part lying within the Northeast Quarter of Section 20.

Parcel 2:
A tract in the Northeast Quarter of Section 20, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as: Beginning at the intersection of the South line of Government Lot 2 in the Northeast Quarter of Section 20 (being the same as the South line of the Northeast Quarter of Section 20), Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, and the West line of Waco Street; thence North along the West line of Waco Street 266 feet more or less to the South line of the Missouri Pacific Railroad property, now owned by Wichita Festivals, Inc., thence West along the South line of said property and the Missouri Pacific right-of-way to the East bank of the Arkansas River; thence Southeasterly along said bank of said River to the South line of said Lot 2; thence East to the place of beginning.

The variance is hereby GRANTED, subject to the following conditions:

1. The site shall be developed in conformance with the approved elevation drawings.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within two years of the variance granting, unless such time period is extended by the BZA.
3. The sign shall be installed in conformance to all requirements for sign installation, including bond requirements, of the Sign Code.
4. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

ADOPTED AT WICHITA, KANSAS, this 24th Day of August, 2010.



A SITE DIMENSION & LOCATION PLAN

1"=10'-0"

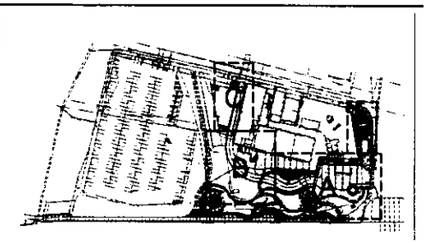
- SITE FINISHES & DETAIL CALL-OUTS REFER TO SA2 SHEETS
- GRADING REFER TO SA3 SHEETS

NORTH

PLAN LEGEND

BC	BOTTOM OF CURB	MP	MID POINT OF CURVE
BM	BENCH MARK	OHE	OVERHEAD ELECTRIC
BR	BOTTOM OF RAMP	PC	POINT OF CURVATURE
BW	BOTTOM OF WALL	PL	PROPERTY LINE
CJ	CONTROL JOINT	PT	POINT OF TANGENCY
CP	CENTER POINT	PP.	POWER POLE
CMP	CORRUGATED METAL PIPE	R	RADIUS
E	EASTING	RCB	REINFORCED CONC. BOX
EL	ELEVATION	SS	SANITARY SEWER
EJ	EXPANSION JOINT	SSMH	SANITARY SEWER MANHOLE
EP	END POINT OF CURVE	SWS	STORM WATER SEWER
EX.	EXISTING	SWSMH	STORM SEWER MANHOLE
FH	FIRE HYDRANT	TC	TOP OF CURB
FIB	FIBER OPTICS	TR	TOP OF RAMP
G	GAS LINE	TW	TOP OF WALL
GM	GAS METER	UGE	UNDERGROUND ELECTRIC
HP	HIGH POINT	WV	WATER VALVE
LP.	LIGHT POLE	WM	WATER METER

SHEET BREAKOUT



PRINTS ISSUED

DATE	VERSION	NO.
09.16.2019	95% CHECK SET	
09.18.2019	FOR PERMIT	
07.18.2019	REVISION 1	1

DRURY-BROADVIEW HOTEL SITE
DEVELOPMENT DRAWINGS
WICHITA, KS

LawKingdon Architecture
Engineering · Planning · Interiors · Landscapes

LawKingdon Architecture
345 RIVERVIEW, WICHITA, KS 67203
Phone (316) 268-0230 Fax: (316) 268-0236
CONTACT: JEFFERY A. BEST, AIA, ©

PROJECT NUMBER:
08387

SHEET TITLE:
SITE DIMENSION & LOCATION PLAN

SHEET NUMBER:
SA1.1

L:\08387-Drury-Broadview Hotel\08387-Con. Doc\08387-Current Site\08387-Site Architecture\08387-SA1.dwg