

December 2, 2005

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Planning Commissioners
City Hall
6 East 6th St.
Lawrence, KS 66044

Dear Members of the Planning Commission:

We are writing in support of the proposed variances to the properties to be known as Bauer Farm. We are excited at the prospect of this development and thrilled to be included in the plans.

The walkability of the development and the inter-relationships between sites are particularly attractive to us. Therefore, we are particularly concerned that Champion Way not bisect the development. If the street goes through, the theatre becomes a virtual island bounded by streets and a parking lot, rather than a part of the flow of the entire project. Our hope instead, is for the theatre to become a central part of the synergy to the overall project

Our vision for the new community theatre is predicated on the theatre being an integral part of the community that surrounds it, as well as being part of our larger regional community. Physically we are hoping to incorporate an outdoor patio area so that audiences can enjoy the ambience of the area before shows and during intermissions. We also envision activities which could spill into a green space going down to the lake. In addition, we feel that if the theatre is not separated from the lake and walking paths by a street, people may be more likely to have dinner at nearby restaurants and then walk to the theatre. If a street bisects the property there will be more inclination to get back in the car and drive to the theatre parking lot.

We would also like to use the proposed outdoor patio area for children's classes and outdoor activities. This would all depend on Champion Way not being cut through. If the street does go through, our plans would probably change and the focus for the lobby area would become more interior. We certainly would not want to put children's activities right next to the street with traffic and noise coming through.

We thank you for your consideration, and look forward to working toward a new theatre in which the our entire community can participate with pride.

Sincerely,

Janis Bunker, President
Lawrence Community Theatre Board

Mary Doveton
Managing/Artistic Director

RECEIVED

DEC 15 2005

City County Planning Office
Lawrence, Kansas

KANSAS

DEPARTMENT OF TRANSPORTATION
DEB MILLER, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DAVID A. CHURCH, P.E., CHIEF

December 14, 2005

Mr. Paul Patterson
Current Planner
Lawrence-Douglas County Metropolitan Planning Office
P.O. Box 708
Lawrence, KS 66044-0708

Dear Mr. Patterson,

It has been some time since this office has seen an updated plat or plan from the Bauer Farms development. We understand that the developer is still interested in developing this property, and we would like to take this opportunity to reiterate our previous comments regarding the proposed break in access between Wakarusa and Champion Lane.

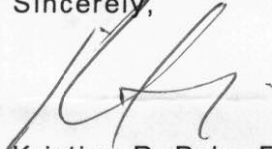
The developer for this property has presented many versions of an access break at this location since August of 2004. Since that time, we have repeatedly attempted to clearly state that a break in access will **NOT** be allowed.

The City of Lawrence and KDOT partnered to conduct a study of the US-40 corridor. One result of this study was an access management plan which was agreed upon by all parties. That plan states that there will be no new access created except at predetermined intervals. KDOT further solidified the access management plan by purchasing access control along the corridor.

Mr. Paul Patterson
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Please feel free to contact Chris Huffman or David Behzadpour at (785) 296-3618 with any questions.

Sincerely,



Kristina R. Pyle, EIT
Engineering Associate, Corridor Analyst
Bureau of Traffic Engineering
Kansas Department of Transportation

cc: Jerry Younger P.E., District One Engineer
Angel Fitzgerald, District Permit Coordinator
Earl Bozak P.E., Area Engineer
LuAnn Roth, Access Permit Coordinator

League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

December 11, 2005

Dr. Terry Riordan, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEMS NO. 15A, 15B, AND 15C: REZONINGS AND PRELIMINARY DEVELOPMENT PLAN
FOR BAUER FARM, NORTH OF 6TH BETWEEN WAKARUSA DRIVE AND FOLKS ROAD

Dear Chairman Riordan and Planning Commissioners:

This is a forwarding letter to provide you with a copy of our original letter on the issue of the rezoning and Preliminary Development Plan for Bauer Farm. Although we do find some of the elements of the proposal to be interesting and creative, we want to make it clear that there are substantial problems with this proposal and that we do not support its approval. For reasons we raised in our original letter, we believe this proposal to be neither a "New Urbanism" concept nor a "Transit-oriented Development."

Thank you.

Sincerely yours,

Carrie Lindsey
President

Caleb Morse
Land Use Committee

ATTACHMENT

League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

October 23, 2005

Terry Riordan, Chairman
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEMS NO. 7A, 7B, AND 7C: REZONING FROM PRD-1 TO POD-1, PRD-2 TO PCD-2, AND PCD-2 TO PCD-2, BAUER FARM, & 7D: PRELIMINARY PLAN FOR BAUER FARM.

Dear Chairman Riordan and Planning Commissioners:

The Bauer Farm development is different from any of the other planned developments approved in Lawrence, and we appreciate the more detailed review that you are giving it. It is a new, creative approach to mixed use development and we hope that, in some form, it will be successfully completed. However, because of the deviations from our current codes, the Bauer Farm Preliminary Development Plan (PDP) will require variances and waivers. There are also some procedural problems in the approval process that would prevent the plan adopted now from being guaranteed and predictable, and there is at least one condition placed on the previous zoning that is inapplicable and inappropriate to this development. There are also some unknowns and deficiencies in the PDP, some of which are more important than others. The planning staff has analyzed this plan thoroughly, but in addition we would like to list our concerns.

Procedural problem. Decision on the zoning districts is preceding the review and approval of the PDP. The rezoning should be considered *following* review and approval of the PDP, in order to know what conditions that are applicable to this development should be applied to the zoning. It is critical to guarantee certain conditions be placed on the Planned Unit Development (PUD) zoning districts with which this, or another PDP that might replace it, would have to comply.

Concerns about the Plan design.

1. The Plan should not vacate Champion Lane. Vacation of Champion Lane would prevent public transit from entering the interior of the development, defeating one of the purposes of mixed-use development, which is to provide easy accessibility to bus service. The staff has included additional reasons for not vacating Champion Lane. Driveway accesses should not be granted onto 6th Street and would be unnecessary if a *frontage road* were to give access to the project from Champion Lane.
2. There are no streets in the development. The “streets” in the development are not only private, but also are mainly parking lot aisles. The design of these parking aisles could make the development largely inaccessible to emergency vehicles, especially where the aisles are bordered by perpendicular parking.
3. There should be a condition on the zoning specifying housing and/or building types, uses, and locations. Building types are an integral part of the Plan design, but there is nothing specific noted as a condition or on the Plan that guarantees building type, use, and placement.
4. There should be guaranteed maintenance of common areas and property. The stormwater detention areas are not included as common open space. However, they and the private streets, sidewalks, common open space, and other common areas and property must have guaranteed maintenance. This should be provided for, and referenced, on the Plan and plats.

5. The hotel and conference center is an unknown, and use of that space should be better defined. Beyond a certain size, a hotel-conference use becomes a *regional* use and should not be included in this Community Center node.

Concerns about waiver and variance requests.

1. The variance request for less than a 50-foot set-back on 6th Street should be denied, as should the waiver request on the 35-foot setback required by the code for PRDs. The “New Urbanist” approach to encourage close building frontage facing onto thoroughfares does not apply to uses, especially residential uses, fronting on traffic-intense major arterials. A New Urbanist development along a thoroughfare would still separate and shield uses fronting on the street from the noise, dust, and pollution of intense traffic, either by including some major redesign of the arterial itself or by including a protected frontage road for local traffic and parking, and pedestrian uses. Moreover, it seems likely that 6th Street may have to be widened again in the future, substantially reducing the setback for any proposed townhouses fronting on 6th in the eastern portion of the development.
2. Reconsider reducing the 10-foot distance between the residential buildings in the eastern portion. Reducing the 10-foot distance between detached residential buildings should include consideration not only for fire safety, but also the needs for air circulation, light, and easy access between buildings for residents. Please consider these functions before allowing this reduction.

Reconsider one existing restriction on the zoning.

The limit on building size to 50,000 gross square feet is meaningless as a restriction. The restriction should have referred to *structure* size, instead. A “building” is defined in our zoning code as a “structure [covered by a roof] when...divided...by one or more walls unpierced by doors, windows, or similar openings and extending from the ground up, each part is deemed a separate building...” Rowhouses, for example, are separate townhouses that may extend for a block or more. Each townhouse is a separate building. This could also apply to commercial uses, which may consist of separate buildings with separate entrances in a single structure.

These are the main issues discussed by the Land Use Committee that may not have been emphasized in the Staff Report. We commend the staff for their thorough review of this Plan, but hope that you will also consider our concerns, as well.

Thank you.

Sincerely yours,

Alan Black, Chairman
Land Use Committee

Caleb Morse
LWV L-DC Board