

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Public Hearing Item**

PC Staff Report  
4/23/14

**ITEM NO. 9C: SPECIAL USE PERMIT; FAST ORDER FOOD WITH DRIVE-THRU; 4300 W 24<sup>TH</sup> PLACE (SLD)**

**SUP-14-00026:** Consider a Special Use Permit for a *Fast Order Food with Drive-Thru* as part of the future commercial pad site development, to be located on the west portion of property located at 4300 W 24<sup>th</sup> Place. Submitted by Paul Werner Architects, for Corporate Holdings II LLC, property owner of record.

**Updates to the zoning report from the February version are shown in bold purple.**

**STAFF RECOMMENDATION:** Planning Staff recommends approval of a special Use Permit for *Fast Order Food with Drive-Thru* as part of a future commercial development located at 4300 W 24<sup>th</sup> Place and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Approval contingent on approval of rezoning to CN2.
2. Prior to release of the site plan for issuance of a building permit the applicant shall;
  - a. Submit a revised Special Use Permit (site plan) to include building elevations demonstrating compliance with the Commercial Design Guidelines and a photometric plan per section 20-1103 per staff approval.
3. Provision of a revised site plan to include the following notes and changes
  - a. Revise note 1.7 to state that a photometric plan per section 20-1103 shall be submitted for review and approval prior to release of the Special Use Permit for issuance of a building permit.
  - b. Provision of a note on the face of the plan that limits the number of *Fast Order Food Drive-Thru* uses for this property to one (1). Any additional *Fast Order Food Drive-Thru* uses for this property shall require approval of a Special Use Permit prior to construction.
  - c. Provision of a revised site plan that reduces the total off-street parking and/or provides a plan for best management practices per 20-901 (c) and per the approval of the City Stormwater Engineer.
  - d. Provision of a revised landscape plan that shows shrubs along the off-street parking spaces adjacent to W 24<sup>th</sup> Place.
  - e. Provision of a note on the plan that states: Operating hours for Drive-Thru operation shall be restricted to 11:00 P.M. Sunday –Thursday and midnight on Friday-Saturday
4. ~~Prior to the Consideration of this Special Use Permit by the City Commission the applicant shall submit a revised site plan that provides pedestrian connections, pedestrian amenities, and buffer yard treatment along Inverness Drive and at the intersection of Inverness Drive and W. 24<sup>th</sup> Place consistent with the recommendations in the Inverness District Plan.~~ **This condition is not needed with this revision.**
5. ~~Operating hours for Drive-Thru operation shall be restricted to 11:00 P.M. Sunday –Thursday and midnight on Friday-Saturday.~~ **Revised as condition 3e in this report.**

**Applicant's Reason for Request:** *A fast order food with drive-through is proposed for the site.*

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### **ASSOCIATED CASES/OTHER ACTION REQUIRED**

ASSOCIATED ITEMS BEING CONSIDERED AT THE FEBRUARY PLANNING COMMISSION MEETING:

- TA-13-00488; Special Use in CN2 District – applies to the overall project but does not apply to this specific application.
- Z-13-00483; RSO to CN2
- SUP-13-00486; Family Fun Center
- **SUP-14-00026; Retail/restaurant uses with drive-thru**

### **Other Action Required**

- City Commission approval of rezoning and adoption of ordinance.
- City Commission approval of Special Use Permit and adoption of ordinance.
- Publication of rezoning ordinance.
- Submission and approval of a site plan for compliance with commercial design guidelines, and photometric plans and any other conditions of approval.

### **KEY POINTS**

- This application is intended to secure the conceptual design of a future commercial development with drive-thru uses.
- Specific tenants are not identified at this time.
- A Special Use Permit is required for drive-thru uses for Fast Order Food in the CN2 District. Other retail drive-thru uses such as a pick up window or bank teller window, not subject to a Special Use Permit.

### **PUBLIC COMMENT RECEIVED PRIOR TO PRINTING**

- Inquiries via phone regarding proposed development.
- Communication from Wimbledon Terrace Townhomes Association

### **ATTACHMENTS**

1. Area Map
2. Inverness Park Neighborhood Land Use Plan
3. Site Plan
4. **Applicant letter updating changes dated 4.1.14**

### **GENERAL INFORMATION**

Current Zoning and Land Use: RSO (Residential Office) District, undeveloped.

Surrounding Zoning and Land Use: To the northwest/west:  
RM12 (Multi-Dwelling Residential District) a church and duplexes are located west and northwest of the subject property.

To the southwest:  
RS7 (Single-Dwelling Residential) District a subdivision of single family residences is located southwest of the property to the west of Inverness Drive.

GPI (General Public and Institutional) District; elementary and middle schools located farther southwest along Inverness Drive.

To the south:

PRD-[The Grove] and PRD-[The Legends at KU]; multi-dwelling residences.

To the north:

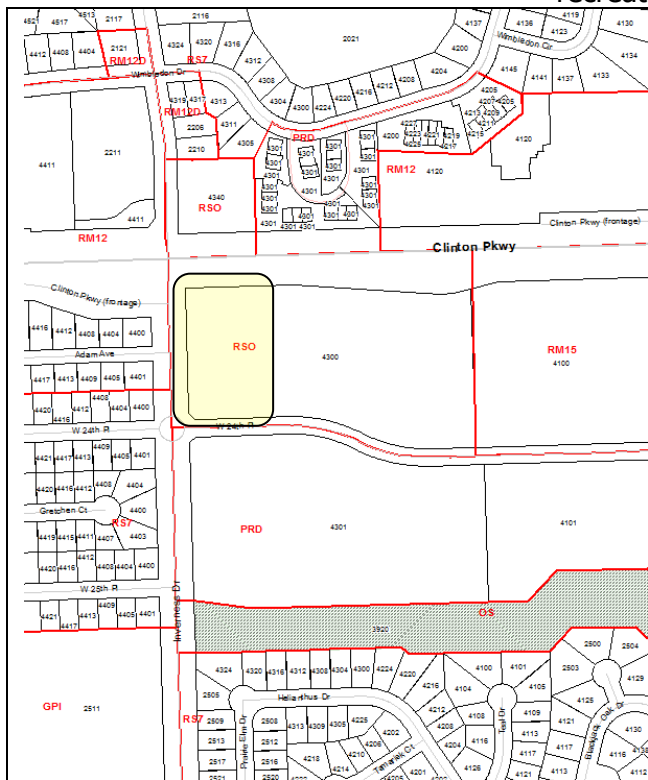
RM12 (Multi-Dwelling Residential) District: Bishop Seabury Academy campus.

PD-[Wimbledon Terraces PRD]: existing multi-dwelling townhouse residential development.

RSO (Single-Dwelling Residential-Office) district; Clinton Parkway Animal Hospital.

To the east:

RM15 (Multi-dwelling Residential) District; multi dwelling residences. Proposed use to the immediate east will be the recreation center (SUP-13-00486).



**Figure 1 Existing zoning**



**Figure 2 Existing land use**

### Summary of Request

The revised site plan does not alter the proposed uses or significantly change the proposed site design. The plan is conceptual and does not include specific building elevations for review as required for compliance with Commercial Design Guidelines.

This application is for the development of property in the CN2 District to include both retail and fast food uses. At this time specific tenants are not known. The development is subject to pending approval of CN2 zoning. If approved the CN2 District would allow a variety of land uses that would be permitted subject to only site plan approval. However, *Fast Order Food uses with a Drive-Thru* specifically require approval of a Special Use Permit in the Neighborhood Commercial District.

Any conditional approval of the CN2 District must also be applied to this application. The review of this application assumes the approval of the proposed CN2 District and assumes restrictions on uses such as multi-dwelling residences discussed in the related rezoning application. There are no proposed residential elements included in this proposed Special Use Permit.

The proposed plan shows two drive-thru uses. One drive-thru use is anticipated to be related to retail-service uses such as a bank, dry cleaners, or other personal service use. The other drive-thru is anticipated for a *Fast Order Food* use as a stand alone pad site within this commercial development.

### **Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))**

#### **1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE**

Applicant's Response: *The Development Code allows Fast Order Food in CN2 Districts and permits Fast Order Food with a Drive-in via the SUP process.*

This application is submitted concurrently with the application for CN2 (Neighborhood Commercial) District zoning and an application for a Special Use Permit for a recreation facility use to the immediate east. The primary purpose of this application is to provide a conceptual design for the establishment of a pad site likely to be developed with a *Fast Order Food* (with drive-thru) use in the future.

The plan shows two drive-thru uses. The pad site at the south end of the site is intended as the primary drive-thru generating use as a *Fast Order Food, Drive In*. The building at the north end also shows a drive-thru use that could accommodate retail uses that include a drive-up window or a *Fast Order Food*. Some drive-thru uses are allowed in the CN2 district (non-food related) and do not require a Special Use Permit. For the purposes of this application the SUP request relates only to the *Fast Order Food with Drive-Thru* use.

The purpose of the CN2 District is for neighborhood commercial uses. These uses can include such things as grocery stores as well as the "sale of good and services." Uses within this specific area are expected to have strong pedestrian connections between the commercial development and the residential areas as discussed in the *Inverness Park District Plan*. The Area Plan identifies the primary uses as including "Eating and Drinking Establishments, General Office, Retail Sales and Services, Fuel Sales, Car Wash, Civic and Public Uses, and Medical Facilities. *Fast Order Food, Drive-In* would be included in this list of uses.

A detailed discussion of the physical site plan portion of this proposed development is discussed in the second part of this report.

At this time, the Special Use Permit plan only lays out the building and parking arrangement but does not provide any building elevations or photometric plans as required by code. As such approval of this SUP would require a condition that additional detail be submitted for review and approval prior to release of the SUP for issuance of a building permit.

**Staff Finding** – Drive-Thru services for *Fast Order Food* uses are allowed in the proposed CN2 District subject to approval of a Special Use Permit. As conditioned, this use complies with the applicable provisions of the Development Code.



**2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS**

Applicant's Response: *The Inverness Park District Area Plan recognizes this site would be developed with more Intensification which would lead to more activity, traffic noise and light. A larger 50' landscape buffer has been provided along Inverness Drive to minimize light and noise for the properties west of Inverness Drive.*

As noted earlier, this application was submitted concurrently with the Special Use Permit application for the recreation use. This proposed retail use is intended to be integrated and compatible with the proposed recreation use with connectivity between the two developments. The property is adjacent to Clinton Parkway, an arterial street, to the north and Inverness Drive, a collector street, to the west. Higher intensity uses are located to the south along W 24<sup>th</sup> Place (multi-dwelling residential uses). Office, religious assembly, multi-dwelling and education facilities (Bishop Seabury Academy) are located to the north. Lower density uses including detached and duplex uses are located along the west side of Inverness Drive. Public elementary and middle schools are located farther south on Inverness Drive.

The proposed retail uses would presumably have comparable operating hours similar to existing non-residential uses in the area along Clinton Parkway and the proposed recreation use to the east. As a Neighborhood Commercial Center activity is not expected to occur 24/7 as can be found with some *Fast Order Food* uses. Often the drive-thru use is extended beyond the hours of operation of the dining room portion of some restaurants. The Planning Commission has the authority to establish restrictions and limitations on hours of operation to ensure compatibility with the surrounding uses.

A Neighborhood Commercial Center is expected to have connectivity and sensitivity to the residential uses in the immediate area. Site lighting and pedestrian pathways are integral to achieving this compatibility. As noted earlier, a photometric plan will be required as a condition of approval.

Establishment of key elements including building arrangement and pedestrian connectivity are critical to the initial approval of this application as it will be the foundation of the ultimate development of the site. Compatibility of this site with the residential uses to the west and south should be enhanced with better aligned pedestrian connections and pedestrian amenities at the southwest corner of the property.

**Staff Finding** – The proposed use is compatible with the adjacent uses in terms of size & massing of non-residential uses in the immediate area. Improved pedestrian connections and amenities are needed to enhance the compatibility of the site with the residential uses in the area. A photometric plan is required to insure lighting is compatible with the surrounding uses.

**3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED**

Applicant's Response: *The proposed use will not cause neighboring property to decline in value, but instead will provide great amenities to the neighborhood.*

This evaluation criteria is specifically related to the intensity of the development and, more specifically, the traffic generated by the proposed *Fast Order Food* use. Drive-thru uses are not inherently pedestrian oriented as they function to provide auto oriented accessibility. Some *Fast*

*Order Food* uses include multiple order and pick up windows and multiple drive-thru lanes to accommodate a high volume of turn-over traffic. These types of uses often are located near major intersections, highway access points and with direct access to arterial streets. Other *Fast Order Food* uses are more characteristically sit-down restaurant type uses with drive-thru uses being more accessory to the business rather than the primary use. Additionally, many high-volume *Fast Order Food* uses include late night drive-thru only hours. These types of *Fast Order Food* uses are not consistent with a neighborhood commercial development.

The Development Code does not distinguish between high volume traffic oriented *Fast Order Food* and other types of *Fast Order Food* uses with a drive-thru as an accessory use. This application does not include a specific tenant. It is unlikely that well known chain store type restaurant (*Fast Order Food*) uses would find this particular location desirable as there is no direct access to Clinton Parkway. As a lower traffic volume class use is more probable it is likely to be patronized and supported by immediate neighborhood customers. Such uses include coffee, pastry, or specialty signature type businesses that could benefit from the existing peak hour traffic associated with the many local school and residential uses in the immediate area. This type of use would likely be considered beneficial to the neighborhood.

Appropriate site design is important to ensure compatibility and buffering standards are met. A development with multiple *Fast Order Food*, *Drive-Thru* uses would be undesirable in this location and would be considered a diminishment to very low density uses (to the west). This concern can be mitigated by restricting the number of drive-thru uses that may be permitted for this property.

**Staff Finding** – Substantial diminution of other property values in the area is not anticipated with a low volume *Fast Order Food* use that offer drive-thru service as secondary to seating. However, multiple *Fast Order Food* uses offering drive-thru services at this site would be considered to be detrimental.

#### **4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT**

The applicant has submitted the required drainage, traffic and downstream sanitary sewer studies for the overall project. City staff has accepted all of them and no off-site improvements are required. Adequate public facilities and transportation access is accommodated for this development.

**Staff Finding** – Adequate public facilities and transportation access is accommodated for this development.

#### **5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED**

The proposed request provides an enforceable tool to address the use and continued maintenance of the property with regard to landscaping, exterior activity, and off-street parking. The key consideration of this application is intended to address the approval of the drive-thru activity for the *Fast Order Food* use. Some uses within the CN2 district allow drive up windows and are not subject to the provisions of a Special Use Permit. Without the proposed *Fast Order Food with Drive-Thru*, site development would only be subject to site plan approval. Both the Site Plan and the Special Use Permit process provide adequate assurance of continuing maintenance.

This application for a Special Use Permit is specific to drive-thru use as it relates to *Fast Order Food* uses. This activity is intended for the Building A as shown on the site plan as the primary recipient

of this approval. Approval of this Special Use Permit should not be considered to be transferable to any of the tenant spaces to the north as shown on this site plan. Each *Fast Order Food* use that intends to provide “pick up/order window” shall be required to first secure a Special Use Permit. This will ensure that neighborhood concerns are addressed as tenants change over time within the building. This will result in additional review time that must be considered by the developer when leasing spaces within the proposed building.

**Staff Finding** – Adequate assurances of continued maintenance are inherent in the Special Use Permit approval process.

**6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT**

Applicant’s Response: *The natural environment will be improved with substantial landscaping on the site and the proposed uses will not cause adverse impacts on the natural environment.*

There are no identified natural features subject to special protection for this property. Existing vegetation will be augmented or rehabilitated as part of the development of this property especially along Clinton Parkway and Inverness Drive. There is no regulatory floodplain encumbering this property.

**Staff Finding** – The proposed development is not subject to regulatory controls to protect the significant natural features. This property is free from regulatory floodplain encumbrances.

**7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE**

This Special Use Permit is required to accommodate a specific use [*Fast Order Food, Drive-In*] in this district. The proposed project was initially submitted as a future phase of Family Fun Center to the east. This application separates the request from the Family Fun Center but does not specify the development time frame of the property for either building.

If approved, the drive-thru feature for a Fast Order Food use would be considered a permanent and integral part of the use. Therefore, placing a time limit on the use would not be recommended. The Commission can however restrict the activity or hours of operation of the drive-thru to further ensure compatibility as discussed earlier.

**Staff Finding** – Staff recommends a condition on the Special Use Permit as it relates to the hours of operation for the drive-thru use.

**STAFF REVIEW**

The following review provides a summary of the site plan elements of this Special Use Permit request. It is probable that the commercial portion of this property may be subdivided in the future. The site summary addresses the west 3 acres of the 10.9 acre site. The east 7.7 acres is addressed in the staff report for SUP-13-00486; Family Fun Center.

## A. Site Summary

Site Summary: West portion of Lot 2, Remington Square Addition No. 1		
	Existing	Proposed
Total area:	10.9 Acres (entire platted lot)	3.106 Acres
Lot Size:	10.9 Acres (entire platted lot)	3.106 Acres
Building: (SF)		
• Pad site	0	2,700 SF
○ <b>Patio area</b>	0	<b>614 SF</b>
• Multiple tenant building		8,000 SF
		8,160 SF
Note: This property may be subdivided in the future to create a separate lot or lots		

There are several discrepancies in the site plan drawing and the site notes that need to be addressed for consistency, if approved.

## B. Access and Parking

### ***On-site Parking:***

The site plan as proposed identifies a pad site and multiple tenant building with various uses. Restaurant uses require parking at a ratio of 1 space per 100 SF of customer service area plus 1 space per employee. As an example the pad site requires a minimum of 23 off-street parking spaces if 2,300 SF of customer service area is provided. Other commercial uses vary in the required off-street parking, however most are required to provide parking at 1 space per 200 SF of building area.

This site plan shows a total of 57 required spaces and 124 spaces proposed. In accordance with Section 20-901 (a) this excess parking must be mitigated through best management practices for stormwater surface runoff. A condition of approval shall be to either reduce the total number of off-street parking spaces, provide a parking lot design that includes bio-swales, permeable pavement, or other engineering solution or a combination of both parking reduction and best management practices per the approval of the City Stormwater Engineer. This design criteria does not affect the proposed request to consider a *Drive-Thru* for a *Fast Order Food* use.

***Direct Access:*** Access to this site is provided via a single shared driveway at the east end of the property to W 24<sup>th</sup> Place. Access to Clinton Parkway and Inverness Drive is prohibited.

## C. Design Standards

Basic design standards have been evaluated for this proposed commercial development. Much of the evaluation will be deferred until more specific land use plans and/or specific tenants are identified. Approval of this Special Use Permit secures the ability to provide at least one *Fast Order Food with Drive-Thru* use on this property. As proposed, this use would be located nearest the existing residential uses at the south end of the property. Conditions of approval reflect the need for additional documentation to demonstrate compliance with Zoning Code and Commercial Design Guidelines that are typically reviewed at the administrative level.

This property is uniquely located within the Inverness Park District Plan boundary. A recommendation contained in the plan is that any project or development subject to site planning would be required to be considered by the City Commission. Staff's recommendation is that prior to the City Commission's consideration of the Special Use Permit, a revised site plan be submitted to address inconsistencies in the drawing and to address any conditions of approval recommended by the Planning Commission.



In addition to site summary information required, staff recommends additional pedestrian connections, pedestrian amenities, and buffer yard treatment along Inverness Drive and at the intersection of Inverness Drive and W 24<sup>th</sup> Place be provided prior to consideration of the Special Use Permit by the City Commission. These elements were specifically identified in the District Plan to mitigate more intensive commercial activity on this site.

***Building Elevations:*** Prior to issuance of a building permit, a revised plan including building elevations is required to demonstrate compliance with the Commercial Design Guidelines. This requirement is reflected as a condition of approval.

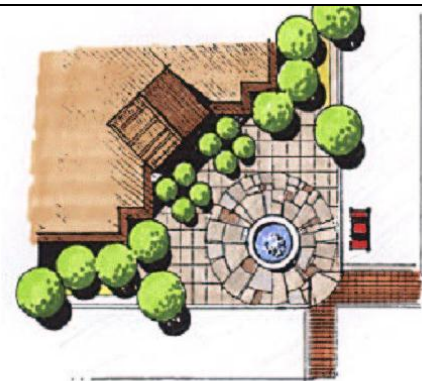
***Pedestrian accessibility and amenities:*** Several pedestrian connections within the development and from the public sidewalks to the development are mislocated, inappropriate or lacking. Additional attention should be given to pedestrian connections to the recreational uses to the east. Many of the participants will be youth and safe transitions between the retail center and the recreation uses are necessary.

**The revised plan dated 4.1.14 provides a better pedestrian connection within the development and between the public sidewalks surrounding the development. The plan also provides increased landscape areas adjacent to Inverness Drive and W. 24<sup>th</sup> Place compared to the previous plan. Pedestrian amenities are generally absent other than the sidewalk connections.**

Previous development discussions of this property and specifically the southwest corner of this property, have focused on the need for a wide buffer that provide transition between the residential uses to the west and the commercial uses to the east. These discussions have included mini-park like areas with pedestrian amenities. The following examples of pedestrian amenities are provided for reference and can be found in the Commercial Design Guidelines (page 21).



an internal green space, water feature, & seating areas oriented to the pedestrian user



pedestrian seating areas, enhanced with landscaping, encourages pedestrian activity

**Figure 3 Commercial Design Guideline Examples**

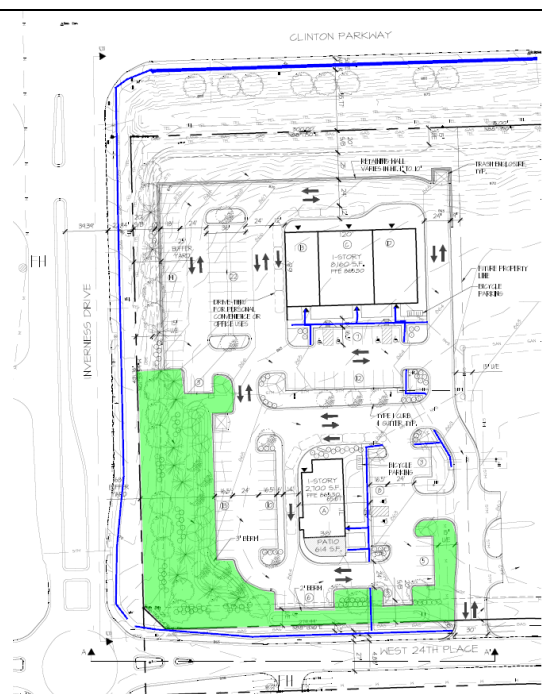
The proposed site plan includes landscaping within a 50' wide buffer at the south end of the development along Inverness Drive.



**Figure 4 Existing Development**



**Figure 5a Previous Development – February**



**Figure 5b Proposed Development – April**

#### **D. Landscaping and Screening**

**Street Trees:** The proposed plan shows the required street trees along Clinton Parkway (within the right-of-way) and along Inverness Drive. Street trees along W 24<sup>th</sup> Place are setback north of an existing utility easement and are within the parking lot landscape islands rather than spaced uniformly along the street frontage. The site plan does not clearly indicate that there are existing

utilities within the easement adjacent to W 24<sup>th</sup> Place. If the easement is vacant then street trees can be appropriately located uniformly along the street frontage. ~~Additional clarification is needed to confirm the presence of utilities in this easement.~~ **Staff has confirmed that some utilities are using parts of the easement along the north side of W 24<sup>th</sup> Place. The proposed landscape provides trees, shrubs and berms to accommodate screening and buffering required for this development.**

***Interior Landscaping:*** The site plan shows the plan complies with the required interior landscape standards for interior parking. Several notes on the plan must be revised to address consistency. Notably this proposed plan includes more than double the required parking for the proposed uses. A reduction in the off-street parking area will increase the amount of landscape space within the site and along the perimeter of the development.

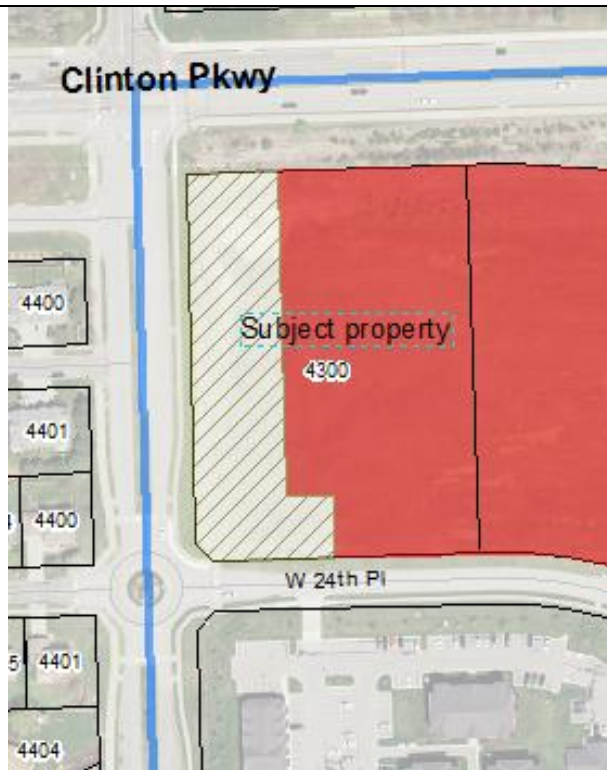
***Perimeter Landscaping:*** This property is adjacent to public streets on three sides. Parking is proposed along Inverness and W. 24<sup>th</sup> Place. The parking areas are screened per the Development Code with the exception of W 24<sup>th</sup> Place. Staff recommends the plan be revised to add additional shrubs along the parking spaces adjacent to W 24<sup>th</sup> Place. The applicant has indicated there isn't room due to the existing easement and utilities. The applicant can redesign the site to provide the code required landscaping

***Mechanical Equipment Screening:*** At this time details of the building mechanical plans are not available. A general note on the face of the plan recognizes the requirement that these elements must be screened. Prior to issuance of a building permit the applicant shall be required to provide building elevations that demonstrate compliance with this standard.

***Bufferyard:*** Bufferyard standards are applicable to the north, west, and south sides of this property.

**Clinton Parkway Buffer Yard.** The applicant has requested alternative compliance for the provision of landscaping along the north side of the property as the existing topography includes a 10' hill and thus screening is not necessary between the proposed use and Clinton Parkway. Staff concurs the natural topography provides adequate screening. The majority of this property is much lower than Clinton Parkway the existing vegetation along the natural swale and the addition of Street Trees are sufficient to meet the intent of buffing for this property.

**Inverness Drive Buffer Yard.** Inverness Drive is the dividing line between the proposed commercial use on the east side of the street and low density residential uses on the west side of the street. The plan exceeds the required landscape planting standards for screening along Inverness Drive. This transition area is specifically shown in the *Inverness Park District Plan*. The plan does not proscribe a specific width of the buffer yard. It is assumed from the graphic representation and the text contained on page 19 of the plan the buffer would be more substantial than the minimum area requirements set out in the Development Code. The plan specifically states: "Compliance with the buffer will be required with site plan/development plan approval." The following graphic provides a representation of the depth of the buffer yard.



**Figure 6 Buffer Yard**

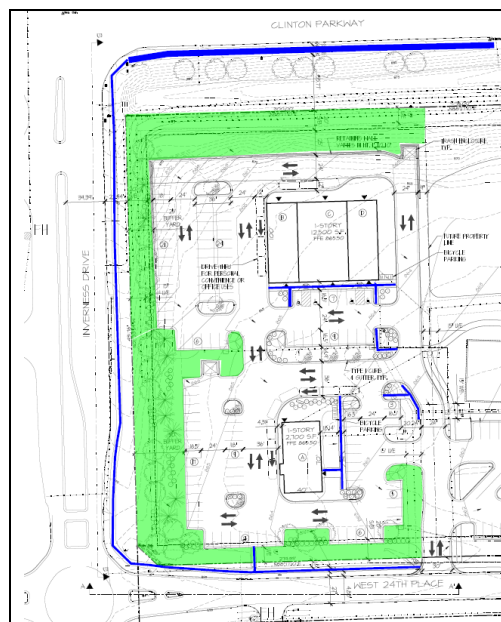
*The width of the buffer yard, if mapped literally and overlaid with the existing development pattern, would be 106' wide and represent one third the total width of the proposed development.*

*Additionally this buffer wraps around the corner and extends past the western access drive of the apartment complex on the south side of W 24<sup>th</sup> Street.*

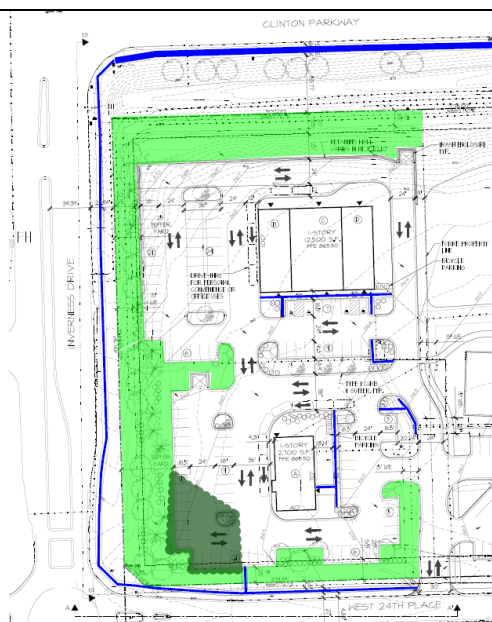
A Type 1 Buffer yard along Inverness Drive is required for this development. The Development Code provides options for buffer yards from as narrow as 10' to as wide as 25'. The north portion of the buffer yard proposed is 25' wide (**in the February plan**). The south portion is 50' wide. **The revised plan includes a 70' wide area along the south portion of Inverness Drive and extends around the corner along W 24<sup>th</sup> Place.**

The proposed plan provides a code compliant buffer yard along Inverness Drive as shown in the following images. ~~Staff recommends that the area at the immediate intersection be widened and extended along W 24<sup>th</sup> Place to provide a buffer consistent with the District Plan recommendations.~~

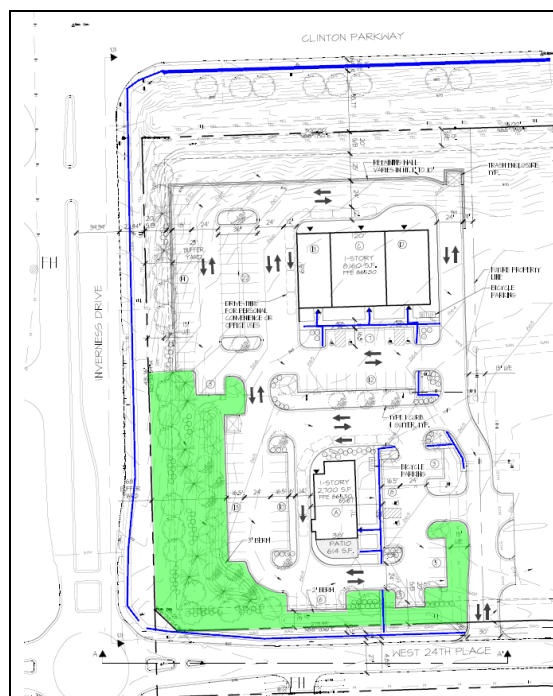




**Figure 7 Proposed buffer yard - February**



**Figure 8 Recommended buffer yard-February**



**Figure 8a – Revised buffer yard April Revision**

The revised buffer yard is 70' wide compared to the previous width of 50' along Inverness Drive.

The revised buffer yard is 30'-60' wide at the southwest corner of the site. The previous plan was shown as 35' wide along at the southwest corner of the site.

This plan also adds berms along Inverness Drive (3' berm) and W 24<sup>th</sup> Place (2' berm).

The revised plan has added a wider more detailed buffer along the southwest corner of the property consistent with the District Plan recommendations.

### E. Lighting

The applicant has not provided a photometric plan at this time. A photometric plan will be required prior to the issuance of a building permit. Staff recommends note 1.7 be revised to clarify that a building permit for any part of this development shall not be issued until a photometric plan has been submitted for review.

## **F. Floodplain**

There are no regulatory floodplain encumbrances on this property.

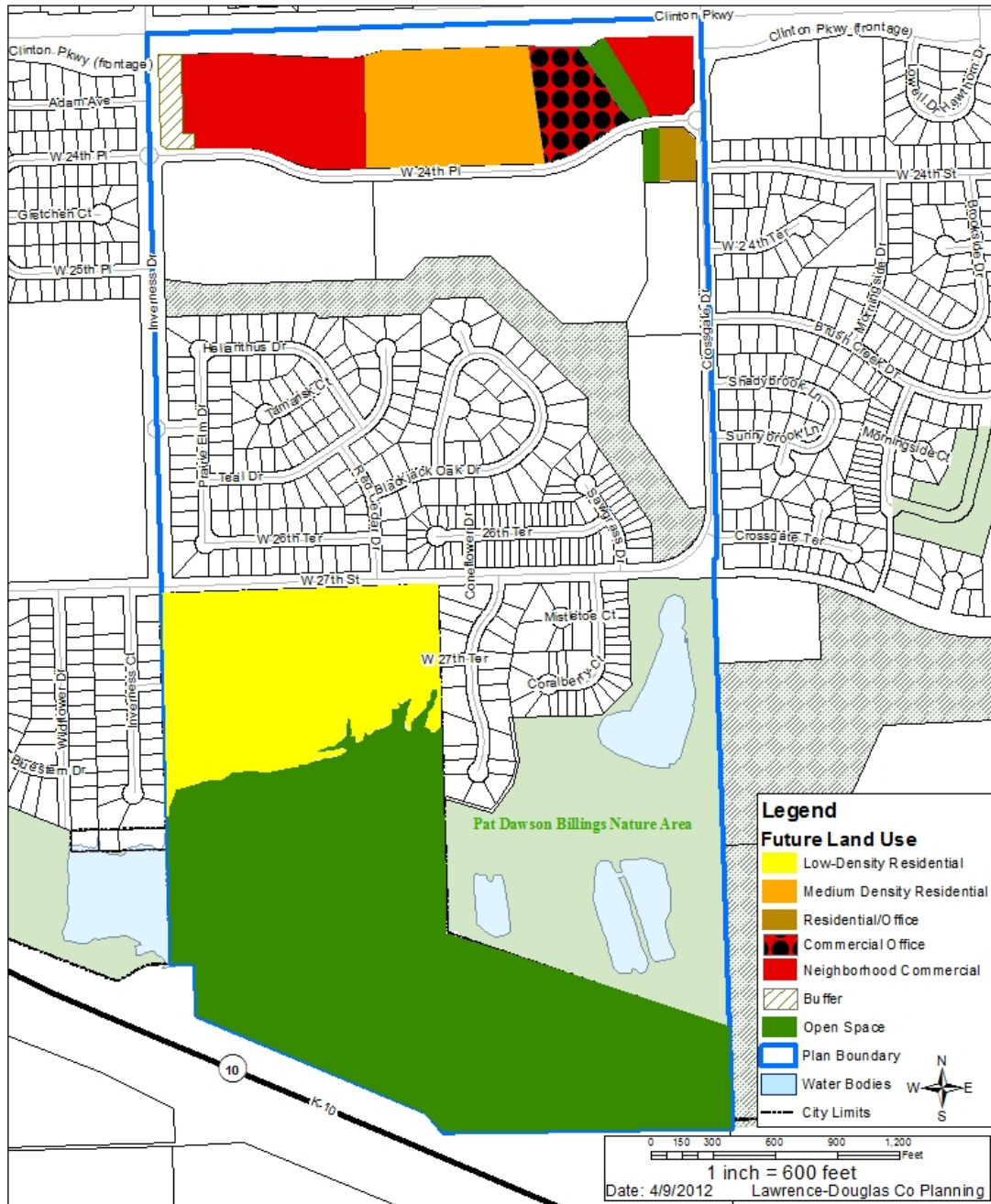
## **CONCLUSION**

As discussed in the body of this staff report several changes are needed to the plan. Key decisions regarding this development must address the number of *Fast Order Food Drive-Thru* uses for the site and the applicable treatment of the intersection of Inverness Drive and W 24<sup>th</sup> Place. Appropriate pedestrian connections and amenities at the intersection should be provided to insure neighborhood connectivity and compatibility.

**The revised plans are an improvement to the intersection treatment at the southwest corner of the site nearest the detached residential homes along Inverness Drive. Additional approval of the building for compliance with Commercial Design Guidelines and lighting plans are required prior to issuance of a building permit for this property.**

Map 4-1 – Future Land Use

### Inverness Park District Plan Future Land Use





PROPERTY OWNERS OF RECORD:

PROPERTY OWNER:  
CORPORATE HOLDINGS, LLC  
PO BOX 1800  
OLATHE, KS 66051

LEGAL DESCRIPTION:

REMINGTON SQUARE ADDITION NO. 1, REPLAT OF LOTS 2 & 3, BLOCK 1 INVERNESS PARK PLAZA  
ADDITION NO. 1, WEST 300 FEET OF BLOCK 1, LOT 2, IN DOUGLAS COUNTY, KANSAS.

GENERAL NOTES:

- 1.1 ALL REQUIRED ACCESSIBLE SIDEWALK RAMP PER A.D.A. STANDARDS.
- 1.2 SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28CFR PART 36.
- 1.3 THE CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE CAUSED BY TRASH TRUCKS.
- 1.4 PLAN FOR CITY APPROVAL ONLY! CONSTRUCTION DOCUMENTS TO BE FURNISHED AT THE REQUEST OF OWNER.
- 1.5 INFORMATION TAKEN FROM AERIAL PHOTOS, SURVEY PERFORMED BY BG CONSULTANTS.
- 1.6 ALL TRAFFIC CONTROL SIGNS PLACED ON PRIVATE PROPERTY OPEN TO THE GENERAL PUBLIC SHALL COMPLY WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" AND "STANDARD HIGHWAY SIGNS," PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION, WITH RESPECT TO SIZE, SHAPE, COLOR, RETROREFLECTIVITY, AND POSITION.
- 1.7 PHOTOMETRIC PLAN FOR EXTERIOR LIGHTING TO BE SUBMITTED AND APPROVED PRIOR TO THE RELEASE OF BUILDING/ELECTRICAL PERMITS FOR EXTERIOR LIGHTING.
- 1.8 EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITY BOXES AND METERS, SHALL BE FULLY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND FROM STREET RIGHTS-OF-WAY (AS MEASURED 6 FT ABOVE GROUND LEVEL). SCREENING SHALL BE IN THE FORM OF LANDSCAPE PLANTING OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE ARCHITECTURE OF THE THE PRINCIPAL BUILDING.
- 1.9 PER CITY CODE SECTION 9-402, ANY OUTDOOR DINING AREA WILL BE MANAGED TO PREVENT STORMWATER POLLUTION. FOOD WASTE, TRASH, CIGARETTES AND OTHER SOLID WASTES MUST BE CONTAINED, COLLECTED, AND DISPOSED PROPERLY. COLLECTION MUST BE FREQUENT ENOUGH TO PREVENT WASTES CARRIED OFF BY WIND OR STORMWATER RUNOFF. FLUID WASTE, INCLUDING WASTEWATER FROM PAVEMENT OR FURNITURE CLEANING, WILL BE COLLECTED AND DISCHARGED TO THE SANITARY SEWER SYSTEM.
- 1.10 ALL CURB INLETS WILL BE CONSTRUCTED PER CITY STORM SEWER STANDARD DETAILS. PER CITY CODE CHAPTER IX ARTICLE 9-403(B)

PROJECT SUMMARY:

2.1	CURRENT ZONING:	RSO
2.2	PROPOSED ZONING:	CN2
2.3	CURRENT USE:	VACANT
2.4	PROPOSED USE:	FAST ORDER FOOD, DRIVE-IN, PERSONAL IMPROVEMENT SERVICE, FOOD AND BEVERAGE RETAIL SALES
2.5	LAND AREA:	3,106 ACRES (135,328 SQ. FT. +/-)
2.6	PROJECT PROPOSED:	PAD SITES

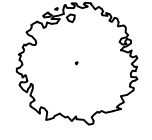

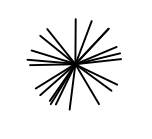

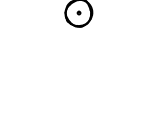
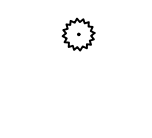
PROPERTY SURFACE SUMMARY:

EXISTING SUMMARY:			PROPOSED SUMMARY:		
	SQ. FT.	AC.		SQ. FT.	AC.
TOTAL BUILDINGS:	0	0	TOTAL BUILDINGS FOOTPRINT:	10,860	244
TOTAL PAVEMENT:	0	0	TOTAL PAVEMENT:	68,288	1,568
TOTAL IMPERVIOUS:	0	0	TOTAL IMPERVIOUS:	74,148	1,811
TOTAL PERVIOUS:	0	0	TOTAL PERVIOUS:	56,180	1,284
TOTAL PROPERTY AREA:	135,328	3,106	TOTAL PROPERTY AREA:	135,328	3,106

PARKING INFORMATION:

- 2.1 PARKING: PHASE III  
REQUIRED/ PROVIDED  
① - FAST ORDER FOOD, DRIVE-IN: 1 SPACE PER 100 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE  
3,312 S.F. / 100 = 34 SPACES + 10 EMPLOYEES = 44 SPACES REQUIRED/48 PROVIDED  
BICYCLE: 5 OR 1 PER 10 AUTO SPACES, WHICHEVER IS GREATER = 5 REQUIRED/5 PROVIDED  
② - PERSONAL CONVENIENCE SERVICE, DRIVE-IN: 1 SPACE PER 300 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE  
2,040 S.F./300 = 7 SPACES + 7 SPACES REQUIRED/7 PROVIDED  
③ - QUALITY RESTAURANT: 1 PER 100 S.F. + 1 PER EMPLOYEE ON LARGEST SHIFT  
3,400 S.F. / 100 = 34 + 12 = 46 SPACES REQUIRED/40 PROVIDED  
④ - FOOD AND BEVERAGE RETAIL SALES: 1 PER 300 S.F.  
2,120 S.F. / 300 = 7 SPACES REQUIRED/10 PROVIDED  
BICYCLE: 5 OR 1 PER 10 AUTO SPACES, WHICHEVER IS GREATER = 7 REQUIRED/7 PROVIDED
- 2.2 TYPICAL DIMENSIONS: REGULAR AND HANDICAPPED SPACES - 4' X 18' (16.5' X 15' OVERHANG AT SIDEWALKS OR PERIMETER ROWS)  
SIDEWALKS SHALL BE 4' CONCRETE - 5' OR 6' WIDE DEPENDING UPON THE LOCATION.  
HANDICAPPED SPACES TO INCLUDE ACCESS AISLE 5' MIN. WIDTH.
- 2.3 PAVEMENT (PER CITY STD.): APPROACHES: 7" CONCRETE W/ #5 BARS 12" O.C.B.W. - PER CITY STANDARDS  
PARKING AREAS: 5" CONCRETE ON 4" CRUSHED LIMESTONE  
CONCRETE PAVEMENT WILL MEET CITY OF LAWRENCE PUBLIC WORKS STANDARD TECHNICAL SPECIFICATIONS (SECTION 2000 - CONCRETE) FOR 4000 PSI CONCRETE.
- 2.4 PAVEMENT SUBGRADE SHALL BE PREPARED PER THE GEOTECH REPORT

LANDSCAPING NOTES:

SYM.	DESCRIPTION	QTY.	APPROVED TYPES	BOTANICAL NAMES	SIZE	COND.
	STREET TREES	21	LEGACY SUGAR MAPLE SUMMERSHADE NORWAY MAPLE LACEBARK ELM SHAWARD OAK GREENSPIRE LINDEN LONDON PLANE TREE	ACER SAGCHARUM 'LEGACY' ACER PLATANOIDES 'SUMMERSHADE' ULMUS PARVIFOLIA QUERCUS SHAWARDII TILIA CORDATA 'GREENSPIRE' PLATANUS OCCIDENTALIS 'BLOODGOOD'	2"-2 1/2" CAL	B & B
	SHADE TREES	12	ELM, LACEBARK HORNBARK, COLUMNAR MAPLE, AUTUMN BLAZE MAPLE, COLUMNAR NORWAY MAPLE, PACIFIC SUNSET MAPLE, SIENNA GLEN OAK, BUR BALD CYPRESS OAK, NORTHERN RED OAK, SHINGLE ZELKOVA, GREEN VASE OAK, SHAWP WHITE SAW TOOTH OAK NORWAY MAPLE THORNLESS HONEY LOCUST	ULMUS PARVIFOLIA CARPINUS BETULUS 'FASTIGIATA' ACER FREEMANII 'JEFFERRED' ACER PLATANOIDES 'COLUMNAR' ACER TRUNCATUM X PLATANOIDES ACER FREEMANII 'SIENNA' QUERCUS MACROCARPA TAXODIUM DISTICAH QUERCUS RUBRA FAGACEAE QUERCUS ZELKOVA SERRATA QUERCUS BIGOLOR QUERCUS ACUTISSIMA ACER PLATANOIDES 'SUPERFORM' GLEDETIA TRIACANTHOS VAR. INERMIS	2"-2 1/2" CAL	B & B
	EVERGREEN TREES	13	WHITE PINE EASTERN RED CEDAR GREEN GIANT, ARBORVITAE BLUE SPRUCE	PNUS STROBUS JUNIPERUS VIRGINIANA THUJA 'GREEN GIANT' PICEA PUNGENS	6'-8' HT.	B & B
	ORNAMENTAL TREES	13	KOUSA DOGWOOD CORAL BURST CRABAPPLE EASTERN REDBUD GRAB SARGENTINA PEAR, CLEVELAND SELECT	CORNUS KOUSA MALUS 'CORALBURST' CERISUS CANADENSIS MALUS SARGENTII 'TINA' PYRUS CALLERYANA	1 1/2"-2" CAL	B & B
	DECIDUOUS SHRUBS	71	BARBERIS, CRIMSON PIGMY BURNING BUSH, DWARF SPIREA, MAGIC CARPET NINE BARK, PURPLE LILAC, DWARF KOREAN VIBURNUM ALLEGANY	BERBERIS THUNBERGII 'CRIMSON PYGMY' EUNYMIUS ALATUS 'COMFACUS' SPIREA X PENTACARPUS OPULIFOLIUS SYRINGA MEYERI 'PALIN' VIBURNUM X RHYTHIDOPHYLLOIDES	18"-24" HT.	CONT
	EVERGREEN SHRUBS	53	DWARF SPREADING YEW JUNIPER, SEA GREEN JUNIPER, CALLERY CARPET HOLLY, BLUE JUNIPER, GREY OHL	TAXUS CUSSIDA DENS'A JUNIPERUS VIRGINIANA 'GREY OHL' JUNIPERUS SADINA 'MONNA' ILEX X MESERVEAE JUNIPERUS X PFITZERIANA 'SEE GREEN'	24"- 36" HT.	CONT

- 3.1 THERE MUST BE A MIN. OF (4) SPECIES USED IN EACH CATEGORY, (6) SPECIES MIN. FOR STREET TREES.
- 3.2 ALL TURF AREAS TO BE SEEDED WITH K-31 FESCUE, SOD, OR AS ALLOWED BY CITY CODE.
- 3.3 BUFFERYARDS  
BUFFERYARD ALONG WEST 24TH PLACE - WAIVER REQUESTED DUE TO 15' W/E BEING AT THE FRONT OF THE SITE. SHRUBS HAVE BEEN PROVIDED IN FRONT OF THE PARKING LOT TO MEET SHRUB REQUIREMENTS HOWEVER THERE IS NO ROOM FOR THE ADDITIONAL 5 TREES NOT PROVIDED VIA STREET TREES.  
TYPE 1 - 15' WIDE, 274.94 IN LENGTH BUFFERYARD = 9 TREES AND 23 SHRUBS REQUIRED/ 0 TREES AND 26 SHRUBS PROVIDED  
(5 TREES AND 12 SHRUBS MUST EVERGREEN BUT A WAIVER IS REQUESTED FROM THE EVERGREEN TREES SINCE THEY WOULD BE PLACED IN PARKING LOTS DUE TO SITE CONSTRAINTS. THERE IS NOT ADDITIONAL ROOM FOR EVERGREEN TREES IN PARKING LOT ISLANDS DUE TO STREET TREES BEING PLACED THERE.)  
BUFFERYARD ALONG INVERNESS DRIVE - TYPE 1 - 25' WIDE, 431.16' IN LENGTH, - REQUIRED: 2 TREES AND 5 SHRUBS PER 100' = 9 TREES, 24 SHRUBS (5 TREES AND 11 SHRUBS MUST EVERGREEN), PROVIDED: 24 TREES AND 41 SHRUBS  
BUFFERYARD ALONG CLINTON PARKWAY - A WAIVER IS REQUESTED DUE TO THE SITE FRONTAGE BEING BUFFERED BY THE 10' +/- HILL SOUTH OF CLINTON PARKWAY

- 3.4 INTERIOR PARKING LOT LANDSCAPING  
A - 48 SPACES X 40 S.F. LANDSCAPING AREA PER PARKING SPACE = 1,920 S.F. REQUIRED/4,911 S.F. PROVIDED  
1 TREE AND 3 SHRUBS PER 10 SPACES, 5 TREES, 15 SHRUBS REQUIRED/6 TREES, 16 SHRUBS PROVIDED  
B - D 63 SPACES X 40 S.F. LANDSCAPING AREA PER PARKING SPACE = 2,520 S.F. REQUIRED/4,506 S.F. PROVIDED  
1 TREE AND 3 SHRUBS PER 10 SPACES, 7 TREES, 19 SHRUBS REQUIRED/7 TREES, 23 SHRUBS PROVIDED
- 3.5 STREET TREES  
WEST 24TH PLACE - 274.94 LF./40 = 7 TREES REQUIRED/7 TREES PROVIDED  
INVERNESS DRIVE - 457.01 LF./40 = 12 TREES REQUIRED/12 TREES PROVIDED  
CLINTON PARKWAY - 300 LF./40 = 8 TREES REQUIRED/8 TREES PROVIDED
- 3.6 PERIMETER PARKING LOT LANDSCAPING  
24TH PLACE - 40' OF PARKING LOT FRONTAGE/25 = 4 TREES REQUIRED / 5 TREES AND A BERM PROVIDED (WAIVER REQUESTED FROM PLACING THE TREES IN FRONT OF THE PARKING LOT DUE TO THE 15' W/E WHICH FRONTS THE SITE)  
INVERNESS DRIVE - 325' OF PARKING LOT FRONTAGE/25 = 13 TREES REQUIRED / 24 TREES AND A BERM ON THE SOUTH END OF THE SITE PROVIDED (THE GRADE CHANGE ON THE NORTH END OF INVERNESS DRIVE IS GREAT ENOUGH THAT A BERM, HALL OR CONTINUOUS LANDSCAPE HEDGE WOULD NOT BE SEEN. A WAIVER IS REQUESTED FROM THIS REQUIREMENT)

LOCATION MAP



paulwerner  
ARCHITECTS

123 W. 8TH STREET  
SUITE B2  
LAWRENCE, KS 66044

OFFICE: 785.832.0804  
FAX: 785.832.0890  
INFO@PAULWERNERARCHITECTS.COM

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WERNER ARCHITECTS, L.L.C.

INVERNESS CORNER  
WEST 24TH PLACE & INVERNESS DRIVE  
LAWRENCE, KANSAS

PROJECT # 213-T30

RELEASE: DATE:  
1.0 1.23.14  
1.1 2.19.14  
1.2 4.11.14

Approved and Released

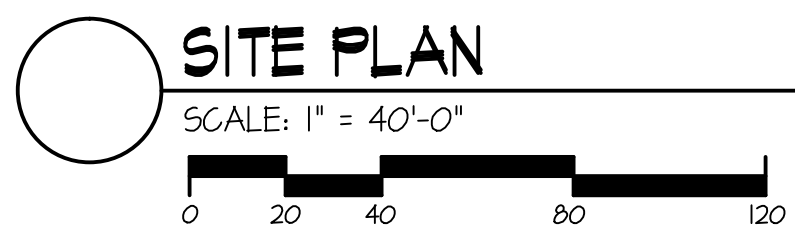
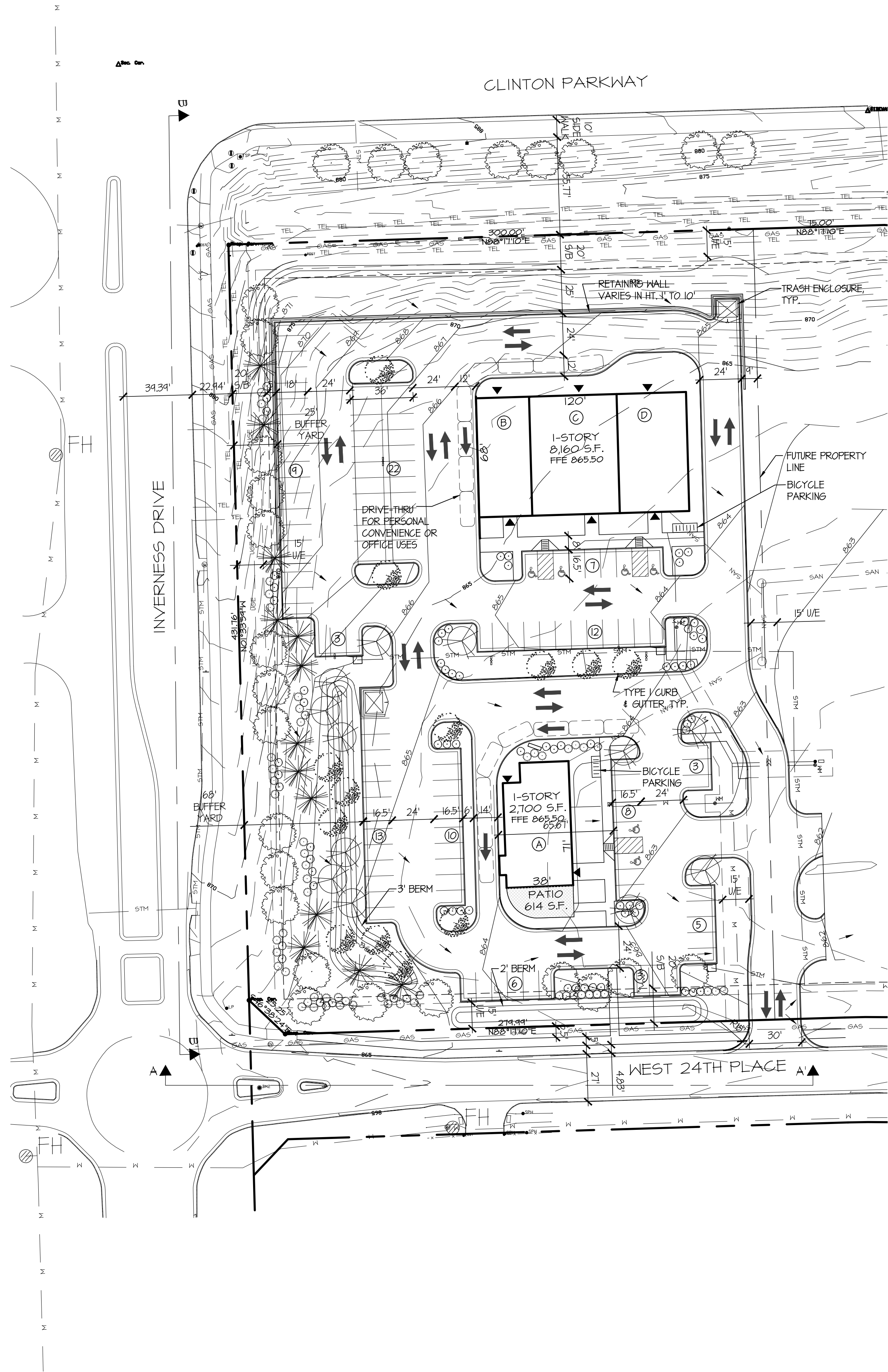
City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

Case No. \_\_\_\_\_  
Approval Date: \_\_\_\_\_  
Release Date: \_\_\_\_\_  
Planner: \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_ Sheets  
Asst./Director: \_\_\_\_\_

SUP-1



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**paulwerner**  
ARCHITECTS

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WERNER ARCHITECTS, L.L.C.

**INVERNESS CORNER**  
WEST 24TH PLACE & INVERNESS DRIVE  
LAWRENCE, KANSAS

PROJECT # 213-T30

RELEASE:	DATE:
1.0	1.23.14
1.1	2.19.14
1.2	4.1.14

SUP - 2

paulwerner  
ARCHITECTS

April 1, 2014

Sandra Day  
Planning and Development Services  
6 East 6<sup>th</sup> St.  
Lawrence, KS 66044

RE: Inverness Corner SP

Sandra:

Attached is the Inverness Corner Site Plan. We believe positive changes have been made to the site plan based on concerns the neighbors voiced. Those changes include:

- The bufferyard along the south end of Inverness Drive was widened from 50' to 68'.
- More landscaping was provided along Inverness Drive and a 3' berm was added to the bufferyard area.
- Building A was moved north to allow room for a patio on the south side of the building for customer enjoyment.
- A sidewalk has been provided from 24th Place which allows pedestrian traffic easy access to building A.
- A berm has been added along 24th Place to screen parking to the north.

With the above mentioned changes the notes on Sheet 1 have been revised to reflect accurate information regarding the site summary, parking and landscaping.

Sincerely,



Joy Rhea, RLA

CC:  
Sheila Stogsdill  
Travis Halm  
Paul Werner

---

Office : 123 W 8<sup>th</sup> Street Suite B2 : Lawrence, Kansas : 66044  
Mail : PO BOX 1536 : Lawrence, Kansas : 66044-8536  
PHONE: 785.832.0804 FAX: 785.832.0804  
info@paulwernerarchitects.com



PROPERTY OWNERS OF RECORD:

PROPERTY OWNER:  
CORPORATE HOLDINGS, LLC  
PO BOX 1800  
OLATHE, KS 66051

LEGAL DESCRIPTION:

REMINGTON SQUARE ADDITION NO. 1, REPLAT OF LOTS 2 & 3, BLOCK 1 INVERNESS PARK PLAZA  
ADDITION NO. 1, WEST 300 FEET OF BLOCK 1, LOT 2, IN DOUGLAS COUNTY, KANSAS.

GENERAL NOTES:

- 1.1 ALL REQUIRED ACCESSIBLE SIDEWALK RAMP PER A.D.A. STANDARDS.
- 1.2 SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28CFR PART 36.
- 1.3 THE CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE CAUSED BY TRASH TRUCKS.
- 1.4 PLAN FOR CITY APPROVAL ONLY! CONSTRUCTION DOCUMENTS TO BE FURNISHED AT THE REQUEST OF OWNER.
- 1.5 INFORMATION TAKEN FROM AERIAL PHOTOS, SURVEY PERFORMED BY BG CONSULTANTS.
- 1.6 ALL TRAFFIC CONTROL SIGNS PLACED ON PRIVATE PROPERTY OPEN TO THE GENERAL PUBLIC SHALL COMPLY WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" AND "STANDARD HIGHWAY SIGNS," PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION, WITH RESPECT TO SIZE, SHAPE, COLOR, RETROREFLECTIVITY, AND POSITION.
- 1.7 PHOTOMETRIC PLAN FOR EXTERIOR LIGHTING TO BE SUBMITTED AND APPROVED PRIOR TO THE RELEASE OF BUILDING/ELECTRICAL PERMITS FOR EXTERIOR LIGHTING.
- 1.8 EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITY BOXES AND METERS, SHALL BE FULLY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND FROM STREET RIGHTS-OF-WAY (AS MEASURED 6 FT ABOVE GROUND LEVEL). SCREENING SHALL BE IN THE FORM OF LANDSCAPE PLANTING OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE ARCHITECTURE OF THE THE PRINCIPAL BUILDING.
- 1.9 PER CITY CODE SECTION 9-402, ANY OUTDOOR DINING AREA WILL BE MANAGED TO PREVENT STORMWATER POLLUTION. FOOD WASTE, TRASH, CIGARETTES AND OTHER SOLID WASTES MUST BE CONTAINED, COLLECTED, AND DISPOSED PROPERLY. COLLECTION MUST BE FREQUENT ENOUGH TO PREVENT WASTES CARRIED OFF BY WIND OR STORMWATER RUNOFF. FLUID WASTE, INCLUDING WASTEWATER FROM PAVEMENT OR FURNITURE CLEANING, WILL BE COLLECTED AND DISCHARGED TO THE SANITARY SEWER SYSTEM.
- 1.10 ALL CURB INLETS WILL BE CONSTRUCTED PER CITY STORM SEWER STANDARD DETAILS. PER CITY CODE CHAPTER IX ARTICLE 9-403(B)

PROJECT SUMMARY:

2.1	CURRENT ZONING:	RSO
2.2	PROPOSED ZONING:	CN2
2.3	CURRENT USE:	VACANT
2.4	PROPOSED USE:	FAST ORDER FOOD, DRIVE-IN, PERSONAL IMPROVEMENT SERVICE; FOOD AND BEVERAGE RETAIL SALES
2.5	LAND AREA:	3,106 ACRES (135,328 SQ. FT. +/-)
2.6	PROJECT PROPOSED:	PAD SITES



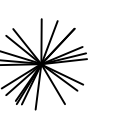

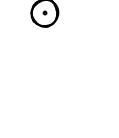

PROPERTY SURFACE SUMMARY:

EXISTING SUMMARY:		PROPOSED SUMMARY:	
	SQ. FT.	AC.	
TOTAL BUILDINGS:	0	0	TOTAL BUILDINGS FOOTPRINT:
TOTAL PAVEMENT:	0	0	10,700
TOTAL IMPERVIOUS:	0	0	71,963
TOTAL PERVIOUS:	0	0	1,963
TOTAL PROPERTY AREA:	135,328	3,106	TOTAL IMPERVIOUS:
			82,663
			1,841
			TOTAL PERVIOUS:
			52,665
			1,204
			TOTAL PROPERTY AREA:
			135,328
			3,106

PARKING INFORMATION:

- 2.1 PARKING: PHASE III  
REQUIRED/ PROVIDED  
A - FAST ORDER FOOD, DRIVE-IN: 1 SPACE PER 100 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE  
1,680 S.F. / 100 = 16.8 = 17 SPACES + 6 EMPLOYEES = [23 SPACES REQUIRED/21 PROVIDED]  
B - PERSONAL CONVENIENCE SERVICE, DRIVE-IN: 1 SPACE PER 300 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE  
1,600 S.F./300 = 5.33 = 5 SPACES + 6 SPACES REQUIRED/21 PROVIDED  
C - PERSONAL IMPROVEMENT SERVICE: 1 PER 200 S.F.  
4,000 S.F. / 200 = [20 SPACES REQUIRED/22 PROVIDED]  
D - FOOD AND BEVERAGE RETAIL SALES: 1 PER 300 S.F.  
2,400 S.F. / 300 = [8 SPACES REQUIRED/24 PROVIDED]  
BICYCLE: 5 OR 1 PER 10 AUTO SPACES, WHICHEVER IS GREATER = 7 REQUIRED/1 PROVIDED
- 2.2 TYPICAL DIMENSIONS: REGULAR AND HANDICAPPED SPACES - 9' X 18' (16.5' + 1.5' OVERHANG AT SIDEWALKS OR PERIMETER ROWS)  
SIDEWALKS SHALL BE 4' CONCRETE - 5' OR 6' WIDE DEPENDING UPON THE LOCATION.  
HANDICAPPED SPACES TO INCLUDE ACCESS AISLE 5' MIN. WIDTH.
- 2.3 PAVEMENT (PER CITY STD.): APPROACHES: 1" CONCRETE W/ #5 BARS 12" O.C.B.W. - PER CITY STANDARDS  
PARKING AREAS: 5" CONCRETE ON 4" CRUSHED LIMESTONE  
CONCRETE PAVEMENT WILL MEET CITY OF LAWRENCE PUBLIC WORKS STANDARD TECHNICAL SPECIFICATIONS (SECTION 2000 - CONCRETE) FOR 4000 PSI CONCRETE.
- 2.4 PAVEMENT SUBGRADE SHALL BE PREPARED PER THE GEOTECH REPORT

LANDSCAPING NOTES:

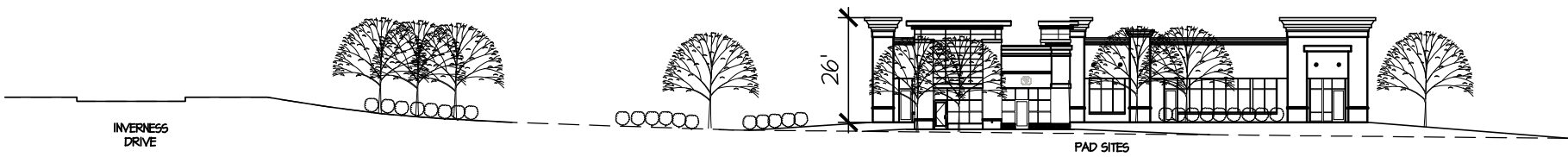
SYM.	DESCRIPTION	QTY.	APPROVED TYPES	BOTANICAL NAMES	SIZE	COND.
	STREET TREES	21	LEGACY SUGAR MAPLE SUMMERSHADE NORWAY MAPLE LACEBARK ELM SHAWARD OAK GREENSPIRE LINDEN LONDON PLANE TREE	ACER SAGCHARUM 'LEGACY' ACER PLATANOIDES 'SUMMERSHADE' ULMUS PARVIFOLIA QUERCUS SHAWARDII TILIA CORDATA 'GREENSPIRE' PLATANUS OCCIDENTALIS 'BLOODGOOD'	2"-2 1/2" CAL	B & B
	SHADE TREES	6	ELM, LACEBARK HORNBARK, COLUMNAR MAPLE, AUTUMN BLAZE MAPLE, COLUMNAR NORWAY MAPLE, PACIFIC SUNSET MAPLE, SIENNA GLEN OAK, BUR BALD CYPRESS OAK, NORTHERN RED OAK, SHINGLE ZELKOVA, GREEN VASE OAK, SHAWP WHITE SAH TOOTH OAK THORNLESS HONEY LOCUST	ULMUS PARVIFOLIA CARPINUS BETULUS 'FASTIGIATA' ACER FREEMANII 'JEFFERRED' ACER PLATANOIDES 'COLUMNAR' ACER TRUNCATUM X PLATANOIDES ACER FREEMANII 'SIENNA' QUERCUS MACROCARPA TAXODIUM DISTICHAM QUERCUS RUBRA FAGACEAE QUERCUS ZELKOVA SERRATA QUERCUS BICOLOR QUERCUS ACUTISSIMA ACER PLATANOIDES 'SUPERFORM' GLEDETISIA TRIACANTHOS VAR. INERMIS	2"-2 1/2" CAL	B & B
	EVERGREEN TREES	11	WHITE PINE EASTERN RED CEDAR GREEN GIANT, ARBORVITAE BLUE SPRUCE	FINIS STROBUS JUNIPERUS VIRGINIANA THUJA 'GREEN GIANT' PICEA PUNGENS	6'-8' HT.	B & B
	ORNAMENTAL TREES	7	KOUSA DOGWOOD CORAL BURST CRABAPPLE EASTERN REDBUD GRAB, ARGENTINA PEAR, CLEVELAND SELECT	CORNUS KOUSA MALUS 'CORALBURST' CERISUS CANADENSIS MALUS ARGENTII 'TINA' PYRUS CALLERYANA	1 1/2"-2" CAL	B & B
	DECIDUOUS SHRUBS	75	BARBERRY, CRIMSON PIGMY BURNING BUSH, DWARF SPIREA, MAGIC CARPET NINE BARK, PURPLE LILAC, DWARF KOREAN VIBURNUM ALLEGANY	BERBERIS THUNBERGII 'CRIMSON PYGMY' EUNYMIUS ALATUS 'COMFACTUS' SPIREA X PYNOCARPUS OPHULIFOLIUS SYRINGA MEYERI 'PALBIN' VIBURNUM X RHYTIDOPHYLLOIDES	18"-24" HT.	CONT
	EVERGREEN SHRUBS	44	DWARF SPREADING YEW JUNIPER, SEA GREEN JUNIPER, CALLERY CARPET HOLLY, BLUE JUNIPER, GREY OHL	TAXUS CUSPIDA DENSEA JUNIPERUS VIRGINIANA 'GREY OHL' JUNIPERUS SAGINAW 'MONNA' ILEX X MESERVEAE JUNIPERUS X PFITZERIANA 'SEE GREEN'	24"- 36" HT.	CONT

- 3.1 THERE MUST BE A MIN. OF (4) SPECIES USED IN EACH CATEGORY, (6) SPECIES MIN. FOR STREET TREES.
- 3.2 ALL TURF AREAS TO BE SEEDED WITH K-31 FESCUE, SOD, OR AS ALLOWED BY CITY CODE.
- 3.3 REQUIRED INTERIOR LANDSCAPING AREA = 718 SURFACE SPACES\*40 SQ. FT. PER SPACE = 28,720 SQ. FT.; 31,281 SQ. FT. PROVIDED.
- 3.4 BUFFERYARDS
- BUFFERYARD ALONG WEST 24TH PLACE - WAIVER REQUESTED DUE TO 15' W/E BEING AT THE FRONT OF THE SITE. SHRUBS HAVE BEEN PROVIDED IN FRONT OF THE PARKING LOT TO MEET SHRUB REQUIREMENTS HOWEVER THERE IS NO ROOM FOR THE ADDITIONAL 5 TREES NOT PROVIDED VIA STREET TREES.  
TYPE 1 - 15' WIDE, 2714.91 IN LENGTH BUFFERYARD = 9 TREES AND 23 SHRUBS REQUIRED/ 0 TREES AND 21 SHRUBS PROVIDED  
(5 TREES AND 12 SHRUBS MUST EVERGREEN BUT A WAIVER IS REQUESTED FROM THE EVERGREEN TREES SINCE THEY WOULD BE PLACED IN PARKING LOTS DUE TO SITE CONSTRAINTS. THERE IS NOT ADDITIONAL ROOM FOR EVERGREEN TREES IN PARKING LOT ISLANDS DUE TO STREET TREES BEING PLACED THERE.)
- BUFFERYARD ALONG INVERNESS DRIVE - TYPE 1 - 25' WIDE, 431.16' IN LENGTH, - REQUIRED: 2 TREES AND 5 SHRUBS PER 100' = 9 TREES, 24 SHRUBS (5 TREES AND 11 SHRUBS MUST EVERGREEN), PROVIDED: 24 TREES AND 41 SHRUBS
- BUFFERYARD ALONG CLINTON PARKWAY- A WAIVER IS REQUESTED DUE TO THE SITE FRONTAGE BEING BUFFERED BY THE 10' +/- HILL SOUTH OF CLINTON PARKWAY
- 3.5 INTERIOR PARKING LOT LANDSCAPING
- A - 57 SPACES X 40 S.F. LANDSCAPING AREA PER PARKING SPACE = 2,280 S.F. REQUIRED/1,683 S.F. PROVIDED  
1 TREE AND 3 SHRUBS PER 10 SPACES; 5 TREES, 16 SHRUBS REQUIRED/16 TREES, 16 SHRUBS PROVIDED  
B - D 61 SPACES X 40 S.F. LANDSCAPING AREA PER PARKING SPACE = 2,480 S.F. REQUIRED/1,401 S.F. PROVIDED  
1 TREE AND 3 SHRUBS PER 10 SPACES; 7 TREES, 23 SHRUBS REQUIRED/7 TREES, 23 SHRUBS PROVIDED

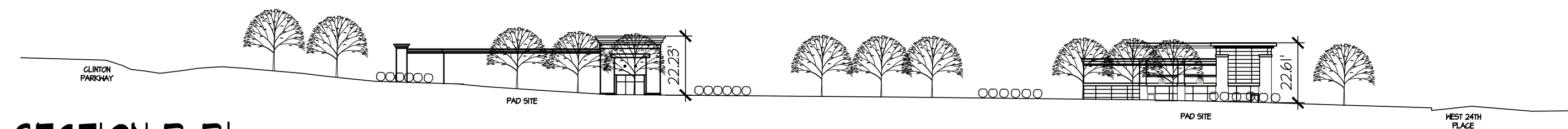
LOCATION MAP



- 3.6 STREET TREES
- WEST 24TH PLACE - 2714.91 L.F./40 = 7 TREES REQUIRED/7 TREES PROVIDED
- INVERNESS DRIVE - 451.01 L.F./40 = 12 TREES REQUIRED/12 TREES PROVIDED
- CLINTON PARKWAY - 300 L.F./40 = 8 TREES REQUIRED/8 TREES PROVIDED



SECTION A-A'  
SCALE 1" = 40'



SECTION B-B'  
SCALE 1" = 40'

paulwerner  
ARCHITECTS

123 W. 8TH STREET  
SUITE B2  
LAWRENCE, KS 66044

OFFICE: 785.832.0804  
FAX: 785.832.0890  
INFO@PAULWERNERARCHITECTS.COM

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INVERNESS CORNER  
WEST 24TH PLACE & INVERNESS DRIVE  
LAWRENCE, KANSAS

PROJECT # 213-730

RELEASE: 1.0  
1.1  
DATE: 1.23.14  
2.14.14

Approved and Released

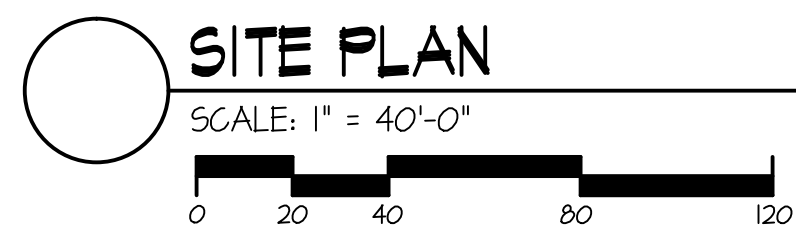
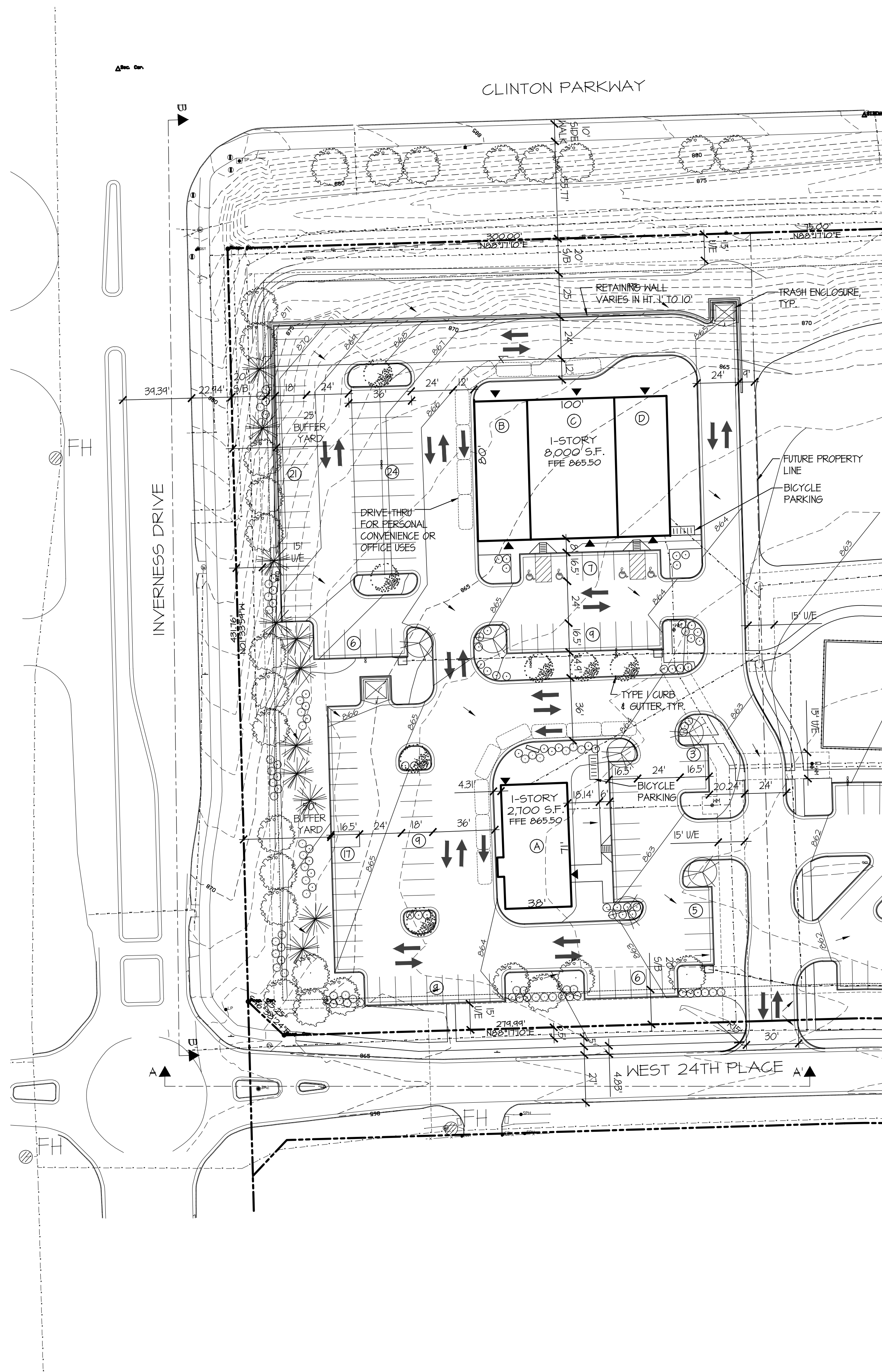
City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

Case No. \_\_\_\_\_  
Approval Date: \_\_\_\_\_  
Release Date: \_\_\_\_\_  
Planner: \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_ Sheets  
Asst./Director: \_\_\_\_\_

SUP-1



J:\Project\213-000\213-730\CAD & CAD PDF\Site\CAD SITE PLAN\213-730 SP SH1 2 - INVERNESS CORNER.dwg, 2/19/2014 9:44:31 AM, DWG To PDF.pc3



**paulwerner**  
ARCHITECTS

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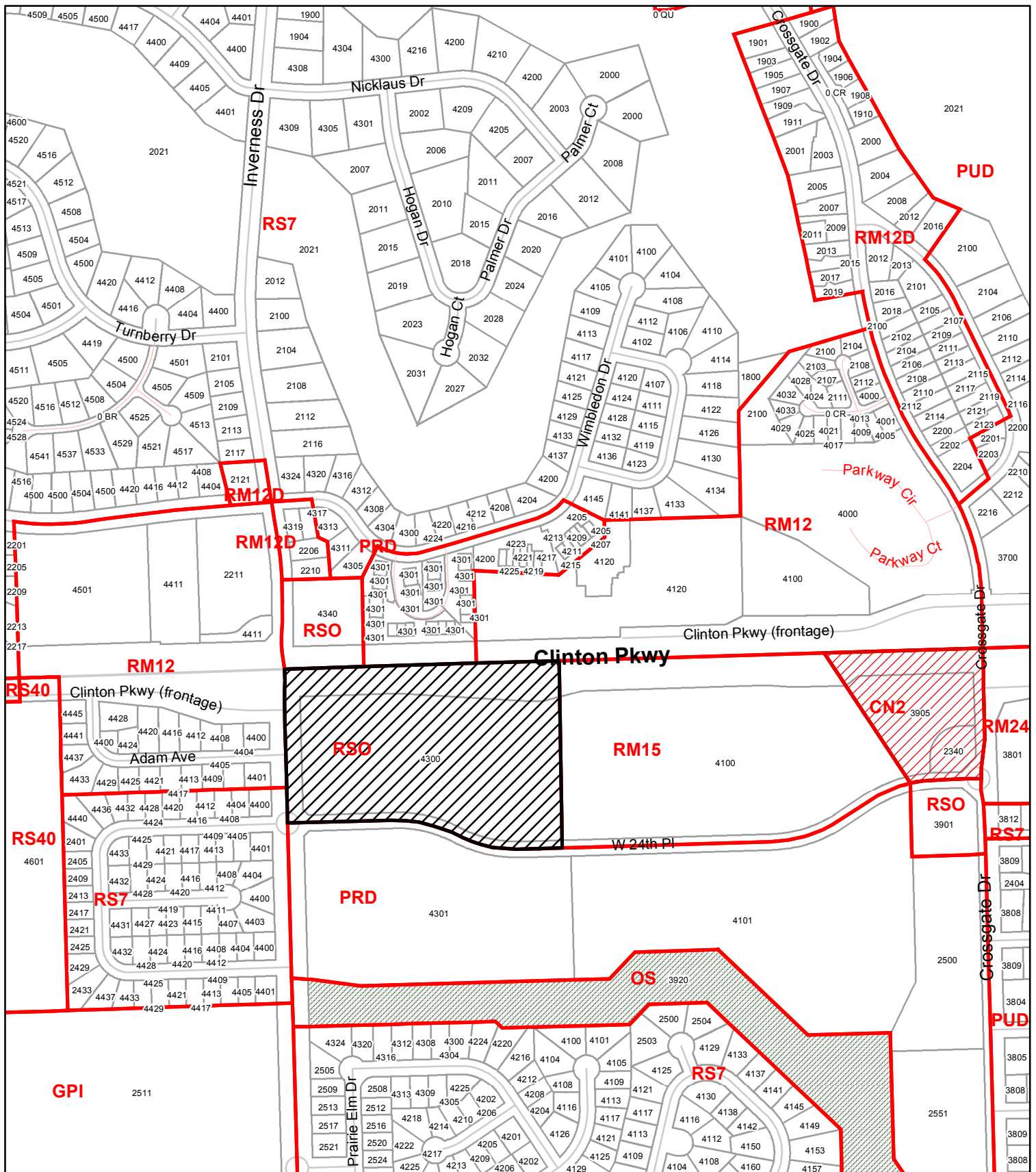
**INVERNESS CORNER**  
WEST 24TH PLACE & INVERNESS DRIVE  
LAWRENCE, KANSAS

PROJECT # 213-T30

RELEASE:	DATE:
1.0	1.23.14
1.1	2.14.14

SUP - 2





**Z-13-00483: Rezone 10.97 acres from RSO District to CN2 District**  
**SUP-13-00486: Special Use Permit for a Family Fun Center &**  
**SUP-14-00026: Special Use Permit for Fast Order Food with Drive-thru**  
**Located at 4300 West 24th Place**

Lawrence-Douglas County Planning Office  
 February 2014



Subject Property



**From:** [Mulloy, Molly](#)  
**To:** [Travis Halm](#)  
**Subject:** Letter from Wimbledon Terrace Townhomes Assn  
**Date:** Sunday, February 16, 2014 10:35:35 AM

---

Dear Mr. Halm,  
Please see the letter below being sent on behalf of the 23 townhome owners at 4301 Wimbledon Terrace. As noted in the letter, we have some serious concerns about the proposed Family Fun Center project under consideration for the vacant land near Clinton Parkway and Inverness. Thank you for forwarding our letter to the Commissioners.  
Molly Mulloy

February 14, 2014

Lawrence-Douglas County Planning Commission  
Planning & Development Services  
PO Box 708  
Lawrence KS 66044

Dear Commissioners,

Members of the Wimbledon Terrace Townhomes Association, comprised of the 23 townhome owners at 4301 Wimbledon Terrace, strongly object to the proposed rezoning and special use permit for the large property at 4300 W. 24<sup>th</sup> Place (southeast corner of Inverness and Clinton Parkway). We are referring to the following items, Z-13-00483, SUP-13-00486, and SUP-14-00026, scheduled for discussion at your meeting on Monday, February 24, 2014. Our townhome development is directly across Clinton Parkway from the proposed project. We believe it will have a seriously negative effect on our neighborhood and the safety of the many children in this area.

We are concerned that the proposed "Family Fun Center" and its go-cart track will result in high levels of noise pollution and toxic emissions, that the miniature golf course and batting cages will require excessively bright lights at night, and that the huge increase in traffic at the already-busy intersection of Inverness & Clinton Parkway will be problematic and even dangerous for the school children crossing that intersection. There are four schools located within a few blocks of the proposed project (Bishop Seabury, Raintree Montessori, Sunflower Elementary, and Southwest Middle School), with hundreds of little children who might be intimidated by the large numbers of teenagers and young adults who would frequent the project. Rather than being built in the midst of this residential area, it would seem more appropriate for the massive "Family Fun Center" project to be built in a more commercial or rural area at the edge of the city such as was done with the youth soccer complex south of town and the new recreation center to the west.

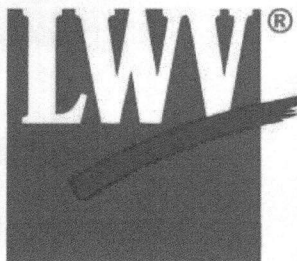
Several homeowners from the Wimbledon Terrace Townhomes Association will be present at the meeting on February 24<sup>th</sup> and would be happy to explain our concerns at the meeting, if appropriate.

Thank you for considering our objections to this rezoning request.

Respectfully, ,

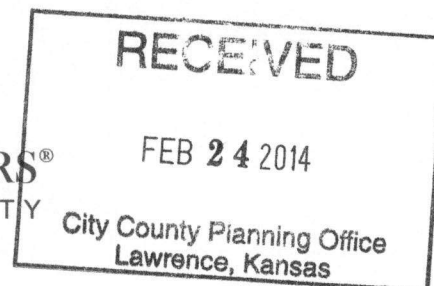
Wimbledon Terrace Townhomes Assn.  
Molly Mulloy, Executive Committee (mmulloy@ku.edu)  
Ruth Hiss, Executive Committee (mrsdeltachi@yahoo.com)  
Jane Tedder, Executive Committee (jtedder@sunflower.com)  
Debbie Saiz  
Alice Holtz  
Ann Eversole  
Kathy Rauckman  
Letty Seidl  
Sarah Williamson

Lenora Barker



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

*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  
Page 2

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

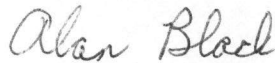
**We also ask that you not approve Item No. 5C, the SUP for the Fast Order Food With Drive-Thru use.** The Fast Order Food With Drive-Thru use would be much more intense than under normal circumstances because the clientele of the recreation center would add to the customer base. The use, itself, was 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:** Kenna Heim [<mailto:kennahome1@yahoo.com>]

**Sent:** Sunday, February 23, 2014 6:35 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); [dcbritt@yahoo.com](mailto:dcbritt@yahoo.com); [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)

**Subject:** Proposed Family Fun Center and Fast Food restaurants

The designated zoning for the area in question is the correct one--Single-Dwelling-Residential-Office. These are the types of buildings that would suit this area so close to Sunflower Elementary and Southwest Middle School. I live on Larkspur Circle off from 27th Street and was concerned to hear new proposals for this property that involve changing the zoning.

On children's football nights, I can already barely get through on 27th due to the parking along the street. Inverness was designed to be a quiet residential and school street. Children may be much more in danger of being run over. Traffic on Wakarusa and all these local streets can become very tight and slow as citizens come and go to the ball park on the south side of the SLT. Please drive down into this area during ball games and see what congestion is present.

Also, the ball fields already have very bright lighting all summer long. I am happy for Lawrence to have a wonderful ball park and deal with the bright lighting because I know how important those sports programs are. Landscaping cannot cover up the bright lights that would come with the proposed "fun" center.

People do need their rest. Noises and light coming from the park would make it uncomfortable for people, especially those with children, who need to be rested to go to work or school in the morning.

Now, as a schoolteacher for USD 497, comes my biggest concern of all. The proposal is to place a fun center within a block or so of schools. When I drive home and these schools are letting out, I see students walking most probably to their homes. These children aren't old enough to drive but they could definitely begin stopping by the "fun" center after school. And what types of people might take advantage of the fact that there was a school close by? Not to be alarmist, but it is a perfect setup for pedophiles to lure children. I think of the little girl in Springfield who so recently was kidnapped and killed near her home. I doubt there was a fun center there, but why would we want to endanger our children any further than what they already are?

The fun center might be a fine idea, but PLEASE find an area further out or one that is zoned for commercial use. Keep the zoning as it currently stands.

Respectfully,

Kenna Heim  
4741 Larkspur Circle

**From:** Jamie Hulse [<mailto:jamiehulse@att.net>]

**Sent:** Sunday, February 23, 2014 6:31 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:** Rezoning of 4300 W. 24th Place

Dear Planning Commissioners,

Regarding 4300 W. 24th Place:

- I am in support of conditional rezoning from **Residential Office (RSO)** to **Commercial Neighborhood 2 (CN2)**, **IF**
  - the rezoning is tied to this specific project. If the project doesn't get developed, then the **zoning would revert back to RSO**, and...
  - **IF** the public process remains in place in perpetuity for the lot for any future lot splits or changes in use, and...
  - IF there is a landscaping buffer along the west side of the property, and...
  - IF multi-family is disallowed for any future development (if at some point 20 years from now a buyer wants to level the Family Fun Center and build apartments)

Neighbors have participated in the development process of the area between Clinton Pkwy/Inverness/W. 27th Street/Crossgate since it was annexed into the city limits. Neighbors supported the initial plan, and prior re-zonings (upzonings) for other lots along W. 24th tied to a senior housing development, including support of more dense development of The Legends as part of the entire project, because the senior housing was planned to be between The Legends apartments and Inverness where students walked and rode bikes. Neighbors asked if there could be conditional rezoning and were told no by city staff. Neighbors trusted that the senior development would be built and supported the entire re-zoning. The Legends were built immediately. The senior housing developer pulled out, and dense apartments catering to partying college students were built instead - The Grove.

- 
- Since there isn't currently a buyer for the west lot: regarding a potential future lot split as shown on the proposed plan - either require that the lot split happens now and keep zoning on west lot as RSO until there is a buyer, or if lot split doesn't happen now, keep public comment as part of the process for further development.
    - The corner of Inverness and Clinton Parkway is the entrance to three schools, and across the street from a fourth school.
    - Traffic is already challenging from that intersection to Inverness and W. 27th St.
    - The west corner lot should ideally remain Residential Office (RSO) until there is an actual developer/buyer, so the neighbors can participate in the process.
    - A development plan for that corner is irrelevant when there is no buyer or tenant, because it will be scrapped and redrawn when there is a buyer/tenant.
    - Rezoning now to CN2 would allow any project that conforms to be processed through with no public input, which would probably eliminate any landscaping buffer, and probably result in a more 'commercial' high use.
    - Many children and community members use the sidewalks along that corner, so public input about the best use and plan is significantly important.
    - Neighbors are not in support of drive-thru restaurants at this location because of already congested traffic.
    - Neighbors are still interested in finding a way to purchase that corner and make it a public park, and possibly a membership swimming pool, through a special tax or Homeowner's Association. If anyone has suggestions and guidance on how to accomplish that, please let me know.

- 
- 
- I am in support of the text amendment allowing outdoor use for this specific project, but not for all CN2 zoned properties.
  - I am **NOT** in support of alcohol sales at a Family Fun Park. There should not be alcohol sales in such close proximity to four schools, and across the street from a church. Alcohol will increase the possibility of fights, the potential for underage alcohol sales/drinking, and increase the potential for adults to drink and drive in parking lots and streets with children, and with children in their vehicles.
  - I am in support of open hours until **10:00 pm Sunday-Thursday, and 11:00 pm on Friday and Saturday**, which is a reduction from the plan.

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The area between Clinton Parkway/Inverness/Crossgate/W. 27th Street has been a development in progress for a number of years. Neighbors want a development plan that will benefit the neighborhood, the schools, and the Lawrence community. Lawrence will benefit from having a place where families and kids can enjoy outdoor activities.

Sincerely,

Jamie Hulse  
4403 Gretchen Ct.  
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:** Leann Cooper [<mailto:lcooper@gcsaa.org>]

**Sent:** Monday, February 24, 2014 9:35 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:** Rezoning of 4300 W. 24th Place

Dear Planning Commissioners,

Regarding 4300 W. 24<sup>th</sup> place and the rezoning request – **my husband and I are writing in opposition.** I could list a multitude of reasons, but the main one is right there in the request – rezoning from Residential Office to Commercial Neighborhood. The word commercial changes the nature of the entire landscape. It's going to wreck the entire feel and value of our neighborhood – much like when we allowed the property to be rezoned to allow for a senior housing development that never panned out. We were stuck instead with dense apartment buildings with partying college students and an increase in all the disruptions that come with them. I'm not going to trust that if we change the zoning the Fun Center actually gets built in the way the developer states it will. I also don't like the idea of drive-thru fast food restaurants being built that close to my home. Again, it changes an area from a neighborhood to a commercial area – no thank you.

We have three schools in the immediate area and while I can appreciate the idea of building something to attract that demographic, I also really don't like the idea of increased traffic on Inverness – a road that hasn't been built for commercial use, but residential use.

Thank you for your time!

Leann & Andrew Cooper  
4408 Gretchen Ct.  
Lawrence, KS 66047

**Leann Cooper** | Senior Manager, Chapter Services  
Golf Course Superintendents Association of America  
1421 Research Park Drive | Lawrence, KS 66049  
800.472.7878, ext. 3648 | 785.832.3648 Direct |  
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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 is 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

**From:** Angela Jacobson [<mailto:angelamk@swbell.net>]

**Sent:** Monday, February 24, 2014 10:54 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:** Feedback regarding proposed family fun center (Clinton Parkway and Inverness)

Commissioners:

My husband and I live at 4416 Gretchen Ct. and have concerns about the proposed family fun center. In a perfect world, I think it is fair to say that the neighborhood would love for the space to be used as a green space or park. However, as it appears that that is not an option, the family fun center is more attractive than apartments.

In regard to the proposed plan, we have two main concerns:

First, we **strongly oppose the sale of alcohol** at the proposed family fun center because of its location being so near to several schools and the certain issues that will arise from having alcohol available at a facility like this with motorized vehicles surrounded by apartments filled with college students.

Second, because of the proximity to so many neighborhoods with families, **we are opposed to the hours of operation** running so late into the evening, particularly on Thursday night. Why not 8 or 9 p.m. during the week and 10 p.m. on weekends? The proposed go carts may be quieter than others but when you have 5 or 10 of them running at the same time, that is sure to cause trouble with noise pollution, particularly when the weather permits families to have windows open.

We also believe that whatever zoning needs to happen to ensure that neighbors have a voice as this process continues, including the development of the land nearest Inverness is critical. This area began as a residential area filled with families and schools. It is important that the area (homes, property values, kids, schools, safety) be protected.

Thank you

Angela & Thomas Jacobson  
4416 Gretchen Ct.

Angela Jacobson  
[angelamk@swbell.net](mailto:angelamk@swbell.net)  
(785)841-0376

**From:** [Sheila Stogsdill](#)  
**To:** [Sandra Day](#); [Travis Halm](#); [Denny Ewert](#)  
**Subject:** FW: Feedback regarding proposed family fun center (Clinton Parkway and Inverness)  
**Date:** Monday, February 24, 2014 11:33:59 AM

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Sheila

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<http://lawrenceks.org/pds/survey/satisfaction>."*

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**From:** Bryan C. Culver [mailto:BCulver@bankingunusual.com]  
**Sent:** Monday, February 24, 2014 10:57 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Feedback regarding proposed family fun center (Clinton Parkway and Inverness)



Bryan C. Culver  
Vice President  
Wealth Management Officer  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



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**From:** Angela Jacobson [mailto:[angelamk@swbell.net](mailto:angelamk@swbell.net)]  
**Sent:** Monday, February 24, 2014 10:54 AM  
**To:** [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjossierand@gmail.com](mailto:jonjossierand@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:** Feedback regarding proposed family fun center (Clinton Parkway and Inverness)

Commissioners:

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Thank you

Angela & Thomas Jacobson  
4416 Gretchen Ct.

Angela Jacobson  
[angelamk@swbell.net](mailto:angelamk@swbell.net)  
(785)841-0376



## BISHOP SEABURY ACADEMY

4120 Clinton Parkway • Lawrence, Kansas 66047 • Ph: (785) 832-1717 • Fax: (785) 832-1919

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March 7, 2014

Dear Planning Commissioners,

As Head of School at Bishop Seabury Academy (4120 Clinton Parkway), I have been following with interest and concern the proposed rezoning (Z-13-00483) of the lot at 4300 W. 24<sup>th</sup> Place from a Residential area to a Neighborhood Shopping Center (CN2). I attended the meeting at Raintree Elementary School, and I appreciated Mr. Werner's appearing to explain the project. I would not be opposed to such a development were it appearing (logically) on the outskirts of town and in an area zoned deliberately for this sort of development. However, I think this rezoning is inherently and obviously very bad news for everyone who lives or attends school in the area. Homeowners in the area have very good reason to be anxious, and they voiced their concerns at the meeting. I will focus on my own concerns.

I feel certain that this sort of an entertainment park will attract a lot of middle school, high school, and college students at all times of the day, but especially at night. (I have to think that developers conceived of this project with a captive afternoon audience in mind: the students at Bishop Seabury Academy, Southwest Middle School, and perhaps Raintree and Sunflower Elementary Schools.) The presence of alcohol in this park is unwise. It would be naïve to think that underage high school and college students who find a way to drink in other Lawrence bars will not find a way to drink at the bar in this park. And when they leave the facility at 10 pm or midnight—bedtime for adults, perhaps, but not for park guests aged 14-25—they will look around and wonder what they should do next. And they will have two schools nearby with football fields, tennis courts, baseball diamonds, and a closed, unsupervised pool with a gate that is easily climbed. They will have the secluded spaces behind Raintree. As I noted at the Raintree meeting, I am an advocate for young people and believe in their better nature, but they also make bad choices at times. If this park is allowed to be developed in this residential area, it will not be the developer, architect, management, or the city planning committee who will have to deal with this situation. It will be the people who live in this area.

I was asked by Mr. Werner if I would feel more comfortable about the situation should alcohol be taken off the table. I admit that the presence of alcohol is one of the most bewilderingly inappropriate aspects of this proposal and raises the stakes, especially when neighbors have no certainty about the future usage of this area (Family Fun Center or other entertainment feature). But focusing on this one proposed entertainment park project, the absence of liquor would not stop drinking or the potential late night behavior. The sort of features offered by the park will lend themselves to students showing up intoxicated and/or keeping liquor in their cars or on their persons. Perhaps I am excessively cynical here, but my job as Head of School is to think of worst-case scenarios, and in my experience, what I am suggesting hardly requires a dark imagination.

Also at the Raintree meeting yesterday, there was much discussion about neighborhood concerns regarding lighting, noise, security, the quality of judgment demonstrated by young seasonal park employees, and even the uncertainty of what project will inhabit this lot (again, in the center of a residential area of town) not only next year but in 5, 10, and 20 years. Despite the helpful speculations



## BISHOP SEABURY ACADEMY

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4120 Clinton Parkway • Lawrence, Kansas 66047 • Ph: (785) 832-1717 • Fax: (785) 832-1919

by the architect on all of these issues—assurances which are the lubricant to get this motion passed—there is no guarantee on any of them. And if you allow this rezoning to occur, the neighbors and schools will be at the mercy of whatever development occurs in this area.

I want the planning committee members to understand that I do not envy their job, and I do not think it is for me to dictate what sort of construction occurs in the neighborhood surrounding my school. However, I think it is very reasonable to see that rezoning and special use permits are difficult hurdles for developers in a situation like this because restrictions are in place for a reason. There is logic and a reason for consistency with these decisions. There is a reason that the present zoning exists.

With respect, I strongly encourage you to oppose this rezoning. And as a final test to this decision making, I would ask you to consider if you would be willing to move into a residence alongside the Family Fun Center if it is built. If you would not, then you will understand how we feel.

Thank you for your consideration in this matter,

Dr. Don M. Schawang

Head of School  
Bishop Seabury Academy



**From:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: Proposed development  
**Date:** Monday, February 24, 2014 1:21:15 PM

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In my spam

**Scott McCullough**, *Director*

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

City Hall, 6 E. 6<sup>th</sup> Street

P.O. Box 708, Lawrence, KS 66044-0708

office (785) 832-3154 | fax (785) 832-3160

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**From:** Bryan C. Culver [mailto:[BCulver@bankingunusual.com](mailto:BCulver@bankingunusual.com)]  
**Sent:** Monday, February 24, 2014 10:25 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Proposed development



**Bryan C. Culver**  
Vice President  
Wealth Management Officer  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
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**From:** Bob Grabill [mailto:[bgrabill@chiefexec.com](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); [jonjosseland@gmail.com](mailto:jonjosseland@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

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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:** [Sandra Day](#)  
**To:** [Travis Halm](#); [Sheila Stogsdill](#); [Scott McCullough](#)  
**Cc:** ["Paul Werner"](#); ["Joy Rhea"](#)  
**Subject:** Family Fun center  
**Date:** Tuesday, March 11, 2014 10:05:05 AM

---

I just received a phone message from a Larry G. (25<sup>th</sup> & Inverness) about the project. He stated he was opposed to the rezoning and attended the meeting at Raintree along with approximately 80 others and lots of students. It was unanimous that residents were opposed to the request other than the presenters. He is a former junior high teacher and agrees that there is a need for after school activities but that this location is inappropriate. He will forward his concerns in a future email. He did not leave a phone number.



**Sandra L. Day, AICP**, City/County Planner- [sday@lawrenceks.org](mailto:sday@lawrenceks.org)  
Planning Division | [www.lawrenceks.org/pds](http://www.lawrenceks.org/pds)  
P.O. Box 708, Lawrence, KS 66044  
Office (785) 832-3161 | Fax (785) 832-3160

*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:  
<http://lawrenceks.org/pds/survey/satisfaction>."*

**From:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#)  
**Cc:** [Sheila Stogsdill](#)  
**Subject:** FW: OPPOSITION to Proposed Development for corner of Inverness and Clinton Parkway  
**Date:** Monday, February 24, 2014 9:50:24 AM

---

For PC and applicant.

**Scott McCullough, Director**

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

City Hall, 6 E. 6<sup>th</sup> Street

P.O. Box 708, Lawrence, KS 66044-0708

office (785) 832-3154 | fax (785) 832-3160

*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:*

*<http://lawrenceks.org/pds/survey/satisfaction.>"*

---

**From:** Bryan C. Culver [mailto:[BCulver@bankingunusual.com](mailto:BCulver@bankingunusual.com)]  
**Sent:** Monday, February 24, 2014 9:50 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: OPPOSITION to Proposed Development for corner of Inverness and Clinton Parkway



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



---

**From:** Deborah M. Galbraith [mailto:[dgalbraith@waverly-partners.com](mailto:dgalbraith@waverly-partners.com)]  
**Sent:** Monday, February 24, 2014 9:49 AM  
**To:** 'amalia.graham@gmail.com'; 'montanastan62@gmail.com'; 'jonjossierand@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:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#)  
**Subject:** FW: Planning Commission Meeting  
**Date:** Monday, February 24, 2014 9:51:49 AM

---

**Scott McCullough, Director**

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

City Hall, 6 E. 6<sup>th</sup> Street

P.O. Box 708, Lawrence, KS 66044-0708

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*<http://lawrenceks.org/pds/survey/satisfaction>."*

---

**From:** Bryan C. Culver [mailto:BCulver@bankingunusual.com]  
**Sent:** Monday, February 24, 2014 9:42 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Planning Commission Meeting



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



---

**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:** [Bryan C. Culver](#)  
**To:** [Scott McCullough](#)  
**Cc:** [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: location of proposed "family fun center"  
**Date:** Monday, March 10, 2014 4:47:47 PM

---

Bryan C. Culver  
Vice President  
Wealth Management Officer  
4831 West 6th Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527

-----Original Message-----

From: Eileen Jones [<mailto:eejones@ku.edu>]  
Sent: Monday, March 10, 2014 9:43 AM  
To: Bryan C. Culver  
Subject: location of proposed "family fun center"

Dear Mr. Culver,

As a KU employee and a resident of Lawrence for 10 years (Fox Chase neighborhood in west Lawrence), I am writing to express my strong opposition to the proposed location at the intersection of Clinton Parkway and Inverness.

As a parent of three children who attended Southwest Junior High and the grandparent of a first-grader at Raintree Montessori School, I am familiar with the traffic patterns at that intersection. That intersection serves traffic for two public and two private schools and an entire neighborhood which does not have other avenues onto Clinton Parkway. Traffic is very heavy in the morning and afternoon - pickup and dropoff at Raintree is very busy - and I do not believe that intersection can safely handle any more traffic.

The effect of the "family fun center" on the residents of that neighborhood and on the families attending those four schools would be devastating. The safety issues created by increased traffic are obvious, and I believe there are other safety issues of a cultural nature with a rec center being so close to schools. I think it would encourage truancy and also the influence of elements outside the schools (including drug sales).

In addition to the inconvenience and danger that additional traffic would pose for neighborhood residents and student families traveling there, home values in that fairly new neighborhood will be negatively impacted. My husband and I are looking for a starter home for our daughter and her young family, and already we have eliminated that neighborhood from our real estate search, and only because of the proposed "family fun center".

I am not opposed to a new recreational center, but in my opinion this location is a very poor one. Please stay away from schools and established, quiet family neighborhoods. A location close to the new Rock Chalk park would make more sense, and the 6th-and-Folks to downtown bus could extend its route westward to go to the new rec center.

Thank you for allowing me to express my view.

Eileen Jones  
1124 Summerfield Way  
Lawrence, KS 66049  
(785) 979-2129

**From:** [Bryan C. Culver](#)  
**To:** [Scott McCullough](#)  
**Cc:** [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: Proposed Re-Zoning for Family Fun Center  
**Date:** Friday, March 07, 2014 10:30:40 AM

---



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
**4831 West 6<sup>th</sup> Street**  
**Lawrence, KS 66049**  
**785-842-4300 Office**  
**785-830-4623 Fax**  
**785-760-2820 Mobile**  
**NMLS# 861527**



**From:** Kelli Flanner [mailto:kelliflanner@gmail.com]  
**Sent:** Friday, March 07, 2014 10:29 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); [jonjoserand@gmail.com](mailto:jonjoserand@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)  
**Cc:** Lowell Flanner  
**Subject:** Proposed Re-Zoning for Family Fun Center

Dear Planning Commissioners,

I'm Kelli Flanner, a 30-year Douglas County resident, Lawrence worker, Raintree parent, and number one fan of Lawrence. I'm reaching out to you to voice concerns about the proposed re-zoning of the Inverness & Clinton Parkway area marketed as a Family Fun Center.

There are several factors about this proposed rezoning which give me pause.

- 1) The location of a large commercial property serving alcohol, and fast food restaurants in close proximity to a quiet residential and four-school neighborhood. Traffic, noise, vandalism, drunk driving will surely increase in what is currently a beautiful, peaceful, quiet neighborhood that despite being developed still retains the character of the rural land it was not long ago - a peaceful ambiance that the original Horizon 2020 plan intended to preserve on Clinton Parkway.
- 2) A "Family Fun Center" which serves alcohol, presumably to parents and young adults, where children are playing. To me, this does not compute. I am not a prude, but let me give you an example - have you been to a Chiefs game? Adults + alcohol + rowdy 'fun' atmosphere = cursing galore and an environment that isn't conducive to family fun. Are the parents drinking while the kids engage in the fun activities? Is the alcohol a draw for young adults in our community...and if so how does that jive with the stated target audience of having a space for young kids to play and have fun? If Kansas liquor laws continue to relax as the trend has gone, will we see the 3.2 beer standard disappear and full bar possible at this site?
- 3) The developers. Why don't we know who they are? Is this a group of folks who respect the effects of underage drinking in our community, or are they current liquor license-holders who consider a citation from the ABC simply the cost of doing business in a college town? There is a level of trust

involved when the city decides to deviate from a long-term strategic plan (Horizon 2020) to allow commercial development ("trust us - it won't be loud, trust us - it won't affect traffic, trust us - the alcohol will not increase crime in the neighborhood") - do these developers have a history of violating our city's trust?

4) The framing of this project by the spokesperson at the community meeting. The architect indicated that there just isn't enough for kids to do in Lawrence, as though this proposal is a community service. First, that is patently false. Find me a parent in Lawrence who can't find things for their children to do and I will show you someone who isn't looking. Second, where is the evidence that this is true? Are the current facilities at capacity?

These were my initial concerns after attending the community meeting last night at Raintree and listening to the proposal from the developers. The room was packed with local residents of all ages and parents of children at the four schools adjacent to the site and I didn't hear one word of enthusiasm or support for this idea at this location.

Thank you for your time in reviewing these concerns. I fervently hope you and the other commissioners will listen to the community and hear that this rezoning is not what is best for the people who live and educate their children at Inverness & Clinton. It is a beautiful part of our city and we would like to keep it that way.

I look forward to the Planning Commission meeting on March 24th.

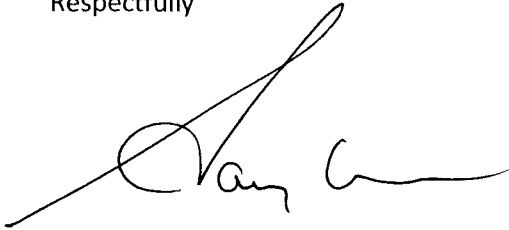
Sincerely,

Kelli Flanner

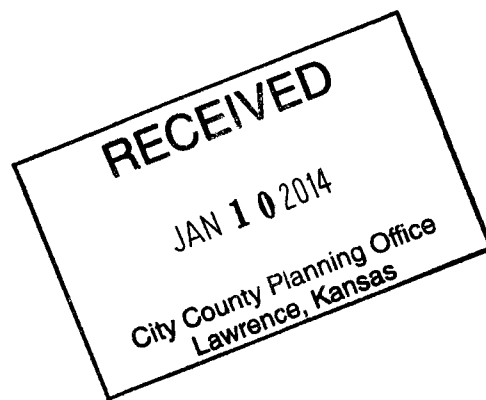
I am the property owner of Clinton Parkway Animal Hospital, 4340 Clinton Parkway and a rental house at 4334 Clinton Parkway. We have strived to maintain and improve the outside appearance of those two properties, including a major investment in new landscaping in 2013.

I definitely oppose the rezoning request # Z-13-00483 for 4300 W 24<sup>th</sup> Place. The noise will be a major issue; it will detract from surrounding properties, and overall is a poor idea for the location, in my opinion.

Respectfully

A handwritten signature in black ink, appearing to read "Gary Olson", with a large, stylized initial "G" and "O".

Gary Olson, DVM  
Clinton Parkway Animal Hospital  
4340 Clinton Parkway  
Lawrence, KS 66047  
785-841-3131





From: [Scott McCullough](#)  
To: [Denny Ewert](#); [Sandra Day](#)  
Subject: FW: Rezoning of 4300 W. 24th Place  
Date: Monday, February 24, 2014 9:52:14 AM

---

**Scott McCullough, Director**  
Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)  
City Hall, 6 E. 6<sup>th</sup> Street  
P.O. Box 708, Lawrence, KS 66044-0708  
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<http://lawrenceks.org/pds/survey/satisfaction>."*

---

From: Bryan C. Culver [mailto:BCulver@bankingunusual.com]  
Sent: Monday, February 24, 2014 9:42 AM  
To: Scott McCullough; Sheila Stogsdill  
Subject: FW: Rezoning of 4300 W. 24th Place



**Peoples**  
Banking Unusual  
Bryan C. Culver  
Vice President  
Wealth Management Officer  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



---

From: Jamie Hulse [mailto:jamiehulse@att.net]  
Sent: Sunday, February 23, 2014 6:31 AM  
To: [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjossorand@gmail.com](mailto:jonjossorand@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: Rezoning of 4300 W. 24th Place

Dear Planning Commissioners,

Regarding 4300 W. 24th Place:

- I am in support of conditional rezoning from **Residential Office (RSO)** to **Commercial Neighborhood 2 (CN2)**, **if**
  - the rezoning is tied to this specific project. If the project doesn't get developed, then the **zoning would revert back to RSO**, and...
  - **if** the public process remains in place in perpetuity for the lot for any future lot splits or changes in use, and...
  - IF there is a landscaping buffer along the west side of the property, and...
  - IF multi-family is disallowed for any future development (if at some point 20 years from now a buyer wants to level the Family Fun Center and build apartments)

Neighbors have participated in the development process of the area between Clinton Pkwy/Inverness/W. 27th Street/Crossgate since it was annexed into the city limits. Neighbors supported the initial plan, and prior re-zonings (upzonings) for other lots along W. 24th tied to a senior housing development, including support of more dense development of The Legends as part of the entire project, because the senior housing was planned to be between The Legends apartments and Inverness where students walked and rode bikes. Neighbors asked if there could be conditional rezoning and were told no by city staff. Neighbors trusted that the senior development would be built and supported the entire re-zoning. The Legends were built immediately. The senior housing developer pulled out, and dense apartments catering to partying college students were built instead - The Grove.

- 
- Since there isn't currently a buyer for the west lot: regarding a potential future lot split as shown on the proposed plan - either require that the lot split happens now and keep zoning on west lot as RSO until there is a buyer, or if lot split doesn't happen now, keep public comment as part of the process for further development.
    - The corner of Inverness and Clinton Parkway is the entrance to three schools, and across the street from a fourth school.
    - Traffic is already challenging from that intersection to Inverness and W. 27th St.
    - The west corner lot should ideally remain Residential Office (RSO) until there is an actual developer/buyer, so the neighbors can participate in the process.
    - A development plan for that corner is irrelevant when there is no buyer or tenant, because it will be scrapped and redrawn when there is a buyer/tenant.
    - Rezoning now to CN2 would allow any project that conforms to be processed through with no public input, which would probably eliminate any landscaping buffer, and probably result in a more 'commercial' high use.
    - Many children and community members use the sidewalks along that corner, so public input about the best use and plan is significantly important.
    - Neighbors are not in support of drive-thru restaurants at this location because of already congested traffic.
    - Neighbors are still interested in finding a way to purchase that corner and make it a public park, and possibly a membership swimming pool, through a special tax or Homeowner's Association. If anyone has suggestions and guidance on how to accomplish that, please let me know.
- 

- I am in support of the text amendment allowing outdoor use for this specific project, but not for all CN2 zoned properties.
  - **I am NOT in support of alcohol sales** at a Family Fun Park. There should not be alcohol sales in such close proximity to four schools, and across the street from a church. Alcohol will increase the possibility of fights, the potential for underage alcohol sales/drinking, and increase the potential for adults to drink and drive in parking lots and streets with children, and with children in their vehicles.
  - I am in support of open hours until **10:00 pm Sunday-Thursday, and 11:00 pm on Friday and Saturday**, which is a reduction from the plan.
- 

The area between Clinton Parkway/Inverness/Crossgate/W. 27th Street has been a development in progress for a number of years. Neighbors want a development plan that will benefit

the neighborhood, the schools, and the Lawrence community. Lawrence will benefit from having a place where families and kids can enjoy outdoor activities.

Sincerely,

Jamie Hulse  
4403 Gretchen Ct.  
Lawrence KS 66047

**From:** [Bryan C. Culver](#)  
**To:** [Scott McCullough](#)  
**Cc:** [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: Opposition to proposed development for corner of Inverness and Clinton Parkway  
**Date:** Monday, March 10, 2014 5:05:59 PM

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**Not much to this one but still a communication received none the less.**



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
**4831 West 6<sup>th</sup> Street**  
**Lawrence, KS 66049**  
**785-842-4300 Office**  
**785-830-4623 Fax**  
**785-760-2820 Mobile**  
**NMLS# 861527**



---

**From:** Janet Graybill [mailto:janetgraybill@live.com]  
**Sent:** Monday, March 10, 2014 4:57 PM  
**To:** bruce@kansascitysailing.com; amalia.graham@gmail.com; montanastan62@gmail.com; jonjossierand@gmail.com; pkelly@usd497.org; denny1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; eric.cstruckhoff@gmail.com; Bryan C. Culver  
**Subject:** Opposition to proposed development for corner of Inverness and Clinton Parkway

Dear City Planning Commissioners,

Please add our voices to all those opposing the Family Fun Center.

Janet and Bill Graybill  
4119 Wimbledon Circle

**From:** [Bryan C. Culver](#)  
**To:** [Scott McCullough](#)  
**Cc:** [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: Proposed Re-Zoning for Family Fun Center  
**Date:** Friday, March 07, 2014 10:30:40 AM

---



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
**4831 West 6<sup>th</sup> Street**  
**Lawrence, KS 66049**  
**785-842-4300 Office**  
**785-830-4623 Fax**  
**785-760-2820 Mobile**  
**NMLS# 861527**



**From:** Kelli Flanner [mailto:kelliflanner@gmail.com]  
**Sent:** Friday, March 07, 2014 10:29 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); [jonjoserand@gmail.com](mailto:jonjoserand@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)  
**Cc:** Lowell Flanner  
**Subject:** Proposed Re-Zoning for Family Fun Center

Dear Planning Commissioners,

I'm Kelli Flanner, a 30-year Douglas County resident, Lawrence worker, Raintree parent, and number one fan of Lawrence. I'm reaching out to you to voice concerns about the proposed re-zoning of the Inverness & Clinton Parkway area marketed as a Family Fun Center.

There are several factors about this proposed rezoning which give me pause.

- 1) The location of a large commercial property serving alcohol, and fast food restaurants in close proximity to a quiet residential and four-school neighborhood. Traffic, noise, vandalism, drunk driving will surely increase in what is currently a beautiful, peaceful, quiet neighborhood that despite being developed still retains the character of the rural land it was not long ago - a peaceful ambiance that the original Horizon 2020 plan intended to preserve on Clinton Parkway.
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- 3) The developers. Why don't we know who they are? Is this a group of folks who respect the effects of underage drinking in our community, or are they current liquor license-holders who consider a citation from the ABC simply the cost of doing business in a college town? There is a level of trust

involved when the city decides to deviate from a long-term strategic plan (Horizon 2020) to allow commercial development ("trust us - it won't be loud, trust us - it won't affect traffic, trust us - the alcohol will not increase crime in the neighborhood") - do these developers have a history of violating our city's trust?

4) The framing of this project by the spokesperson at the community meeting. The architect indicated that there just isn't enough for kids to do in Lawrence, as though this proposal is a community service. First, that is patently false. Find me a parent in Lawrence who can't find things for their children to do and I will show you someone who isn't looking. Second, where is the evidence that this is true? Are the current facilities at capacity?

These were my initial concerns after attending the community meeting last night at Raintree and listening to the proposal from the developers. The room was packed with local residents of all ages and parents of children at the four schools adjacent to the site and I didn't hear one word of enthusiasm or support for this idea at this location.

Thank you for your time in reviewing these concerns. I fervently hope you and the other commissioners will listen to the community and hear that this rezoning is not what is best for the people who live and educate their children at Inverness & Clinton. It is a beautiful part of our city and we would like to keep it that way.

I look forward to the Planning Commission meeting on March 24th.

Sincerely,

Kelli Flanner

**From:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#)  
**Subject:** FW: Proposed Family Fun Center and Fast Food restaurants  
**Date:** Monday, February 24, 2014 9:51:59 AM

---

**Scott McCullough, Director**

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

City Hall, 6 E. 6<sup>th</sup> Street

P.O. Box 708, Lawrence, KS 66044-0708

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*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:*

*<http://lawrenceks.org/pds/survey/satisfaction>."*

---

**From:** Bryan C. Culver [mailto:BCulver@bankingunusual.com]  
**Sent:** Monday, February 24, 2014 9:42 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Proposed Family Fun Center and Fast Food restaurants



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



---

**From:** Kenna Heim [mailto:kennahome1@yahoo.com]  
**Sent:** Sunday, February 23, 2014 6:35 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); [dcbritt@yahoo.com](mailto:dcbritt@yahoo.com); [eric.c.struckhoff@gmail.com](mailto:eric.c.struckhoff@gmail.com)  
**Subject:** Proposed Family Fun Center and Fast Food restaurants

The designated zoning for the area in question is the correct one--Single-Dwelling-Residential-Office. These are the types of buildings that would suit this area so close to Sunflower Elementary and Southwest Middle School. I live on Larkspur Circle off from 27th Street and was concerned to hear new proposals for this property that involve changing the zoning.



On children's football nights, I can already barely get through on 27th due to the parking along the street. Inverness was designed to be a quiet residential and school street. Children may be much more in danger of being run over. Traffic on Wakarusa and all these local streets can become very tight and slow as citizens come and go to the ball park on the south side of the SLT. Please drive down into this area during ball games and see what congestion is present.

Also, the ball fields already have very bright lighting all summer long. I am happy for Lawrence to have a wonderful ball park and deal with the bright lighting because I know how important those sports programs are. Landscaping cannot cover up the bright lights that would come with the proposed "fun" center.

People do need their rest. Noises and light coming from the park would make it uncomfortable for people, especially those with children, who need to be rested to go to work or school in the morning.

Now, as a schoolteacher for USD 497, comes my biggest concern of all. The proposal is to place a fun center within a block or so of schools. When I drive home and these schools are letting out, I see students walking most probably to their homes. These children aren't old enough to drive but they could definitely begin stopping by the "fun" center after school. And what types of people might take advantage of the fact that there was a school close by? Not to be alarmist, but it is a perfect setup for pedophiles to lure children. I think of the little girl in Springfield who so recently was kidnapped and killed near her home. I doubt there was a fun center there, but why would we want to endanger our children any further than what they already are?

The fun center might be a fine idea, but PLEASE find an area further out or one that is zoned for commercial use. Keep the zoning as it currently stands.

Respectfully,

Kenna Heim  
4741 Larkspur Circle

**From:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: Rezoning of 4300 W. 24th Place  
**Date:** Monday, February 24, 2014 1:21:00 PM

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This one was in my spam.

**Scott McCullough, Director**

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

City Hall, 6 E. 6<sup>th</sup> Street

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*<http://lawrenceks.org/pds/survey/satisfaction>."*

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**From:** Bryan C. Culver [mailto:[BCulver@bankingunusual.com](mailto:BCulver@bankingunusual.com)]  
**Sent:** Monday, February 24, 2014 9:43 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Rezoning of 4300 W. 24th Place



**Bryan C. Culver**  
Vice President  
Wealth Management Officer  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



---

**From:** Leann Cooper [mailto:[lcooper@gcsaa.org](mailto:lcooper@gcsaa.org)]  
**Sent:** Monday, February 24, 2014 9:35 AM  
**To:** [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjosseland@gmail.com](mailto:jonjosseland@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:** Rezoning of 4300 W. 24th Place

Dear Planning Commissioners,

Regarding 4300 W. 24<sup>th</sup> place and the rezoning request – **my husband and I are writing in opposition.** I could list a multitude of reasons, but the main one is right there in the request – rezoning from Residential Office to Commercial Neighborhood. The word commercial changes the

nature of the entire landscape. It's going to wreck the entire feel and value of our neighborhood – much like when we allowed the property to be rezoned to allow for a senior housing development that never panned out. We were stuck instead with dense apartment buildings with partying college students and an increase in all the disruptions that come with them. I'm not going to trust that if we change the zoning the Fun Center actually gets built in the way the developer states it will. I also don't like the idea of drive-thru fast food restaurants being built that close to my home. Again, it changes an area from a neighborhood to a commercial area – no thank you.

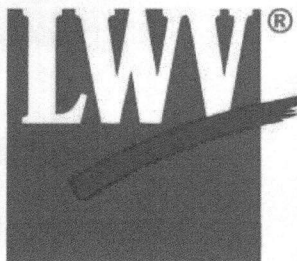
We have three schools in the immediate area and while I can appreciate the idea of building something to attract that demographic, I also really don't like the idea of increased traffic on Inverness – a road that hasn't been built for commercial use, but residential use.

Thank you for your time!

Leann & Andrew Cooper  
4408 Gretchen Ct.  
Lawrence, KS 66047

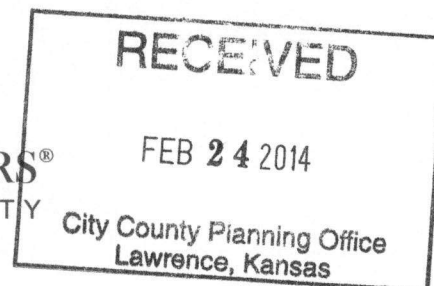
**Leann Cooper** | Senior Manager, Chapter Services  
Golf Course Superintendents Association of America  
1421 Research Park Drive | Lawrence, KS 66049  
800.472.7878, ext. 3648 | 785.832.3648 Direct |  
[www.gcsaa.org](http://www.gcsaa.org) | [www.eifg.org](http://www.eifg.org) | [FACEBOOK](#) | [TWITTER](#)





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

*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  
Page 2

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

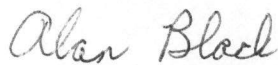
**We also ask that you not approve Item No. 5C, the SUP for the Fast Order Food With Drive-Thru use.** The Fast Order Food With Drive-Thru use would be much more intense than under normal circumstances because the clientele of the recreation center would add to the customer base. The use, itself, was 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:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** Fwd: Opposition to Agenda Items 4, 5A, 5B, 5C for 2/24 PC Meeting  
**Date:** Saturday, February 22, 2014 4:51:28 PM

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For PC packet

Sent from my Verizon Wireless 4GLTE smartphone

----- Forwarded message -----

**From:** "Bryan C. Culver" <BCulver@bankingunusual.com>  
**To:** "Scott McCullough" <smccullough@lawrenceks.org>  
**Subject:** Opposition to Agenda Items 4, 5A, 5B, 5C for 2/24 PC Meeting  
**Date:** Fri, Feb 21, 2014 4:49 pm

FYI....



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
4831 West 6<sup>th</sup> Street  
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785-760-2820 Mobile  
NMLS# 861527



**From:** Luke Sinclair [mailto:sincluke@gmail.com]  
**Sent:** Friday, February 21, 2014 11:20 AM  
**To:** Bryan C. Culver; bruce@kansascitysailing.com; amalia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; denny1@sunflower.com; squampva@aol.com; Clay Britton; 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:** [Denny Ewert](#)  
**To:** [Sandra Day](#); [Travis Halm](#)  
**Cc:** [Sheila Stogsdill](#)  
**Subject:** FW: Comments regarding 4300 W. 24th Place  
**Date:** Monday, February 24, 2014 10:12:18 AM

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Another one from Mr. Simpson.

**Ms. Denny Ewert, Administrative Support**  
[dewert@lawrenceks.org](mailto:dewert@lawrenceks.org)  
City of Lawrence, Planning & Development Services  
6 E 6th Street, Lawrence, KS 66044  
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*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:  
<http://lawrenceks.org/pds/survey/satisfaction>."*

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**From:** Caitlyn Cargill  
**Sent:** Monday, February 24, 2014 9:26 AM  
**To:** Denny Ewert  
**Subject:** FW: Comments regarding 4300 W. 24th Place

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**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

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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:** [Scott McCullough](#)  
**To:** [Denny Ewert](#); [Sandra Day](#)  
**Cc:** [Sheila Stogsdill](#)  
**Subject:** FW: Family Fun Center  
**Date:** Monday, February 24, 2014 9:51:34 AM

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Sorry if I am duplicating these with Sheila.

**Scott McCullough, Director**

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

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*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:*

*<http://lawrenceks.org/pds/survey/satisfaction.>"*

---

**From:** Bryan C. Culver [mailto:[BCulver@bankingunusual.com](mailto:BCulver@bankingunusual.com)]  
**Sent:** Monday, February 24, 2014 9:42 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Family Fun Center



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
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785-760-2820 Mobile  
NMLS# 861527



---

**From:** Michele Vignola-Rogers [mailto:[mvr@sunflower.com](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:** [Scott McCullough](#)  
**To:** [Sandra Day](#)  
**Subject:** FW: Family Fun Park  
**Date:** Thursday, March 13, 2014 4:45:10 PM

---

[For file.](#)

---

**From:** Michelle Bruce [mailto:michellebland2@hotmail.com]  
**Sent:** Thursday, March 13, 2014 10:25 AM  
**To:** Scott McCullough  
**Subject:** Family Fun Park

Hello.

My name is Michelle Bruce and I am a Raintree parent. I do NOT agree with the Family Fun Park being in the proposed location. My biggest concern is the traffic, both foot and car. Putting in a large commercial development in this area would ruin the current safety we feel and value in this area. This development would greatly change the atmosphere in this residential area. While I see the need for such entertainment, I do not feel this location is ideal.

Please, please reconsider the location and find a more suitable location somewhere else.

Let's keep our neighborhood schools in a neighborhood.

Sincerely,

Michelle Bruce



**From:** [Bryan C. Culver](#)  
**To:** [Scott McCullough](#)  
**Cc:** [Sandra Day](#); [Sheila Stogsdill](#)  
**Subject:** FW: Family Recreation Proposal  
**Date:** Thursday, March 13, 2014 11:39:33 AM

---



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
4831 West 6<sup>th</sup> Street  
Lawrence, KS 66049  
785-842-4300 Office  
785-830-4623 Fax  
785-760-2820 Mobile  
NMLS# 861527



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**From:** Nancy [mailto:critter\_72@yahoo.com]  
**Sent:** Thursday, March 13, 2014 11:38 AM  
**To:** amalia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; Bryan C. Culver; denney1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com  
**Subject:** Family Recreation Proposal

Greetings Planning Commission Members,

I would like to voice my opposition to the proposed development at Inverness and 24th Street. There are so many reasons this isn't a good idea, but I would like to specifically site excess noise, lights, traffic congestion, and available alcohol near several schools.

I live on W. 25th Place and the traffic before and after school is very busy it is, sometimes I can't even turn onto my own street because of the volume and drivers blocking the intersection. The increased traffic activity during the week and weekends if this proposal is accepted would be unimaginable. I am also concerned about crime, as it has already increased in our neighborhood in the last few years.

I enjoy family activities as much as the next person, but I think this is the wrong location, and not just because it's my neighborhood. I don't think any family neighborhood with schools would be appropriate for this type of entertainment. There are so many other choices that

would be better - one option would be the area closer to Rock Chalk park, or even better, the area toward the end of south Iowa, close to where the by-pass will be completed would be ideal, and attract more out of town visitors.

I plan on attending the meeting on March 24.

Thank you for your time,

Nancy Stump  
4417 W. 25th Place  
Lawrence

Dear Planning Commissioners,  
I, Bryce Erickson, feel like  
what you are doing is good  
but if you people do it by my school  
it will be very very very very very  
hard to concentrate. I do think it's  
a good idea just I think it would be  
better if you do it some where else! And  
I mean it. I think it would be best  
if you turn it into a garden or a park.

Yours truly,

Bryce Erickson age 9

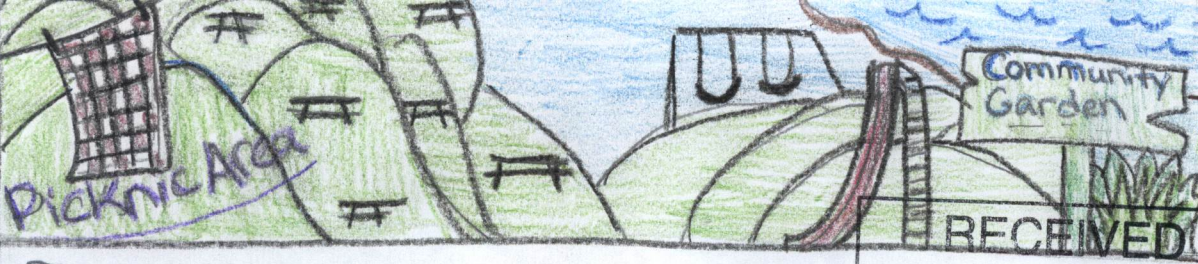
RECEIVED

MAR 14 2014

City County Planning Office  
Lawrence, Kansas







Dear Planning Commissioners,

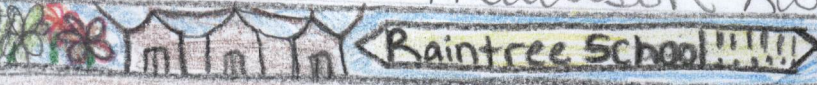
MAR 14 2014

City County Planning Office  
Lawrence, Kansas

I greatly appreciate that you are interested to build a family fun center in our Community. However, I think the Outskirts of Lawrence would be a better place for one. If we were to build anything in that area, a community garden would be absolutely wonderful. A park area would be nice to, but only if it was the outside kind with slides. The other reason I don't approve of your idea is the noise. A park full of screaming children could distract me from my school work.

Sincerely,

Madison Kihle (5th Grade)





1

RECEIVED

MAR 14 2014

City County Planning Office  
Lawrence, Kansas

Dear Planning Commissioners  
My name is Sophia and I'm

from Raintree Montessori School.

I feel very strong about having

a Family Fun Center on this side

of Lawrence. We don't have a lot

of fun things to do on this

side, but when you get farther

into town there is all sorts

of stuff to do. I think

the place your wanting to

put it, might not be the

best place. I'm afraid if

you decide you don't want

it there you'll move it →



2

way into town (and I've explained why I don't want that). I found lots of farm lands East of Iowa Street and South of thirty first Street. The land is already being interrupted for the new K-10 bypass. I hope you can take my idea under consideration, Thank you.

Sincerely,

Sophia

P.S. I hope this doesn't sound like a complaint letter, I love your idea.





BOOM!

Dear Planning Commissioners,

I love your idea of having a Family Fun Center in Lawrence. I am sure many other people love the idea too. But sadly my school, Raintree Montessori School has been vandalized many times and I am afraid this will increase these numbers.

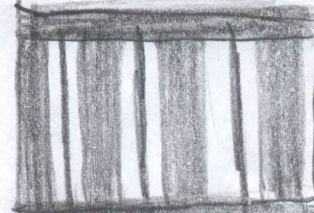
I also think it would be much reasonable to have a community garden and park in that space. So I kindly ask and pray you do not choose this area. Thank you,

Love, alyssa (5th grade)

RECEIVED

MAR 14 2014

City County Planning Office  
Lawrence, Kansas



Batting Center



FUN  
Center

Community  
Park

OR





## BISHOP SEABURY ACADEMY

4120 Clinton Parkway • Lawrence, Kansas 66047 • Ph: (785) 832-1717 • Fax: (785) 832-1919

March 8, 2014

Dear Planning Commission:

On behalf of the Board of Trustees of Bishop Seabury Academy and taxpayers to the City of Lawrence, we must express deep concern and firm opposition over the proposed change to the zoning proposed for the Family Fun Center (Z-13-00483).

Bishop Seabury selected its new location a number of years ago based on the existing zoning for the area. We selected the school's location in a residential area that would offer little risk to the school's physical structure during non-school hours and outside of school activities. Surely, our neighbors of Raintree and the City owned schools of Southwest Junior High and Sunflower Elementary also considered this criteria in their decision process.

We are positive our decision to locate Bishop Seabury and the decision of the City for its schools would have been different if a "Family Fun Center" were originally located adjacent to a proposed school purchase or construction. Yet, the Planning Commission is entertaining the idea that we accommodate the opposite. The approval of a center that will be a congregation point for young people, after school hours, and outside of school activities, presents inherent risks to our school property, just by the very nature of creating a congregation point. The immediate adjacency of such a center invites the potential for unwanted visits and destruction of property. This is a risk we—as City taxpayers and board members who have been entrusted to ensure the safety of our school—cannot afford to undertake.

This Board of Trustees is not necessarily against such centers when located in a properly zoned (not re-zoned) location and in an area that has been more deliberately chosen to accommodate noise, lighting, security and adjacent business activity. Locating a "family fun center" in a residential area with four schools less than 1/2 mile from the proposed location, is not, in our mind, such an ideal location.

We are a volunteer Board tasked with protecting a school with a mission promising a safe environment for our students. Our Board is unified in opposing this rezoning as a threat to our mandate, and we encourage the Planning Commission to protect our property, mitigate the risk of damage to our City-owned properties, and ensure the continuation of a great neighborhood in the City of Lawrence.

Please reject this proposal.

Most Sincerely,

The Board of Trustees, Bishop Seabury Academy

Dennis Depenbusch, President

Ken Albrecht

Kay Almanza

Lori Arnold

Patti Bartley

Kara Tan Bhala

Reed Dillon

Megan Edwards

Trip Frizell

Stephen Hill

Kathleen Hodge

Shane Mathis

Mark Mitchell

Lynn Segebrecht

Beth Wigen

The Right Rev. Dean Wolfe

**From:** [Scott McCullough](#)  
**To:** [Sandra Day](#); [Denny Ewert](#)  
**Cc:** [Sheila Stogsdill](#)  
**Subject:** FW: Proposed Family Fun Center  
**Date:** Monday, February 24, 2014 10:27:21 AM

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While necessary to the file, this one missed the cutoff to even Bryan so let's stick to our by-laws.

**Scott McCullough, Director**

Planning and Development Services – [www.lawrenceks.org](http://www.lawrenceks.org)

City Hall, 6 E. 6<sup>th</sup> Street

P.O. Box 708, Lawrence, KS 66044-0708

office (785) 832-3154 | fax (785) 832-3160

*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:*

*<http://lawrenceks.org/pds/survey/satisfaction.>"*

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**From:** Bryan C. Culver [mailto:[BCulver@bankingunusual.com](mailto:BCulver@bankingunusual.com)]  
**Sent:** Monday, February 24, 2014 10:26 AM  
**To:** Scott McCullough; Sheila Stogsdill  
**Subject:** FW: Proposed Family Fun Center



**Bryan C. Culver**  
**Vice President**  
**Wealth Management Officer**  
**4831 West 6<sup>th</sup> Street**  
**Lawrence, KS 66049**  
**785-842-4300 Office**  
**785-830-4623 Fax**  
**785-760-2820 Mobile**  
**NMLS# 861527**



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**From:** Steve Clark [mailto:[sclark@sunflower.com](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); [jonjoserand@gmail.com](mailto:jonjoserand@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

Davis Loupe  
2205 Riviera Drive  
Lawrence, KS 66047

March 7, 2014

To the Lawrence Planning Commission:

I am writing in favor of the proposed Family Fun Center at 4300 West 24th Place but on the condition that the proposal to allow a bar at the facility be removed. This development is in the close vicinity of four schools and is not appropriate for a bar. Otherwise I support the proposal.

My wife and I own three properties (our current home on Riviera Drive, and two rental homes on West 24th Place and Prairie Elm Drive) all in the vicinity of the proposed Family Fun Center.

**Apartments are a problem:** I was strongly opposed and spoke against previous proposals for additional dense apartments on this site as I feel that these additional apartments would cause a decline in the safety and desirability of the area. I feel that in the long run development of more dense apartments in this area is a very bad idea. In the past few months a fatal stabbing occurred at the one of the current apartment complexes and the long-term deterioration of these apartments concerns me greatly. The density of apartments in this area is excessive and further apartment development will compound the problem. I see commercial development of this corner to be a much better use in the long term.

**Crime:** I do not believe that Mini Golf, Go-Karts and other similar family activities will cause any significant increase in crime. There has been concern expressed that gangs of unsupervised teenagers and young adults will run wild there and cause problems. I have more faith in the teenagers in Lawrence. When I was growing up my first cousin lived in a neighborhood within walking distance of a Putt-Putt golf course and we spent many happy Saturdays and weekday afternoons there. I don't recall there ever being a problem. I mostly remember playing Putt-Putt and having fun. We probably did drink a few too many Coca Colas.

**Security and Supervision:** I would think that the Fun Center operator would have it in their best interest to have security guards and employees available to maintain a safe environment. Parents today don't generally let their kids go outside to play unsupervised so I feel that many parents will be in attendance with their children and this will help to keep other patrons in order. I think that the type of kids who are interested in illegal drinking and drug use will not want to hang out there. Too many parents and little kids around. On the contrary it will give good kids and others a legal, fun, wholesome activity to fill their time.

**Traffic:** Much has been discussed about the traffic problems the new development will create. I agree that Inverness does have a lot of traffic at the opening time for the schools: 8:00-9:00 am and again when they let out 3:00 - 4:30 pm. First let me say that any development on that corner will cause additional traffic. Second, the Family Fun Center will likely not see its peak traffic coincide with school opening and closing hours and its busiest season will likely be the Summer months when school is not in session.



**Noise:** I agree that this facility will cause some additional noise. I have lived in this neighborhood since 2001. There are four schools with about 1600 students total in the immediate vicinity. The kids attending these schools all make noise almost every weekday. The cars on Clinton Parkway make noise. The Alvarado swimming pool makes noise in the Summer. The large numbers of residents in the Apartment complexes make noise too. It is a family neighborhood and this neighborhood has never been a completely silent neighborhood. I think the horse is out of the barn regarding neighborhood tranquility.

Unless we force everyone inside at all hours of the day there will be some noise in this area. It is just the sound of a normal family neighborhood. I just don't think that electric go-karts and people playing mini-golf will cause excessive amounts of additional noise especially if the facility closes at a reasonable hour. There should be decibel limitations on the P.A. System. My biggest noise concern would be the batting cages. Perhaps some requirements such as wood bats instead of aluminum, dimpled rubber balls and having mesh nets instead of chain link would quiet them. Overall reasonable closing hours might be no later than 9 pm on a school night Sunday - Thursday and perhaps 10:30 on weekends.

**Lighting:**

I think that the lighting required for this type of facility is less than say a baseball diamond or soccer field. I also think that the lighting can be designed to not shine in adjacent homeowners properties. The limited hours of the facility will ensure that neighbors will not be kept awake by the lights. Perhaps a plan could be also be developed so that the lights could be dimmed after 9 pm.

I think that crime in an area is more likely when there are few people outdoors and when lighting is poor. I think a lighted area with people outdoors and having limited operating hours could actually help deter some crimes.

**Landscaping Buffering / Architectural Standards:**

The Inverness Park Plan has a required significant landscaping buffering for the single family homes to the West. I think that if the complex is well buffered and has sprinkler systems for the maintenance of the landscaping that the facility as proposed will not be an eyesore. Buffering could also help to block noise and light. I think that having architectural standards for the buildings and having a well designed landscape plan will be a key to maintaining this property as a desirable one.

**Restaurants and other commercial establishments nearby improve walkability:**

Many city residents like to live within walking or short driving distance of restaurants and other stores. I think that having a restaurant to walk to (fast food or otherwise) might add services to the neighborhood. I really like having the Hyvee gas station and convenience store nearby. Car-centric development is not the wave of the future, it is a relic of post WW2 suburbanization. I believe that most modern development looks towards making neighborhoods more walkable for quality of life and environmental reasons. One of the big attractions of the adjacent neighborhoods in this area is that kids can walk to school. Having additional commercial facilities will only add more services available by foot or by bike.

**Yes it is Family Fun:**

I am completely puzzled by people opposed to the Family Fun Center on the basis that they feel it won't attract "Families". My family has had discussions about the proposed center. My 75 year old father-in-law who lives with us says he would go. My wife and I (I'm 51) would go, our 13 year old would go, my 19 year college age son would go and I'm pretty sure that most 7 or 8 year olds would love it. My

wife remarked that she remembers going with Church groups to play mini golf when she was young. It sounds like a place that truly the whole family could go.

I believe that a vibrant city requires outdoor places for people to gather and enjoy themselves. There aren't enough of these places in Lawrence. I like the idea that I could walk there on a nice evening with my family and we might have something to do close by that's better than watching TV or surfing the internet.

Sincerely,

A handwritten signature in black ink, appearing to read 'Davis Loupe', with a stylized, cursive script.

Davis Loupe

**From:** [Mulloy, Molly](#)  
**To:** [Travis Halm](#)  
**Subject:** Letter from Wimbledon Terrace Townhomes Assn  
**Date:** Sunday, February 16, 2014 10:35:35 AM

---

Dear Mr. Halm,  
Please see the letter below being sent on behalf of the 23 townhome owners at 4301 Wimbledon Terrace. As noted in the letter, we have some serious concerns about the proposed Family Fun Center project under consideration for the vacant land near Clinton Parkway and Inverness. Thank you for forwarding our letter to the Commissioners.  
Molly Mulloy

February 14, 2014

Lawrence-Douglas County Planning Commission  
Planning & Development Services  
PO Box 708  
Lawrence KS 66044

Dear Commissioners,

Members of the Wimbledon Terrace Townhomes Association, comprised of the 23 townhome owners at 4301 Wimbledon Terrace, strongly object to the proposed rezoning and special use permit for the large property at 4300 W. 24<sup>th</sup> Place (southeast corner of Inverness and Clinton Parkway). We are referring to the following items, Z-13-00483, SUP-13-00486, and SUP-14-00026, scheduled for discussion at your meeting on Monday, February 24, 2014. Our townhome development is directly across Clinton Parkway from the proposed project. We believe it will have a seriously negative effect on our neighborhood and the safety of the many children in this area.

We are concerned that the proposed "Family Fun Center" and its go-cart track will result in high levels of noise pollution and toxic emissions, that the miniature golf course and batting cages will require excessively bright lights at night, and that the huge increase in traffic at the already-busy intersection of Inverness & Clinton Parkway will be problematic and even dangerous for the school children crossing that intersection. There are four schools located within a few blocks of the proposed project (Bishop Seabury, Raintree Montessori, Sunflower Elementary, and Southwest Middle School), with hundreds of little children who might be intimidated by the large numbers of teenagers and young adults who would frequent the project. Rather than being built in the midst of this residential area, it would seem more appropriate for the massive "Family Fun Center" project to be built in a more commercial or rural area at the edge of the city such as was done with the youth soccer complex south of town and the new recreation center to the west.

Several homeowners from the Wimbledon Terrace Townhomes Association will be present at the meeting on February 24<sup>th</sup> and would be happy to explain our concerns at the meeting, if appropriate.

Thank you for considering our objections to this rezoning request.

Respectfully, ,

Wimbledon Terrace Townhomes Assn.  
Molly Mulloy, Executive Committee (mmulloy@ku.edu)  
Ruth Hiss, Executive Committee (mrsdeltachi@yahoo.com)  
Jane Tedder, Executive Committee (jtedder@sunflower.com)  
Debbie Saiz  
Alice Holtz  
Ann Eversole  
Kathy Rauckman  
Letty Seidl  
Sarah Williamson

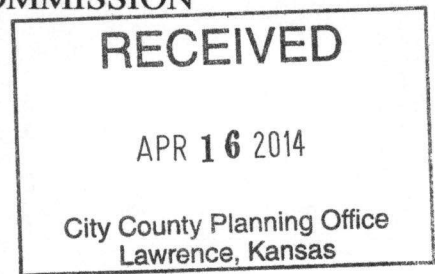


Lenora Barker

LAWRENCE-DOUGLAS COUNTY PLANNING COMMISSION  
MEETING, April 23, 2014

April 16, 2014

Dear Commissioner Culver,



My name is Tom Cotte'; I live at 4215 Wimbledon Dr., in direct sight of the proposed **Family Fun Center**. Several other townhouses (35 total) in two thirty-year association-developments are located even closer to the proposed site than my town-home.

I am opposed to the development of the proposed project for the following reasons Please **Consider**:

- The Center is flanked on four sides by residential living, not commercial businesses -- **but home living**. Our patios directly face the proposed site; upstairs bedrooms are also in clear view. One consequence from developing this project will be that we can no longer keep our windows open during the spring and fall, and will need thick shades to ward off the glare from lighting emanating from the Center. Moreover, increased noise and traffic activity will interfere with our comfortable use of the patios. Noise from braking go-carts, pinging sounds of aluminum bats on balls hit in the batting cages. . . and so on are of concern. Additional traffic, air pollution, illumination from the lighting , increased noise will violate our **reasonable, collective right** to peaceable enjoyment of this neighborhood.
- Assuming the Center will operate much of the day and night, traffic most assuredly will increase, thereby posing substantial risk to children in general, and my young grandkids in particular, who also live nearby. Case in point: About 200 feet north on Inverness from Clinton Parkway is a hill from which the traffic is not immediately noticeable from cars exiting Wimbledon Drive – a blindspot. I understand that a recent accident at this point resulted in a fatality.
- College housing is **abundant** to the south and east of the proposed Fun Thing. Recalling my frolicking days in college, I suspect the Center will be a magnet to purchase attractions, including beer, and all the noise and hoopla associated therewith. Recently, my wife visited the apartment complex directly south of the subject site and spoke with the receptionist and a dozen or so students, **all** of whom were excited about the prospects of beer and go-carts. She also mentioned

that the Developers had visited their on-site office and spoke with the owners and manager. One wonders what proportion of college students to "families" will be attracted to the Center.

- When you realize the drastic zoning changes and variances under application, isn't it reasonable to realize the city fathers apparently intended present zoning to conform to a residential venue, not a carnival environment. When this project becomes operable one wonders if construction of a Ferris Wheel or thrill ride could be far ahead. In other words under the changed zoning and variance what other annoying attractions will be later constructed?
- Consider: The potential **blight** factor: If this entertainment center goes bust, is abandoned and allowed to deteriorate, like some have in other Kansas communities, what will replace this unique site without substantial capital investment? How long will it remain empty to grow unsightly? How easily could it be adapted to another purpose?
- Beer sales: The sale of beer is worrisome, not only in itself but as Dr. Don Schawang, headmaster of Seabury Academy has stated, may draw an **un**-family type of crowd. An additional thought: Will off-site beer consumption, loitering and vandalism to surrounding residences increase?
- Visualize the paradox between the Family Fun Center location on Clinton Parkway and the window to north Inverness Drive through an uncommonly beautiful neighborhood in Alvamar as one travels toward Bob Billings Parkway.
- Finally, I won't dwell on the effect the proposed site might have on our property values.

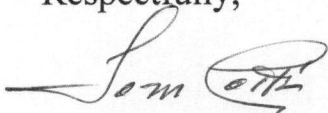
Commissioner, I implore you to properly serve your constituents, **not** a developer, who most likely doesn't live in the immediate area. Please, thoroughly tour the neighborhood and see the RESIDENTIAL character surrounding Clinton Parkway and Inverness Dr. Then, you may **understand our concerns**.

Frankly, I would **not** have purchased our town-home a year ago if I had reason to suspect the prospect of a Family Fun Center in my back yard.

In conclusion, please. . . **put yourself in our shoes**. Honestly, aren't there better sites in Lawrence for this kind of project?

Thank You for your consideration.

Respectfully,





## BISHOP SEABURY ACADEMY

4120 Clinton Parkway • Lawrence, Kansas 66047 • Ph: (785) 832-1717 • Fax: (785) 832-1919

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March 7, 2014

Dear Planning Commissioners,

As Head of School at Bishop Seabury Academy (4120 Clinton Parkway), I have been following with interest and concern the proposed rezoning (Z-13-00483) of the lot at 4300 W. 24<sup>th</sup> Place from a Residential area to a Neighborhood Shopping Center (CN2). I attended the meeting at Raintree Elementary School, and I appreciated Mr. Werner's appearing to explain the project. I would not be opposed to such a development were it appearing (logically) on the outskirts of town and in an area zoned deliberately for this sort of development. However, I think this rezoning is inherently and obviously very bad news for everyone who lives or attends school in the area. Homeowners in the area have very good reason to be anxious, and they voiced their concerns at the meeting. I will focus on my own concerns.

I feel certain that this sort of an entertainment park will attract a lot of middle school, high school, and college students at all times of the day, but especially at night. (I have to think that developers conceived of this project with a captive afternoon audience in mind: the students at Bishop Seabury Academy, Southwest Middle School, and perhaps Raintree and Sunflower Elementary Schools.) The presence of alcohol in this park is unwise. It would be naïve to think that underage high school and college students who find a way to drink in other Lawrence bars will not find a way to drink at the bar in this park. And when they leave the facility at 10 pm or midnight—bedtime for adults, perhaps, but not for park guests aged 14-25—they will look around and wonder what they should do next. And they will have two schools nearby with football fields, tennis courts, baseball diamonds, and a closed, unsupervised pool with a gate that is easily climbed. They will have the secluded spaces behind Raintree. As I noted at the Raintree meeting, I am an advocate for young people and believe in their better nature, but they also make bad choices at times. If this park is allowed to be developed in this residential area, it will not be the developer, architect, management, or the city planning committee who will have to deal with this situation. It will be the people who live in this area.

I was asked by Mr. Werner if I would feel more comfortable about the situation should alcohol be taken off the table. I admit that the presence of alcohol is one of the most bewilderingly inappropriate aspects of this proposal and raises the stakes, especially when neighbors have no certainty about the future usage of this area (Family Fun Center or other entertainment feature). But focusing on this one proposed entertainment park project, the absence of liquor *inside* the park would not eliminate inappropriate late night behavior when patrons leave. Perhaps I am excessively cynical here, but my job as Head of School is to think of worst-case scenarios, and in my experience, what I am suggesting hardly requires a dark imagination.

Also at the Raintree meeting yesterday, there was much discussion about neighborhood concerns regarding lighting, noise, security, the quality of judgment demonstrated by young seasonal park employees, and even the uncertainty of what project will inhabit this lot (again, in the center of a residential area of town) not only next year but in 5, 10, and 20 years. Despite the helpful speculations



## BISHOP SEABURY ACADEMY

4120 Clinton Parkway • Lawrence, Kansas 66047 • Ph: (785) 832-1717 • Fax: (785) 832-1919

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by the architect on all of these issues—assurances which are the lubricant to get this motion passed—there is no guarantee on any of them. And if you allow this rezoning to occur, the neighbors and schools will be at the mercy of whatever development occurs in this area.

I want the planning committee members to understand that I do not envy their job, and I do not think it is for me to dictate what sort of construction occurs in the neighborhood surrounding my school. However, I think it is very reasonable to see that rezoning and special use permits are difficult hurdles for developers in a situation like this because restrictions are in place for a reason. There is logic and a reason for consistency with these decisions. There is a reason that the present zoning exists.

With respect, I strongly encourage you to oppose this rezoning. And as a final test to this decision making, I would ask you to consider if you would be willing to move into a residence alongside the Family Fun Center if it is built. If you would not, then you will understand how we feel.

Thank you for your consideration in this matter,

Dr. Don M. Schawang

Head of School  
Bishop Seabury Academy



## BISHOP SEABURY ACADEMY

4120 Clinton Parkway • Lawrence, Kansas 66047 • Ph: (785) 832-1717 • Fax: (785) 832-1919

March 8, 2014

Dear Planning Commission:

On behalf of the Board of Trustees of Bishop Seabury Academy and taxpayers to the City of Lawrence, we must express deep concern and firm opposition over the proposed change to the zoning proposed for the Family Fun Center (Z-13-00483).

Bishop Seabury selected its new location a number of years ago based on the existing zoning for the area. We selected the school's location in a residential area that would offer little risk to the school's physical structure during non-school hours and outside of school activities. Surely, our neighbors of Raintree and the City owned schools of Southwest Junior High and Sunflower Elementary also considered this criteria in their decision process.

We are positive our decision to locate Bishop Seabury and the decision of the City for its schools would have been different if a "Family Fun Center" were originally located adjacent to a proposed school purchase or construction. Yet, the Planning Commission is entertaining the idea that we accommodate the opposite. The approval of a center that will be a congregation point for young people, after school hours, and outside of school activities, presents inherent risks to our school property, just by the very nature of creating a congregation point. The immediate adjacency of such a center invites the potential for unwanted visits and destruction of property. This is a risk we—as City taxpayers and board members who have been entrusted to ensure the safety of our school—cannot afford to undertake.

This Board of Trustees is not necessarily against such centers when located in a properly zoned (not re-zoned) location and in an area that has been more deliberately chosen to accommodate noise, lighting, security and adjacent business activity. Locating a "family fun center" in a residential area with four schools less than 1/2 mile from the proposed location, is not, in our mind, such an ideal location.

We are a volunteer Board tasked with protecting a school with a mission promising a safe environment for our students. Our Board is unified in opposing this rezoning as a threat to our mandate, and we encourage the Planning Commission to protect our property, mitigate the risk of damage to our City-owned properties, and ensure the continuation of a great neighborhood in the City of Lawrence.

Please reject this proposal.

Most Sincerely,

The Board of Trustees, Bishop Seabury Academy

Dennis Depenbusch, President

Ken Albrecht

Kay Almanza

Lori Arnold

Patti Bartley

Kara Tan Bhala

Reed Dillon

Megan Edwards

Trip Frizell

Stephen Hill

Kathleen Hodge

Shane Mathis

Mark Mitchell

Lynn Segebrecht

Beth Wigen

The Right Rev. Dean Wolfe



**From:** Alex Delaney [<mailto:alex@indepsys.com>]

**Sent:** Wednesday, April 16, 2014 10:07 PM

**To:** Scott McCullough

**Subject:** Family Fun Center: Lawrence Planning Commissioners

I am a parent of 8 children in Lawrence, KS. We are very excited about the possibility of having this in Lawrence, and will be there quite often. My children were ECSTATIC when I told them about this possibly being built.

I am asking each commissioner to please support the proposed Family Fun Center where it is proposed at corner of Clinton Parkway and Inverness Drive. This is an excellent location close to the center of town, and it is my firm belief that the objection you have been getting from the neighborhood surrounding this location are the same objections you would see from any neighbors of any project.

Please make this decision with all Lawrencians in mind, not only the ones that live near this site.

Alex Delaney / (785) 393-6224 / [alex@indepsys.com](mailto:alex@indepsys.com)



**From:** V Hammond [<mailto:vhammond1@hotmail.com>]

**Sent:** Monday, April 21, 2014 12:02 AM

**To:** [bculver@bankingunusual.com](mailto:bculver@bankingunusual.com); [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); Scott McCullough

**Subject:** Opposition to Family Fun Center

To the Planning Commission:

I have attended the 1<sup>st</sup> meeting at which this agenda item was deferred. I was then in attendance when there was a meeting held at Raintree with the architect so citizens could voice their concern. And finally I attended the meeting in which Paul Werner tried to explain the changes they were proposing to make this project acceptable to the neighborhood.

First I will tell you that I moved to Lawrence two years ago to retire. I chose the Wimbledon Townhomes because they were situated in a very nice neighborhood which was quiet and safe. I have enjoyed sitting on my back patio (facing Clinton) when the weather permits for these last two years. It is very upsetting to me that this will not be possible if this Family Fun Center is approved. As a retired person, I am not able to just pick up and move. I had planned for this to be my home for a long time and I see this as a threat to my investment.

The thought of this zoning change is very upsetting. I do not want to see commercial of any kind in a neighborhood of residential housing. It is not appropriate to have this developing in the middle of homes and schools. It worries me that when this development, if allowed, is no longer popular that we will have an eyesore right in our neighborhood.

As a grandparent I love having family things to do with my grandchildren but even that does not get me excited about the Family Fun Center being in our neighborhood. This project needs to be developed in an area appropriate for this commercial type of development. The lights on till midnight, the noise from the batting cages and go karts (electric or not there is noise) and the additional traffic is not welcome in this residential area. It is already difficult to exit from Wimbledon onto Inverness because there is a blind area for cars coming north on Inverness. Additional traffic will only make this matter worse. Although the architect said that a beer license would not be applied for the first year, we are all smart enough to know that is something that will stay on their agenda.

This brings me to another upsetting item. We have asked at every meeting for the name of the developer and have been denied that information. If this person or persons is so honest and trustworthy with their intent on this development then why not come forward and reveal who they are. My inclination is that the architect is a part of the development and is protecting the identity of others. If they are not willing to come and talk to us, then why would we trust them.

I have been told that other projects have been opposed in the past for this land but since I am new to Lawrence I do not have all those facts. But even on this project no notices were given to neighbors – was told you had to live within 200 feet. That is an unrealistic measure – all neighbors are entitled to know what is proposed in their neighborhood especially when it will affect their home values and the safety of our homes and children. I was told that at one time a park was proposed for this area but has been turned down. If you want things for families to do, a park is a great solution and acceptable to all.

Know there is a movement by a tax group and Alex Delaney supporting this project. Obviously they do not live in our neighborhood but I will submit to them and to the Planning Commission this proposal. If you are so sure that this will not affect the home value of my home, then please buy my townhome now. I am willing to sell it to you at the price I paid plus the additional money I have invested in it. I can have it vacant in one month for any buyer. I am sure I will have many offers since none of you think this project will affect all of our home values. Many others like me, retirees on set incomes who just wanted a quiet, safe neighborhood, do not want to be betrayed by your actions.

Please consider what you will be doing if you approve this zoning change. You will take a residential area which is loved by many and turn it into a commercial zone. That is not why I originally moved to Lawrence.

Sincerely,

Viv Hammond  
4227 Wimbledon Drive  
Lawrence, KS 66047



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

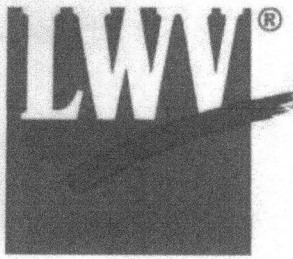
Scott Criqui

James Dunn

Ruth Gibbs

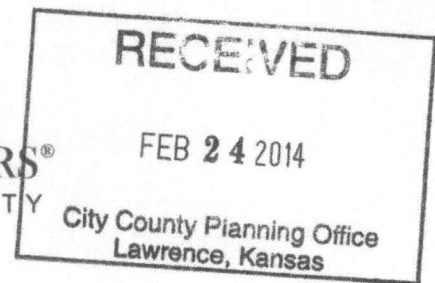
Midge Grinstead

Marlene Merrill



LEAGUE OF WOMEN VOTERS®  
OF LAWRENCE/DOUGLAS COUNTY

February 23, 2014



To Mr. Bryan Culver, Chairman, and Planning Commissioners  
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

Treasurer  
Marjorie Cole

Directors  
Margaret Arnold

Caroljean Brune

Scott Criqui

James Dunn

Ruth Gibbs

Midge Grinstead

Marlene Merrill

PO BOX 1072 • LAWRENCE KS 66044-1072

league@sunflower.com • www.lawrenceleague.com  
www.facebook.com/lwvldc • www.twitter.com/lwvldc

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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*

Cille King, President

*Alan Black*

Alan Black, Chairman  
Land Use Committee

-----Original Message-----

From: MaryBeth Petr [<mailto:marybethpetr@gmail.com>]

Sent: Sunday, April 20, 2014 9:26 PM

To: Scott McCullough

Subject: Family Fun Center

Have heard there is a proposal on the table and would like to weigh in as IN FAVOR....have made two trips out of town in seven days to take kids to Family Fun Centers and would rather spend my money in Lawrence...thanks Mary Beth Petr



**From:** Theresa K. Shively-Porter [<mailto:itsgreen@sunflower.com>]  
**Sent:** Sunday, April 20, 2014 9:15 PM  
**To:** Bryan C. Culver  
**Subject:** Please deny the proposal for the Family Fun Center on Wednesday

Mr. Culver,

I am writing to state my opposition to the "Family Fun Center" that is being proposed at Clinton Parkway and Inverness. This is a terrible idea that will affect my neighborhood and my home. Even with no alcohol, this is a bad location. It is too close to schools and homes. I cannot be at the meeting on Wednesday but I wanted to state my opposition to this.

Please don't support this. Thank you.

Theresa Shively-Porter  
4412 Gretchen Ct  
Lawrence, KS 66047  
785.842.7713

RECEIVED

APR 17 2014

City County Planning Office

Lawrence, Kansas

# Petition

in Opposition to the Rezoning  
from RSO (Single-Dwelling Residential Office) to CN2 (Neighborhood Shopping Center)  
located at 4300 W 34th Place and allowing a  
Special Use Permit for a Family Fun Center and Fast Food Drive-Thru Restaurant

We the undersigned oppose this development for the following reasons:

- Does not fit within the guidelines of the original Horizon 2020 development plan.
- Is an inappropriate match in a residential area.
- Will add additional traffic in an area already plagued with traffic congestion.
- Serving alcohol with four schools nearby is inappropriate and dangerous given the traffic issues.
- Outdoor recreation, walking trails, and batting cages are already available in the area.
- The noise and lights late into the night will disturb the sleep of residents.
- Increased vandalism and late night unruliness.

Name

Marquette Carlson

Ruth Sloper

Melissa Manning

Judith Fay Scheff

Denni Hemsen

Marie Meyer

Samela J. Mooney

Samuel

Betty Shaffer

John Smith

Douglas M. Koch

Name

Nadine Koch

Melinda Hannel

Kevin Brown

Thelma Holcombe

Leo V. Bistak

Nancy Bistak

Christine Colbert

Beth Cillon

Harriet Threlk

Sue Nightingale

Nancy Hanson



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Name

Name

*James Schuck*

*John F. Brown*

*John E. Broholm*

*David F. Brown*

*John*

*John*

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APR 17 2014

City County Planning Office  
Lawrence, Kansas

John Clark

Ben Graham

Uto Naomi Graham

Dan Kilsch

La King

Ch. Hunt

James

Jeremy Roth-Jacob

Rose M. Reynolds

Josh Allen

Tim Carthrum

James

Elizabeth Aredu

Dorene Schum

B.eyer

Patricia Hines

Becca Roth

St. Smith

Kath York

City Sun

Heben Weiss

Mark Smith

James

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Caroline P. Chapman

City County Planning Office  
Lawrence, Kansas

Christie Peterson

Kimberly Stamp

Caree Zorzycki

Rachel E. Marschke

Megan Ann

Anne Edwards

Shirley Shanker

Marcia L. Langer

Kelli Koberlein

Wafae Shauk

Sara D. Nipolds

Heather Dalton

John

Pamela Shauk

Kelli Flanner

Toritta Severin

Melissa OH

Kath

Shirley M. Lane

Beth Walt

Emily C. Lubliner

John

Keri Cuyper

John

David Bluth

Keri

Cathy Wright

Dee Ruel

Robin B. Michael

Wicki Capant

John

Megan Thomas

Helen Weis

Kristen Williams

Matthew Elliott

Tru Mingus

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Name

Christina A Wood  
Michelle B. Eiger  
Amy Wade  
Randy Allen  
Dana K. Boersy  
Deanna A. Smith  
Kris Adams  
L. T. B. Salazar  
Christina M. Eide  
Angie Laver  
Rebecca C. Melick

Name

Von J. Kelly  
Susan  
Emily Nelson  
J. J. J. J.  
W. J. J. J.  
Ray E. Wood  
L. J. J. J.  
DeWoods  
Georgia J. J. J. J.  
L. J. J. J.  
L. J. J. J.

Adopt

# Petition

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Lawrence, Kansas

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Name

Name

Kathy Klocke

MADY WADE

Sarah Hubert

Eric Bader

Furhang Khosh

David Parker

Deana Beroda

Nancy Beroda

Chris Grabant

Andrew

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Name

Name

Christine Hoang

Eric L. Hufeld

Brendan Kaydas

Ellen

Clay Lamm

Angie Westmore

Maura Hoffman

Shirley

Will Reed

Antigone Thompson

Emily Paffin

John Whinn

Cara Corbin

Ben McGee

James Wallace

James Wallace

Wanda Weller

Wanda Weller

Monica Janning

Monica Janning

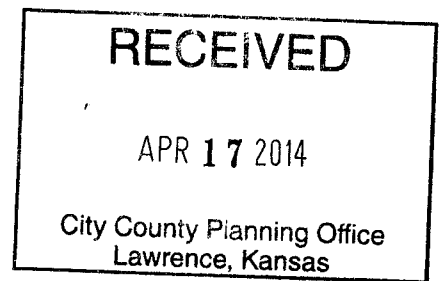
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Amaly

Sarah-Grace's Class

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Name

Clay Blake  
Karson V Green  
Jaxon Patterson  
Riley Breedemus  
Stella Colinger

HANNAH Motsinger  
Amelia Thies  
Oliver Rubenstein  
Jordan Grabast  
Tim Huffman  
Simon Ruland

Name

Mari Riskey  
Allie Williams  
Sadie Ash  
Logan Schwab  
Andrew Thiesen



Pashas Class

RECEIVED

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Lawrence, Kansas

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Name

Name

Danielle Long

Ryan Mallory

Kaleigh Merrill

Jack Bellemere

Ther Weiss

Tyler Senechal

Sam Hertzog

Micaiah Mercado

Diego Steven Kish

Bailey M. Lundholm

Paskas Class

# Petition

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Lawrence, Kansas

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Name

Amy Andersson

Samuel Huter

William Burns

Sydnee Miller

Maddy Wade

Sam Hutfles

Landon Schwalb

Haleigh Dale

Ella Frederica

Marley Sears

Eva Ackley

Name

Cian O'Leary

John Green

Ben Bayach

Jenna Pollard

Lucia Lord

Will Hedges

Willoughby Lane

Lasas Class

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Name

Patrick Hoffman

Ethan Thompson

Sophia Eddinger

Matthew Gurmanciewicz

Jalilah Smith Evans

Audrey Nguyen-Huong

Abbey Hossler

Jackson Grant

Alyssa Carlson

Jacob Heinz

Bruce Erickson

RIDDHI DUVVUR

Lauren Malick

Bella Smith

Name

Luke Hornberger

Gibson Huston

Warren (Dale) Alexander

Samuel J. Hindman

Briggs MacLachlan-Lawrence

Sophia Bracker Sturms

Madison Kühle

Darby Harris

Zoe Edger

Josh Williams

Grant Clearinger

Mina Khosh

OLIVIA SLEMMER

Samantha Danner

Kathy

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Name

Audrey Basham

Joe Riskey

Joan Chun

Bowen Boyatt

Will Gendreau

Mayer Dee

Charlotte Lupp

Erin Higgins

Caroline Schmidt

Nisa Khosh

Brayden Shumaker

Name

andrea Deen

Erinn Rose Waldron

Julia Holder

Lynne Sloan

Anna Martello

Kirk G-W

Det. L. Johnson

Elijah Padem

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- Increased vandalism and late night unruliness.

Name

Oyin Enoch

Jeremiah Lutz

Anah Lutz

Rose Bringas

Colleen Stock

Laura Hines

Brian Mulken

Hylesun Cho

Jerry Miller

KIRSTEN MATZEN

ARON RINEHART

Name

TOM MATZEN

EILEEN JONES

ERIKA TUCK

CLIFF TUCK

Sherri Soule

Amy Risley

Cynthia Smith

Isa Jade

becca Johnson

Leslie Miller

Melinda Casavant

Gustavo Quiroz

Mark Olson

John R. Murphy

John Miller

John Miller

John Miller

Eileen E. Jones

Thomas A. Matzen

Sofia Matzen

Mark F. Matzen



APR 17 2014

City County Planning Office  
Lawrence, Kansas

# Petition

in Opposition to the Rezoning  
from RSO (Single-Dwelling Residential Office) to CN2 (Neighborhood Shopping Center)  
located at 4300 W 24th Place and allowing a  
Special Use Permit for a Family Fun Center and Fast Food Drive-Thru Restaurant

We the undersigned oppose this development for the following reasons:

- Does not fit within the guidelines of the original Horizon 2020 development plan.
- Is an inappropriate match in a residential area.
- Will add additional traffic in an area already plagued with traffic congestion.
- Serving alcohol with four schools nearby is inappropriate and dangerous given the traffic issues.
- Outdoor recreation, walking trails, and batting cages are already available in the area.
- The noise and lights late into the night will disturb the sleep of residents.
- Increased vandalism and late night unruliness.

Name

Joe L. H. H.

Jan Brasnavor

Jan H. H.

Diane L. B.

Kendra H.

Cinde Summager

Eric Earl

Kara McKamey

Nicholas M.

Lou L. H. H.

Doreen H. H.

Name

K. M. Beck

J. L.

Lakshmi Duvvuri

Louis F. Brasnavor

James D. H. H.

Michael H. H.

J. L.

Theresa H. H.

Dr. &amp; Mrs. Mark H. H.

J. L.

J. L.

Joe L. H. H.

Amy H. H.

Laura H. H.

J. L.

J. L.

J. L.

Cami H. H.

----- Forwarded message -----

From: "John Ross" <[jross@laserlogic.com](mailto:jross@laserlogic.com)>

To: "Scott McCullough" <[smccullough@lawrenceks.org](mailto:smccullough@lawrenceks.org)>

Subject: Support for the Family Fun Center proposal

Date: Fri, Apr 18, 2014 4:23 pm

Hi Scott,

Please add my voice to support for the Family Fun Center.

When my family and I moved here in 1990 there was a putt putt and batting cages if I remember correctly out on South Iowa. As our children grew, we lamented the loss of a family suitable facility to take our kids for fun. As I understand the proposal there would also be facilities to host birthday parties, batting cages and an electric powered go kart track.

Although my kids are grown and no longer live in Lawrence, my wife and I fully support this project encourage our city commission to give the proposal every consideration possible to bring this facility to Lawrence.

Thank you.

John Ross

4121 Goldfield St.  
Lawrence, KS 66049

16 April 2014

Lawrence-Douglas County Planning Commission  
City Hall  
6 East 6th Street  
Lawrence, KS 66044



Dear Planning Commission Members:

I write to voice my strong opposition to

- ITEM NO. 9A RSO TO CN2; 10.97 ACRES; 4300 W 24th PLACE (SLD/TLH)
- ITEM NO. 9B SPECIAL USE PERMIT; FAMILY FUN CENTER; 4300 W 24TH PLACE (SLD/TLH)
- ITEM NO. 9C SPECIAL USE PERMIT; FAST ORDER FOOD WITH DRIVE-THRU; 4300 W 24TH PLACE (SLD)

A family fun center has a place in Lawrence, but it should not be in the middle of a residential area on Clinton Parkway. There are a number of reasons I oppose this rezoning.

First and foremost is that the city's long-term plan for this area calls for only limited commercial development. Rezoning for CN2 runs contrary to Horizon 2020 and makes Clinton Parkway more like the heavily-developed region of 23<sup>rd</sup> Street east of Iowa.

Second is the impact on the quality of life for the neighbors. The whine of go-cart engines, the constant pinging of aluminum bats in batting cages, extensive lighting until late at night, and music broadcast outdoors would be very intrusive for residents in the area and diminish property values.

Finally, this development would dramatically increase motor traffic on Inverness, Crossgate, and W. 24<sup>th</sup> Street. Inverness, in particular with its divides will be negatively impacted.

There are better places for this development in Lawrence, for example, at the site for sale across from Hallmark on McDonald Drive or W. 6<sup>th</sup> Street beyond George Williams.

I urge you to deny this request for rezoning.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Weis".

David Weis

**From:** Kimberly Williams Realtor/Broker [<mailto:kimberly@kiwilliams.com>]  
**Sent:** Friday, April 18, 2014 12:49 PM  
**To:** Scott McCullough  
**Subject:** Family Fun Center FULL Support

Dear City Commissioners,

My two sons are 18 and 19 now but I certainly wish that they had a Family Fun Center when they were growing up. Lawrence is in need of recreational activities for children. We do not have a skating rink. We do not have amusement or water parks. We do not have mini-golf. We do not have laser tag. Even the batting cages do not work half the time.

I am in FULL support of the proposed Family Fun Center. I hope you are too. Please make this happen for the children of Lawrence.

Thank you.



*Kimberly Williams*  
*Realtor/Broker, ABR, GRI*  
*McGrew Real Estate*  
*1501 Kasold Drive*  
*Kimberly@KiWilliams.com*  
*Cell: 785.312.0743*

*"You can get everything in life you want if you will just help enough other people get what they want." Zig Ziglar*

April 21, 2014

**RE:** Agenda Items 8, 9A, 9B and 9C related to proposal for family fun center at Clinton Parkway & Inverness Drive

Dear Planning Commissioners:

On your agenda this month are a series of related items to the application for a family fun center in my neighborhood. The planning for this use has progressed over the past several months with adjustments made to the site plan and uses proposed to address points raised by planning staff, and by the public through communications to the Planning Commission. I believe earnest efforts have been made by the applicant's representative to address some of the points raised, but the principal point and central issue is that the location proposed is not a good match with the proposed use. Were the use and location a "good match", the applicant would need neither to request amending the CN2 Zoning District to increase the uses permitted in it, nor requesting special approval (re: SUP) for uses that are not permitted by right in the district.

I believe there can be found a broad community consensus that such recreational uses would fill a need of families in Lawrence. There is also a very large neighborhood consensus that this need – these uses – should not be filled by the approval of the requests before you in items 8, 9A, 9B and 9C. Approval of these requests would be at the detriment of those who live, work and play in the neighborhoods along Clinton Parkway. There is an interconnected community of neighborhoods that have developed between the two nodal neighborhood commercial centers at Kasold Drive and at Wakarusa Drive along the Parkway. This community has developed through the four educational facilities that exist along either side of the parkway; the recreational bike/hike trail along the parkway; and over 30 years of development of subdivisions that have formed these neighborhood,

The developer's proposal and the staff report look at the plans, policies and Zoning Regulations and support one "truth". As anyone involved in planning can tell you, there is often more than one way to view the planning documents, policies and implementation tools. I would ask you to consider another, equally valid, set of facts derived from the same planning documents - the neighborhood plan, the comprehensive plan, and the Zoning Regulations – used to support recommendations for approval.

I raise four points for your consideration:

- 1) Neighborhood planning and the Inverness Park District Plan;
- 2) Horizon 2020's policies regarding neighborhood commercial developments;
- 3) The function of Zoning Regulations to implement the comprehensive plan
- 4) Community gateways and the role of Clinton Parkway since the early 1970s as a gateway to the west.

### **Neighborhood Planning and the Inverness Park District Plan**

The timeline of development activity presented in the staff report for Item No. 9A begins in 1999 with the annexation of the quarter section of ground, which was an isolated unincorporated 160 acres surrounded by a neighborhood that had been developing for over 20 years. The annexation of this property was preceded by planning of the entire 160 acres to guide its development and promote integration of the uses in these areas with the already developed neighborhoods and neighborhood schools. The progression of denser/more intense uses from Clinton Parkway, on the north, to single-family residential subdivision south of the natural drainage divide followed sound planning principles in 1999. These same planning principles are espoused today for newly annexed areas in Chapter 15

*Place Making* and in the Lawrence Smart Code (although this specific area has not been identified on Map 15-1).

**Horizon 2020** notes in the introductory chapter that the, "...city and county use the Comprehensive Plan to evaluate development proposals; to coordinate development at the fringes of the county's cities; to form the foundation for specific area plans..." [emphasis added]

The Inverness Park District Plan is a type of "specific area plan" [re: **Horizon 2020**, pg 14-1]. According to the comprehensive plan, there are six reasons or purposes of developing a Specific Issue/District Plan. Two of these purposes are particularly relevant to the applications for land use changes in our neighborhood:

" 4. Determine if development proposals are land use changes are in accordance with the community's long term vision.

5. Provide a shared vision for area's residents/owners and local government entities." [re: **Horizon 2020**, pg 14-2]

The community of neighborhoods along Clinton Parkway, between Kasold Drive and Wakarusa Drive, and the two existing neighborhood commercial centers have seen **19** changes proposed to the planning documents and guiding policies for their neighborhood since 1999. Note 4 of these were withdrawn or not built and one was denied. That translates into over 70% of the proposed changes being adopted and developed. The neighborhood is not adverse to change, but it has grown more defensive in what changes to accept. The 2012 District Plan revision was guided by previous battles to keep at bay the numerous and repetitive proposals to increase residential densities and increase the percentage of rental housing in an owner-occupied residential area. The desire to not increase the percentage of rental housing is not unique to the Inverness Park area; it is a shared concern with the Oread and Centennial neighborhoods that border the University of Kansas. Through the development of neighborhood plans and neighborhood planning in Lawrence in the 1970s and 1980s, planning & housing statistics supported the premise that the stability of a neighborhood is closely tied to a predominance of owner-occupied residences. As the number of owner-occupied residences dips below 2/3rds the neighborhood housing stock begins to deteriorate.

The proposed rezoning to CN2, Neighborhood Commercial, the SUP for Outdoor Recreational facilities, and the amendments to the Zoning Regulations to add the developer's desired uses to the permitted uses in the CN2 are not part of the area residents/owners "shared vision".

#### **Horizon 2020's policies regarding neighborhood commercial developments:**

CN1, Inner Neighborhood Commercial and CN2, Neighborhood Commercial are both neighborhood commercial districts. The CN1 district is a more desirable and appropriate neighborhood commercial district for our neighborhood because:

- CN1 was designed to serve existing neighborhood needs and the policies for this type of neighborhood commercial development were revised in 2008, recognizing the usefulness of this type of zoning for new CN1 areas within established neighborhoods [RE: ]
- This site shares similar siting and neighborhood compatibility issues with sites identified in Horizon 2020 as existing inner-neighborhood commercial center sites [re: page 6-6 in Horizon 2020].



- New inner-neighborhood commercial centers are designed as “ an integrated part of the surrounding neighborhood so that appearance of the commercial area does not detract from the character of the neighborhood.” [re: page 6-20 in Horizon 2020]
- New Neighborhood Commercial Centers (CN2 sites) are identified in Horizon 2020 [page 6-21] and planning policies recommend new neighborhood commercial centers occur **“at least”** *(emphasis added)* 1 mile radius from existing or new Commercial Centers. [page 6-33 in Horizon 2020].
- The neighborhood commercial centers at Clinton Parkway and Kasold Drive and Clinton Parkway and Wakarusa Drive are 1.5 miles apart. The new CN2 at Clinton Parkway and Crossgates Drive is ½ mile from the Kasold Commercial Center and 1 mile from the Wakarusa Commercial Center.
- Standards for new Inner-Neighborhood Commercial Centers, in policy 3.3 of Chapter 6 Horizon 2020, fit the neighborhoods needs more precisely than the proposal before the Commission. The standards in this policy are:
  1. *Inner-Neighborhood Commercial Centers shall be allowed only in those situations where the center is an integral part of an overall planned neighborhood or if the Center can be integrated into an existing neighborhood;*
  2. *Centers shall not have gas pumps, drive-thru or drive-up facilities;*
  3. *Centers may include residential uses;*
  4. *Centers shall have no more than 3,000 gross square feet of commercial space; and*
  5. *Centers shall be designed as an integrated part of the surrounding neighborhood so that their appearance does not detract from the character of the neighborhood.[ page 6-31 in Horizon 2020]*

### **The function of Zoning Regulations to implement the comprehensive plan:**

Zoning Regulations are intended to implement the goals and policies in the comprehensive plan. There purpose should not be to mold and craft a piece of property so that a developer's desires can be 'shoehorned' into a site that is not appropriate for the proposed use. The request to “amend” the permitted uses in the CN2 district impact all areas zoned CN2. Drive through uses and outdoor recreational events, if improperly located in the CC, CR and CS zoning districts, should be thoroughly reviewed based on the impact on all existing CN2 centers, not just the development proposal before the Commission at this time.

### **Community gateways and the role of Clinton Parkway since the early 1970s as a gateway to the west.**

Clinton Parkway is identified as a community gateway in Horizon 2020. It was identified in Plan 95, the previous land use plan, as a Community Gateway. Neighbors, property owners, and users of the recreational trails along Clinton Parkway have all enjoyed the support of the Lawrence governing bodies and planning commissioners to stay true to the vision that Clinton Parkway could be something different and better than its counterpart (23<sup>rd</sup> Street) to the east of Iowa Street. Please consider the impacts of the noise and light pollution associated with the proposed development and the litter and trash that are a likely outcome of the addition of a fast food restaurant along the Parkway.

Please consider the large out-pouring from our neighbors and this written communication to you that are in opposition to this development proposal for the specific commercial uses and outdoor recreational uses. They are not meeting a need, desire, or interest of our collective neighborhoods. Please deny the outdoor recreational SUP request and the text amendments to the ZR for the CN2 district and either deny the CN2 rezoning request or recommend a lesser change to CN1, which more

accurately and adequately – without need of text amendments – meets the stated priorities for neighborhood commercial in the Inverness Park District Plan.

Thank you.

Sincerely,

Linda and Richard Finger  
4117 Wimbledon Drive

The video for the community meeting held at Raintree Montessori School regarding the family fun center proposal can be found on YouTube:

<https://www.youtube.com/watch?v=Yd-dAUmC-ZI>

From: **Eversole, Ann** <[aeversole@ku.edu](mailto:aeversole@ku.edu)>

Date: Thu, Apr 17, 2014 at 3:39 PM

Subject: Family Fun Center

To: "[denny1@sunflower.com](mailto:denny1@sunflower.com)" <[denny1@sunflower.com](mailto:denny1@sunflower.com)>, "[jonjosserand@gmail.com](mailto:jonjosserand@gmail.com)" <[jonjosserand@gmail.com](mailto:jonjosserand@gmail.com)>

Hi Jim and Jon

Since you are the only Planning Commission Members I know, you two are the lucky recipients of my concerns about this project-:) I am an officer in the Wimbledon Terrace Townhomes Association and I know the Commission has received our February 14th letter noting the HOA's objections to this rezoning request, so I will try not to restate those issues. Please know that I have attended both meetings convened by Paul Werner.

In his April 4th letter to neighborhood residents Mr. Warner stated that the developer will not be seeking a cereal malt beverage license until at least the second season of operation. He seemed to think this satisfied the neighborhood concerns; however, I did not find this statement reassuring and obviously an application for a 3.2 beer license could happen at any time. I am confident there are a number of student age residents in the several apartment complexes that adjoin this property and it seems likely it would certainly be a destination point for consumption of CMB and alcohol, not birthday parties for elementary aged children.

At the April 14th meeting both Paul Warner and Mike Riling refused to name the developers. Obviously, that is their prerogative; however it is clear that supervision, staffing and public safety issues of this proposal have not been addressed.

Jim, you are the one who educated me about law enforcement planning as far as the campus and I clearly remember you describing the similarities between a university campus and large resort areas; this Fun Center seems to fall into the entertainment destination category. You talked about law enforcement planning and staffing when students arrived on campus, residence halls opening, football weekends, commencement, etc.. and as nearly as I can figure out the Fun Center developers intend to have heavy usage and seasonal large crowds.

On the one hand the spokesmen for the project frame it as an entertainment area for young families, but on the other hand it is clear the intent is rezoning for commercial use which has a huge impact on the neighborhoods on both sides of Clinton Parkway. The unknown developers have not adequately addressed the traffic, noise, lighting issues and all the accompanying public safety concerns.

One of the planning staff's documents states that the Fun Center would create an amenity that neighborhood residents could walk to. As you both know the definition of amenity is something that makes life easier, pleasant and attractive, I do not view noisy go-karts, batting cages, miniature golf, bright lights until 10:30 at night, an arcade and beer bar as amenities enhancing this area.

Thank you both for your attention to my concerns and thank you for your service to the City of Lawrence and Douglas County; it is a time consuming and for the most part a thankless job.

Hope you both are well...

Best...

Ann Eversole

Co-President Wimbledon Terrace Townhomes Association

-----Original Message-----

From: Donna K. Ginther [<mailto:dginther@sunflower.com>]

Sent: Tuesday, March 18, 2014 10:26 AM

To: Patrick Kelly

Subject: Family Fun Center at Clinton Parkway & Inverness

Mr. Kelly--

I am writing to oppose the change in zoning and special use permit requested by the developers of the "Family Fun Center" at the corner of Clinton Parkway and Inverness.

My children attend Raintree Montessori, and I feel that a family fun center serving alcohol is inappropriate for that site. Instead, I suggest that the zoning remain the same and that the city of Lawrence work to bring an office development to that site. It is currently over-built with apartments, and the current road infrastructure will not support commercial development. I plan on attending the March 24th Planning Commission meeting to express my concerns in person.

Best regards,

Donna Ginther  
4716 Muirfield Drive  
Lawrence, KS 66047

**From:** [garberprop@aol.com](mailto:garberprop@aol.com) [<mailto:garberprop@aol.com>]

**Sent:** Friday, April 11, 2014 4:06 PM

**To:** [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjosserand@gmail.com](mailto:jonjosserand@gmail.com); Patrick Kelly; [bculver@bainkingunusal.com](mailto:bculver@bainkingunusal.com); [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 Planning Commissioner Members,

We recently have been reading about plans to build a Family Fun Center at 4300 W. 24th Place. We own the town homes on Adam Avenue to the west of this proposed Family Fun Center and we are adamantly opposed to the rezoning of the land to accommodate this business as well as passing of a special use permit. The area were they are proposing to build this Family Fun Center/ go-kart park is surrounded by apartments, town homes and single family homes. It is not an appropriate area to place a Family Fun Center that includes a go-kart track and outdoor facilities. The noise, lighting and traffic would be very disruptive to the neighborhood as well as bring down the property values in the neighborhood. Adding the sale of alcohol and the late hours the park would be open also increases the chance of crime (drunk driving, disorderly conduct, noise, etc.) to the area. A more appropriate area for this kind of business would be south of this neighborhood, across the by-pass next to the soccer and baseball fields where this kind of traffic and noise will not disrupt families.

Thank you for your time,

***Candy Gunderson***  
***Garber Enterprises, Inc.***



**From:** Karen Hartnett [<mailto:hartnettkuhle@yahoo.com>]

**Sent:** Tuesday, March 18, 2014 8:30 PM

**To:** [KShartnett.kuhle@yahoo.com](mailto:KShartnett.kuhle@yahoo.com)

**Subject:** zoning at 24th and Inverness

Dear Members of the Planning Commission,

First, I would like to thank you for serving our community. I appreciate that you have many hours of your time in this capacity. I am writing to you regarding the upcoming vote on the rezoning/special use requests put forth to the planning commission by a project known as the Family Fun Center. I live near the intersection of 18th and Wakarusa and not far from Inverness and Bob Billings. I have seen much development along these two corridors over the years. After 13 years, the office building at 18th and Wakarusa is still only partially leased. I am wondering when this office building will be a good idea. The shopping center on the SE corner of Wakarusa and Bob Billings has had four restaurants go in and out at it's anchor location and is constantly replacing tenants - there must be a lot of money to be made in strip malls even if there are empty spaces. However, the philosophy of "if you build it, they will come", doesn't really hold true in either of these locations, but the landscape has been permanently changed. The Bella Serra "complex" (oh joy, more buildings are coming!) is a "ginormous" change to the environment - good idea? - if you live on the top two floors of that building (what views!) - not so much for anyone else. These are deeds that are already done, and cannot be undone. The landscape has been permanently changed.

I ask you to PLEASE consider this before approving a zoning change. Is this the best case scenario for this property or the worse case scenario? I doubt the homeowners, who purchased single family homes, many of whom have children that attend nearby schools, but who now live with multiple apartment complexes had in mind when they purchased their property - but maybe I am making a huge assumption. I don't believe I am.

Regarding the Family Fun Center project: A potential nightmare in property values for the nearby neighborhoods, 140 parking spaces, alcohol, noise, lights - the list goes on. Here is another disturbing issue that I hate to even think about; with FOUR schools nearby and neighborhoods full of kids within walking distance of this proposed facility, many with two working parents, what type of person would most like to frequent this area - or worse - get a job there? Let's not make it so easy for them, please. What if it gets built and then vacated in a few years due to a lack of business? What will the landscape of the neighborhood look like then? Lawrence does need more kid and family entertainment - no question about that - but this belongs out on Iowa Street. Perhaps, this belongs east on 23rd street, both where commercial businesses are already part of the landscape. I am all for progress, but I think a real visionary asks themselves hard questions about what the environment will look like in the future and the long term effects of designs and uses of land. Please be a visionary before voting on this issue. Think about the name PARKWAY. Think about what this landscape will look like in 20-30 years? Thank you so much for your consideration in this matter. I look forward to Monday night's meeting.

Sincerely,

*Karen S Hartnett  
4725 Carmel Place  
Lawrence, KS 66047*

----- Forwarded message -----

From: **Ruth Hiss** <[mrsdeltachi@yahoo.com](mailto:mrsdeltachi@yahoo.com)>

Date: Monday, April 21, 2014

Subject: Family Fun Center Zoning consideration

To: [bculver@bankingunusal.com](mailto:bculver@bankingunusal.com), "[bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com)"

<[bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com)>, "[amalia.graham@gmail.com](mailto:amalia.graham@gmail.com)" <[amalia.graham@gmail.com](mailto:amalia.graham@gmail.com)>, "[montanastan62@GMAIL.COM](mailto:montanastan62@GMAIL.COM)" <[montanastan62@gmail.com](mailto:montanastan62@gmail.com)>

Dear Planning Commission Members:

The area residents of the property surrounding Inverness Drive and 23rd Street Parkway have been misled and were not publically informed of meetings concerning the proposals to re-zone the property until just prior to the meeting held in February when your committee was panning to vote on the re-zoning proposal. When the area citizens became aware of this, we appeared before your board, and were grateful that you listened to our concerns and voted to defer the vote until a later meeting. Mr. Paul Werner, the architect for this Family Fun Center, had not held any public meeting as required to inform the public of this issue. Since that deferral, two public meetings have been held, and as a resident of the Wimbledon Terrace Townhomes Association located directly across the street off 23rd Parkway to the north from the proposed fun center, I wish to express the frustration and aggravation in the lack of direct answers to our questions and concerns about this center from Mr. Werner; he and, now his lawyer Michael Riling, continue to insist that alcohol be a part of their plans for this center even though the public (even the young school children) have adamantly been opposed to this at every meeting. If you accept the re-zoning proposal to change the property to a CN-2, that will be the direction of this property development, and we do NOT want that to happen. This is a lovely neighborhood surrounded by many schools with young innocent but easily influenced children, family residential neighborhoods with strong property values. Keep our neighborhood safe and beautiful. Don't let a blight befall this area with noisy go-karts, loud aluminum batting cages, bright lights, loud amplified music, and bright lights with many issues of traffic, security, and management...nor the evils of alcohol! Preserve the Parkway!!!! Thank you for your consideration of families and youth on this issue. See you Wednesday evening.

Truly, Ruth Hiss

Wimbledon Terrace Townhomes Association, Secretary

**From:** Lleanna McReynolds [<mailto:lleanna@raintreemontessori.org>]

**Sent:** Friday, April 18, 2014 1:41 PM

**To:** [bculver@bankingunusual.com](mailto:bculver@bankingunusual.com); [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com); [montanastan62@gmail.com](mailto:montanastan62@gmail.com); Jon Josserand; Patrick Kelly; [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:** Letter in Opposition to the Family Fun Center

Dear Commissioner,

Please find my attached letter regarding the Family Fun Center proposal.

Thank you for taking the time to read it and for giving this matter your attention.

We appreciate your commitment to making sure Lawrence continues to be the unique and vibrant community it is.

We shall see you Wednesday.

Regards,

Lleanna McReynolds, M.Ed.  
Head of School

----- Forwarded message -----

From: **Stephen Slade** <[stephen.slade@oracle.com](mailto:stephen.slade@oracle.com)>

Date: Monday, April 21, 2014

Subject: Family Fun Center, Clinton & Inverness SUP & Re-zoning, Council Meetg 23Apr

To: [amalia.graham@gmail.com](mailto:amalia.graham@gmail.com)

Dear Amalia,

**We are adamantly opposed to the SUP and re-zone of this property for that use.**

My wife and I attended several of the recent neighborhood meetings with the architect on this matter and reviewed the plans. Although a 'family fun Center' does sound favorable in title, bringing the proposed indoor and outdoor facility to our tranquil residential neighborhood would impact our near community in the following manner:

**Noise:** Emanating from the batting cages, clanking of aluminum bats on hard hit balls  
Race track with screeching tires, slamming of bumpers and race-car simulated music piped in  
Unruly cheering and encouragement of patrons

**Workers:** Having casual seasonal workers operate the facility can attract those with unstable work history

**Children safety:** Having this center in close proximity to a number of schools can serve as a convenient magnet for child molesters. Having open parking lots available for congregation by strangers is not conducive for family values

**Traffic:** Although the reports indicate that the traffic circle is only 50~60% of capacity, at school start and end times, and afterschool events (track meets, games) the area is overwhelmed.

**Long-Term Viability:** We will not support, visit or partake in any of these activities including electronic gaming. We feel that in the longer term, this seasonal enterprise will fail leaving behind an abandoned facility in disrepair

In summary, we feel a Family Fun Center can do better on the outskirts of town, not in this close family neighborhood. We request that you **support us to oppose this rezone** and permit request.

Stephen & Helen Slade  
4219 Teal Drive  
Sunflower Park  
Lawrence KS 66047

**From:** Nancy [[mailto:critter\\_72@yahoo.com](mailto:critter_72@yahoo.com)]

**Sent:** Thursday, March 13, 2014 11:38 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); Patrick Kelly; [bculver@bankingunusual.com](mailto:bculver@bankingunusual.com); [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 Recreation Proposal

Greetings Planning Commission Members,

I would like to voice my opposition to the proposed development at Inverness and 24th Street. There are so many reasons this isn't a good idea, but I would like to specifically site excess noise, lights, traffic congestion, and available alcohol near several schools.

I live on W. 25th Place and the traffic before and after school is very busy it is, sometimes I can't even turn onto my own street because of the volume and drivers blocking the intersection. The increased traffic activity during the week and weekends if this proposal is accepted would be unimaginable. I am also concerned about crime, as it has already increased in our neighborhood in the last few years.

I enjoy family activities as much as the next person, but I think this is the wrong location, and not just because it's my neighborhood. I don't think any family neighborhood with schools would be appropriate for this type of entertainment. There are so many other choices that would be better - one option would be the area closer to Rock Chalk park, or even better, the area toward the end of south Iowa, close to where the by-pass will be completed would be ideal, and attract more out of town visitors.

I plan on attending the meeting on March 24.

Thank you for your time,

Nancy Stump  
4417 W. 25th Place  
Lawrence

**From:** Brian Williams [<mailto:bmwjhawk@gmail.com>]

**Sent:** Saturday, March 08, 2014 11:29 AM

**To:** Patrick Kelly

**Subject:** Two things...

Hi, Patrick,

- 1) You're on the Planning Commission? I didn't know that. Your name and e-mail address were listed on the note from Raintree Montessori School. According to my wife, the Family Fun Center under consideration for the Southeast corner of Clinton Parkway and Inverness is an awful idea. (I'm not as passionate about it, because I think go-karts are pretty fun). In the interest of preserving my marital bliss, you can, however, count this e-mail as being against the Family Fun Center.
- 2) I've recently submitted my application to Lawrence Public Schools. I'm interested in Special Education openings at the High Schools, especially Free State. If you have any advice or inside information for me; or if you can share with the hiring team how amazing I would likely be for the position, I would appreciate it. If you don't have nice things to say about me, never-mind.

Thanks!

Brian Williams



**From:** Susan Yoshida [<mailto:sakyoshida@sunflower.com>]

**Sent:** Monday, March 24, 2014 1:30 PM

**To:** [bculver@bankingunusual.com](mailto:bculver@bankingunusual.com); [bruce@kansascitysailing.com](mailto:bruce@kansascitysailing.com); amalia graham; [montanastan62@gmail.com](mailto:montanastan62@gmail.com); [jonjossierand@gmail.com](mailto:jonjossierand@gmail.com)

**Cc:** Patrick Kelly; [squampira@aol.com](mailto:squampira@aol.com); [dcbritt@yahoo.com](mailto:dcbritt@yahoo.com); eric c struckhoff; [denney1@sunflower.com](mailto:denney1@sunflower.com)

**Subject:** proposal for Family Fun Center

Dear Planning Commissioners,

I am writing to voice my oppositions to the proposed Family Fun Center for the property 4300 West 24th Place on Clinton Parkway. I live in the neighborhood behind Bishop Seabury Academy and have a son who attends this school.

About two weeks ago I attended a community meeting at Raintree School where the architect of the proposed development presented his design for the Family Fun Center. This Center will have Go Carts, Putt Putt Golf and a Video Arcade. Plans are to serve alcohol at the Fun Center.

In my opinion, a residential neighborhood near four schools is not an appropriate location for this kind of center. This will be a place where junior high, high school and college students gather and loiter. It will increase the traffic in our neighborhood, increase noise in the neighborhood, and will likely increase vandalism and other related crimes in our neighborhood.

I have another reason for believing that this development is not appropriate for a family neighborhood. Industries that make things for children, market heavily to them, a kind of entertainment that is fast paced and stimulating. Children have very few havens of quiet and calm. The family home as well as the school are two settings that, with thought, can provide a measure of peace and calm in the lives of our children.

The proposed Family Fun Center is a form of entertainment that is stimulating. While I believe there is a place for this kind of entertainment, having it in the middle of a residential neighborhood with family homes and schools is not, in my opinion, an appropriate setting for it. Our children need some protected time in their lives that is calm and not so stimulating, and again, the home and the school are among the few places left that can provide this to them.

For all of these reasons, I am asking you to oppose placing the proposed Family Fun Center in our neighborhood near our homes and our schools.

I write this letter from several perspectives. My home is located near the proposed development. I have a son who attend Bishop Seabury Academy which is directly across Clinton Parkway from the proposed development. I also have some understanding of how the environments that surround our children can affect their development, as I have a medical background in psychiatry and mental health.

Thank you for taking the time to read my letter.

Sincerely,  
Susan Yoshida, MD  
4124 Wimbledon Drive  
Lawrence, Kansas 66047