



Wichita-Sedgwick County Metropolitan Area Planning Department

July 10, 2018

Chuck Carson
Luminous Neon
1429 West 4th Street
Hutchinson, KS 67501

RE: BZA2018-00019 – City variance to permit a roof top sign on new building on property zoned CBD Central Business District on the east side of McLean Boulevard and north of Douglas Avenue (150 North McLean Boulevard).

Dear Mr. Carson,

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on June 21, 2018. This resolution reflects the official action of the Board and is forwarded for your information and files.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Kyle C. Kobe'.

Kyle C. Kobe
Associate Planner

Attachment – Resolution

cc: MABCD
River Vista LLC, 150 N. Market, Wichita, KS 67202

BZA RESOLUTION NO. BZA2018-00019

WHEREAS, Chuck Carson with Luminous Neon (Agent) on behalf of River Vista LLC (Applicant), pursuant to Kansas Statutes Annotated 12-759, requests a Variance to allow a roof top sign on a new building at 150 North McLean Boulevard and legally described as follows:

Legal Description: Lot 1 and 2, Block 1 of the River Vista Village Addition to Wichita, Sedgwick County, KS.

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 May 10, 2018, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, this situation arises specifically and explicitly due to the fact that the sign code does not allow for this type of sign in any way, so there is no other recourse than to request a variance to allow for it. This, despite the fact that there is another sign of the exact same type within visible range of where this sign will be located, and the intention of this development being a marquee development for downtown and such developments often have unique or interesting design elements such as this.

WHEREAS, there will be no adverse effects on adjacent property due to the fact that the only type of development that will be able to see this sign are other commercial developments, and that the existing roof sign across the river doesn't appear to have adversely impacted anyone.

WHEREAS, this sign will allow for the property to have visible signage along Douglas Avenue, which would otherwise be difficult due to the fact that it is over 530 feet away from Douglas.

WHEREAS, it is intended that this sign will be an asset to the city in that it will be an iconic landmark for the city and positively contribute to the character of downtown.

WHEREAS, the sign is within the overall limits for sign sizes per the sign code. Furthermore the sign will be installed with the utmost attention to detail as it pertains to safety and professionalism.

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

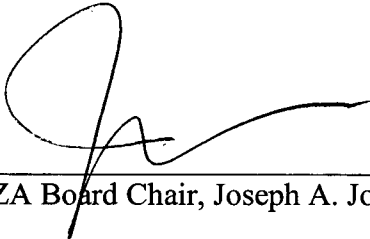
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, a Variance to allow a roof top sign on a new building at 150 North McLean Boulevard and legally described as follows:

Legal Description: Lot 1 and 2, Block 1 of the River Vista Village Addition to Wichita, Sedgwick County, KS.

The variances are hereby GRANTED, subject to the following conditions:

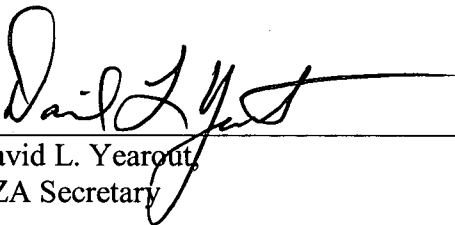
- The sign shall be constructed in substantial conformance with the approved site plan and conceptual images.
- A sign permit shall be obtained for all signs in the River Vista Apartment development, to include the rooftop sign. If needed building permits shall be obtained from MABCD for the construction of the sign structure.
- The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 21st Day of June 2018.



BZA Board Chair, Joseph A. Johnson

ATTEST:



David L. Yearout,
BZA Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA2018-00019

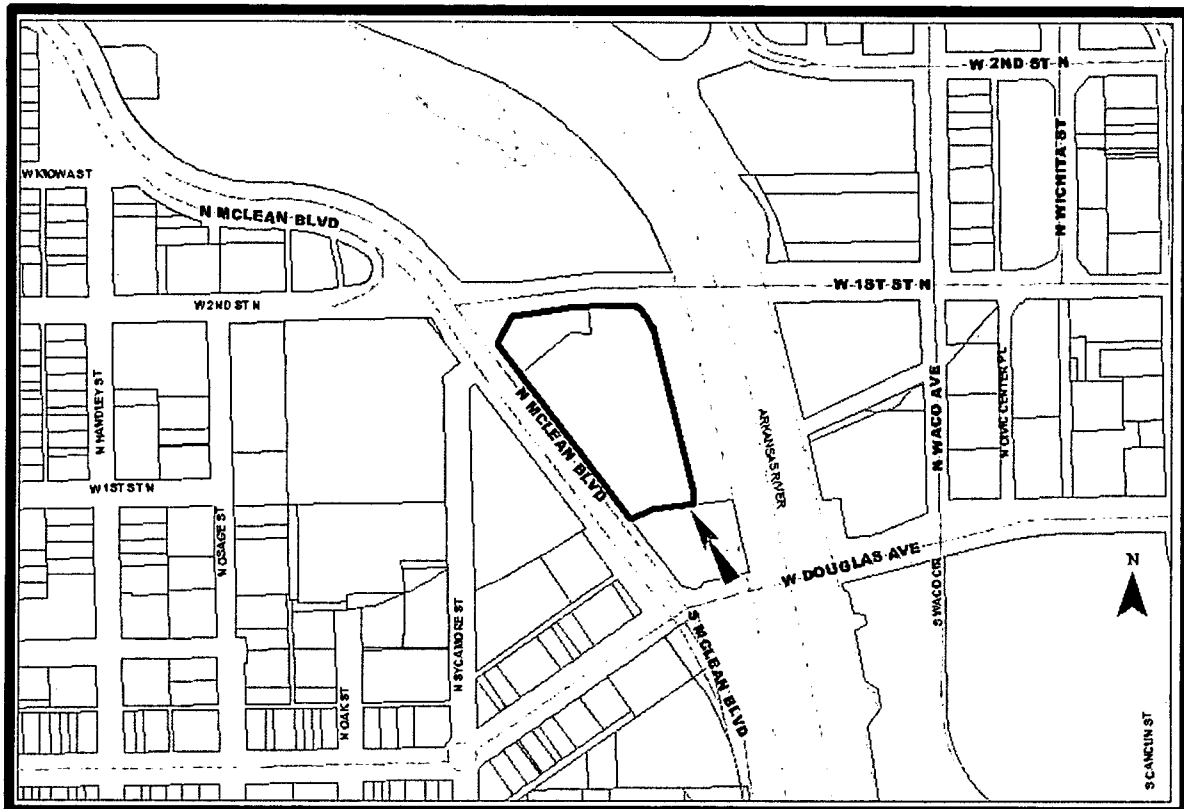
APPLICANT: Chuck Carson with Luminous Neon (agent) River Vista LLC (applicant)

REQUEST: Variance to permit a roof top sign on a new building

CURRENT ZONING: CBD Central Business District

SITE SIZE: 4.38 acres

LOCATION: Generally located on the east side of McLean Boulevard and north of Douglas Avenue (150 North McLean Boulevard)



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions Section V-G of the Unified Zoning Code for Wichita/Sedgwick County, and as outlined in Kansas Statutes Annotated 12-759 *et. seq.* The Board may grant the request when all five conditions, as required by the statutes, are found to exist.

BACKGROUND: The River Vista Apartments development, which has been under construction for several months at the time of this hearing and is now nearing completion, is requesting a Variance to allow for a roof mounted sign on the southeastern portion of the building. The sign code for the City of Wichita does not permit roof mounted signs. The only way for a roof mounted sign to be built in Wichita is for a Variance request to be approved.

The sign the applicant is requesting would be 6'4" tall and 43' wide, a total area of approximately 272 square feet. The sign would be visible from West Douglas Avenue, to include the bridge spanning the Arkansas River. Other areas that would be in the view shed of the sign would be Century II, the paths along the river, the commercial development along Douglas Avenue in Delano, and the rear of the Broadview Hotel.

Though roof mounted signs are not common in Wichita, there are two prominent rooftop signs present in downtown already, The Commodore sign and the Drury Plaza Broadview Hotel sign. Given the proximity this sign has to another sign of the same type, the compatibility the proposed sign has with the design of the River Vista Apartments overall, and the fact that this development is intended to be a marquee development for downtown Wichita, staff feels that this request is warranted and should be approved.

ADJACENT ZONING AND LAND USE:

NORTH	LC	Exploration Place
SOUTH	CBD	Delano Park, Mixed-Use Development
EAST	CBD	Arkansas River, Downtown Development
WEST	CBD	Delano Catalyst Site, Advanced Learning Library

CASE HISTORY: This property was platted as the River Vista Village Addition on 29 December 2014.

UNIQUENESS: The applicant states that the situation arises specifically and explicitly due to the fact that the sign code does not allow for this type of sign in any way, so there is no other recourse than to request a variance to allow for it.

ADJACENT PROPERTY: The applicant states that there will be no adverse effects on adjacent property due to the fact that the only type of development that will be able to see this sign are other commercial developments, and that the existing roof sign across the river hasn't adversely impacted anyone up till now.

HARDSHIP: The applicant states that this sign will allow for the property to have visible signage along Douglas Avenue, which would otherwise be difficult due to the fact that it is over 530 feet away from Douglas.

PUBLIC INTEREST: The applicant states that in their opinion this sign will be an asset to the city in that it will be an iconic landmark for the city and positively contribute to the character of downtown.

SPIRIT AND INTENT: The applicant states that the sign is within the overall limits for sign sizes per the sign code. Furthermore the sign will be installed with the utmost attention to detail as it pertains to safety and professionalism.

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 to allow for one rooftop sign for the River Vista Apartments development be **GRANTED**, subject to the following conditions:

- The sign shall be constructed in substantial conformance with the approved site plan and conceptual images.
- A sign permit shall be obtained for all signs in the River Vista Apartment development, to include the rooftop sign. If needed building permits shall be obtained from MABCD for the construction of the sign structure.
- The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

Report Attachments:

1. Aerial Map
2. Zoning Map
3. Applicant's Narrative
4. Site Plan
5. Google Aerial
6. Concept images provided by applicant
7. Proposed sign exhibit (with dimensions)

SITE PLAN

APPROVED

6-21-18

BY *She*

Page 2 of 3

B.1

Tall letters "R" &
"V" - 6' 4" height.
Internally lit.

Short letters -
4' 6" height.
Internally lit.



SITE PLAN

APPROVED 6-21-18 BY SK
 Page 3 of 3

6'-4" **RIVER VISTA** 4'-6"
 43'-0"

13,518.80' SQ. FT.

SPECIFICATIONS

- INTERNALLY-ILLUMINATED CHANNEL LETTERS.
- BLACK TRIM CAPS AND RETURNS.
- WHITE FACES WITH APPLIED PERFORATED VINYL IN BLACK.
- LED ILLUMINATION.
- INSTALLS MOUNTED ON ROOF.

ALL NOTED DIMENSIONS ARE APPROXIMATE AND MAY BE MODIFIED SLIGHTLY DURING MANUFACTURING TO ALLOW PROPER COMPONENT USAGE.

CUSTOMER: RIVER VISTA APARTMENTS
 NAME: AMY LIEBAU
 LOCATION: 150 N. MCLEAN BLVD.
 WICHITA, KS 67202

DATE: 3/16/18
 DESIGN NO: CC-28288-2
 ARTIST: AW
 SCALE: 1/4" = 1'

APPROVED:

DATE:



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 ART & SIGN SYSTEMS

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