



Memorandum

To: Board of Zoning Adjustment % Mark Lee, City Planner
From: Lance Scott for Velocity and The Solutions Group
Date: March 10, 2021
Re: Bonner Crossing Zoning Variance Requests

The Following requests are made with application with conditions as stated below, each request we have stated reasons for the request with conditions per the application instructions including:

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.

Request #1 - Height and Stories Modification - Velocity (Bonner Crossing Arts and Entertainment)

Zoning Regulation -

AG Zoning: Maximum structure height: Two and one-half (2 1/2) stories, or thirty-five (35) feet. (Revised ordinance No. 1636)

MX Zoning: Maximum structure height: Three (3) stories, or forty-five (45) feet.

Previous BZA Approval: 5 Stories and 115' on Art and Entertainment Parcel (Proposed Lot 1 Bonner Crossing)

Variance request: Maximum structure Height 8 Stories and 200' maximum on Arts and Entertainment Parcel (Proposed Lot 1 Bonner Crossing)

Reason for request

BZA Request Bonner Crossing

1. Condition Unique to the Property – The location of the property is a gateway to the City of Bonner Springs adjacent to the Speedway. The Project will be a national destination. The concert pavilion would be seen from miles away with the increase in height. The additional stories are needed for the Hotel in the Arts and Entertainment parcel as the latest needs projection for the site program calls for a 400 key iconic hotel.
2. No Adverse Effects – The location of the property adjacent to the Speedway and Wyandotte County Park allows for the variance with no adverse effects to the area.
3. Unnecessary Hardship – The massing of the project requires the efficiencies of going higher with more stories than current zoning districts allow.
4. Public Health, Safety and Welfare – The variance will not adversely affect public health, safety or welfare.
5. Ordinance Intent - With the location of the property the request would not be opposed to the general spirit and intent of the zoning regulations

Request #2 - Height and Stories Modification - The Solutions Group (Bonner Crossing Residential)

Zoning Regulation -

MX Zoning: Maximum structure height: Three (3) stories, or forty-five (45) feet.

Variance request: Maximum structure Height 5 Stories and 80' maximum on Residential Parcel (Proposed Lot 2 & Lot 3 Bonner Crossing)

Reason for request

1. Condition Unique to the Property – The location of the property is a gateway to the City of Bonner Springs adjacent to the Speedway. The additional stories and height on the residential parcel will allow for additional units needed in the area with the Urban Outfitters new facility.
2. No Adverse Effects – The location of the property adjacent to the Speedway and Wyandotte County Park allows for the variance with no adverse effects to the area.
3. Unnecessary Hardship – The massing of the project requires the efficiencies of going higher with more stories than current zoning districts allow.
4. Public Health, Safety and Welfare – The variance will not adversely affect public health, safety or welfare.
5. Ordinance Intent - With the location of the property the request would not be opposed to the general spirit and intent of the zoning regulations

Request #3 - Apartment Parking Requirements - The Solutions Group (Bonner Crossing Residential)

Zoning Regulation -

Parking Requirements:SECTION 5. REQUIRED SPACES: Off-street parking spaces, at a minimum, shall be provided as follows: (e) Residential Dwelling Districts: (Revised Ordinance No. 1884 and 2276) (1.)Two (2) spaces per dwelling unit.

Variance request: Parking for multi family residential shall be 1.65 parking spaces/unit for standard apartment buildings. Parking for age restricted multi family residential shall be 1 parking space/unit. Parking for Assisted Living and Memory Care shall be 1 parking space per 5 units.

Reason for request

1. Condition Unique to the Property – The location of the proposed apartments is near the Legends Mall, the proposed Velocity Arts and Entertainment District, Wyandotte County Park as well as across the street from the new Urban Outfitters. A portion of the standard apartment buildings will be used for the school facility within walking distance. The proximity to these destinations as well as the evolution of ride share, walkability to Urban Outfitters and future public transportation creates the right sizing of parking compared to the general zoning requirement.
2. No Adverse Effects – Multiple similar apartment complexes have utilized approx. 1.65 spaces/unit as their

baseline in the area including Village West Luxury Apartments Phase I – KCK – 1.71 stalls / DU, Phase III used 1.59/ DU after actual need was determined from the 1st 2 phases. Prairie View at Village West – KCK – 1.66 stalls / DU, Legends Apartments KCK 1.12/DU permitted (1 per 1 bedroom, 1.5 per 2 bedroom). Senior living is typically 1 space per Unit in the area. Assisted living/Memory Care is also reduced as tenants do not typically drive and transportation is provided.

3. Unnecessary Hardship – The massing of the project requires right sizing of the parking to maximize the development.

4. Public Health, Safety and Welfare – The variance will not adversely affect public health, safety or welfare.

5. Ordinance Intent - Right sizing of parking would not be opposed to the general spirit and intent of the zoning regulations