

**MINUTES OF THE BOARD OF ZONING APPEALS
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
APRIL 17, 2023**

ROLL CALL

The following members were present: Chairperson Susan Goyette, Gerald Klocke, John Oswald, Bob Aldrich, Harry Woodson, and T. Michael Smith. Council liaison, Tom Jones, Councilman Charles Schwanke, Russ Ewy, Planning Advisor, and Debbie Jerauld, Recording Secretary were also present as were others interested in the proceedings.

MEETING CALLED TO ORDER

The meeting was called to order at 7:22 p.m. by Susan Goyette.

APPROVAL OF THE AGENDA

n/a

APPROVAL OF THE MINUTES

John Oswald made a motion to approve the minutes for the March 20, 2023, meeting with corrections. Gerald Klocke seconded. Motion carries 5-0.

REPORTS

None

PUBLIC FORUM

None

NEW BUSINESS

BZA-CU-2023-01: DISCUSS AND CONSIDER APPROVAL OF A CONDITIONAL USE TO PERMIT TWO-FAMILY DWELLINGS ON PROPERTY ZONED R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT APPROXIMATELY ONE-HALF MILE SOUTH OF 93RD STREET NORTH AND EAST OF NORTH BROADWAY AVENUE.

Russ Ewy introduced the item and explained that they had a map indicating the 2 rows on the north side of the plat where they would like to be allowed to build two-family residences. This would have single family homes to the south against the Saddlebrook addition with the two-family as a buffer for any potential more intense zoning to the north. Brandie Ritchie, 448 Rolling Acres Ct came with concerns. They do support residential zoning but are concerned that an industrial area could be developed north of Briarbrook and the residents in Saddlebrook would not be notified due to the distance it would be away from them. She also was concerned that the two-family homes might be owned by a company not individual families and may not care about their properties. She expressed concern that a truck stop might be going into the 93rd St N and Broadway area.

Susan asked if the hedgerow to the south would remain. Kirk Miller, agent to the owner said that they planned on keeping the hedgerow. Russ explained that we were doing the conditional use to only allow two-family instead of changing the zoning to R-3 multi-Family which would also allow apartments, triplexes and fourplexes. Michael Smith asked if this would be limited to one-story structures. Russ answered that it would not.

Harry Woodson made a motion to approve BZA CU-2023-01 with staff recommendations. John Oswald seconded. Motion carries 5-0.

BZA CU-2023-02: DISCUSS AND CONSIDER APPROVAL OF A CONDITIONAL USE TO PERMIT A CASINO AND HISTORIC HORSE RACING USE TO BE BUILT ON PROPERTY ZONED E-1 ENTERTAINMENT DISTRICT LOCATED APPROXIMATELY ONE-QUARTER MILE NORTH OF 77TH STREET NORTH BETWEEN NORTH BROADWAY AVENUE AND I-135 HIGHWAY.

Russ introduced the item and explained that he had handed out a page defining what historical horse racing was. The property has remained undeveloped for a number of years and the city feels that it would benefit the city to approve the proposed use. Gerald Klocke asked how many parking spaces there were on the plans. Russ answered that there were 1679 spaces on the conceptual drawing presented to the city. There were no further questions.

Gerald Klocke made a motion to approve BZA CU-2023-02 with staff recommendations. Harry Woodson seconded. Motion carries 5-0.

Harry Woodson moved to adjourn the Board of Zoning Appeals and reconvene the Planning Commission. Michael Smith seconded the motion. Motion carried 5-0.

ADJOURN

**MINUTES OF THE PLANNING AND ZONING COMMISSION
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61ST STREET NORTH
APRIL 17, 2023, MEETING**

ROLL CALL

The following members were present: Chairperson Susan Goyette, Gerald Klocke, John Oswald, Bob Aldrich, Harry Woodson, and T. Michael Smith. Council liaison, Tom Jones, Councilman Charles Schwanke, Russ Ewy, Planning Advisor, and Debbie Jerauld, Recording Secretary were also present as were others interested in the proceedings.

MEETING CALLED TO ORDER

The meeting was called to order at 7:01 p.m. by Susan Goyette.

APPROVAL OF THE AGENDA

Gerald Klocke made a motion to approve the agenda. Harry Woodson seconded the motion. Motion carried 5-0.

APPROVAL OF THE MINUTES

Harry Woodson made a motion to approve the minutes of the March 20, 2023 meeting. Michael Smith seconded the motion. Motion carried 5-0.

REPORTS

None

PUBLIC FORUM

None

NEW BUSINESS

Z-2023-01: DISCUSS AND CONSIDER APPROVAL OF A PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE RR RURAL RESIDENTIAL DISTRICT (SEDGWICK COUNTY) TO THE R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT, LOCATED APPROXIMATELY ONE-HALF MILE SOUTH OF 93RD STREET NORTH AND EAST OF NORTH BROADWAY AVENUE (9056 N BROADWAY AVE.).

Susan Goyette opened the hearing at 7:03 p.m. and read the item. Russ explained that we have three cases for one project and two for another project on our agenda. The zoning on these projects needs to be addressed before we hear the Board of Zoning Appeals cases on the projects. This item involves a small piece of property that was recently annexed into the city and our city zoning needs to be established. The property is on the NE corner of a project we were considering. Staff recommended approval. Kirk Miller, agent for the applicant, had nothing further to add. The hearing was closed at 7:08 p.m.

Harry Woodson moved to approve and recommend Z 2023-01 to the city council including staff recommendations. John Oswald seconded. Motion carries 5-0.

Z-2023-02: DISCUSS AND CONSIDER APPROVAL OF A PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE I-1 LIGHT INDUSTRIAL DISTRICT TO THE E-1 ENTERTAINMENT DISTRICT., LOCATED APPROXIMATELY ONE-QUARTER MILE NORTH OF 77TH STREET NORTH BETWEEN NORTH BROADWAY AVENUE AND I-135 HIGHWAY.

Susan Goyette opened the hearing at 7:11 p.m. and read the item. Russ explained that the property we were considering was to the south of Hartman Arena and is currently undeveloped land and a retention pond. Staff recommended approval as this would be a downzoning of what was already permitted. Michael Smith asked how many acres the property was. Amy Liebau, with Laham Development, answered that the lot was 18 acres, and the reserve was 7 acres. She stated that in 2022 Legislature had approved 1000 gaming machines based on Historical Horse Racing in Sedgwick County and Laham Development partnered with Boyd Gaming and had chosen this property for a proposed 100,000 sq. ft. facility. It is a competitive bid process. The facility would also include a casino, convention space, steak house, sports bar, and other amenities. Gerald Klocke asked if they had received the approval and Amy stated that they were waiting for the approval. Michael asked if the 100,000 sq. ft was just the building or also the parking area. Amy answered that the building itself would be 100,000 sq. ft. There were no further questions. The hearing was closed at 7:17 p.m.

Gerald Klocke moved to approve and recommend Z 2023-02 to the city council including staff recommendations. John Oswald seconded. Motion carries 5-0.

Harry Woodson moved to adjourn the planning meeting and act as the Board of Zoning Appeals. Michael Smith seconded. Motion carries 5-0.

The Planning Commission meeting was reconvened at 7:50 p.m.

SD PP 2023-02: DISCUSS AND CONSIDER APPROVAL OF THE “BRIARBROOK ADDITION” - A PRELIMINARY PLAT FOR PROPERTY LOCATED APPROXIMATELY ONE-HALF MILE SOUTH OF 93RD STREET NORTH AND EAST OF NORTH BROADWAY AVENUE.

Russ explained that this was the preliminary plat and we should have the final plat for our May meeting. Susan asked if there was anyone there that would like to speak. Brandie Ritchie, 448 E Rolling Hills acres had some concerns. She asked why they were not putting in two access points to Broadway from Briarbrook instead of going to the south into Saddlebrook. Kirk Miller explained that it was done that way to separate the access points for safety reasons. Russ commented that the streets are public not private streets.

Gerald Klocke moved to approve SD PP 2023-02 including staff recommendations. Harry Woodson seconded. Motion carries 5-0.

LS 2023-01: DISCUSS AND CONSIDER APPROVAL OF A LOT SPLIT OF LOT 4, BLOCK A, REPLAT OF AIR CAPITOL INDUSTRIAL PARK ADDITION, LOCATED SOUTH OF 61ST STREET NORTH AND WEST OF PROSPECT ROAD.

Russ explained that the company that owns the property would like to split a portion off for future sales of Tract 2.

Michael Smith moved to approve and recommend LS 2023-01 to the city council including staff recommendations. Gerald Klocke seconded. Motion carries 5-0.

John Oswald moved to adjourn the meeting. Harry Woodson seconded. Motion carries 5-0.