

Bobbie Walthall

To: David L. Corliss
Subject: RE: Rock Chalk Sports Facility

From: Lance Johnson [mailto:Lance.Johnson@colliers.com]
Sent: Tuesday, January 08, 2013 2:34 PM
To: schummfoods@gmail.com; mdever@sunflower.com; hughcarter@sunflower.com; mikeamyx515@hotmail.com; aroncromwell@gmail.com
Cc: David L. Corliss
Subject: Rock Chalk Sports Facility

Mayor Schumm, Vice-Mayor Dever, and Commissioners –

I realize you may or may not see my email in time for tonight's meeting, but in the event you do, here goes...

First of all, thank you for your service to this community and consideration of the above referenced project. I appreciate all the discussion, deliberation, and careful study you have put into this project to date. Also, I appreciate the study, in general, regarding the community need for athletic facility space.

Given everything I have heard, read, and know about the project, I am in support of the project moving forward. You obviously have a challenge of balancing this project within the context of all the community's needs within a budget. I don't know if there's ever a "perfect" time for anything, but I think a case can be made this is as close to perfect as you can get for a project of this type. I want to commend you for not thinking small, and rather, thinking big (i.e. what could be done if given the opportunity to do it right?). The opportunity is before you.

Please move forward with the project. Thanks for your time and consideration.

Lance

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*Kansas
Licensed
Beverage
Association*

January 8, 2013

Mayor Schumm and the Lawrence City Commission
City Hall
Lawrence, KS 66044

Honorable Mayor and Commissioners,

I am Philip Bradley representing the Kansas Licensed Beverage Association. The KLBA represents the interests of the men and women in the hospitality industry, who own, manage and work in Kansas bars, breweries, clubs, caterers, hotels, and restaurants. These are the places you frequent and enjoy with the tens of thousands of employees that are glad to serve you. Due to a work commitment I cannot appear today and I thank you for the opportunity present this letter and I will be brief.

After careful review of the many and varied information available from the City, University, supporters and the opposition about the proposed development we wish to endorse the Rock Chalk Development.

I will not repeat the evidence already presented. It is convincing and impressive. We do wish to note the extraordinary efforts to be efficient with public dollars, the careful cooperation between differing units (governmental, educational and civic) and the attention to the needs and concerns of the community. I remember from my time as a Planning Commissioner, that these are highly desired in development planning and review. And unfortunately they are very lacking across our country. Thank you to all who have participated.

Again thank you for your attention and consideration. I will make myself available for your questions.

*Philip Bradley
CEO*

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Philip Bradley



Drink Responsibly.
Drive Responsibly.

January 7, 2013

Mayor Schumm, and Lawrence City Commissioners,

On January 3, 2013, The Lawrence Association of Neighborhoods (LAN) met and unanimously voted to submit comments to the City Commission regarding our concerns about the City's regional recreation center project, slated to be built within the Rock Chalk Village complex. Our concerns are as follows:

Depletion of City Sales Tax Funds and Misallocation of Limited Resources

As you are aware, the City has numerous "big ticket" items on the horizon, including needed water and wastewater capitol projects, infrastructure repair and maintenance, and police facility improvements. LAN is concerned that the City has failed to fully assess the long-term costs of this recreation project and how those costs may affect the City's ability to address other needed priorities in our community.

Underestimating Projected Operating Expenses

The projected operating expenses for the recreation center appear very low compared to other similar centers. It seems likely that the taxpayers will be asked to pay operating expenses in excess of the amount projected. These increased expenses may further stress an already tight city budget and create competition between recreation facilities.

High Construction Costs and No-Bid Contract

The proposed recreation center appears to have constructions costs that are higher than necessary, when compared to similar facilities. This elevated cost has not been justified. Further, LAN is very concerned that the City is being asked to accept KUEA's no-bid contract for construction of the recreation center. As proposed, competing bids supplied from parties not able to realize an actual contract are useless. We believe that the proposed arrangement provides little or no protection for taxpayers. We disagree with the City proceeding with a contract that lacks legitimate public bidding.

Turn-key Contract without Cost Certification

When the proposed recreation center is complete, the taxpayers are being asked to take possession and pay for the facility without knowing whether or not they received full value for their money. Cost certification by an independent auditor would correct this problem. As the project details are currently structured, LAN is concerned that taxpayers may not get full value for their money.

Voter Input

This project exceeds the scope and intention of the recreation funding that the voters approved in 1994. Given the magnitude of the project and the resulting long-term debt and operational costs to be incurred by taxpayers, LAN believes that the regional recreation center as proposed should be put up for a public vote.

Recommendations

LAN recommends that:

- o This project be put to a public vote,
- o This project be reexamined in terms of both its construction and operating costs;
- o This project be put out for public bid; and
- o This project be subject to independent cost certification.

We appreciate your consideration of these comments, and respectfully request that they be included in the public record for the Tuesday, January 8, 2013 City Commission Meeting.

Thank you.

Laura Routh
LAN Chair



**Statement of Support – Rock Chalk Sports Park
January 5, 2013**

The Lawrence community has a unique opportunity to partner with the University of Kansas, through Kansas Athletics, in building a first class sports complex, known as Rock Chalk Sports Park. There have been numerous public hearings and this project has been thoroughly studied. It is time for action.

One thing is certain – Lawrence is significantly behind other communities of similar size and population in providing these kinds of services for its citizens. Studies show Lawrence has 20 fewer basketball and volleyball courts than required to support sports teams for children and adults. The entire Lawrence community will benefit from this world-class facility. The Rock Chalk Park Sports Park project will help build our community's infrastructure and enhance the amenities and quality of life that make Lawrence a desirable place to live and work.

On Tuesday night, the City Commission will hold a public hearing on the next steps in the process to build this recreation center that will include a track and field stadium built to international specifications, a soccer field, softball stadium and more than 1,400 parking spaces. While a final decision won't be made until a planned mid-February review, Tuesday's vote on rezoning and a special use permit that ensures any activity conducted at the park would be subject to City approval, is an important one that will allow this project to move forward.

The Board of Directors of the Lawrence Chamber of Commerce supports the City of Lawrence, in affiliation with KU Athletics and the University of Kansas, entering into an agreement to build a 181,000 square foot recreation center, with a price not-to-exceed \$25 million. We understand that no tax increase will be necessary for construction of this project and therefore, no public vote on the issue is necessary. We urge the City to approve the necessary zoning and special use permit necessary to build Rock Chalk Sports Park, and provide a much-needed and long-overdue amenity for its citizens.

Doug Gaumer
Chair, Board of Directors
Lawrence Chamber of Commerce

In the last 15 months, there have been 17 letters to the editor and 14 LJW editorials opposing/questioning this rec center project. I have never seen such outcry in this community.

Dickie Heckler

PETEFISH

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Olin K. Petefish (1912-2001)
Jeffrey O. Heeb (retired)

November 9, 2012

Dr. Bruce Liese, Chairman
Lawrence Douglas County Planning Commission
Mr. Scott McCullough
Director, Planning & Development Services
City of Lawrence
6 E. 6th Street
P.O. Box 708
Lawrence, Kansas 66044

via email: bruce@kansascitysailing.com

via email: smccullough@lawrenceks.org

Confirmed by first class mail

Re: Sports Village Project
November 12, 2012 Meeting Agenda Item #2B
Jack Graham, land owner

Dear Dr. Liese and Mr. McCullough,

As you know, we represent Jack Graham, who resides at 1685 E 1000 Road, Lawrence, Kansas 66044. Mr. Graham's residence is adjacent to the property being considered for annexation and rezoning for use as a Sports Village, which are Items 2.A and 2.B on the November 12, 2012 meeting agenda.

My client does not object to the annexation of the property, as requested in Item 2.A. However, my client is very concerned about the unrestricted zoning of the property to GPI, as requested in Item 2.B.

Land Development Code, Section 20-219(a) describes the purpose of the GPI District:

The GPI District is a Special Purpose Base District primarily intended to accommodate Institutional Uses occupying significant land areas but not appropriate for development in the H District or on property designated on the official zoning map as U. The District regulations are designed to offer the

institution maximum flexibility for patterns of uses within the District while ensuring that uses and development patterns along the edges of the District are compatible with adjoining land uses. (emphasis added)

Though capitalized, the term “Institutional Uses” is not defined in the Land Development Code.

The Use Table appearing in Article 4 of the Land Development Code drastically expands the nature of land uses allowed in the GPI District by adding “Entertainment & Spectator Sports, General” and “Entertainment & Spectator Sports, Limited” to the permitted uses. The term “Entertainment and Spectator Sports” is defined in Section 20-1725 as “Provision of cultural, entertainment, athletic, and other events to spectators. Also includes events involving social or fraternal gatherings...” General Entertainment and Spectator Sports is defined expansively as, “Those uses generating an attendance of 501 or more people such as theaters (movie or legitimate), large exhibition halls, field houses, stadiums and sports complexes.” (emphasis added). Limited Entertainment and Spectator Sports is defined as uses conducted within an enclosed building with a capacity of 500 or less people.

Our client does not want this project turned into an entertainment venue instead of a sports village for the community. Preliminary plans included a 5,000 seat outdoor amphitheatre that seemed a curious addition to a sports facility. The plans submitted on November 8, 2012 do not include the amphitheatre, but those plans are subject to change. In addition, my client has obvious concerns about light pollution, noise and traffic issues that will be inevitable with such a development. Some of these issues are appropriate for the site plan review stage, but other issues can and should be addressed now in the context of the zoning request.

In considering the zoning request, the Planning Commission should take into consideration questions and concerns about the plans for ownership, development and management of the project. The City will apparently be responsible for the operation and management of the recreation center, but it appears that Bliss Sports, LC (Thomas Fritzell) will be the lessee and operator of the facilities on the KU side of the project. KU Endowment will simply own the land and improvements. Bliss Sports, LC would be able to use the facilities in any manner allowed in the GPI District.

To help alleviate concerns about how the property might be used in the future with GPI zoning, the Commission should use one of its tools – conditional zoning – to set some very basic parameters to ensure that the use of the property is consistent with a sports and recreation facility. If the property is rezoned to the GPI District, it should be conditioned upon the allowed uses being amended to

- (a) clarify that the zoning is conditioned upon the land being used for a sports village project and not any other project;
- (b) exclude the use of the facilities for outdoor entertainment, such as an amphitheatre, as described in General Entertainment and Spectator Sports, Code Section 20-1725(2); and

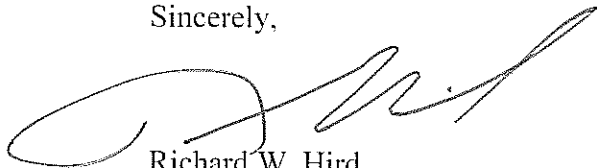
(c) exclude the use of outdoor lighting after 11:00 p.m.

We understand that our elected officials have not yet approved the financing for the project and there are many other hurdles to overcome; however, we respectfully submit that the addition of the conditions to the GPI zoning, as requested above, would be a good first step toward resolving some of the issues.

I would be most appreciative if you would circulate this letter to the members of the Planning Commission. In accordance with the Bylaws of the Planning Commission, I will recuse myself from the discussion and vote on these agenda items and another member of our firm will appear on behalf of Mr. Graham.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Hird', with a large, sweeping loop at the beginning and a long, horizontal stroke extending to the right.

Richard W. Hird
Petefish, Immel, Heeb & Hird, LLP

From: Ed Manda [mailto:furstm@sunflower.com]

Sent: Tuesday, November 20, 2012 9:14 PM

To: Scott McCullough

Cc: Carl Locke; Don Green; JD Cleavinger; Larry Hatfield; Lee Ice; Rick Spano; Don Jardon; Jim Owens

Subject: Rec Center Planning

Hi Scott,

This is just another way to contact you regarding the possible addition of 2 handball/racquetball/wallyball courts in the tentative planning process for the proposed Rec Center. I understood from Mark Hecker that we should contact the City Commissioners about our interest in this process, but no one seems to know at what point we get anyone to listen. With only one court at Holcom, our community is a little deficient.

Mike Amyx has told me we would have his vote and I know Bob Schumm is sympathetic.

What can you tell me about the process of considering these additions?

Thank you for a simple reply.

Sincerely,

Ed Manda



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED

DEC 10 2012

City County Planning Office
Lawrence, Kansas

December 10, 2012

To: Lawrence/Douglas County Planning Commission:

Re: Item 4C: Rock Chalk Special Use Permit

The League of Women Voters of Lawrence/Douglas County has had questions about the ownership and management of the Rock Chalk Park enterprise, many of which were incorporated into a letter sent to the City Commission on November 13, 2012 (we have included this letter, for your information). In addition to those questions, we have some new concerns that we hope you consider before approving the SUP for the proposed uses in the Rock Chalk Park.

Because it appears that the development and management arrangements will be in the hands of a private entity, it's possible that many of the activities may be profit-oriented. This could lead to more emphasis on event-oriented uses rather than on the student and public sports-oriented uses originally intended. Some of these events could be more disruptive to the environment and to adjacent areas than originally anticipated. Therefore, we believe that it is important to get details on some of these issues before you approve this SUP. Some of our concerns include:

- A portion of the City-owned Baldwin Creek Park is shown in the Site Plans for the SUP as an "amphitheater." This is publicly-owned park property located in what appears to be a major drainage area. We believe that the sports and event-centered development should not encroach upon our city parkland and that this amphitheater should not be shown as a future development in this location. Please do not include an amphitheater in our Baldwin Creek Park.
- Some of the other uses listed as "special events" under "1. i. vi. f.," could be very damaging and disruptive to a natural outdoor area: "Racing and vehicle exhibitions: BMX and Motorcross (or motocross) racing, truck and tractor pulls, etc." These types of events could be very destructive, especially motocross racing. Please do not permit this type of event to be included in this list by modifying the SUP provisions to exclude events of the type listed under "f".
- Some uses and improvements (excluding events already referred to above) are listed as being left for the City Commission to decide. We believe these should be referred to you for your advice.
- Please add the condition that the Parks and Recreation Department shall be responsible for creating the trails that will be included in the Baldwin Creek Park, and that they are walking trails with a natural surface rather than multi-purpose and paved.

We appreciate your careful consideration of these issues. Thank you.

Melinda Henderson
President

Alan Black, Chair
Land Use Committee

Attachment

President
Melinda Henderson

President-Elect
David Burress

Vice President
Milton Scott

Secretary
Caleb Morse

Treasurer
Marjorie Cole

Directors
Margaret Arnold

Bonnie Dunham

James Dunn

Sally Hayden

Cille King

Ruth Lichtwardt

Marlene Merrill

ATTACHMENT



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

November 13, 2012

Mr. Bob Schumm, Mayor
Members of the City Commission
City Hall • Lawrence, KS 66044

President
Melinda Henderson

President-Elect
David Burress

Vice President
Milton Scott

Secretary
Caleb Morse

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Marlene Merrill

RE. REGULAR AGENDA ITEM NO. 1: RECEIVE STAFF REPORT REGARDING THE PROPOSED RECREATION CENTER

Dear Mayor Schumm and City Commissioners:

The League of Women Voters of Lawrence/Douglas County has concerns that several important questions regarding the proposed City Recreation Center in the Baldwin Creek Park tract have not been adequately answered in public materials that have been provided. We urge you to obtain full answers to the questions listed below before you make a final decision on this project.

1. Pending granting of all approval processes and ...waiving all city related fees... and approval of industrial revenue bonds for the project..." then KU will purchase the tract of land.

Question: Does this include both the 19 acre and the 90 acre tracts? If it does include both, for what will the 19 acre tract be used?

2. KU will then build its own facilities for KU teams for track & field, softball, and soccer.

Question: What is the construction time line? Does KU build its own facilities first?

3. KU Endowment will build the following facilities and then transfer the responsibility for these specific physical improvements to the City: "The City Recreation Center of 181,000 sq. ft., [plus] 8 lighted tennis courts, [plus] walking trails of five miles, [plus] all interior roads, [plus the] access road to west, [plus] onsite utilities (sewer, water, etc.)," and "all professional fees and services associated with improvements, and landscaping..." all according to City agreements. All professional work will be done by KU selections and under their control.

Question: Who determines the design standards? Does the City have final authority over the design and construction standards? Does this include those for the City Recreation Center (the 181,000 s.f. structure) plus all interior roads, access road to west, onsite utilities (sewer, water, etc.) and "all professional fees and services associated with improvements, and landscaping"?

4. KU will transfer the responsibility for specific physical improvements to the City including "all interior roads, access road to west, onsite utilities and ...services associated with improvements and landscaping." In other words, maintenance of the interior roads.

Question: Will all of these interior roads for which the City will be responsible for maintenance be built to public street standards? Or will they be considered driveways? Note: if they are owned by the City, they are city right-of-way. We urge you to require that all accessways which the city must maintain be built to public street standards and not to lesser standards, such as for driveways.



5. KU Endowment will own the parking spaces.

Question: Will the city have use of these parking spaces at all times? KU will cover the liability for parking spaces. City will pay a "proportional share." How will this be determined? Will there be an upper cost limit?

6. "Kansas Athletics will not have a need for use of the parking lots or private drives within the development during the winter season..."

Question: Why not? This means that snow removal, etc. is a City responsibility. Does this mean that the City gets use of these facilities only in the wintertime?

7. Water will be purchased from City for "rest rooms and competition fields..." City will pay for water for general landscaping "of all facilities at this location." KUEA will maintain the "lawns and landscaping around the recreation center and tennis courts at no cost to the City."

Question: How are you going to make these distinctions? Will there be meters for KU only? (We detect this and similar situations as sources of conflict.)

Question: How will you resolve maintenance cost, use disputes and other disagreements?

8. KU says it will build the trails.

Question: Will the City continue to own Baldwin Creek Park?

Question: Does the City have final approval of Baldwin Creek Park changes before their development; i.e., the trails? (We are asking that the trails be for walking only, not multi-use, and that they not be paved, but rather, have a natural surface.)

9. Construction, including the City Rec Center, will be managed by Bliss Sports. Bids can be monitored by the City, but there is no mention of the City having a veto option.

Question: Can the City refuse to allow certain construction bids and/or companies to be approved?

10. The City can hire a "construction monitor."

Question: What powers/options would he have? Would he have any veto power? Will the city have any enforcement or veto power? Will all construction have to meet City codes and standards? How will you enforce this?

These questions are based on the most recent communications provided by the KU Endowment Association. We trust that you will get satisfactory answers to these and other questions before you make any positive final decisions on this joint development. We very much appreciate your dedication and service to the citizens of Lawrence. Thank you.

Sincerely yours,

Melinda Henderson, President
League of Women Voters of Lawrence/Douglas County

9 November 2012

To: Lawrence City Commission
c/o David Corliss, City Manager
Joe Caldwell, Chair, City Recreation Advisory Board
Scott McCullough, Director, Planning & Development
John Wilkins, Gould Evans Architects
Ernie Shaw, Parks and Recreation
Mark Hecker, Recreation Maintenance & Operations

Re: Lawrence Community Recreation Facility Planning

Sirs;

After the public meeting Thursday night, and as planning for the Recreation Facility moves along, more than a handful of us (and Ernie, you have been one yourself) as handball, racquetball, or wallyball enthusiasts, continue to be hopeful that a couple of courts could be included in the future planning process.

As you all know, there is only one public court at Holcom Complex, and it is inadequate for group activities or to reserve on a regular basis. The only other courts that are accessible in our community require a healthy membership fee at Lawrence Athletic Club, and even those courts are in jeopardy. Having 2 or more courts in the new facility would allow expanded group dynamics, and even the possibility of limited tournaments that could draw from the Kansas City and Topeka areas (because there are active court participants in those cities). As handball or racquetball followers, most of us know that public courts could be another reason for outsiders to visit Lawrence and this new facility.

The floor space necessary for these courts could double as an area for other limited floor activities, or to provide a secure enclosed area when other major events are planned.

Thank you again for your consideration.

Sincerely,

Edward Manda
940 E 1264 Rd

PETEFISH

PETEFISH, IMMEL, HEEB & HIRD, LLP

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Olin K. Petefish (1912-2001)
Jeffrey O. Heeb (retired)

December 7, 2012

Dr. Bruce Liese, Chairman
Lawrence Douglas County Planning Commission
Mr. Scott McCullough
Director, Planning & Development Services
City of Lawrence
6 E. 6th Street
P.O. Box 708
Lawrence, Kansas 66044

via email: bruce@kansascitysailing.com

via email: smccullough@lawrenceks.org

Confirmed by first class mail

Re: Sports Village Project
December 10, 2012 Planning Commission Meeting
Agenda Item #4A Preliminary Plat for Rock Chalk Park, including
requested Variances
Agenda Item \$4C, Special Use Permit for Recreation Center

Dear Dr. Liese and Mr. McCullough,

It appears that this project has now morphed from a Sports Village to a venue for tractor pulls with alcohol sales. We represent Jack Graham, who owns and resides on 80 acres of land adjoining the East side of the proposed Rock Chalk Park project. As indicated in my letter of November 9, 2012, Mr. Graham objects to the use of GPI zoning for some of the uses advocated in the Staff Report and objects to the uses allowed by the Special Use Permit as suggested in the Staff Report.

Mr. Graham does not object to the use of the property for a sports and recreation facility. He does have some relatively minor requests with respect to the use of the facility for sports activities. However, the inclusion of unrestricted General Entertainment as an allowed use in a SUP within the GPI zoning would open the door to many uses that have absolutely nothing to do

with a sports village or recreation facility. Initially, the public was told that this project is a partnership between the City and KU Endowment and/or KU Sports for a recreation facility for the City of Lawrence and a sports facility for the University. There was no mention of other activities that have now crept into the project as “non-sport and non-athletic events.”

Examples of non-sport and non-athletic related events cited as appropriate in the Staff Report include “Music concerts, Festivals, Fairs, BBQ cook-offs, Farmers’ markets and Racing and vehicle exhibitions: BMX and Motocross racing, truck and tractor pulls, etc.” (emphasis added) This is not only a “bait and switch” from the sports village project that was sold to the public, but would allow uses that have no nexus to any Institution whatsoever by engaging in an absolutely tortured interpretation of the purpose of GPI zoning. The Commission should make it clear that “non-sport and non-athletic related” uses are not within the scope of a sports village or recreation facility and not approve those uses within the SUP.

1. The Special Events Permit is not the answer.

Staff’s answer is to kick the difficult question down the road for consideration in yet another process. The Staff Report suggests that the use of the facility for non-sport and non-athletic related events should require approval through the city’s Special Event Permit process. That process is not the appropriate answer and provides no protection for neighbors:

- The Special Event Permit process is not a legally available option. Special Event Permits are issued for “...the temporary use of private property for special events...” Code §6-1501. Rock Chalk Park will be publicly owned property; thus, the Special Event Permit is not even available under the Code.
- There is no requirement for notice to neighbors for Special Events permits. None.
- There is no opportunity for any public involvement in the issuance of Special Events Permits. Special Event Type 1 events don’t require a permit at all if the minimal standards are met. Code §6-1503. Special Events Types 2, 3, 4 and 5 may be issued administratively if certain conditions are met. Code §6-1504. Some Type 5 Events require City Commission approval, but that doesn’t require public participation.

2. The answer is to condition the SUP by excluding outdoor “non-sport and non-athletic” events.

There is no future step in the process that ensures the ability for Mr. Graham to even participate. And if the Planning Commission does not exclude non-sport and non-athletic events at this juncture, it is giving implicit approval of any future application for these activities.

As a major compromise, Mr. Graham will not object to non-sport or non-athletic events held inside the facilities. His objection is with respect to events held outside.

3. Conceptual approval of future uses – including the amphitheatre – should be deleted.

The Staff Report suggests that “Uses and facilities noted as ‘future’ are approved conceptually as shown the this SUP; however, the addition of the use will require submittal and approval of a revised SUP application through the SUP process...” “Conceptual approval” of some future use is inherently vague; it really adds nothing and means nothing in terms of the pending SUP and at worst, is highly prejudicial to the process for a future revised SUP.

The 5,000 seat amphitheatre should be deleted from the SUP as a “future use.”

4. The SUP should not allow alcohol sales.

The use of the facility for entertainment with alcohol sales is a 180 degree departure from the purpose of Rock Chalk Park, as explained to the public. The idea that this facility could be used for a tractor pull with alcohol sales is totally contrary to the manner in which the project has been represented to the public and repugnant to the concept of GPI zoning, i.e., institutional uses. Alcohol sales inevitably leads to elevated noise, trash and related problems. If this is a sports village, then alcohol sales should not be important.

5. The SUP should require fencing of the East property line.

Fencing of the East property line will help prevent the public from wandering through the adjoining properties. The proposed jogging trail runs along the East property line and in the absence of fencing, it would be easy for the public to detour through the adjoining woods.

1. The requested variance from the requirement to provide street connections should be granted with slight modification.

With respect to the requested variance from the requirement to provide street connections, George Williams Way should be extended to the Southwest corner of Mr. Graham’s property. That compromise will relieve the developer from extending George Williams Way all the way to the North property line, but will allow connectivity to at least the corner of Mr. Graham’s property.

CONCLUSION

We respectfully request the Planning Commission to take the following actions with respect to the SUP requested for Rock Chalk Park:

1. Exclude outdoor "non-sports and non-athletic" General Entertainment uses.
2. Delete "conditional approval" of future uses.
3. Exclude alcohol sales and consumption.
4. Require fencing on the East side of the property.
5. Require extension of George Williams Way to the Southwest corner of Mr. Graham's property.

The findings and conclusions in the Staff Report should be amended as follows:

AGENDA ITEM 4A:

STAFF RECOMMENDATION – VARIANCE FROM REQUIREMENT TO PROVIDE STREET CONNECTIONS; SECTION 20-810(e)(2)

Staff recommends approval of the variance requested from Section 20-810(e)(2) to allow the property to be platted and developed without requiring George Williams Way to be constructed to the north property line subject to the following conditions:

- 1) George Williams shall be extended North to the Southwest Corner of the adjoining property owned by Mr. Graham [or substitute the legal description].
- 2) An agreement not to protest the formation of a benefit district for the future extension of George Williams Way, including planting of street trees and installation of shared use path, shall be executed and recorded prior to the recording of the final plat.

AGENDA ITEM 4C:

SPECIAL USE PERMIT; RECREATION CENTER; W. 6TH ST & K-10 HWY

Staff recommends approval of the Special Use Permit SUP-12-00225 subject to the following conditions:

1. Provision of a revised plan with the following changes:

d. The bufferyard lengths shall be noted on the plan and a bufferyard landscaping table provided. Bufferyard landscaping, trees and shrubs, shall be noted in the table per standards in Section 20-1005. The plan shall include appropriate fencing along the East property line.

- i. Addition of the following notes:

~~_____ i. "Uses and facilities noted as 'future' are approved conceptually as shown on this SUP; however, the addition of the use will require submittal and approval of a revised SUP application through the SUP process, including a public hearing before the Planning Commission and approval by the City Commission."~~

~~***~~

~~_____ iii. "Alcohol sales and consumption are permitted on the premises with appropriate liquor licensing."~~

~~***~~

vi. "The use of the recreation center building, soccer field, softball field, and track stadium shall be unrestricted for sport and athletic event related activities. Sport and athletic event related activities include, but are not limited to, the following, whether at the intercollegiate or other level:

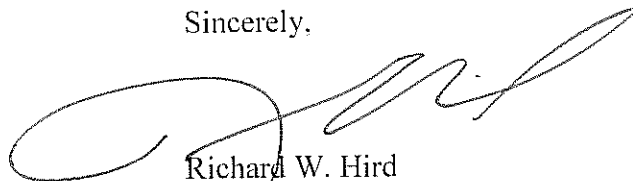
Non-sport and non-athletic related events, located inside enclosed buildings within the facilities or in the parking lots, shall require approval through the city's Special Event Permit process. Non-sport and non-athletic related activities, including for example, amphitheatres, are not permitted outside enclosed buildings, include, but are not limited to:

- ~~a. Music concerts;~~
- ~~b. Festivals;~~
- ~~c. Fairs;~~
- ~~d. BBQ cook-offs;~~
- ~~e. Farmers' markets;~~
- ~~f. Racing and vehicle exhibitions; BMX and Motorcross racing, truck and tractor pulls, etc."~~

I would be most appreciative if you would circulate this letter to the members of the Planning Commission. In accordance with the Bylaws of the Planning Commission, I will recuse myself from the discussion and vote on these agenda items and another member of our firm will appear on behalf of Mr. Graham.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Richard W. Hird
Petefish, Immel, Heeb & Hird, LLP

From: lauri di routh [mailto:lauridi@hotmail.com]
Sent: Monday, December 10, 2012 8:52 AM
To: Sheila Stogsdill
Subject: Comments for planning commission meeting 12/11/12

Ms. Stogsdill,

Please accept these comments for tonight's Planning Commission meeting. I respectfully request that these be shared with the Planning Commissioners and staff, and be included in the public record for tonight's meeting.

Please note that my comments herein are not intended to represent any organization or group. I offer these comments solely as an individual citizen and taxpayer.

RE: Long range planning work program, as submitted to the planning commission by Scott McCullough in November 2012.

I wish to express my concern about the City and County opting to postpone implementation of the environmental chapter of H2020 to a work schedule beyond 2013. This plan was crafted over the course of several years, and both citizens and the Sustainability Advisory Board play a role. I am troubled that this plan is being mothballed, at a time when we need it most. Given the current drought and its impact on both the built and natural environment, tending to our community's natural resources is more important now than ever. I ask that the PC make implementation of the environmental chapter of H2020 a priority for 2013.

RE: Variances requested for the site plan and plat of the proposed Rock Chalk Village Park

I am troubled to see that the developer is requesting variances to the street connection requirements of the code, and also the sidewalk requirement of the code. Both of these items are integral to the City's Complete Streets plan, which was recently approved. While I appreciate the developer's stated intention of preserving trees on the property, without an inventory of said trees or any requirement for monitoring of tree preservation or removal during project construction, using trees as an excuse to minimize developer costs seems a bit disingenuous. In regard to street connectivity, it seems to me that allowing George William Way to remain a dead end street at the north end creates a bottleneck for the City's future rec center, and may create massive traffic problems on the property when large events are held at the KU facilities. At the very least, this variance should be reviewed and vetted, first, by traffic planners, to assess its impact. I believe that the requirements for sidewalks on both sides of the street should be upheld, and the developer's request for variances denied.

RE: Diamondhead Neighborhood Comments

I support the Diamondhead Neighborhood's right to preserve the nature and safety of their neighborhood. I ask that the PC reject the Landplan plat proposal as it would greatly expand the development of duplex and multifamily residential dwellings in this area, to the detriment of the existing neighborhood.

RE: planning commission packet structure

In reviewing the packet for this week's meeting, it is noted that the packet size of 57 MB makes it very difficult to load and open on a standard home computer. I had several people tell me that they had not even tried to do so, for fear that it would crash their computer system. While I understand that the files therein are large, I would like to see the PC use the City Commission's method of transmitting meeting information, using imbedded, topic-specific links on the agenda. This way, individual topic information can be opened and reviewed without the need to download the entire packet of 50+ MB of information. By breaking the packet up into manageable chunks, it will make it easier for the public to access needed information and share with others who may wish to comment. Certainly, the PC wants to engage and solicit feedback from the public. I believe that the best way to do this would be to use imbedded links on the agenda, thereby reducing an evident barrier to accessing information.

I appreciate your consideration of my comments.

Sincerely,

Laura Routh
2235 East Drive
Lawrence, KS
979-3918

Memorandum

City of Lawrence

Planning Department

TO: Lawrence Douglas County Planning Commission

FROM: Planning Staff

CC: Applicant

Date: December 10, 2012

RE: Communications received regarding Langston Heights Development.

PP-12-00228: Preliminary Plat Langston Heights Subdivision
Z-12-00231: UR to RS7
Z-12-00229: UR to RM12D
Z-12-00232: UR to RM12

Staff received several communications, phone calls and meeting requests regarding the proposed development of 27 acres located west of the Diamondhead Subdivision and northwest of Langston Hughes Elementary School. The following is a summary of the communications received to date.

- Michael Whittlesey, 6209 Crystal Lane – Email to staff.
- Matt Gudenkauf, 6204 Crystal Lane - Email to Rick Hird.
- Mark Crabtree, 820 Andrew John Drive - letter to staff.
- Andy and Debbie Pitts, 6212 Palisades Drive – multiple letters to staff.
- Dennis Tate, 6205 Crystal Lane– Requested meeting with staff.
- Ryan, Tiffany, Lillian and Jackson Fike, 6201 Crystal Lane – letter to staff.
- Ziufen Bi and Gary Jing, 824 Diamond Head Drive – letter to staff.
- Carisa, Dustin, Avery and Sydney Stejskal, letter.
- Rod Laing, resident.
- Edward and Colleen Burrichter, 6113 Palisades Drive – letter to staff.
- Diamondhead Power Point
- League of Women Voters Letter
- Laura Routh letter

Meeting with staff on November 30, 2011 included: Linda Herbel, Dennis Tate, Carisa Stejskal, Matt Gudenkauf, Michael Whittlesey, Lew Hanna, Rod Lang, Andy Pitts.

Residents of the subdivision to the east of the subject property expressed the following concerns:

1. Diamondhead residents purchased property and built homes with an expectation that the subject property would be developed with detached residential uses per the approved 2005 zoning and final plat.
2. Existing traffic in neighborhood is congested especially when school is dismissing. Residents expressed concern that the proposed development would exacerbate the existing traffic congestion.
3. School traffic backs-up traffic along George Williams Way.
4. "High-density" development should not come through a low-density area and should be required to access an arterial street.
5. Construction traffic to new area will affect neighborhood by using local streets.

6. Any development of multi-dwelling along the highway should be required to have access to Bob Billings Parkway to the south
7. Undeveloped land should be allowed only one level of "up-zoning."