

BOARD OF ZONING APPEALS MINUTES

Tuesday, July 24, 2012 @ 5:15 p.m.

MEMBERS PRESENT: Doug Clements, Gregg Gibson, Jerry Jarrett and Gene Reynolds

MEMBERS ABSENT: Dave Pierce

STAFF PRESENT: Don E. Slone, AICP, CFM, Planning Director
Terry Barlow, Departmental Administrative Assistant
Mike Novak, P.E., City Engineer

Chairman Gibson called the meeting to order at 5:15 p.m. and called roll. Roll call listed above. Doug Clements joined the meeting at 5:35 p.m.

Chairman Gibson stated that the Board needed to elect officers and asked for a motion.

Gene Reynolds nominated Greg Gibson to remain as Chairman, with a second from Jerry Jarrett. Chairman Gibson asked if there were any other nominations. Seeing none he called for a vote. Motion passed unanimously for Greg Gibson to remain Chairman.

Chairman Gibson nominated Gene Reynolds to remain as Vice-Chairman with a second from Jerry Jarrett. Chairman Gibson asked if there were any other nominations. Seeing none he called for a vote. Motion passed unanimously for Gene Reynolds to remain as Vice-Chairman.

Chairman Gibson asked for nominations for Secretary. Jerry Jarrett nominated Don Slone, Planning Director, for Secretary with a second from Gene Reynolds. Chairman Gibson asked if there were any other nominations. Seeing none he called for a vote. Motion passed unanimously for Don Slone, Planning Director to remain as the Secretary.

Chairman Gibson introduced **Item No. 1: BZA-107: "Maple Ridge"**, a request for a variance to the minimum number of off-street parking spaces from the required two (2) spaces per dwelling unit to one and one half (1.5) per dwelling unit as specified under the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 5(1)(e)(1). Requested by Jacob Mooney, Principal MRE Capital, under contract from Quad J Holdings, LLC, property owners of record. This request is in order to convert the former mixed use apartment/office complex into a senior housing project within the existing building. The property is zoned O, Office District and is located at 515 E. Morse Avenue.

Chairman Gibson opened the public hearing at 5:18 p.m. and asked for Staff presentation. Staff made its presentation to the board members. Staff recommends approval of the variance with the conditions listed in the Staff Report. The Staff Report is hereby entered into the record.

Chairman Gibson asked if the applicant would like to address the Board. **Matt Schlicht, P.E., Engineering Solutions for MRE Capital, LLC** presented his "factors for consideration" to the Board.

- Variance is requested due to the location of the building in relation to the public right-of-way and the existing terrain surrounding the site on the north and east side.
- The proposed parking layout utilizes the site to the fullest extent possible to provide 48 parking spaces.
- Additional parking spaces would have to be located in the rear of the facility and it is impractical to create an acceptable ingress/egress route to provide parking due to the extreme terrain on the north and east of this site.
- This will not create an adverse affect on the adjoining property as the property owner has the ultimate control on the tenant's ability to park more than one car onsite.

- The age of the tenant's is such that a large number of them will not have their own personal vehicle and as such there will be adequate spaces for the tenants, visitors and staff.
- In order to provide the required number of parking spaces the property owner would be required to excavate into the extreme terrain located on the north and east side of the site in order to provide the required number of spaces.
- The proposed site conditions will improve the onsite conditions and constructing additional parking spaces to meet the requirement would be extremely difficult.
- The proposed site improvements will improve the safety and welfare of the tenants by providing better site circulation and access.
- This is a tax credit project and has to be utilized as such for thirty (30) years.

Chairman Gibson how many employees will be on site? Mr. Schlicht stated two part time maintenance managers, a site manager and the property manager. We are putting spaces inside the common area for a physical therapist, a massage therapist but they will only be for the tenant's.

Mr. Jarrett asked how many cars each tenant could park at the complex. Mr. Schlicht stated each tenant will only be able to have one car per unit and that will be stipulated in their lease.

Most of the tenant's will be widows or widowers. A lot of them won't have a car. Bonner Springs also has a very good transit system. All of the units will be one bedroom. This site with the building and the way it sets works well for our type of units.

Mr. Jarrett asked if the parking lot goes all the way around the building. Mr. Schlicht stated no. Mr. Jarrett asked about the sidewalk and was informed that it will go around the building.

Chairman Gibson asked if there were any more questions or comments. **Michael Adam, Director of Bonner Springs Nursing Home**, located across the street from 515 E. Morse stated that he is in favor of the project. His only concern is that none of the tenants nor their visitors park in the nursing home parking lot as they are very short on spaces. Mr. Schlicht stated that would not be a problem as they will be restricted to one car for each unit.

Chairman Gibson asked if any of the units would be HUD Section 8. Mr. Mooney stated this will not be a Section 8 project but rather senior income restricted.

Chairman Gibson asked if there were any further questions or comments from the audience or the Planning Commission. Seeing none he closed the public hearing at 5:39 p.m. and asked for a motion. Mr. Reynolds made a motion to approve with a second from Mr. Jarrett. Chairman Gibson asked if there were any more questions. Seeing none he called for a vote. The motion approving the variance passed unanimously.

Chairman Gibson adjourned the meeting at 5:43 p.m.



Don E. Slone, AICP, CFM, Secretary