

From: Steve & Betsy Kelly [mailto:kelly5@sunflower.com]

Sent: Monday, October 05, 2009 11:09 PM

To: Sandra Day

Subject: Development on SE corner of Clinton Parkway and Inverness

Ms. Day,

I am writing to express our concerns regarding the residential development being considered for the SE Corner of Clinton Parkway and Inverness, in the area just north of 24th Place. The density rates proposed for this property and associated development, when combined with the other recently completed housing development just to the south of the proposed site, create in my view a potential traffic and safety nightmare. Inverness, at the site in question, is the primary transportation avenue for both Sunflower Elementary and Southwest Junior High School which already have traffic issues. I believe the developer has the right to develop this property but surely some alternatives that create fewer traffic issues and associated safety concerns could be found.

As parents of children who have been, or are currently students at Sunflower and/or Southwest, I ask that the commission take into consideration their safety when it makes its final decision.

Sincerely,

Steve and Betsy Kelly

From: Ben Cobb <ebcobb@yahoo.com>
Subject: Clinton Parkway and Inverness Dr
To: "Mike Amyx" <mikeamyx515@hotmail.com>, "Robert Chestnut"
robchestnut@sunflower.com>, "Aron Cromwell" <aroncromwell@gmail.com>, "Michael Dever"
mdever@sunflower.com>, "Lance Johnson" ljohnson@peridiangroup.com>
Date: Monday, October 5, 2009, 2:18 PM
To: City Commission

From: Ben Cobb and Nancy Colyer
4500 Broadmoor Dr
Lawrence KS 66047
785-865-0114

October 5, 2009

We are writing in support of the letter sent to you by Rob and Jamie Hulse opposing the the request to rezone the property at the SE corner of Clinton Parkway and Inverness Dr and to voice our own strong disapproval for yet another large apartment complex in a neighborhood already overloaded with similar commercial housing developments.

We cannot believe there is any demand for more of these apartment complexes in Lawrence. But our major concern is to save the neighborhood from further despoiling by these gigantic and ugly complexes. The traffic is already too heavy at Inverness and Clinton. It seems unbelievable that you would agree to endangering the children to even more traffic on their paths to and from school.

We urge you to deny the rezoning. Would any of you like such a complex in your neighborhood?

From: sanjaynimkar@aol.com [mailto:sanjaynimkar@aol.com]
Sent: Monday, October 05, 2009 12:57 PM
To: Sandra Day
Subject: SE Corner of Clinton Pkwy and Inverness development

We consider the development at SE Corner of Clinton Pkwy and Inverness will increase too much traffic in the area. There are already too many apartments built in that area. Also, there is a school nearby and one can notice traffic in the morning and in the afternoon. We vote NO for the construction of the apartment complex there. If it has to be developed for residential then building houses is better and I hear it is consistent with the earlier plan of having mix of development. Thank you.

Sanjay Nimkar
2721 Wildflower Drive,
Lawrence, KS 66047

From: Shanda Cox [mailto:shandacox@gmail.com]
Sent: Friday, October 02, 2009 8:02 PM
To: Sandra Day
Subject: Rezoning of land in SE corner of Clinton Pkwy and Inverness Dr.

TO:
Lawrence City Commission

FROM:
Daniel and Shanda Cox
4420 Gretchen Ct
Lawrence, KS 66047
785-218-2918
shandacox@gmail.com

DATE:
September 29, 2009

RE:
Rezoning of land in SE corner of Clinton Pkwy and Inverness Dr.

We're writing this letter to express our concerns and opposition for the request to rezone the property at the SE corner of Clinton Pkwy and Inverness, currently under consideration by the City Commission. We feel that another high density multi-family development creates an unfair burden on the immediate single family owners in the area with increased traffic, increased noise levels, a decrease in property values, and unsafe conditions for children walking to and from school. Additionally, altering the land use in this corner creates an unusually large cluster of apartment complexes in one area and is inconsistent with the original mix of uses for the area.

The original plan for the land south of Clinton Pkwy between Crossgate and Inverness when it was annexed into the city was for a mixed use: residential with varying density, office use, and additional options for neighborhood services. There is nothing mixed about what is going on in this area now. The only thing unique about the properties in this area is whether or not they implemented the use of masonry, wood, or stone and what paint combinations they have chosen. All are large apartment complexes and yet another development off of Crossgate is a high density retirement complex.

Additionally, any original thoughts in the area of stepping the zoning intensity gradually up or down from one zoning class to another were certainly lost as I look out the back window of my single family zoned neighborhood and see 2 two-story eightplexes, and 2 huge three-story apartment buildings bordering the west edge of the site and parking area. The plan presented to a group of neighbors many years ago by Dial was to buffer the development adjacent to single family with a cul-de-sac of one-level duplexes (patio style homes) on its west edge that were sure to attract older tenants, and would create more of a transition into 2 story apartments with the taller 3 story buildings further to the east. It was presented as a retirement community with independent and assisted living units further to the east...sort of a new Brandon Woods. Although the increased density request was approved, that plan never came to fruition and as a result, over the years as each new idea and site plan was submitted, each developer asks for just a bit more to maximize their site plans...and over the years any transition or buffer was lost.

Now, the Commission is considering plans for another 164 units on the land in the SE corner of Inverness and Clinton Parkway. We believe that the original plan for this area was to mix it up a bit, and as a result, different zonings/uses were originally assigned to the various tracts that made up the original development plan. Should the City Commission agree to rezone the site and allow for more apartments as requested, then the City Commission will be ignoring what the original development plan was for the area when it was annexed.

Another large apartment complex will only add more of the same to a large tract of ground that was originally zoned with differing uses for a reason. By allowing the current request, the area will consist of 4 large apartment complexes, all adjacent to one another creating a tremendous amount of noise, traffic, and trash, without any professional office space or without any neighborhood services as was originally proposed.

Additionally:

- With both Elementary and Jr. High School children walking to/from school in the area, and with the certain increase of traffic in the area, even more unsafe conditions will exist for our kids. Recent decisions by Lawrence Public Schools to limit bussing means more kids are in the area as pedestrians. Approval of this 4th apartment complex in such close proximity of Sunflower Elementary, Southwest Jr. High, Raintree Montessori and Bishop Seabury Schools not only increases traffic, it creates dangerous conditions for our pedestrian children.
 - The roundabout at 24th Place and Inverness is so heavily used that ruts have developed in the lane around the circle making it difficult to navigate, not to mention the deep ruts in the grass by vehicles that can't navigate the circle and end up going over the curbs. Years ago developers argued that traffic from the apartments would exit to the east on Crossgate and wouldn't increase the traffic burden on Inverness, or pose additional dangers to the children walking to and from school. An added 4th apartment complex will dramatically increase traffic on Inverness and certainly pose increased risks to our children.
 - Property values in the area will decline as Buyers decide not to purchase a home in the immediate area because of the adjacency to these large apartment complexes. They will opt for other areas that are not impacted by the consequences that are associated with living next door to an apartment complex (let alone 4 complexes).
 - And last, there has been much recent development of new apartment complexes in the community these last 2 years. These developments are outpacing any growth (or lack thereof) that Lawrence is experiencing. Approving apartment complex site plans in correctly zoned areas is one thing, changing the zoning to permit additional apartment building in an area already heavily saturated with apartments is poor planning, and most likely increasing vacancy rates throughout the city.
- In summary, at one point our neighborhood was the first in an area with two public schools, a private Montessori school, and farm ground that was described in Horizon 2020 as appropriate for residential use. Although we understand that apartments are residences, the presence of 4 large apartment complexes with high levels of density are much more commercial in nature, and are much more damaging to the area than a mixed use plan with elements of single family, multi-family, some office, and some neighborhood services.
- Approving such a large area of apartments contradicts recent neighborhood planning strategies; creates a tremendous burden on the area with increased traffic, noise and congestion; ultimately lowers property values in the area; and puts our children walking to and from close by schools in greater danger. We oppose the zoning request, and we hope that the City Commission will take actions that are consistent with current neighborhood planning strategies, don't burden area neighborhoods, help citizens protect their property values, and keep our kids safe.

Respectfully,
Daniel and Shanda Cox

TO: Lawrence City Commission

FROM: Rob and Jamie Hulse
4403 Gretchen Ct.
Lawrence KS 66047
785-841-7653
rob.hulse@att.net

DATE: September 29, 2009

RE: Rezoning of land in SE corner of Clinton Pkwy and Inverness Dr.

We're writing this letter to express our concerns and opposition for the request to rezone the property at the SE corner of Clinton Pkwy and Inverness, currently under consideration by the City Commission. We feel that another high density multi-family development creates an unfair burden on the immediate single family owners in the area with increased traffic, increased noise levels, a decrease in property values, and unsafe conditions for children walking to and from school. Additionally, altering the land use in this corner creates an unusually large cluster of apartment complexes in one area and is inconsistent with the original mix of uses for the area.

The original plan for the land south of Clinton Pkwy between Crossgate and Inverness when it was annexed into the city was for a mixed use: residential with varying density, office use, and additional options for neighborhood services. There is nothing mixed about what is going on in this area now. The only thing unique about the properties in this area is whether or not they implemented the use of masonry, wood, or stone and what paint combinations they have chosen. All are large apartment complexes and yet another development off of Crossgate is a high density retirement complex.

Additionally, any original thoughts in the area of stepping the zoning intensity gradually up or down from one zoning class to another were certainly lost as I look out the back window of my single family zoned neighborhood and see 2 two-story eightplexes, and 2 huge three-story apartment buildings bordering the west edge of the site and parking area. The plan presented to a group of neighbors many years ago by Dial was to buffer the development adjacent to single family with a cul-de-sac of one-level duplexes (patio style homes) on its west edge that were sure to attract older tenants, and would create more of a transition into 2 story apartments with the taller 3 story buildings further to the east. It was presented as a retirement community with independent and assisted living units further to the east...sort of a new Brandon Woods. Although the increased density request was approved, that plan never came to fruition and as a result, over the years as each new idea and site plan was submitted, each developer asks for just a bit more to maximize their site plans...and over the years any transition or buffer was lost.

Now, the Commission is considering plans for another 164 units on the land in the SE corner of Inverness and Clinton Parkway. We believe that the original plan for this area was to mix it up a bit, and as a result, different zonings/uses were originally assigned to the various tracts that made up the original development plan. Should the City Commission agree to rezone the site and allow for more apartments as requested, then the City Commission will be ignoring what the original development plan was for the area when it was annexed. Another large apartment complex will only add more of the same to a large tract of ground that was originally zoned with differing uses for a reason. By allowing the current request, the area will consist of 4 large apartment complexes, all adjacent to one another creating a tremendous amount of noise, traffic, and trash, without any professional office space or without any neighborhood services as was originally proposed.

Additionally:

- With both Elementary and Jr. High School children walking to/from school in the area, and with the certain increase of traffic in the area, even more unsafe conditions will exist for our kids. Recent

decisions by Lawrence Public Schools to limit bussing means more kids are in the area as pedestrians. Approval of this 4th apartment complex in such close proximity of Sunflower Elementary, Southwest Jr. High, Raintree Montessori and Bishop Seabury Schools not only increases traffic, it creates dangerous conditions for our pedestrian children.

- The roundabout at 24th Place and Inverness is so heavily used that ruts have developed in the lane around the circle making it difficult to navigate, not to mention the deep ruts in the grass by vehicles that can't navigate the circle and end up going over the curbs. Years ago developers argued that traffic from the apartments would exit to the east on Crossgate and wouldn't increase the traffic burden on Inverness, or pose additional dangers to the children walking to and from school. An added 4th apartment complex will dramatically increase traffic on Inverness and certainly pose increased risks to our children.
- Property values in the area will decline as Buyers decide not to purchase a home in the immediate area because of the adjacency to these large apartment complexes. They will opt for other areas that are not impacted by the consequences that are associated with living next door to an apartment complex (let alone 4 complexes).
- And last, there has been much recent development of new apartment complexes in the community these last 2 years. These developments are outpacing any growth (or lack thereof) that Lawrence is experiencing. Approving apartment complex site plans in correctly zoned areas is one thing, changing the zoning to permit additional apartment building in an area already heavily saturated with apartments is poor planning, and most likely increasing vacancy rates throughout the city.

In summary, at one point our neighborhood was the first in an area with two public schools, a private Montessori school, and farm ground that was described in Horizon 2020 as appropriate for residential use. Although we understand that apartments are residences, the presence of 4 large apartment complexes with high levels of density are much more commercial in nature, and are much more damaging to the area than a mixed use plan with elements of single family, multi-family, some office, and some neighborhood services.

Approving such a large area of apartments contradicts recent neighborhood planning strategies; creates a tremendous burden on the area with increased traffic, noise and congestion; ultimately lowers property values in the area; and puts our children walking to and from close by schools in greater danger.

We oppose the zoning request, and we hope that the City Commission will take actions that are consistent with current neighborhood planning strategies, don't burden area neighborhoods, help citizens protect their property values, and keep our kids safe.

Respectfully,

Rob and Jamie Hulse

TO: Lawrence City Commission

FROM: Joe and Bridget Clark
4407 Gretchen Court
Lawrence KS 66047
Clark06@sbcglobal.net

DATE: 9-30-2009

RE: Rezoning of land in SE corner of Clinton Pkwy and Inverness Dr.

We are writing this letter in regard to the request to rezone the property at the SE corner of Clinton Pkwy and Inverness, currently under consideration by the City Commission. We strongly oppose another high density multi-family development in this area.

This area has many children attending Southwest Junior High, Sunflower Elementary, Raintree Montessori and Bishop Seabury. The traffic is already congested. There are now four large apartment complexes in the same area. This has significantly added to the noise and traffic in our neighborhood. The safety of the children walking to and from school is very much a concern. In addition, the decline of our property value is also worrisome.

We request that the City Commission take action to oppose this zoning request.

Sincerely,

Joe and Bridget Clark

From: Jamie Hulse [mailto:jamiehulse@att.net]
Sent: Tuesday, September 29, 2009 7:50 AM
To: Sandra Day
Subject: Request for historical data on Getto tract

Sandy –

I am requesting the history since the Getto's originally began the process of annexing the entire section from Clinton Parkway to W. 27th, between Crossgate and Inverness. Since the City Commission will consider this next week, I need this information by end of day Wednesday. Is there any way to defer the request to a future meeting? What is the final date we can submit info for City Commissioners to consider for this item?

I know originally in 1999 the Planning/City Commissions kept the density for the tract of ground consistent with Horizon 20/20, and as adjacent property owners we were comfortable with the zoning. We spoke with you specifically, and also with developers when the apartments were built on W. 24th Pl and invested many hours of time, research and meetings, and communicated to 100's of people in the neighborhoods adjacent by sending letters at our own personal expense, and also going door to door to inform people about the development plans.

We did not oppose their request for higher density for the area at the SE corner of W. 24th Place and Inverness because Peridian Group assured us the owners were going to build housing for seniors 55 and over, comparable to Brandon Woods. At that time we expressed concern about them not proceeding, and then zoning would be in place for future developments being targeted to the general population. Again, they assured us they were committed to the entire project. So they built the The KU Legends, and did not proceed with the senior housing. Future requests to increase density were then approved. Part of the site plan we were comfortable with was for the units along Inverness to be one story duplexes on a cul-de-sac. At some point a request was made to change the height, and that was also approved – we're not sure how we missed that request. The current project had signs up marketing to people who want to live where they can have a good time, fun, parties. Neighbors were significantly troubled by the wording on some of the signs actually.

We didn't know about Stultz's development on the north side of W. 24th Place until they started building because we're too far away to be notified as property owners, and we don't drive down that street, or we would have strongly opposed that request to change zoning from Res/Office to multi-family.

For what it's worth, standing at a ballgame or at school, in just casual conversation, we regularly hear the following comments... "who is going to live in all the apartments they keep building?" and "why does the city keep approving more huge complexes?" and "why is it so hard to begin a new business in town, but it seems so easy to get approval to build huge apartments?", etc.

The developers have just taken their time, made their individual requests and watered it down so it doesn't feel like a "big deal" to change the zoning a little here and a little there, until now the recommendation is "sure it should be changed from Residential/Office to multi-family because that won't impact the multi-family across the street to the west and south." When you look at the big picture of Wakarusa/Kasold from Clinton Parkway/W. 27th...the increased density is still not consistent with Horizon 20/20, just as it wasn't 10 years ago when the original zoning for the entire tract was approved. And because of the boundaries of the properties, a very limited number of homeowners have to be notified for each individual request..mostly to other Multi-family property owners, who are certainly not going to oppose the zoning change request.

I work from 7:30 – 5:30 M-F so I am unable to come to the office during your business hours. Our job schedule doesn't provide the flexibility needed to gather all of the information on our own, nor communicate with neighbors to the extent that we did previously. We're extremely disappointed that planning staff would recommend approval of such increased density to this section when there is already a large amount of multi-family within 2 miles, since this is the same planning staff that approved the original lower density consistent with Horizon 20/20. And we're additionally disappointed that the Planning Commission would also approve the zoning change. We count on the process to protect the surrounding homeowners of vacant ground throughout

the city, and to follow the guidelines in Horizon 20/20. Thank you for providing the requested information in advance.

Sincerely,
Jamie Hulse

September 21, 2009

VIA FACSIMILE [785-832-3160]

Lawrence-Douglas County
Metropolitan Planning Commission
6 E. 6th St.
P.O. Box 708
Lawrence, KS 66044

RECEIVED

SEP 21 2009

City County Planning Office
Lawrence, Kansas

RE: Z-7-11-09; Request to rezone property at 4300 W. 24th Pl.

Dear Commissioners:

I am writing in reference to the request by BG Consultants, Inc. to rezone approximately 11 acres on the southeast corner of Inverness and Clinton Parkway at 4300 W. 24th Pl. from RSO to RM15. My wife, Lori Sinclair, and I have owned and lived at the property located at 4400 W. 24th Pl. since early in the fall of 2008. It is our first home, and it is across Inverness from the property BG Consultants wants to have rezoned. We moved there with excitement, believing it to be quiet neighborhood after living in student-oriented apartments near the KU campus for four years.

When we moved in, The Legends apartment complex was already standing, but it was about a block away from our home. Since moving in, however, two additional, large apartment complexes have been swiftly constructed on the land south of Clinton Parkway between Crossgate and Inverness. We have witnessed the effects of the recent developments, including a substantial increase in traffic and noise, particularly since our home is on a corner lot on the round-about at 24th and Inverness. As such, we are strongly opposed to rezoning the property at 4300 W. 24th from RSO to RM15.

Our opposition to the rezoning is rooted in several concerns which include traffic, noise, and property value. Based on the substantial increase in traffic and noise from the two most recent apartment complexes near our home, it is reasonable to assume that another apartment complex directly across the street would only exacerbate the problem and seriously affect our use and enjoyment of our property.

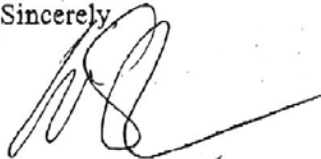
Furthermore, we are concerned that the construction of apartments directly across the street from us would negatively affect our property value. If and when we attempt to sell our property, it simply will not be as marketable with apartments directly across the street. Additionally, there is no shortage of apartment choices in Lawrence right now. The construction

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of another apartment complex of questionable quality and durability is not necessary. Thus, we worry that in the long-term, new apartment developments in other parts of town will attract more tenants, and the proposed apartment complex across the street from us will fall into disrepair thereby negatively affecting our property value. We are seriously concerned that the requested rezoning and proposed development will accomplish nothing more than further pad the pockets of already wealthy developers without a thought as to the effects on surrounding property owners both short and long-term.

For these reasons, we respectfully ask that the Commission deny BG Consultants, Inc.'s request to rezone the property. Thank you.

Sincerely,



Luke (and Lori) Sinclair
4400 W. 24th Pl.
Lawrence, KS 66047
(785) 865-3724
(785) 783-8323 (work)

From: garberprop@aol.com [mailto:garberprop@aol.com]
Sent: Tuesday, September 15, 2009 9:18 AM
To: Sandra Day
Subject: Inverness & 24th Place zoning change

Hi Sandy,

We are writing you this letter to oppose the rezoning of the land on the northwest corner of 24th Place and Inverness Drive. We had recently looked at the land to purchase and realized with all the apartments already in place in the area or currently under construction that traffic was going to significantly change once the apartments that were currently being built were done and occupied. We already see a significant amount of traffic daily from the current apartments as well as Raintree Montessori, Sunflower Elementary & Southwest Jr. High schools and adding more apartments is only going to add to this problem. The traffic on Inverness is a madhouse every morning during drop off for the schools as well as every afternoon at pick up times. Parking is a problem whenever one of the schools has a function and adding more apartments means more parking issues as the overflow of cars will result in people parking on the streets.

Also as an adjacent landowner, we feel our units property values are also going to be greatly decreased since they will be "next door" to a large community of apartments. From our experience apartment complexes bring in more students to the area which means more cars, more parties, more noise issues, etc. which is a deterrent to those who are looking for a home away from the "college scene".

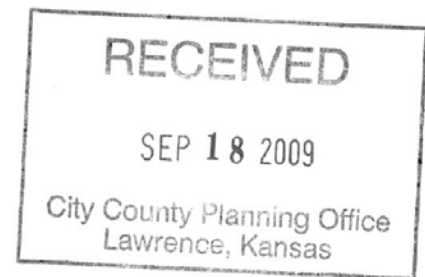
Please take our opposition into consideration when making a decision regarding the rezoning of this piece of land and thank you for your time.

Sincerely,

Michael L. Garber
Garber Enterprises, Inc.

September 18, 2009

Editor, Lawrence Journal World
Director, Lawrence-Douglas County Planning Commission
Mayor and Commissioners, Lawrence City Commission



Re: Expansion of Apartments at 4300 W. 24th Place (Inverness & Clinton Pkwy)

As a retired banker and former lender of both single family homes and apartments in cities *other than* Lawrence, I am a current resident in Lawrence and concerned about the current policies and approval of the continuance of building apartments in Lawrence.

The latest filing of a site plan and rezoning for a \$6 million project to add 164 apartments to the Lawrence market seems ill-advised by both the city officials, not to mention the approval of lending officials doing business with certain builders in our community.

Whatever happened to 'decent' looking apartments being constructed by Mr. Stultz's company, Highland Construction Company, especially those nearly completed on W. 24th Place just east of his proposed apartments, which I might add appear to be less than half occupied or rented.

Several years ago, it was the policy of most lenders to look closely at vacancy rates of both apartments and the inventory of unsold homes in the market before approving additional loans to these builders. One just has to look around Lawrence to see the many 'vacancy' signs in practically every apartment complex. Doesn't this indicated an over-building and unsound lending practices by both the developers/builders and lenders making the funds available? And another plan for 480 apartments near 6th and Queens Road???? Are we really anticipating such an explosion in population at KU and in our city???

While I, along with most Americans, desire a healthy economy with our population going back to work, I have to take issue to some point with Mr. Stultz' comment: "Quite frankly, I have a lot of subcontractors who want to go to work.." Well, duhhh!! What else is new!

Recommendation: Develop some type policy, but not solely at the discretion of city and county officials, in determining the number of housing permits and apartment units to be built. With the lack of sound lending practices these past several years by certain financial institutions, maybe it's time to look back at what really worked: for the betterment of the community, the builders, the realtors, and the lenders.

Let's not make the property just south of Clinton Parkway between Crossgate and Inverness 'apartment city', which it currently appears to be headed that way.

A concerned citizen 'loving' Lawrence!!