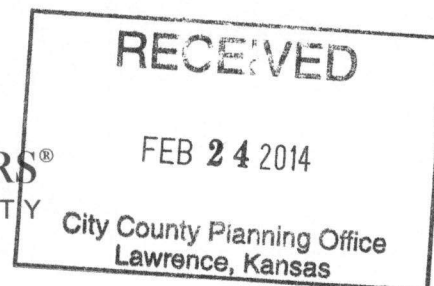


LEAGUE OF WOMEN VOTERS®  
OF LAWRENCE/DOUGLAS COUNTY

February 23, 2014



To Mr. Bryan Culver, Chairman, and Planning Commissioners  
Lawrence-Douglas County Metropolitan Planning Commission

ITEM NO. 4 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; PARTICIPANT  
SPORTS & RECREATION,

OUTDOOR USES WITH SUP IN CN2

ITEM NO. 5B: SPECIAL USE PERMIT; FAMILY FUN CENTER; W. 24TH PLACE AND  
INVERNESS DRIVE

ITEM NO. 5C: SPECIAL USE PERMIT; FAST ORDER FOOD WITH DRIVE-THRU; 4300 W 24TH  
PLACE

Dear Chairman Culver and Planning Commissioners:

For many reasons, we request that you **not** approve Items No. 4, 5B and 5C.

The CN districts are neighborhood commercial districts and were designed to provide goods and services for the immediate neighborhoods where they are located. The recreational uses that will be permitted, if the **Text Amendment, Item No. 4** is approved, permit the type of commercial outdoor recreational uses that have multiple environmental and planning ramifications. We believe that the likely negative impacts of these proposals have not been adequately reviewed in the Staff Report, and when carefully considered, would lead to the conclusion that because of these possible outcomes, they should not be included as permitted uses in the CN districts, even with a SUP.

1. The applicant has indicated the proposed uses in his report to the Staff. The **noise levels** of the outdoor uses, specifically the batting cages, Go-Karts, and shouting customers, cannot be buffered.

2. The lights will not be able to be properly screened. Although the lights may shine down, the reflections cannot be shielded.

3. The intensity of the traffic can be predicted to be worse at times than would be the case for normal shopping areas.

4. In terms of the planning considerations, the recreational use and the drive-ins **will absorb all of the available commercial space** so that the uses really needed by a neighborhood such as a drug store, grocery store, sit-down restaurant, and the other uses for which the CN2 District was intended, will not be possible. The Comprehensive Plan severely limits the amount of recreational space for the Neighborhood Centers and the CC200 Centers for this reason (please see **Chapter 6**

**of Horizon 2020, page 6-12, paragraph 2 under the Section, "Recreational Uses."**)

5. The type of outdoor commercial recreation proposed to be permitted here with the SUP we believe belongs in more regionally based commercial districts; that is, the CC4 or CC6 Districts. The more logical location for this type of use would be in the larger shopping center or centers close to the Rock Chalk Park, or for that matter, in the Rock Chalk Park itself.

*Co-President*  
David Burress

*Co-President*  
Cille King

*President-Elect*  
Cille King

*Vice President*  
marci francisco

*Secretary*  
Caleb Morse

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James Dunn

Ruth Gibbs

Midge Grinstead

Marlene Merrill

LEAGUE OF WOMEN VOTERS®  
OF LAWRENCE/DOUGLAS COUNTY  
Page 2

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For the same reasons, **we ask that you not approve the SUP for Item No. 5B.**

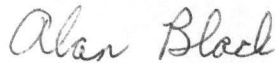
**We also ask that you not approve Item No. 5C, the SUP for the Fast Order Food With Drive-Thru use.** The Fast Order Food With Drive-Thru use would be much more intense than under normal circumstances because the clientele of the recreation center would add to the customer base. The use, itself, was not anticipated for CN districts under normal circumstances because of the increase in traffic and clutter that it would bring, and the combination of fast food drive-thru plus the outdoor commercial recreation center here could do real damage to the neighborhood.

Again, we appeal to the Planning Commission to deny Items 4, 5B, and 5C.

Sincerely yours,



Cille King, President



Alan Black, Chairman  
Land Use Committee

**From:** Deborah M. Galbraith [<mailto:dgalbraith@waverly-partners.com>]

**Sent:** Monday, February 24, 2014 9:49 AM

**To:** 'amalia.graham@gmail.com'; 'montanastan62@gmail.com'; 'jonjosserand@gmail.com'; 'pkelly@usd497.org'; 'bculver@bankingunusual.com'; 'denney1@sunflower.com'; 'squampva@aol.com'; 'clay.britton@yahoo.com'; 'bruce@kansascitysailing.com'; 'eric.c.struckhoff@gmail.com'

**Subject:** OPPOSITION to Proposed Development for corner of Inverness and Clinton Parkway

Dear Planning Commissioners – This email is to voice my opposition to the proposed Family Fun Center development project at the corner of Inverness and Clinton Parkway in west Lawrence. I am not opposed to such a center as I believe in general it could be a nice leisure alternative, however think that the placement of such a facility within two blocks of four schools is NOT a wise idea. In addition to the proposal that would allow alcohol be served, the increased traffic in the area would be a hazard. Moreover, I have never seen a development such as this placed squarely in the middle of a residential neighborhood.

I am unable to attend the planning meeting tonight due to previous commitment that cannot be changed so thank you for providing a vehicle to voice opposition to the plan.

Debbie Galbraith  
4205 Nicklaus Drive

**From:** Katie Huff [<mailto:kayteekate@hotmail.com>]

**Sent:** Sunday, February 23, 2014 10:58 PM

**To:** Bryan C. Culver; [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjosserand@gmail.com](mailto:jonjosserand@gmail.com); [pkelly@usd497.org](mailto:pkelly@usd497.org); [denny1@sunflower.com](mailto:denny1@sunflower.com); [squampva@aol.com](mailto:squampva@aol.com); [dcbritt@yahoo.com](mailto:dcbritt@yahoo.com); [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)

**Subject:** Planning Commission Meeting

Dear Planning Commissioners,

We are writing you with concern and opposition to several items to be discussed at your meeting on Monday, February 24th. We are **opposed** to Item 4, Item 5A, Item 5B, and Item 5C.

We are a family with three small children, so we are not opposed to a "Family Fun Center"; in fact, we believe Lawrence could use a place like this. But we **strongly disagree** with it being built in the middle of a residential area. We own a house at 4424 Gretchen Ct and enjoy the quiet, family and school focused neighborhood that this area provides. But we believe with the addition of this proposed "Family Fun Center", it would dramatically change our neighborhood. We are opposed to the noise, traffic, alcohol near schools, lights, and late night hours that this place would promote. This is not the right location for this type of facility.

Please understand our concerns.

Thank you.

Dustin & Katie Huff

4424 Gretchen Ct

**From:** Michele Vignola-Rogers [<mailto:mvr@sunflower.com>]

**Sent:** Sunday, February 23, 2014 7:28 PM

**To:** [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [jonjosserand@gmail.com](mailto:jonjosserand@gmail.com); [pkelly@usd497.org](mailto:pkelly@usd497.org); Bryan C. Culver; [denney1@sunflower.com](mailto:denney1@sunflower.com); [squampva@aol.com](mailto:squampva@aol.com); [clay.britton@yahoo.com](mailto:clay.britton@yahoo.com); [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)

**Subject:** Family Fun Center

Dear City Planning Commissioners,

This letter is in regards to the Family Fun Center that is being considered for W 24<sup>th</sup> Place between Crossgate and Inverness Drives. As I was reading through the article regarding this project I was struck by a number of issues. First, why there? We have land further away from all of the apartments, houses and schools in the area to build this. Why create more noise, lights and traffic in an area that is not empty by any means? That area has plenty of housing and people who prefer it the way it is. I agree that we do need a Family Center - there is no question that we are lacking places for pre-teens and teens to go and hang out that is safe and fun, but to crush it into a development of houses and apartments where the average family is going to be subjected to the loud and often obnoxious teenage behavior that comes with a place like this seems counterproductive. Moreover, this is a college town which means this will not cater to just the elementary, middle school and high school kids, but also the college population. This means that although the place may close at ten or midnight - the noise will continue well into the late night/early morning hours especially if alcohol is going to be served.

Second, I do not understand the need for a BAR at a Family Fun Center. If a person cannot have fun with their children without alcohol, then maybe help is necessary, but certainly not a bar. Alcohol and places like this should NOT exist together. We have plenty of bars in this town and no matter what little alcohol is in the beer - it's still beer and people can still get drunk and drive. Of course lighting is a huge issue and I can't imagine how any form of boundary is going to block the lighting of a batting cage area (unless it is indoors). I grew up with batting cages and miniature golf near my house in NJ and I can assure you that the lighting required for the batting cages and miniature golf (if it is an outdoor venue) is incredibly bright (almost like daylight) - imagine that at 10:00 p.m. when you are trying to put a child or yourself to bed. The noise is another factor, the Go-Karts are only a part of it - usually a place like this will have music blaring and people talking over the music and shouting at one another (profanity and all). I recommend that the City Planning Commissioners visit a place like this in a larger city where it is close to housing and see what the effects are. I remember hanging out at our batting cages until midnight or later and the music blaring across the fields while the lights lit up the whole area - you could see the lights from the highway - three miles away. However, we were lucky - our Fun Center was out in the woods nowhere near homes or apartments. This might be something you could consider when picking a spot for this type of venue. If it is there - people will come - and they will drive ten minutes to get there - it is not necessary to put this in the center of family living, you'll decrease the value of homes and most of the apartments will be empty or rent below average because no one will pay to live by a venue such as this. At first it may seem a great idea to live by such a place, but it won't take long before people realize the mistake they've made and move to get away from the traffic, noise and constant activity that lasts into the late hours.

A third concern has to do with security. I remember the old Putt-Putt from 20 years ago and the roller rink (which is now Kohls) and a big problem was security or lack thereof. When you open a place like this in a college town, you MUST have very good security - not rent-a-cops, but security. A security group that can keep people in line and behaving in crowds that can get a bit rowdy especially if alcohol is involved. Underage drinking is a huge problem in Lawrence and this place serving alcohol will not help the issue. But the right security can help. In NJ our places used off duty police officers or trained bouncers - Lawrence is no longer a small town - it is no longer a small community. Guns, knives, and drugs are growing and a place like this can attract that type of element and security is where it stops. So, please if you vote this project in - please take into consideration that a place like this is great when it is open and doing what it is supposed to do, it's no good to anyone if it's shut down due to violence, drugs or gang activity - it just becomes another empty building on another piece of land which this town cannot afford to have.

Thank you for taking the time to read this e-mail and considering the points. I live near this piece of land and I am very opposed to this project being built so close to us and our extended family. We enjoy the quiet.

Sincerely,  
Michele Vignola-Rogers

**From:** Mark Simpson [<mailto:markandrewsimpson@yahoo.com>]

**Sent:** Monday, February 24, 2014 8:58 AM

**To:** Caitlyn Cargill

**Subject:** Comments regarding 4300 W. 24th Place

Planning Commissioners,

I write you with concerns about agenda items 4, 5A, 5B, and 5C regarding the proposed development at 4300 W. 24<sup>th</sup> Place. My family and I live at 4305 W. 26<sup>th</sup> Terrace and my daughter attends preschool at Raintree Montessori at 4601 Clinton Parkway. When she begins kindergarten she will attend Sunflower Elementary School at 2521 Inverness Drive.

My main concern with the proposed development is the increase in traffic on Inverness and surrounding streets. It appears to me that the one lane traffic circle at 24<sup>th</sup> Place and Inverness is already close to full capacity. My understanding is that the proposed development may include fast food restaurants. When I see the constant flow of traffic into the McDonalds at 6<sup>th</sup> and Wakarusa it convinces me that multiple fast food restaurants at 4300 W. 24<sup>th</sup> Place would create traffic gridlock. At peak hours my guess is that the roads and traffic circle could not handle the traffic from the apartments, the schools, and two fast food restaurants.

Also, I do not think that the proposed development is consistent with the surrounding neighborhood. The proposed development seems more appropriate for an area that is not right next to residential areas. I have doubts about how much meaningful noise and light mitigation is possible given the extremely close proximity to residences.

Thank you for taking my concerns into account and for your service on the Planning Commission. I sincerely appreciate the time and effort you put into the consideration of this and other important issues for our community.

Respectfully,

Mark Simpson

**From:** Luke Sinclair [<mailto:sincluke@gmail.com>]

**Sent:** Friday, February 21, 2014 11:20 AM

**To:** Bryan C. Culver; [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjosserand@gmail.com](mailto:jonjosserand@gmail.com); [pkelly@usd497.org](mailto:pkelly@usd497.org); [denny1@sunflower.com](mailto:denny1@sunflower.com); [squampva@aol.com](mailto:squampva@aol.com); Clay Britton; [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)

**Cc:** Lori Sinclair

**Subject:** Opposition to Agenda Items 4, 5A, 5B, 5C for 2/24 PC Meeting

Dear Planning Commissioners:

My wife (Lori Sinclair) and I are the own and live at 4400 W. 24<sup>th</sup> Pl., which is directly across Inverness from the potential family fun center and fast-food drive-thru restaurant development. Items 4, 5A, 5B, and 5C on the Commission's agenda for the February 24<sup>th</sup> meeting are geared toward enabling this development. We write to oppose it all.

We purchased our home in 2008 because we loved the property and we were attracted to the quiet, appealing nature of the neighborhood, the proximity to neighborhood schools, and the ease of access to outdoor recreation. We take pride in our home and have invested capital to maintain and improve both the inside and outside appearance of our house and property, and we take advantage as much as we can of the benefits of living where we do. We believe the proposed development will interfere with, disrupt, and degrade our quality of life and the value of our property, as well as our neighbors'.

To be clear, we have strong doubts as to the long-term viability of a go-kart, mini-golf entertainment center in Lawrence, but we are not generally opposed to it. But we all have to be smart about it and take into consideration the adjoining properties and owners. We think this proposed development at this particular location is ill-advised for several reasons. First, it will not provide any additional meaningful benefit to our area. This development is being proposed – and the text amendment, rezoning request, and special use permits are being sought – primarily on the basis that the development will provide services to us and our neighbors that are otherwise lacking in our area. This is simply untrue. Our neighborhood enjoys some of the best access in Lawrence to outdoor recreation. Walking trails, bike trails, tennis courts, playgrounds, a running track, soccer fields, softball and baseball fields, batting cages, Clinton Lake, the Pat Dawson Billings Nature Area, the Rotary Arboretum, and more, are all within a short walk/run/bike ride and even shorter drive of our neighborhood. Access to and use of most of these is free. Paid access to go-karts and mini-golf provides absolutely no additional outdoor recreational benefit to us.

Second, the development isn't suited for our quiet, school-centered residential area. We've never seen an outdoor family fun center or fast-food drive-thru restaurants in the middle of a residential area, and there's reason for that. It doesn't make sense. The development will bring increased traffic, in this case potentially by people who have been enjoying 3.2 beers, which we fear will increase the risk to the children that walk and play on our sidewalks and streets. Additionally, the streets can't take additional traffic, especially the roundabout outside our house on Inverness and 24<sup>th</sup> Place. The development will drastically increase the amount of noise and light pollution, given the nature of the activities and the hours of operation the developer envisions. With groups of people engaging in competitive activities and potentially drinking alcohol, it's reasonable to believe there will be late-night, disruptive rowdiness. Additionally, we don't think it's a good idea to have a bar in such close proximity to four schools and multiple day-cares. Finally, we can't say enough that there is no reason that we or our neighbors should have to breathe the noxious smells that would emanate from a fast-food restaurant and its garbage dumpsters. It's unreasonable to assert that a small land buffer would adequately address any of these issues. We understand that it's easy for the planning staff to assert, without any real analysis or study, that a drive-thru restaurant would not result in "substantial diminution" of our property value, but we'd invite them to tell us if they know of anyone that would be



truthfully interested in buying a house in a residential neighborhood directly across the street from a drive-thru fast food restaurant.

More generally, we have concerns about the long-term viability of the fun center. Can Lawrence truly sustain it? Who is the target group? If it's college kids, they're gone for the summers. Is it school students? Having been students in a metropolitan area with access to mini-golf and go-karts, we can both personally attest to the fact that these activities just don't have permanent appeal. Once or twice is enough. The problem Lori and I have is that if the fun center fails, we would be the ones left with a view from our front porch, living areas, and second-story bedrooms of an abandoned, run-down family fun ghost town.

Finally, without limiting our general opposition to this development and all four agenda items above, we'd like to specifically address the requested text amendment. It's being proposed as one of four steps in the process of putting the family fun center in our neighborhood. A text amendment to the Development Code to generally allow for outdoor recreation through an SUP in all CN2 areas in Lawrence is a drastic step that ought to be weighed against the relative importance or benefits of the fun center and the costs and effects on adjoining landowners. We don't think it does, and it certainly doesn't appear that the text amendment satisfies the factors in Section 20-1302(f).

First, we don't believe the text amendment is consistent with Horizon 2020 and the Development Code, at least with respect to our neighborhood and the other adjoining landowners. The Development Code is intended to implement Horizon 2020 in a way that "protects, enhances and promotes the health, safety, and general welfare of the citizens of Lawrence." As currently drafted the Development Code doesn't allow for outdoor participant recreational use in either RSO or CN2, even with an SUP. It doesn't appear anyone believes this was a mistake, and we ought to assume the Development Code was adopted the way it was for good reason. In our situation it certainly makes sense because, for the reasons laid out above, a commercial fun center does not fit in our residential area. We don't believe changing the rules to allow this particular fun center across the street from our house is in the spirit of protecting, enhancing, or promoting the health, safety, and general welfare of us or our neighbors.

As to the other factor, the text amendment doesn't purport to fix an inconsistency or error in the development code. Rather, it's said to meet the challenge of a changing condition; specifically, an increased emphasis on creating a healthy environment for residents. We question how mini-golf, go-karts, arcade games, and a bar create a healthy environment. However, to the extent they do, the development would be better suited in an area that doesn't already have spectacular pedestrian/bike access to trails, parks, and other outdoor recreation. Perhaps in that case it could be said that a challenge was being met by the text amendment, but that's just not true as it pertains to our area.

Thank you,  
Luke and Lori Sinclair  
4400 W. 24<sup>th</sup> Pl.  
Lawrence, KS 66047



**From:** Bob Grabill [<mailto:bgrabill@chiefexec.com>]

**Sent:** Monday, February 24, 2014 10:19 AM

**To:** [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjosserand@gmail.com](mailto:jonjosserand@gmail.com); [pkelly@usd497.org](mailto:pkelly@usd497.org); Bryan C. Culver; [denney1@sunflower.com](mailto:denney1@sunflower.com); [squampva@aol.com](mailto:squampva@aol.com); [clay.britton@yahoo.com](mailto:clay.britton@yahoo.com); [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)

**Subject:** Proposed development

We understand that there is a proposed development including a go kart track close to our home in Alvamar.

Nothing could drive down home values faster not to mention disrupt sleep of we and our neighbors than this project.

We ask that you please not approve this.

Thank you,  
Bob & Jennifer Grabill  
2027 Hogan Ct.  
(Masters Subdivision)

**Bob Grabill** | President & CEO 

**Chief Executive Network** | phone: 785.832.0303 Ext. 102 | [bgrabill@chiefexec.com](mailto:bgrabill@chiefexec.com)  
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**From:** Steve Clark [<mailto:sclark@sunflower.com>]

**Sent:** Monday, February 24, 2014 10:18 AM

**To:** Bryan C. Culver; [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjosserand@gmail.com](mailto:jonjosserand@gmail.com); [pkelly@usd497.org](mailto:pkelly@usd497.org); [denney1@sunflower.com](mailto:denney1@sunflower.com); [squampva@aol.com](mailto:squampva@aol.com); [dcbritt@yahoo.com](mailto:dcbritt@yahoo.com); [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)

**Subject:** Proposed Family Fun Center

Planning Commission Members,

Our neighbors Luke and Lori Sinclair have summed up our feelings on this matter almost perfectly. But to add our own thoughts...

We are certainly in support of small locally owned businesses having the opportunity to start, thrive and grow. This however is a bad idea doomed to fail almost immediately. Not only is it a bad idea, but it is a bad location for a business of this sort period. Factor in everything the Sinclairs have said about why it's bad for our neighborhood, but it's just a stupid location for a business of this sort.

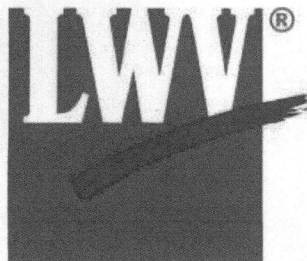
What would make anyone think a go-cart track in Lawrence Kansas is going to thrive? Take a drive through Branson MO, the capital of family tourism in this part of the country and umpteen of these are sitting idle and deteriorating. How do I know? I've only been traveling there on business monthly for the past 27 years! We do not have the tourism to even try to support this type of business, let alone off the beaten path in a residential neighborhood.

The Clinton Parkway and Inverness intersection as well as the 24th Place and Inverness Roundabout on down to the Crossgate and 24th Place roundabout have far too much traffic with all of the "student" apartments, school traffic and access to the Wakarusa and K10 entrance. Having said this, this a residential neighborhood and not an entertainment district. Our neighborhood does not need any more traffic, let alone late night traffic or the light pollution that would come with this.

Please find a more suitable location for this type of business like near the K10 and 6th Street interchange. We welcome reasonable development on this plot such as light commercial office space which operates with a minimum of traffic during normal business hours.

Thank you for your consideration on this matter.

Steve and Tami Clark  
4425 W 24th Pl



LEAGUE OF WOMEN VOTERS®  
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED

APR 21 2014

City County Planning Office  
Lawrence, Kansas

To Mr. Bryan Culver, Chairman, and Planning Commissioners  
Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEMS NO. 8, 9A, 9B, & 9C, TEXT AMENDMENT AND SUP FOR  
PARTICIPANT SPORTS AND OUTDOOR RECREATION USES and FAST ORDER  
FOOD WITH DRIVE THROUGH.

Dear Chairman Culver and Planning Commissioners:

Please see the letter attached that we wrote to you regarding the Text Amendment to allow  
Participant Sports and Outdoor Recreation Uses in the CN2 District. Included are our  
comments on the rezoning and the Special Use Permits as applied to the subject tract in  
Inverness Park.

We would like to emphasize the points made in that letter against this Text Amendment  
as well as against permitting the Outdoor Participant Sports uses and Fast Order Food  
Drive-Through in the subject tracts.

In view of this recent proposal and the staff recommendations, we also suggest that  
rezoning the CN2 District to the subject location submits the neighborhood in the future  
to this and other unsuitable uses. Consequently, we hope you will consider the following  
additional comments.

1. We ask that you deny the rezoning of the subject tract to the CN2 District. In  
the future, before reconsidering any rezoning for the subject tract, the ten acres  
allotted to that tract for the CN2 District in the Inverness Park District Plan should  
be reduced to 5 acres to permit an RSO rezoning and use to take up the remaining  
acreage.
2. Any rezoning for that area should specifically limit the ordinance to the  
suggestions and approval of the Inverness Park neighborhood to allow only those  
uses needed by the residents.

Sincerely yours,

Alan Black, Chairman  
Land Use Committee

Cille King  
President

  
*Attachment*

Co-President  
David Burress

Co-President  
Cille King

President-Elect  
Cille King

Vice President  
marci francisco

Secretary  
Caleb Morse

Treasurer  
Marjorie Cole

Directors  
Margaret Arnold

Caroljean Brune

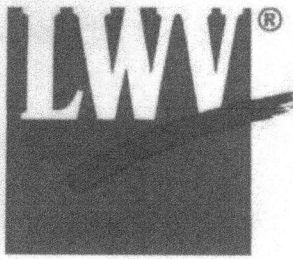
Scott Criqui

James Dunn

Ruth Gibbs

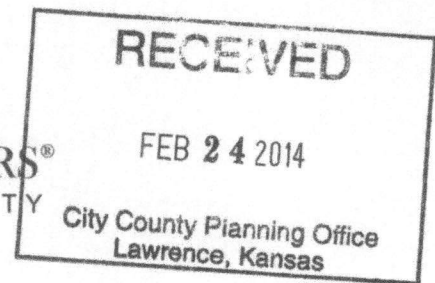
Midge Grinstead

Marlene Merrill



LEAGUE OF WOMEN VOTERS®  
OF LAWRENCE/DOUGLAS COUNTY

February 23, 2014



To Mr. Bryan Culver, Chairman, and Planning Commissioners  
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PLACE

Dear Chairman Culver and Planning Commissioners:

For many reasons, we request that you **not** approve Items No. 4, 5B and 5C.

The CN districts are neighborhood commercial districts and were designed to provide goods and services for the immediate neighborhoods where they are located. The recreational uses that will be permitted, if the **Text Amendment, Item No. 4** is approved, permit the type of commercial outdoor recreational uses that have multiple environmental and planning ramifications. We believe that the likely negative impacts of these proposals have not been adequately reviewed in the Staff Report, and when carefully considered, would lead to the conclusion that because of these possible outcomes, they should not be included as permitted uses in the CN districts, even with a SUP.

1. The applicant has indicated the proposed uses in his report to the Staff. The **noise levels** of the outdoor uses, specifically the batting cages, Go-Karts, and shouting customers, cannot be buffered.

2. The lights will not be able to be properly screened. Although the lights may shine down, the reflections cannot be shielded.

3. The intensity of the traffic can be predicted to be worse at times than would be the case for normal shopping areas.

4. In terms of the planning considerations, the recreational use and the drive-ins **will absorb all of the available commercial space** so that the uses really needed by a neighborhood such as a drug store, grocery store, sit-down restaurant, and the other uses for which the CN2 District was intended, will not be possible. The Comprehensive Plan severely limits the amount of recreational space for the Neighborhood Centers and the CC200 Centers for this reason (please see **Chapter 6**

**of Horizon 2020, page 6-12, paragraph 2 under the Section, "Recreational Uses."**)

5. The type of outdoor commercial recreation proposed to be permitted here with the SUP we believe belongs in more regionally based commercial districts; that is, the CC4 or CC6 Districts. The more logical location for this type of use would be in the larger shopping center or centers close to the Rock Chalk Park, or for that matter, in the Rock Chalk Park itself.

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Cille King

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Page 2

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For the same reasons, **we ask that you not approve the SUP for Item No. 5B.**

**We also ask that you not approve Item No. 5C, the SUP for the Fast Order Food With Drive-Thru use.** The Fast Order Food With Drive-Thru use would be much more intense than under normal circumstances because the clientele of the recreation center would add to the customer base. The use, itself, was not anticipated for CN districts under normal circumstances because of the increase in traffic and clutter that it would bring, and the combination of fast food drive-thru plus the outdoor commercial recreation center here could do real damage to the neighborhood.

Again, we appeal to the Planning Commission to deny Items 4, 5B, and 5C.

Sincerely yours,

*Cille King*

Cille King, President

*Alan Black*

Alan Black, Chairman  
Land Use Committee