AGENDA

BOARD OF ZONING APPEALS MEETING

Bonner Springs Community Center – Honeybee Room
300 E. 3rd Street – Bonner Springs, KS 66012

Tuesday, May 21, 2019

Shared Study Workshop – 6:15pm -- Regular Meeting -- 8:00pm

Shared Study Workshop – 6:15pm

1. Workshop with City Attorney, Dan Trent, to review Kansas Open Meeting Act (KOMA); duties of Planning Commissioners and Board of Zoning Appeals members; overview of standard meeting practices (Robert's Rules). Open to the public.

Regular Meeting – 8:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA

   Item #1 – Approval of Minutes of April 16, 2019 Board of Zoning Appeals meeting

4. PUBLIC HEARING

   Item #2 -- BZA-116 - Four (4) variance requests for Arts & Entertainment District – each request will be reviewed, discussed, and decided separately – See staff report for details

   Request #1 -- Maximum structure height: Five (5) stories or one hundred fifteen (115) feet.

   Request #2 -- Adjust parking to 4,800 spaces for the Arts & Entertainment Campus only.

   Request #3 -- Reduction of roadway classifications

   Request #4 -- Increase the maximum of any one material to 85%

5. ADJOURNMENT
MINUTES – 4.16.2019
BONNER SPRINGS BOARD OF ZONING APPEALS MEETING

City Hall – 205 E, 2nd Street – Bonner Springs, KS 66012
Tuesday, April 16, 2019 -- Regular Meeting -- 8:00 p.m.

1. Meeting CALLED TO ORDER by Chair Lloyd Mesmer

Meeting called to order at 8:10 p.m. following a regular meeting of the Bonner Springs Planning Commission.

City Staff Present: Rachel Clyne, City Planner; Amber McCullough, Community and Economic Development Director

2. ROLL CALL

Chair Parks requested roll call.
City Planner, Rachel Clyne called roll.
Present: Lloyd Mesmer (Chair); Sherri Neff; Merle Parks; Craig Stephan
Absent: Jason Krone
Quorum Established

3. CONSENT

Item #1 – Approval of Minutes of September 18, 2018 Board of Zoning Appeals meeting

Motion to APPROVE made by Parks, seconded by Stephan
Chair Mesmer asked for those in favor to state ‘aye’.
AYE – Mesmer, Neff, Parks, Stephan
NAY – None
MOTION PASSED 4 – 0

4. PUBLIC HEARING

Note: The requests were heard in the order of #2, #1, #3, #4.

Item #2 -- BZA-116 - Four (4) variance requests for Arts & Entertainment District – each request was reviewed, discussed, and decided separately.

Chair Mesmer asked staff for a presentation. Planner Clyne reviewed the City’s Ordinance on the Board of Zoning Appeals and the five (5) conditions that must be addressed for each variance request. Staff explained that the applicant had provided five (5) responses to each of the four (4) variance requests, and that each request required individual review and decision.

Request #2 -- Reduce required parking by 20% for the site

Chair Mesmer opened the public hearing and asked if the applicant was present. The applicant was represented by Mark O’Hara with HOK from Kansas City, Kansas. He described the concept of shared parking and stated extensive research had taken place to justify asking for a reduction. O’Hara assured the Board members the Owners of the project would ensure that sufficient parking was available to the public. A representative from Kansas City Speedway addressed the
Board and asked about overflow parking. Also representing the applicant, Lance Scott, P.E. of CFS Engineers expounded on the shared parking concept.

Board member Parks asked why a Planned Development had not the direction the applicant used to approach this project. O'Hara replied that after meeting with City staff and administration, it was decided that a request for variances was the better method moving forward. Chair Mesmer asked for any other questions and Commissioner Parks stated he had a comment. Mesmer closed the public hearing.

A motion to approve BSZ-116 — Request #2 was made by Commissioner Stephan and seconded by Commissioner Neff. Commissioner Parks stated a Variance is used for a hardship like the physical nature of a property. He opined that hardship is not for development purposes, and he didn't want to set precedence. Parks continued to explain he felt the use of a Variance, as proposed by the applicant, was against the law, would set precedence, and did not comply with Kansas law.

Planner Clyne addressed the Chair and stated that the City Attorney and the League of Kansas Municipalities attorney had been provided an overview of the application, discussed the four (4) specific requests, as well as the applicant’s response to each of the five (5) conditions. Clyne went on to state that both attorneys agreed the application was appropriate to be presented to the Board of Zoning Appeals. Following discussion amongst the Board members, Chair Mesmer called for a vote.

Motion to APPROVE Request #2 made by Stephan, seconded by Neff
Chair Mesmer called for a vote.
AYE – Mesmer (with reservation), Neff
NAY – Parks, Stephan
MOTION FAILED 2 – 2

Request #1 — Maximum structure height: Five (5) stories or one hundred fifteen (115) feet.

Chair Mesmer read the introduction for Request #1 and asked staff for comment. Planner Clyne stated that the applicants and their many representatives met with City staff and administration to discuss the best tactic for advancing this project. It was determined that four individual requests for Variances would be less complicated and much less labor intensive than designing a new Planned District that had only four alterations to the Zoning Ordinance. Clyne went on to describe discussions with the Bonner Springs Fire Chief who had stated that the City currently had occupied buildings taller than the height being requested, which the fire department can handle. The Fire Chief also stated that the City had good working relationships with surrounding fire departments and additional support, if needed, would be forthcoming.

Chair Mesmer opened the public hearing and asked the applicant for comment. O'Hara stated that the basics had been covered and reiterated that the Variance request was a result of meeting with the City prior to application. Mesmer closed the public hearing and asked for a motion. Commissioner Stephan made a motion to approve and Commissioner Neff seconded that motion. Chair Mesmer called for a vote.

Motion to APPROVE Request #1 made by Stephan, seconded by Neff
Chair Mesmer called for a vote.
AYE — Mesmer, Neff, Stephan
NAY — Parks
MOTION PASSED 3 – 1

Request #3 – Reduction of roadway classifications

Chair Mesmer read the introduction for Request #3 and asked Staff for a report. Planner Clyne stated that the introduction provided relevant information but added that the City’s Engineer had given his approval for the request and stated it is acceptable to design and post the same speed.

Mesmer opened the public hearing and asked the applicant for comments. O’Hara stated the importance of the Variance request was for safety reasons to reduce traffic cutting through the district. Chair Mesmer closed the public hearing and called for a motion. Commissioner Neff made a motion to approve, which was seconded by Commissioner Stephan. Commissioner Stephan confirmed that fire trucks would have adequate access with this request. Chair Mesmer called for a vote.

Motion to APPROVE Request #3 made by Neff, seconded by Stephan 
Chair Mesmer called for a vote.  
AYE – Mesmer, Neff, Stephan  
NAY – Parks (for previously stated reasons)  
MOTION PASSED 3 – 1

Request #4 -- Increase the maximum of any one material to 85%

Chair Mesmer read the introduction for Request #4 and asked Staff for a report. Planner Clyne stated that the request for an increase in material was precautionary as the final design of the concert pavilion was not complete or approved.

Mesmer opened the public hearing and asked the applicant for additional comments. O’Hara stated that staff was correct that the design was evolving and having the freedom during this stage was helpful. O’Hara further stated that the concert pavilion would have different textures and different materials and that the design would be first-class. Additionally, he stated that the design team would continue to work with staff throughout the process—there is no intent to have a large blank surface.

Citizen Doug Tree voiced his approval of the entire project, and Mesmer closed the public hearing.

A motion to approve was made by Stephan and seconded by Neff. Discussion on which buildings would be included in the Variance resulted in an amendment to the motion to allow the increase the maximum of any one material to 85% to the concert pavilion only. Chair Mesmer called for a vote.

Amended Motion to APPROVE Request # 4 for only the Concert Pavilion made by Stephan, 
seconded by Neff  
Chair Mesmer called for a vote.  
AYE – Mesmer, Neff, Stephan  
NAY – Parks (previous reasons)  
MOTION PASSED 3 – 1
5. **ADJOURNMENT**

Chair Mesmer thanked those in attendance and apologized that the meetings did not proceed as they should have. He continued to explain that the 19-day space should have been 20 and he hoped the applicant understood why the meetings proceeded as they did. Lastly, he opined that he did not want the applicants to be disappointed and cancel the project as he would like to see it develop. Chair Mesmer called the meeting adjourned at 8:48 p.m.

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Before leaving their seats Commissioners Stephan, Parks, and Neff voiced appreciation, apologies, enthusiasm, encouragement, support, and excitement regarding the project.

/s/ L. Rachel R. Clyne  
BSBZA Secretary – Signature  

Date
It is requested that the following information be given formal consideration by the Board of Zoning Appeals at a regular meeting of May 21, 2019.

The applicant requested presentation of this application with new and additional information to the Board of Zoning Appeals to review. Staff repeated the required notification process with newspaper publication, 200’ property owners’ letters, and public meeting sign. All notifications were completed in advance of the minimum requirement.

In the City’s Zoning Ordinance, Article XXVI—BOARD OF ZONING APPEALS—Section 3.2.a.b (1-5) gives authority to the Board of Zoning Appeals (Board) to grant a variance that has been requested, upon a finding by the Board that all of the following conditions have been met. The Board shall make a determination on each condition, and the finding shall be entered in the record.

The following five (5) conditions must be addressed for each variance request.

1) **Condition Unique to the Property** – The variance requested 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 owner or applicant;

2) **No Adverse Effects** – The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

3) **Unnecessary Hardship** – The strict application of the provisions of the zoning regulations of which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

4) **Public Health, Safety, and Welfare** – The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and;

5) **Ordinance Intent** – The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.
The following four (4) variance requests are part of one application but are for individual review, discussion, and decision. The information is taken directly from the applicant’s request letter, which is attached for your reference. The applicable Articles and Sections of the Bonner Springs Zoning Ordinance are provided for each item and will be italicized. Staff has comments/recommendations for each request.

**Request #1 – Building Height and Stories for Development**

**ARTICLE VI, “A-1” AGRICULTURE DISTRICT, SECTION 4. HEIGHT REGULATIONS:** Maximum structure height Two and one-half (2 1/2) stories, or thirty-five (35) feet.

**ARTICLE XIV, “MX” MIXED USE DISTRICT, SECTION 4. HEIGHT REGULATIONS:** Maximum structure height: Three (3) stories, or forty-five (45) feet.

**Variance Request – Maximum structure height:** Five (5) stories or one hundred fifteen (115) feet.

The Concert Pavilion roof structure is proposed to be no more than 115’ in height. This is needed due to the unique condition of the facility to house approximately 7,000 people under the canopy while still allowing the approximately 7,000 outdoor spectators to still have unimpeded views of the stage. The Performing Arts Center and Media Works also have special requirements that exceed the maximum structure height and are below the 115’ request. The proposed Class A Apartments and potentially hotels and the senior apartments would exceed the maximum stories and structure height allowed in MX Zoning.

1. **Condition Unique to the Property** – The seating bowl of the pavilion and Performing Arts necessitates the largest height variances. The location of the pavilion was chosen to work with the existing grades of the site thus lessening the height impact for the roof canopy. The location of the Performing Arts Center was carefully considered to provide strong visual presence on the corner of the site. The Class A Apartments are located adjacent to Wyandotte County Park.

2. **No Adverse Effects** – The applicant is certain there are no adverse effects to the neighboring properties. The heights and stories of the uses are used to provide a campus feel and to assist with wayfinding. The project proposes a mix of residential on the south portion of the property, State Avenue to the north is a major roadway which connects adjacent uses to the adjacent Kansas Speedway, Children’s Mercy Park and The Legends shopping district.

3. **Unnecessary Hardship** – Without this variance, the project would not function in its intended capacity.

4. **Public Health, Safety and Welfare** – The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.

5. **Ordinance Intent** – The unique nature of the project necessitates the height and stories variance request. The applicant is certain that at this location the request does not oppose the general spirit and intent of the zoning regulations.
8 May 2019

Board of Zoning Appeals

Bonner Crossing/Velocity City Submission Requirements
RE: Board of Zoning Appeals Request

Bonner Crossing/Velocity is envisioned as a unique destination and as such there are development needs that are unique to typical development.

The following requests are being made to the Zoning Ordinance on behalf of the applicant to fulfill the needs of the project. The requests have been outlined below and referenced with the five conditions as stated on the application.

1. **Condition Unique to the Property** – The variance requested 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 owner or applicant;

2. **No Adverse Effects** – The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

3. **Unnecessary Hardship** – The strict application of the provisions of the zoning regulations of which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

4. **Public Health, Safety and Welfare** – The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and

5. **Ordinance Intent** – The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

If Staff or the Board of Zoning Appeals (BZA) has any questions prior to the meeting, the applicant and design team will make themselves available at your convenience.

**Request 01 – Building Height and Stories for Development**

**ARTICLE VI, "A-1" AGRICULTURE DISTRICT, SECTION 4. HEIGHT REGULATIONS:**
Maximum structure height: Two and one-half (2 1/2) stories, or thirty-five (35) feet.

**ARTICLE XIV, "MX" MIXED USE DISTRICT, SECTION 4. HEIGHT REGULATIONS:**
Maximum structure height: Three (3) stories, or forty-five (45) feet.

**Variance Request – Maximum structure height: Five (5) stories or one hundred fifteen (115) feet.**

The Concert Pavilion roof structure is to be no more than 115’ in height. This is needed due to the unique condition of the facility to house approximately 7,000 people under the canopy while still allowing the approximately 7,000 outdoor spectators to still have unimpeded views of the stage. The Performing Arts Center and Media Works also have special requirements that exceed the maximum structure height and are below the 115’ request. The proposed Class A Apartments and potentially hotels and the senior apartments would exceed the maximum stories and structure height allowed in MX Zoning.

1. **Condition Unique to the Property** – The seating bowl of the pavilion and Performing Arts necessitates the largest height variances. The location of the pavilion was chosen to work with the existing grades of the site thus lessening the height impact for the roof canopy.
The location of the Performing Arts Center was carefully considered to provide strong visual presence on the corner of the site. The Class A Apartments are located adjacent to Wyandotte County Park.

2. **No Adverse Effects** – The applicant is certain there are no adverse effects to the neighboring properties. The heights and stories of the uses are used to provide a campus feel and to assist with wayfinding. The project proposes a mix of residential on the south portion of the property, State Avenue to the north is a major roadway which connects adjacent uses to the adjacent Kansas Speedway, Children's Mercy Park and The Legends shopping district.

3. **Unnecessary Hardship** – Without this variance, the project would not function in its intended capacity.

4. **Public Health, Safety and Welfare** – The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.

5. **Ordinance Intent** – The unique nature of the project necessitates the height and stories variance request. The applicant is certain that at this location the request does not oppose the general spirit and intent of the zoning regulations.

**Request 02 – Off Street Parking**

ARTICLE XXIII, OFF STREET PARKING AND LOADING REGULATIONS, SECTION 5. REQUIRED SPACES.

Variance Request – Adjust required parking to 4,800 parking spaces for the Arts & Entertainment Campus only.

The Arts & Entertainment Campus parking adjustment strategy is a factor of the unique types of uses, peak days and hours, evolving multi-modal transportation options, technology and sensitive to land use.

The attached Arts & Entertainment Parking Adjustment Analysis memo outlines the reasoning, methodology and calculations from the ULI Shared Parking Model and off-street parking adjustment ordinances from peer communities. This national model has been used successfully across the county for similar types of projects for over 30 years.

1. **Condition Unique to the Property** – The compatible adjacent uses, peak times and are inherent to the request. The reductions were derived using the ULI Shared Parking Model as the basis for the adjustment. Conservative reductions have been applied to the ULI model to ensure the proper parking is provided for Velocity users, patrons and employees.

2. **No Adverse Effects** – The applicant is certain there are no adverse effects to the neighboring properties. By utilizing this reduction, the area needed for parking has been reduced thus lessening the impacts to the site.

3. **Unnecessary Hardship** – Without this variance, the project would not function in its intended capacity.

4. **Public Health, Safety and Welfare** – The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.

5. **Ordinance Intent** – The reduction of parking does not oppose the general spirit and intent of the zoning regulations.
Request 03 – Roadway Classification Requirements

CHAPTER XIV ARTICLE 5 SECTION 14-501 APWA STANDARDS INCORPORATED OF THE BONNER SPRINGS MUNICIPAL CODE & SECTION 5203.1 DESIGN CRITERIA OF THE KANSAS CITY METROPOLITAN OF THE AMERICAN PUBLIC WORKS ASSOCIATION: Minimum Horizontal Curve Radius for a Commercial Collector 600 feet; and minimum design speed of 35 MPH.

CHAPTER XIV ARTICLE 5 SECTION 14-501 APWA STANDARDS INCORPORATED OF THE BONNER SPRINGS MUNICIPAL CODE & SECTION 5203.1 DESIGN CRITERIA OF THE KANSAS CITY METROPOLITAN OF THE AMERICAN PUBLIC WORKS ASSOCIATION: Minimum Horizontal Curve Radius for a Residential Collector 300 feet; and minimum design speed of 30 MPH.

Variance Request – Reduce minimum radius and design speed of Commercial Collector Road to 350’ and 30 mph respectively. Reduce minimum radius and design speed of Residential Collector to 200’ and 25 mph respectively.

The public roads proposed to be constructed within the development are intended for the use of vehicles for users of the site. The reduction in speed limit and minimum radius is requested as a traffic calming tool to help reduce the amount of thru traffic that bypasses the main intersections.

1. **Condition Unique to the Property** – The location of a busy intersection at State Avenue and Speedway Blvd and the new loop road construction will provide vehicles the ability to bypass the intersection which is not preferred for the mixed use development with heavy pedestrian traffic.
2. **No Adverse Effects** – The applicant is certain there are no adverse effects to the neighboring properties.
3. **Unnecessary Hardship** – Without this variance, the project would not function as safely with vehicular and pedestrian conflicts.
4. **Public Health, Safety and Welfare** – The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.
5. **Ordinance Intent** – The unique nature of the project necessitates the variance request. The applicant is certain that at this location the request does not oppose the general spirit and intent of the zoning regulations.

Request 04 – Building Material Percentage

ARTICLE V, GENERAL PROVISIONS, SECTION 10. SITE PLANS, 5. SITE PLAN REVIEW CRITERIA, 3. The building design should include a variety of materials, with a maximum of 70% of any one material on the side of the structure facing the primary street frontage.

Variance Request – Increase the maximum of any one material to 85%.

Due to the nature of the Central Utility Plant (CUP) and the Concert Pavilion the applicant is asking for an increase in the maximum percentage of any one building material. The nature of the CUP and Concert Pavilion at the primary street frontage facades are still being developed and as the applicant works through the through the design the potential to increase this maximum materials percentage is being requested. The applicant will work with staff to ensure the spirit of the zoning ordinance is met.
1. **Condition Unique to the Property** — The Concert Pavilion is not a typical building structure and as such, its design may require an alternate approach to materials. The applicant will work with city staff to ensure an agreeable mix of materials is utilized as the design evolves.

2. **No Adverse Effects** — The applicant is certain there are no adverse effects to the neighboring properties.

3. **Unnecessary Hardship** — Without this variance, the project would not function in its intended capacity.

4. **Public Health, Safety and Welfare** — The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.

5. **Ordinance Intent** — The unique nature of the Concert Pavilion necessitates the need to consider a maximum percentage increase. The applicant is certain that this does not oppose the general spirit and intent of the zoning regulations.

Thank you for your consideration of the above requests.

Sincerely,

Peter Sloan, AIA
HOK | Principal
Staff Recommendation

Staff recommends approval of the requested variance for maximum structure height.

Request #2 – Off Street Parking

ARTICLE XXIII, OFF STREET PARKING AND LOADING REGULATIONS, SECTION 5. REQUIRED SPACES.

Variance Request – Adjust required parking to 4,800 parking spaces for the Arts & Entertainment Campus only.

The Arts & Entertainment Campus parking adjustment strategy is a fact of the unique types of uses, peak days and hours, evolving multi-modal transportation options, technology and sensitive to land use.

The attached Arts & Entertainment Parking Adjustment Analysis memo outlines the reasoning, methodology and calculations from the ULI Shared Parking Model and off-street parking adjustment ordinances from peer communities. This national model has been used successfully across the county for similar types of projects for over 30 years.

1. Condition Unique to the Property – The compatible adjacent uses, peak times and are inherent to the request. The reductions were derived using the ULI Shared Parking Model as the basis for the adjustment. Conservative reductions have been applied to the ULI model to ensure the proper parking is provided for Velocity users, patrons and employees.

2. No Adverse Effects – The applicant is certain there are no adverse effects to the neighboring properties. By utilizing this reduction, the area needed for parking has been reduced thus lessening the impacts to the site.

3. Unnecessary Hardship – Without this variance, the project would not function in its intended capacity.

4. Public Health, Safety and Welfare – The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.

5. Ordinance Intent – The reduction of parking does not oppose the general spirit and intent of the zoning regulations.

Staff Recommendation

Staff recommends approval of the requested variance for an adjustment to the parking spaces within the Arts & Entertainment campus area.
MEMO

To: City of Bonner Springs BZA
From: Peter Sloan
Client: Velocity Arts, LLC
Project: Bonner Crossing/Velocity
Project #: 18.70126.00

Date: 8 May 2019

RE: Velocity Arts & Entertainment Campus Parking Adjustment Analysis

With any development, parking is a major driver for success. The applicant understand that parking is vital to the success of the project and in the best interests of Bonner Springs and the project. As such we are asking for Board of Zoning Appeals (BZA) request for the Off Street Parking requirements.

The applicant's design team partners have extensive local and national experience with parking adjustments for similar mixed use projects and have utilized the Urban Land Institute's (ULI) Shared Parking methodology as the basis for the BZA request. The ULI is a nonprofit education and research institute that initiates research that anticipates emerging land use trends and issues and proposes creative solutions based upon that research; provides advisory services; and published a wide variety of materials to disseminate information on land use and development.

The widely accepted methodology for shared parking analysis was established in 1983 with the publication of the first edition of Shared Parking. With significant changes in land use and development patterns the second edition was published in 2005 and is the basis of the work outline below.

"The concept of shared parking was already well established: a fundamental principle of downtown planning from the earliest days of the automobile has always been to share parking resources rather than to allocate parking for each use or building" (Smith, 1).

"Shared parking is the use of a parking space to serve two or more individual land uses without conflict or encroachment. The ability to share parking spaces is the result of two conditions:

- Variations in the accumulation of vehicles by hour, by day, or by season at the individual land uses, and
- Relationships among the land uses that result in visiting multiple land uses on the same auto trip" (Smith, 1)

"The key goal of shared parking analysis is to find the balance between providing adequate parking to support a development from a commercial viewpoint and minimizing the negative aspects of excessive land area or resources devoted to parking. Mixed-use developments that share parking result in greater density, better pedestrian connections, and, in turn, reduced reliance on driving, typically because multiple destinations can be accessed by walking." (Smith, 1)

While the shared parking concept is simple the methodology and calculations that go into providing the end result is complex. The ULI has gathered extensive data that provides adjustments for the compatible land uses, hourly, daily and monthly peak usages. The information below is provided to highlight the methodology and calculations as well as provide a couple of peer jurisdictions ordinances for a shared parking approach.
From this methodology the following parking data was revealed for Velocity:

**Total Code Required:** 6,187

**Peak Demand Calculation:** 4,748 (Derived from the ULI Shared Parking Model, see table below)

**Total Provided:** 4,800 (May fluctuate slightly due to site design and ADA requirements)

Our analysis has made adjustments for this specific facility and venues to be more conservative than the ULI recommendations (see chart below) and has not included the adjustments for ride share (i.e., Uber/Lyft), public transit, walk, bike and internal capture. We did this to ensure the success of the facility.
Project: VeloCity

Description: Arts & Entertainment - Partial Mode and Internal Capture Reductions

<table>
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<tr>
<th>Shared Parking Demand Summary</th>
<th>Peak Season Summer - Peak Period: 2PM, Weekend</th>
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<tbody>
<tr>
<td></td>
<td>Project Data</td>
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<tr>
<td>Land Use</td>
<td>Quantity</td>
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<td>Total</td>
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<td>Artists</td>
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<td>EMMAS Arts Center</td>
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<td>EMMAS Center</td>
<td>1,020</td>
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<td>Music</td>
<td>1,200</td>
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<td>TOTAL</td>
<td>12,165</td>
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Note:
- Demand summary is based on actual data from the Urban Land Institute Shared Parking, 2nd Edition book and Bonner Springs parking code
- No outlier超过1-2 (200 sect) was assumed for the concert pavilion from Nov-Feb
- Parking demand estimations include demand for both visitors and employees together
- The resulting demand includes the reduction in parking due to the shared parking that occurs with complementary land uses
- Additional reductions were based on the utilization of ride-hailing (Uber, Lyft) and internal capture (reduction in vehicle trips to the site because of internal trips between different land uses)
- A 10% reduction was assumed for internal capture before and after venue events (based on information from the traffic impact study) for retail, restaurants, and hotel land uses

From ULI Modelling is copyrighted and shall not be duplicated

Furthermore, the parking demand for the Peak Projected Demand event which allows for all three venues to be parked in accordance with the Bonner Springs Municipal Code. It is estimated that this Peak Projected Demand scenario will potentially happen 2-4 times per year.

The total parking demand for all three venues with full capacity, simultaneous events, using the unadjusted Bonner Springs Municipal Code requirements:

- PAC: 591
- Concert Pavilion: 3,700
- eSports: 441

TOTAL: 4,732

The total parking provided (4,800) is more than required by the Bonner Springs Municipal Code for this scenario.
Many municipalities have shared parking strategies as part of their ordinances for mixed use projects such as Bonner Crossing. A recent example that HOK has specifically been involved with was in Olathe. Olathe’s Development Ordinance allows a reduction based upon mixed use areas. See screenshot and weblink to the Olathe Unified Development Ordinance below.

K. Off-Street Parking Schedule

1. The minimum number of parking stalls is as indicated in Table 18.30.160-2, below. Where the parking ratio indicates “sf,” the ratio is based on gross floor area excluding attics, cellars, or similar uninhabitable space.

2. The Planning Official shall determine the parking requirements for any use not listed above, based on the determination of similar uses as set out in the Use Matrix (Chapter 18.20) and any documentation of parking generation for that type of use.

3. Where convention centers, conference centers, assembly halls, ballrooms or other similar facilities are built in conjunction with a hotel, office park or shopping center, the Planning Commission or Governing Body may permit up to a thirty-five (35) percent parking space reduction for each of the uses listed above when built in conjunction with the uses listed above, due to overlapping usage of a portion of the parking spaces. Request for such shared parking must be received as part of a preliminary development plan. The request shall outline the justification in reducing the number of parking spaces. In addition, a change in use to a use other than listed above shall conform to City parking standards.

From the Olathe Unified Development Ordinance (https://olathe.municipal.codes/UDO/18.30.160)

Overland Park, KS has a similar shared parking section within their Municipal Code:

**TITLE 18 - UNIFIED DEVELOPMENT ORDINANCE**

**18.430 PARKING AND LOADING REGULATIONS**

**18.430.140 Shared Parking Requirements**

A. Notwithstanding the provisions of Section 18.430.140, in cases of shopping centers having 400,000 or more square feet of gross floor area, and where parking and building patterns are such that overlapping usage of a majority of the total number of parking spaces in the center is likely to occur; compliance with the standard retail parking ratios set out in Chapters 18.260, 18.270 and 18.280 shall be permitted.

B. Where convention centers, conference centers, assembly halls, ballrooms or other similar facilities are built in conjunction with a hotel, office park or shopping center, the Planning Commission or Governing Body may permit the construction of fewer parking spaces without deferral thereof, due to overlapping usage of a portion of the parking spaces. Permission for such shared parking must be received as part of a preliminary development plan approval.

C. In commercial zoning districts, the required parking area shall not be used for motor vehicle maintenance or repair.

(History: Ord. ZRR-1725; ZRR-1637)


Lenexa and the Unified Government have similar section within their ordinances.
Bibliography:
### Project: Velocity

**Description:** Arts & Entertainment - Typical Day - Partial Mode and Internal Capture Reductions

#### Shared Parking Demand Summary

**Peak Season:** Summer - **Peak Period:** 2PM, Weekend

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<th>Land Use</th>
<th>Project Data</th>
<th>Peak Projected Demand</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Quantity</td>
<td>Unit</td>
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<tr>
<td>Retail</td>
<td>32,600</td>
<td>sq ft GLA</td>
</tr>
<tr>
<td>Restaurants</td>
<td>38,500</td>
<td>sq ft GLA</td>
</tr>
<tr>
<td>Performing Arts Center</td>
<td>3,382</td>
<td>seats</td>
</tr>
<tr>
<td>Concert Pavilion</td>
<td>14,800</td>
<td>seats</td>
</tr>
<tr>
<td>Esports Center</td>
<td>1,785</td>
<td>seats</td>
</tr>
<tr>
<td>Hotel</td>
<td>1250</td>
<td>rooms</td>
</tr>
<tr>
<td>Classrooms (PAC = 6, Media Worx = 6)</td>
<td>12</td>
<td>rooms</td>
</tr>
<tr>
<td>Office (PAC accessory space = 60,459 sf, Media Worx = 71,430)</td>
<td>121,920</td>
<td>sq ft GLA</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
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</tr>
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#### Notes:
- Demand summary is based on national data from the Urban Land Institute Shared Parking, 2nd Edition book and Bonner Springs parking code.
- No outdoor seating (~7,000 seats) was assumed for the concert pavilion from Nov-Feb.
- Parking demand estimations include demand for both visitors and employees together.
- The resulting demand includes the reduction in parking due to the shared parking that occurs with complementary land uses.
- Additional reductions were assumed based on the utilization of ridesharing (Uber/Lyft) and internal capture (reduction in vehicle trips to the site because of internal trips between different land uses).
- An 40% reduction was assumed for internal capture before and after venue events (based on information from the traffic impact study) for retail, restaurants, and hotel land uses.
- A 6% reduction was assumed for ridesharing to/from the following land uses: retail, restaurants, PAC, concert pavilion, Esports, and hotel.

#### Project: Velocity

**Description:** Arts & Entertainment - Peak Day - Partial Mode and Internal Capture Reductions

#### Shared Parking Demand Summary

**Peak Season:** Summer - **Peak Period:** 2PM, Weekend

<table>
<thead>
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</tr>
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<thead>
<tr>
<th>Land Use</th>
<th>6 AM</th>
<th>7 AM</th>
<th>8 AM</th>
<th>9 AM</th>
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<th>11 AM</th>
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</table>

Notes:
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### Time-of-Day Factors for Weekend Demand

<table>
<thead>
<tr>
<th>Land Use</th>
<th>6 AM</th>
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<td>Retail</td>
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### Monthly Adjustments for Customer/Visitor Parking

<table>
<thead>
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<th>Land Use</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
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<th>Nov</th>
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<td>Office/Classroom</td>
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MONTHLY DAILY PARKING DEMAND BY HOUR

Parking Supply: 4,800 Stalls

- Weekday Peak
- Weekend Peak
- Weekday Typical
- Weekend Typical
Request #3 – Roadway Classification Requirements

CHAPTER XIV ARTICLE 5 SECTION 14-501 APWA STANDARDS INCORPORATED OF THE
BONNER SPRINGS MUNICIPAL CODE & SECTION 5203.1 DESIGN CRITERIA OF THE
KANSAS CITY METROPOLITAN OF THE AMERICAN PUBLIC WORKS ASSOCIATION:
Minimum Horizontal Curve Radius for a Commercial Collector 500 feet; and minimum design
speed of 35 MPH.

CHAPTER XIV ARTICLE 5 SECTION 14-501 APWA STANDARDS INCORPORATED OF THE
BONNER SPRINGS MUNICIPAL CODE & SECTION 5203.1 DESIGN CRITERIA OF THE
KANSAS CITY METROPOLITAN OF THE AMERICAN PUBLIC WORKS ASSOCIATION:
Minimum Horizontal Curve Radius for a Residential Collector 300 feet; and minimum design
speed of 30 MPH.

Variance Request – Reduce minimum radius and design speed of Commercial Collector
Road to 350’ and 30 mph respectively. Reduce minimum radius and design speed of
Residential Collector to 200’ and 25 mph respectively.

The public roads proposed to be constructed within the development are intended for the use of
vehicles for users of the site. The reduction in speed limit and minimum radius is requested as a
traffic calming tool to help reduce the amount of thru traffic that bypasses the main intersections.

1. **Condition Unique to the Property** – The location of a busy intersection at State Avenue
and Speedway Blvd and the new loop road construction will provide vehicles the ability to
bypass the intersection which is not preferred for this mixed use development with heavy
pedestrian traffic.

2. **No Adverse Effects** – The applicant is certain there are no adverse effects to the
neighboring properties.

3. **Unnecessary Hardship** – Without this variance, the project would not function as safely
with vehicular and pedestrian conflicts.

4. **Public Health, Safety and Welfare** – The applicant is certain that this variance has no
adverse effects on the public health, safety, morals, order, convenience, prosperity, or
general welfare.

5. **Ordinance Intent** – The unique nature of the project necessitates the variance request.
The applicant is certain that at this location the request does not oppose the general spirit
and intent of the zoning regulations.

**City Engineer Comments**

"I'm acceptable to reducing the roadway classifications. Essentially they are only reducing the
design speeds. Bonner typically uses a posted speed of 5 mph less than the design speed, but it
is acceptable to design and post the same speed."

**Staff Recommendation**

Staff recommends approval of the requested variance for reduction of roadway classifications
based upon acceptability by the City Engineer.
Request #4 – Building Material Percentage

ARTICLE V, GENERAL PROVISIONS, SECTION 10. SITE PLANS, 5. SITE PLAN REVIEW CRITERIA, 3. The building design should include a variety of materials, with a maximum of 70% of any one material on the side of the structure facing the primary street frontage.

Variance Request – Increase the maximum of any one material to 85%

Due to the nature of the Central Utility Plant (CUP) and the Concert Pavilion the applicant is asking for an increase in the maximum percentage of any one building material. The nature of the CUP and Concert Pavilion at the primary street frontage facades are still being developed and as the applicant works through the design the potential to increase this maximum materials percentage is being requested. The applicant will work with staff to ensure the spirit of the zoning ordinance is met.

1. Condition Unique to the Property – The Concert Pavilion is not a typical building structure and as such, its design may require an alternate approach to materials. The applicant will work with city staff to ensure an agreeable mix of materials is utilized as the design evolves.

2. No Adverse Effects – The applicant is certain there are no adverse effects to the neighboring properties.

3. Unnecessary Hardship – Without this variance, the project would not function in its intended capacity.

4. Public Health, Safety and Welfare – The applicant is certain that this variance has no adverse effects on the public health, safety, morals, order, convenience, prosperity, or general welfare.

5. Ordinance Intent – The unique nature of the Concert Pavilion necessitates the need to consider a maximum percentage increase. The applicant is certain that this does not oppose the general spirit and intent of the zoning regulations.

Staff Recommendation

Staff recommends approval of the requested variance for increased maximum of material use.
CITY OF BONNER SPRINGS

BOARD OF ZONING APPEALS APPLICATION

Date: 03-12-19

Application is hereby made to the Bonner Springs Board of Zoning Appeals to consider one of the following:

Variance X

Interpretation of Zoning Map
Interpretation of Zoning Text
Interpretation of Building Codes

Project Name: Bonner Crossing

WHO SHOULD APPLY: The owner, applicant or developer shall submit a Board of Zoning Appeals application for a variance or an appeal to the Zoning Ordinance or adopted Building Code.

PRE SUBMITTAL CONFERENCE: A pre submittal conference with the City Planner is required prior to submittal.

APPLICATION COST: The filing fee is $200.00 + $25.00 for the Public Notice Sign and the Public Hearing Notice publishing costs. The City Planner will bill the applicant for all publishing costs associated with this request.

REVIEW AND APPROVAL: All applications shall be reviewed by the Board of Zoning Appeals during the Public Hearing. Their decision is final and may only be challenged in District Court.

SUBMITTAL REQUIREMENTS: All Board of Zoning Appeals applications shall address the five conditions listed on the Fact Sheet. If a specific site or development is involved with the request, a site plan, drawn to scale, showing location of buildings, parking and other pertinent data concerning the proposed variance or appeal shall be submitted. Seven (7) full size copies, 11” x 17” maximum, and an electronic PDF copy of all drawings are required at time of submission. The electronic PDF copy may be emailed to the City Planner.

Name of Applicant (Print): The Solutions Group KC, LLC., Attn: Wes Schlobohm Phone: 816-564-3574
Address: 21648 Midland Drive Shawnee, Kansas 66218
E-mail (Required): wschlobohm@tsgkc1.com
Record Property Owner (Print): See Attached
Property Address: See Attached
County: Wyandotte
Quarter Section: NW 1/4 & NE 1/4
Section/Township/Range: S9 T11 R23
Variance/Appeal Requested: See attached letter.
Legal Description of the Tract (May be attached): See attached
Tract Acreage: 180.20
General Location: Southwest corner of State Avenue and Speedwew Boulevard
Present Use: Agriculture

I HEREBY CERTIFY THAT THE INFORMATION HEREIN SUBMITTED IS COMPLETE, TRUE AND ACCURATE AND THAT I/WE HAVE BEEN NOTIFIED OF THE PROCEDURES AND GUIDELINES FOR A VARIANCE OR AN APPEAL.

SIGNATURE OF APPLICANT: Wes Schlobohm Date: 03-12-19
(Please type or print name of applicant):

SIGNATURE OF PROPERTY OWNER: See Attached
(Please type or print name of owner):

(By signing this application, you are hereby granting the City authority to post a public notice sign on your property)

DO NOT WRITE BELOW THIS LINE

Date Received: Received By:
Total Fee: Receipt #: 
Board of Zoning Appeals Action (Check One): □ Approved □ Denied BZA Date: 

H:\DS\Planning Applications\BOARD OF ZONING APPEALS APPLICATION amended 12.15.17.docx