

BOARD OF ZONING APPEALS

AUGUST 12, 2019

ORDER OF BUSINESS

MEETING TO CONVENE AT 6:00 P.M.

- I. CALL TO ORDER**
- II. BOARD OF ZONING APPEALS STATEMENT**
- III. CONSIDERATION OF AGENDA**
- IV. ADJOURN**

BOARD OF ZONING APPEALS

AGENDA

AUGUST 12, 2019

6:00 PM

A. Zoning Appeal Petitions

1. #ZA-19410-00016 Reference: **2328**

Filed: **04/22/2019** Petitioner: **RALPH D. PRATT**
Address: **3616 N 65TH ST**

SYNOPSIS: This appeal has been filed to allow an accessory building that exceeds the maximum 1,000 square foot size. Sec. 27-609(2) states that the total area of such detached accessory building shall not exceed 1,000 square feet. The appellate is requesting to build a 1,200 square foot accessory structure, a violation of 200 square feet.

2. #ZA-19410-00026 Reference: **2338**

Filed: **06/18/2019** Petitioner: **CHRIS TURPEN/ESENCIA ARCHITECTURE LLC**
Address: **10770 PARALLEL PKWY**

SYNOPSIS: This appeal has been filed to allow construction of a canopy within the required front yard setback. Sec. 27-466(d)(1) states that a front yard setback of not less than 25 feet is required within the CP-2 District. Appellate is requesting a setback of 17 feet, a violation of 8 feet.

3. #ZA-19410-00027 Reference: **2339**

Filed: **06/21/2019** Petitioner: **PIZZA HUT**
Address: **2815 S 47TH ST**

SYNOPSIS: This appeal has been filed to allow for a quantity of wall signs that exceed the maximum quantity allowed. Sec. 27-728(b)(8)b, Table VIII-11-7(4) states that the number of wall signs per each business or institution (occupying a multi-tenant building) which has its own ground floor entry way or storefront is one (1). The appellant, a business within a multi-tenant building property, is requesting to hang a wall sign on the side fagade of the building, in addition to the wall sign that is hung on the fagade above the appellant's designated entrance in the front of the building. The appellant is requesting a total number of two (2) wall signs to be hung on the exterior fagades of the building, a violation of one (1) wall sign.

A. Zoning Appeal Petitions

4. #ZA-19410-00028 Reference: 2340

Filed: 06/21/2019 Petitioner: LOYD CLAY
Address: 7852 LEAVENWORTH RD

SYNOPSIS: This appeal has been filed to allow an accessory structure that exceeds 1000 square feet and a concrete slab that exceeds 1000 square feet. Sec. 27-609(2) states that the total area for a detached accessory building shall not exceed 1,000 square feet or cover more than 30 percent of the required rear yard. Appellate is requesting to allow a structure that is 1220.28 square feet, a violation of 220.28 square feet. Sec. 27-675(b)(s) states that the parking, loading or maneuvering area must be less than 40 percent of the rear yard and less than 1,000 square feet in area. Appellate is requesting a paved parking pad that is 1230 square feet in area, a violation of 230 square feet.

5. #ZA-19410-00029 Reference: 2341

Filed: 06/26/2019 Petitioner: NIKOLE HENSON
Address: 1830 QUINDARO BLVD

SYNOPSIS: This appeal has been filed to allow for the installation of a structure within the required setback, and a fence within the sight distance triangle. Sec. 27-467(d)(2)a states that setbacks in the front yard shall be not less than 25 feet. The appellant is requesting to construct a carport that is 19 feet, 1 one-fourth inches from the property line, a violation of 5 feet, 10 three-fourths inches. Sec. 8-198 states that all corner lots shall provide two sight distance triangles, the short leg of which shall be 20 feet and the long leg of which shall be 140 feet measured along the curb line or edge of pavement. Such area shall be and shall remain free of shrubbery, fences or other obstruction to vision more than two feet high, measured from the roadway. The appellant is requesting to erect a fence in which 17 feet, 6 one-half inches of the fence is within the south-southeast portion of the sight distance triangle and 15 feet, 7 inches of the fence is within the east-southeast portion of the sight distance triangle, a violation of a total 33 feet, 1 one half inches linear and a violation of 136.68 square feet of the distance triangle area.

A. Zoning Appeal Petitions

6. #ZA-19410-00030 Reference: 2342

Filed: 06/28/2019 Petitioner: CHRIS THURSTON/THURSTON PROPERTY INVESTMENTS
Address: 2870 W 47TH AVE

SYNOPSIS: This appeal has been filed to open an ice cream shop in a shopping center. The shopping center has three existing restaurants and multiple tenant spaces. The following ordinances relate to parking in this area: Sec.27-464(e) states that uses in C-1 Limited Business District require paved off-street parking spaces at a ratio of not less than four spaces per 1,000 square feet of floor area in the building. Sec. 27-688(a)(12) states that taverns or private clubs serving alcoholic or cereal malt beverages shall require one off-street parking space for each 50 square feet of seating or assembly area plus one space for each remaining 200 square feet of total area. Sec. 27-688(a)(5) states that eating places, restaurants, dining rooms, and snack bars shall require one off-street parking space for each 50 square feet of seating area plus one space for each remaining 300 square feet of total floor area. Such establishments with less than 500 square feet of seating area shall supply at least ten off-street parking spaces. Sec.27-525(3)(e) states that any bicycle parking spaces provided within 100 feet of the main entrance of a building may be credited towards the on-site parking requirements at a rate of one parking credit for every five bicycle parking spaces. The shopping center has 6,063 square feet of restaurant seating area, 7,522 square feet of remaining restaurant area, 620 square feet of remaining tavern area and 41,500 square feet of general commercial space. The shopping center also has 12 bicycle parking spaces. The total number of required off-street parking spaces for these uses is 313 spaces. Appellant is requesting a variance to provide 230 off street parking spaces, a violation of 83 off-street parking spaces. A previous variance #2224 was approved to allow a deficit of 73 off-street parking spaces. This variance would increase the off-street parking deficit by 10 spaces.

Total number of agenda items: 6

CITY PLANNING COMMISSION

AUGUST 12, 2019

ORDER OF BUSINESS

MEETING TO CONVENE AT 6:30 P.M.

- I. CALL TO ORDER**
- II. PLANNING COMMISSION STATEMENT**
- III. CONSIDERATION OF CONSENT AGENDA**
- IV. CONSIDERATION OF NON-CONSENT
AGENDA**
- V. ADJOURN**

**CITY PLANNING COMMISSION
AGENDA**

AUGUST 12, 2019

6:30 PM

I. CALL TO ORDER

II. REPORTS

III. PLANNING COMMISSION STATEMENT

IV. CONSENT AGENDA

CONSIDERATION OF THE JULY 8, 2019 MINUTES

A. Special Use Permit Petitions

1. **#SP-19402-00075** Reference: **SP-2019-83**
Filed: **06/13/2019** Petitioner: **DARYL EVERS**
Address: **2862 W 47TH AVE**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-47 - expires 8/27/2019) for a liquor store

2. **#SP-19402-00077** Reference: **SP-2019-86**
Filed: **06/24/2019** Petitioner: **ANDREW MORGANS**
Address: **616 ELIZABETH AVE**

SYNOPSIS: Renewal of a Home Occupation Special Use Permit (#SP-2018-63 - expires 8/30/2018) for an AIRBNB

IV. CONSENT AGENDA

A. Special Use Permit Petitions

3. **#SP-19402-00083** Reference: **SP-2019-92**
Filed: **06/28/2019** Petitioner: **JOE HEIDRICK/CACTUS BED PROPERTIES, LLC**
Address: **3841 LLOYD ST**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2018-79 - expires 9/27/2019) for a short-term rental/AIRBNB

4. **#SP-19402-00085** Reference: **SP-2019-94**
Filed: **06/28/2019** Petitioner: **WIL ANDERSON/BHC RHODES FOR FRANK PERRY**
Address: **8130 KAW DR**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-31 - expires 8/31/2019) for the Temporary Use of Land for a security office trailer

B. Plan Review Petitions

1. **#PR-19405-00016** Reference: **PR-2019-19**
Filed: **06/28/2019** Petitioner: **LOGAN HAYES/HIVE DESIGN COLLABORATIVE**
Address: **3300 RAINBOW BLVD**

SYNOPSIS: Final Plan Review for an addition to an existing restaurant

V. NON-CONSENT AGENDA

A. Change of Zone Petitions

V. NON-CONSENT AGENDA

A. Change of Zone Petitions

1. #CZ-19401-00021 Reference: 3199
Filed: 06/25/2019 Petitioner: CHARLES MESTAGH
Address: 7615 SWARTZ RD

SYNOPSIS: Change of Zone from R-1 Single Family District to A-G Agriculture District for an accessory building

2. #CZ-19401-00022 Reference: 3200
Filed: 06/28/2019 Petitioner: MICHAEL D FOSTER/FOSTER & ASSOCIATES
Address: 3101 STRONG AVE

SYNOPSIS: Change of Zone from C-1 Limited Business District to C-3 Commercial District to allow apartments over commercial space

3. #CZ-19401-00023 Reference: 3201
Filed: 06/28/2019 Petitioner: MICHAEL OSBOURN/KAW VALLEY ENGINEERING
Address: 3301 GARFIELD AVE

SYNOPSIS: Change of Zone from R-1(B) Single Family District to RP-2(B) Two Family District for a residential duplex subdivision in conjunction with Seventh Day Adventist Housing Preliminary Plat and Master Plan Amendment #MP-2019-5 from Public/Semi Public to Urban Residential (City-Wide Master Plan)

B. Special Use Permit Petitions

1. #SP-19402-00041 Reference: SP-2019-50
Filed: 03/29/2019 Petitioner: LOYD A. CLAY
Address: 7852 LEAVENWORTH RD

SYNOPSIS: Special Use Permit for the Temporary Use of Land to park salt plow trucks when not in use

V. NON-CONSENT AGENDA

B. Special Use Permit Petitions

2. **#SP-19402-00076** Reference: **SP-2019-84**
Filed: **06/17/2019** Petitioner: **ABDUL MAZID**
Address: **1010 MERRIAM LN**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-28 - expires 9/28/2019) for a used car dealership

3. **#SP-19402-00079** Reference: **SP-2019-88**
Filed: **06/28/2019** Petitioner: **JENNIFER PRIEST/SHOWALTER LAW FIRM**
Address: **433 ANN AVE**

SYNOPSIS: Special Use Permit for a short-term rental/AIRBNB

4. **#SP-19402-00080** Reference: **SP-2019-89**
Filed: **06/28/2019** Petitioner: **JENNIFER PRIEST/SHOWALTER LAW FIRM**
Address: **709 N 5TH ST**

SYNOPSIS: Special Use Permit for a short-term rental/AIRBNB

5. **#SP-19402-00081** Reference: **SP-2019-90**
Filed: **06/28/2019** Petitioner: **CHRISTI EATON & KIM MAPLES/LITTLE LEADERS OF KCK, INC**
Address: **7250 STATE AVE**

SYNOPSIS: Special Use Permit for a child care facility on the KCKCC campus

V. NON-CONSENT AGENDA

B. Special Use Permit Petitions

6. #SP-19402-00082 Reference: **SP-2019-91**
Filed: 06/28/2019 Petitioner: **LAURA L SANCHEZ/HOMESTEAD MONTESSORI FARM SCHOOL**
Address: **3800 WEAVER CT**

SYNOPSIS: Home Occupation Special Use Permit to operate a private Montessori school for a maximum of 12 students (ages 6 to 15)

7. #SP-19402-00084 Reference: **SP-2019-93**
Filed: 06/28/2019 Petitioner: **CHERYL SNOPAK/CHERBEAR'S DOG GROOMING**
Address: **401 S 82ND ST**

SYNOPSIS: Home Occupation Special Use Permit for a dog grooming business

C. Subdivision Petitions

1. #SB-19404-00010 Reference: **TURNER DAC**
Filed: 05/24/2019 Petitioner: **DAVID CONTAG/DLR GROUP**
Address: **2211 S 55TH ST**

SYNOPSIS: Final Plat for one (1) commercial lot in conjunction with Plan Review #PR-2019-16 for a Preliminary and Final Plan Review for an athletic complex for Turner USD #202

2. #SB-19404-00013 Reference: **SEVENTH DAY ADVENTIST HOUSING**
Filed: 07/01/2019 Petitioner: **MICHAEL OSBOURN / KAW VALLEY ENGINEERING**
Address: **3301 GARFIELD AVE**

SYNOPSIS: Preliminary Plat in conjunction with Change of Zone Application #3201 and Master Plan Amendment #MP-2019-5

