

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

PC Staff Report  
1/25/16

**ITEM NO. 6: SPECIAL USE PERMIT; FAST ORDER FOOD WITH DRIVE-IN; 4300 W 24<sup>TH</sup> PLACE (SLD)**

**SUP-15-00521:** Consider a Special Use Permit for approval of a neighborhood commercial shopping area that includes one building to house a *Fast Order Food, Drive-in*, located at 4300 W 24<sup>th</sup> Place. The plan proposes 31,625 sq. ft. of commercial development in five buildings with four drive-in uses indicated. Submitted by Paul Werner Architects, for RPI, LLC, property owner of record.

**STAFF RECOMMENDATION:** Planning Staff supports one *Fast Order Food, Drive-in* use at this neighborhood center. However, in order to revise the site plan to provide a more appropriate design that reduces pedestrian/auto conflicts, as discussed in this report, staff recommends deferral of this Special Use Permit request. Additionally, the applicant should be aware of the following potential conditions of approval prior to the Planning Commission voting on this item.

1. 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, photometric plan per section 20-1103 for administrative review and approval. This same note shall be included as a note on the face of a revised plan.
2. Provision of a revised site plan to include the following general notes:
  - a. Provision of a note on the face of the plan that limits the number of *Fast Order Food Drive-in* uses for this property to one (1). Any additional *Fast Order Food Drive-in* uses for this property shall require approval of a Special Use Permit prior to construction.
  - b. Add a note that states: *"Any tenant or use shall require review regarding maximum Gross Square Feet allowed per Article 5 of the Land Development Code. Future tenants should be advised that in most cases the maximum gross square feet allowed for an individual use is 3,000 SF."*
  - c. *"All ground mounted and mechanical equipment shall be screened from public view of the public right-of-way and adjacent properties per section 20-1006."*
  - d. Add a note that states: *"A photometric plan per section 20-1103 shall be submitted for review and approval prior to issuance of a building permit."*
  - e. Revised the landscape notes to include street trees required along Clinton Parkway and revise drawing to graphically show the required street trees.

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

**KEY POINTS**

- This request complies with the *Inverness Park District Plan* which designates neighborhood commercial uses for this location.
- This application is speculative. Specific tenants or users have not been identified at this time.
- This application is intended to secure the conceptual design of a future commercial development with drive-in uses.

- A Special Use Permit is required for drive-in uses for *Fast Order Food* in the CN2 District. Other retail drive-in uses such as a pick-up window or bank teller window are not subject to a Special Use Permit.
- This CN2 District was approved with a condition of the zoning that any site plan shall first be considered by the City Commission, with notice, prior to approval. Typical Site Plan applications are subject to administrative review.
- If approved, building elevations will require separate review for compliance with the Commercial Design Standards.
- Fast Order Food includes a range of eating and drinking establishments that include high turn-over restaurant uses.

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

- Family Fun Center Related Requests
  - TA-13-00488; Special Use in CN2 District - denied by City Commission
  - Z-13-00483; RSO to CN2 – approved and published
  - SUP-13-00486; Family Fun Center – withdrawn by applicant
  - SUP-14-00026; Retail/restaurant uses with drive-in; included 3.106 acres with two pad sites and two drive-in uses – withdrawn by applicant
- Residential and Commercial Requests
  - Z-15-00198; rezoning request from RSO to CN2 for 10 acres, Ordinance # 9128
  - PP-15-00196; Preliminary Plat including 14 duplex lots and one 7.027 commercial lot approved by the Planning Commission on June 22, 2015.
  - PF-15-00585; Final Plat has been approved.
- Refer to attached history for complete summary.

### **Other Action Required**

- City Commission approval of Special Use Permit and adoption of ordinance.
- Recordation of Final Plat with Register of Deeds Office.
- Approval of Public Improvement Plans and provision of a guarantee prior to Recoding the Final Plat.
- Submission and approval of a site plan for compliance with commercial design guidelines, and photometric plans and any other conditions of approval.

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

- Notice to neighborhood from Paul Werner
- Paul and Marilyn Meier; letter in opposition to development, attached.
- Leanna McRenalds, Raintree Montessori School regarding questions about proposed development, via telephone.
- Dawn Shew, email communication
- Larry Grecian, email communication

### **ATTACHMENTS**

1. Area Map
2. History of Development Memo
3. Inverness Park Neighborhood Land Use Plan
4. Site Plan
5. Site plan from SUP-14-00026
6. Neighborhood letter from Paul Werner with concept plans
7. Updated Traffic Study
8. Off-street parking summary

GENERAL INFORMATION	
Current Zoning and Land Use:	CN2 (Neighborhood Commercial) District, undeveloped land.
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.

### Summary of Request

The plan is conceptual and does not include specific building elevations for review as required to demonstrate compliance with Commercial Design Guidelines. This application is for the development of property in the CN2 (Neighborhood Commercial) District to include both *Retail Sales and Services* and *Fast Order Food* uses. At this time specific tenants are not known. The CN2 District allows a variety of land uses that would be permitted subject to only site plan approval. However, *Fast Order Food uses with a Drive-in* specifically require approval of a Special Use Permit in the CN2 (Neighborhood Commercial) District. The focus of this report regards compliance and appropriateness of proposed *Fast Order Food with a Drive-in* uses in this location. It will be helpful to the reader to review the previous application site design. A copy of the previous plan is attached to this report for reference.

The proposed plan shows one *Fast Order Food, Drive-in* use located in the southwest corner of the site nearest the intersection of Inverness Drive and W 24<sup>th</sup> Place. The site plan shows additional pad sites and two buildings located on the north portion of the site each with a drive-in. Drive-in uses, excluding *Fast Order Food, Drive-in* uses, are allowed in the CN2 district, and do not require a Special Use Permit review. Examples of this type of use include banks, pharmacy, dry cleaning, or liquor store.

### Zoning District Summary

This CN2 District was approved in June 2015 consistent with the adopted *Inverness Park District Plan* land use recommendations. The zoning was approved with specific limitations and use restrictions including the following (Ordinance # 9228):

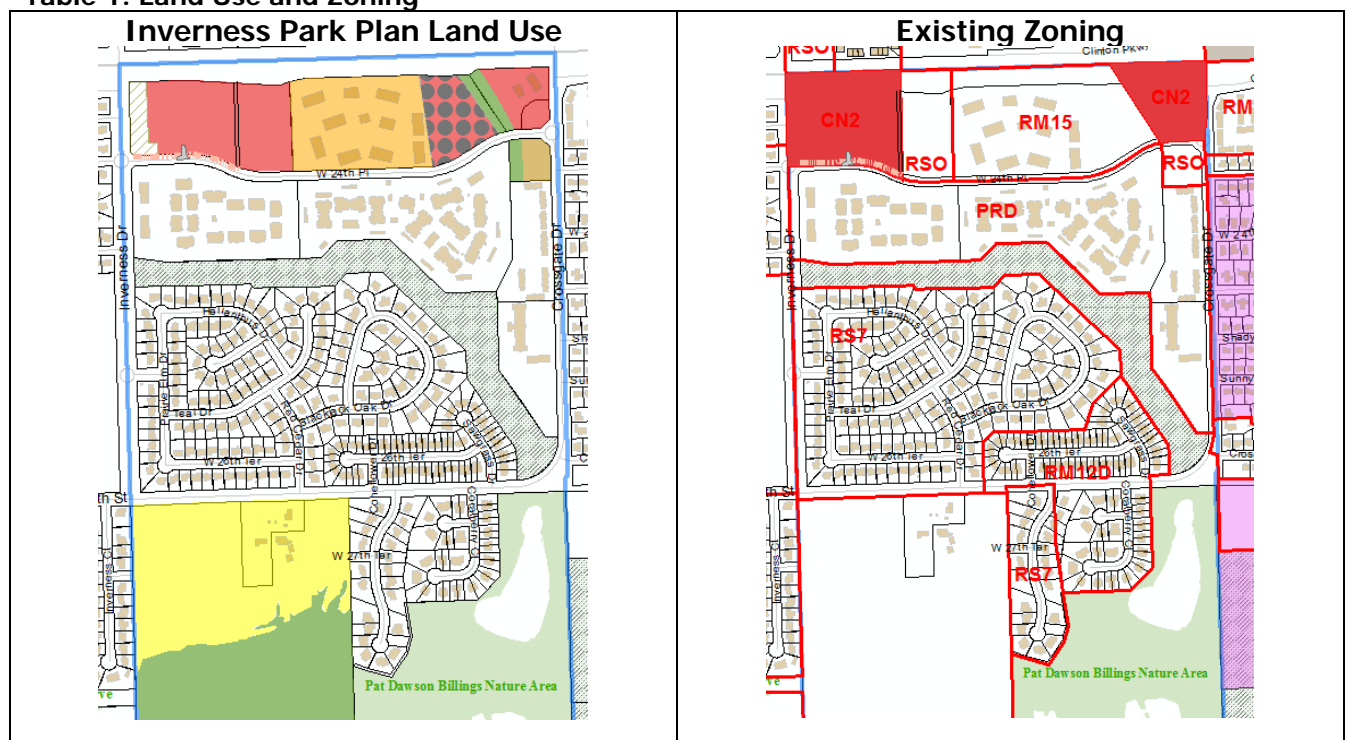
1. City Commission shall review and approve any site plan application prior to issuance of a building permit.

2. Development shall include the extraordinary buffer yard along Inverness Drive and shall be limited to open space, landscaping, and park-type amenities.
3. Residential uses are prohibited.
4. Notice to property owners shall extend 1000'.

As a Special Use Permit, this application will be forwarded to the City Commission for final actions as part of the decision making process. The proposed development includes a wide buffer yard along Inverness Drive. This element is discussed later in this report. There are no proposed residential elements included in this proposed Special Use Permit. Extraordinary notice was provided, per the zoning ordinance, for this application.

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 included in a neighborhood commercial development are expected at a minimum to have strong pedestrian connections between the commercial development and the residential areas as discussed in the *Inverness Park District Plan*. That 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 is a specific use listed under the heading of "Eating and Drinking Establishments."

Table 1: Land Use and Zoning



Duplex residential was approved as part of the zoning and preliminary plat applications considered for this property in June 2015. The commercial rezoning did not include the entire 11-acre parcel included in the *Plan*. By reducing the acreage; the intensity of the commercial development was also reduced. An additional enhancement of the *Plan* included a substantial buffer area along the east side of Inverness Drive. This buffer area was defined in the subdivision plat as a 65' by 350' area. The actual development of the buffer area is included and implemented in this application.

**Uses with Specific or Additional Design Standards when located in the CN2 District.**

*The purpose of the CN2 District is primarily intended to implement the Comprehensive Plan's Neighborhood Commercial Centers policy of providing for the sale of goods and services at the neighborhood level. (Section 20-208).* As such, this district includes additional use restrictions for various uses listed in Articles 4 and 5. Below is a summary of some of the restrictions for uses in this district.

- ❖ The maximum amount of commercial space in the CN2 District is 100,000 GSF.
- ❖ If the commercial center includes a grocery store with more than 60,000 GSF, but not to exceed 80,000 SF, then the maximum amount of commercial space permitted in the CN2 District is 125,000 SF.
- ❖ No one building shall exceed 40,000 GSF except a grocery store may exceed this number up to a maximum of 60,000 GSF.
- *Cemetery* use permitted but site does not have direct access to Arterial Street per section 20-505.
- *Day Care Center* uses are permitted. Site can meet design standards per section 20-507.
- Eating and Drinking Establishments are permitted uses excluding an *Accessory Restaurant* and a *Nightclub* per section 20-509.
  - *Accessory Bars* cannot exceed 25% of the floor area of the establishment.
  - *Fast Order Food* establishments may not exceed 3,000 SF
    - Building A [Restaurant] includes 2,600 SF
    - Building B [Restaurant] includes 1,800 SF
    - Building C [Restaurant] includes 2,900 SF
    - Building D [Restaurant] includes 3,200 SF
  - If use is designated as a Brewpub or Restaurant Quality, the 3,000 SF limitations would not be applicable.
  - *Bar or lounge* use permitted not to exceed 3,000 SF. Area larger than 3,000 SF subject to a Special Use Permit.
  - *Quality Restaurants* are permitted without limit on size per section 20-524.
- *Food and Beverage Sales* is permitted not to exceed 3,000 SF (exception for grocery use) per section 20-511.
- *Personal Convenience* uses are permitted not to exceed 3,000 SF per section 20-520.
- *Repair Service, Consumer* uses are permitted not to exceed 3,000 SF per section 20-523.
- *Retail Sales, General* uses are permitted without limit on size per section 20-525 except that Retail Establishment, Large (includes 100,000 SF) is not permitted.
- *Vehicle Sales and Service* uses are permitted subject to limitations on design, number of vehicles stored (12 maximum), and enclosed activities per section 20-545.
  - Building E [Office/Retail] includes 14,125 SF
  - Building F [Office] includes 8,000 SF

**This summary is provided here since specific uses are not identified at this time. As uses or tenants are identified, additional review with the building permit will be required to assure the uses comply with these design standards.**

**Phasing Summary**

This site is divided into two phases. Phase 1 includes "Building A, B" and "Building F", located on the west half of the lot. Phase 2 includes "Buildings C", "D", and "E" located on the east half of the lot. The residential uses located on the east side of the commercial development are a separate development project and therefore unrelated to the phasing of the CN2 property.

Two pad-site “restaurant” uses, located in Phase 2, are proposed on the east side of the property along W 24th Place. Two mixed-use buildings, one located in each phase, are designed to accommodate drive-in uses but are not subject to a Special Use Permit. These buildings are noted as office/retail buildings located on the north side of the development.

Drive-in uses related to the non-food related uses are anticipated to be retail-service uses such as a bank, dry cleaners, or other personal service use. This site includes a total of three optional drive-in uses. Only drive-in uses associated with a *Fast Order Food* use are subject to the Special Use Permit review process.

Not only are specific tenants not identified but tenant lease spaces are not indicated as well. While not unusual for commercial development, some uses permitted in the CN2 District have specific area limitations. The purpose to limiting the size of the use is to ensure neighborhood compatibility within the context of the zoning district. If approved, notes should be added to the plan that indicate limitations on specific uses. Any future application for site plan or building permit will require an assessment of the specific use and a determination that the use complies with the zoning restrictions for the district.

## STRUCTURE OF THIS REPORT

The first half of this report addresses the Decision-Making criteria set out in Section 20-1306 (i) of the *Land Development Code*. The second half of the report addresses specific site plan design standards. As a conceptual project, only some elements of a site plan can be reviewed at this time. Elements such as building elevations and site lighting are deferred until a more detailed application is available. Staff recommends that if approved, the commercial design elements be subject to the review and approval by the City Commission per Ordinance No. 9228. This condition is intended to provide appropriate public involvement in the final design of the project as it relates to the neighborhood context. Additionally, it provides a timing path for to the developer that is more flexible than the public hearing process than includes a Planning Commission review as well.

## PART 1 – REVIEW CRITERIA

### 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 as a conceptual development plan for commercial property located on the northeast corner of W 24th Place and Inverness Drive. Detailed review of certain elements is not possible since final tenants or users are unknown at this time. Additionally, a review for compliance with the Commercial Design Guidelines as they related to specific building elevations is not possible with this application.

The intention of this application is to provide **conceptual approval** of the number and general location of a specific future use; *Fast Order Food, Drive In*.

This development proposes three total drive-in uses that include:

- ❖ one (1) *Fast Order Food , Drive-in* use related and
- ❖ Two (2) non-*Fast Order Food* related drive-in uses.

The Development Code addresses the purpose of the CN2 District (Article 2), permitted uses in specific districts (Article 4), specific design standards (Article 5), density and dimensional standards

(Article 6), parking and landscaping design standards (Articles 9 and 10), and site lighting and residential protection standards (Article 11).

- The proposed uses shown on this plan are clearly allowed uses in the CN2 District. Requirements of Articles 2 and 4 have been met.
- *Fast Order Food* uses are allowed in the CN2 district provided the gross floor area, including any outdoor area, is less than 3,000 SF. The proposed application shows:
  - Building A = 2,600 SF
  - Building B = 1,800 SF with a 800 SF patio
  - Building C = 2,900 SF
- *Brewpub or Quality Restaurant* uses are allowed in the CN2 district and do not have a maximum gross square foot requirement. Buildings shown on the plan larger than 3,000 SF could accommodate these uses.

An additional review will be required with the submission of future applications or building permits to ensure compliance with Article 5 of the Land Development Code. Notes added to the face of the site plan to identify the area restrictions and provide notice to future tenants of the commercial center will be required.

The Commercial Design Guidelines are intended to promote *“sound site planning and design practices for commercial development to”* among other things, *“ensure that site circulations promotes contiguous, efficient and safe pedestrian and vehicular circulation.”* The Guidelines discuss:

- Walkway connections that allow for pedestrian movement within the development and surrounding area.
- Within the development auto oriented conflicts should be minimized.
- Walkways need to be conveniently tied to logical destinations.

Interior walkways and pedestrian connections should be fully integrated into the site design and are discussed in Section E of the Commercial Design Guidelines. The Special Use Permit as proposed does not meet the intent of the guidelines.

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 the *Land Development 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-in services for *Fast Order Food* uses are allowed in the CN2 District subject to approval of a Special Use Permit. Staff is of the opinion that the site conflicts with design guidelines as it relates to pedestrian layout.

## **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 65' landscape buffer has been provided along Inverness Drive to minimize light and noise for the properties west of Inverness Drive.*

This proposed retail use is intended to be integrated and compatible with the developed neighborhood areas. 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. A recently approved subdivision plat that included 14 duplex lots to the east.

**Hours of Operation:** The proposed retail uses would presumably have comparable operating hours similar to existing non-residential uses in the area along Clinton Parkway. Uses identified for retail or office use are likely to be in operation between 8:00 A.M. till 5:00 P.M. or similar hours. *Fast Order Food* uses or other *Eating and Drinking Establishment* uses range in operation from 24 hours to morning/afternoon hours to afternoon/evening hours. Mixed commercial developments with a variety of uses are typically more successful in sharing parking and keeping a site activated. Office or business uses that are closed in the evening hours are compatible with residential uses and offer an opportunity to share parking with restaurants that tend to be open during evening hours, such as a sit down dinner establishment, or early morning hours, such as a coffee shop.

A restaurant use, 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-in 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.

**Traffic Generation:** A traffic study was provided for this development and is a generic summary of development since specific uses are unknown at this time. Direct vehicular access to Clinton Parkway and Inverness Drive are expressly prohibited for this development. The only access to this site is from 24<sup>th</sup> Place. City staff has reviewed several development applications for this property. These previous studies concluded that there were no improvements required for the existing street network serving the area. As the undeveloped properties in the neighborhood develop additional traffic will be added to the area. Traffic congestion occurs in the surrounding area related to the location and operation of several schools in the vicinity of the area.

Previous public comments about traffic signal timing at the intersection of Inverness Drive and Clinton Parkway would suggest a long delay. It should be noted that the primary traffic circulation occurs on Clinton Parkway. Staff will continue to monitor traffic signal function and traffic efficiency of the network in the area. As changes are warranted, modifications to the network will be made.

**Lighting:** As noted, review of the site lighting must be deferred to the future submittal of application documentation for this design element.

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 for the ultimate development of the site. Compatibility of this site with the immediately surrounding residential uses to the west and south should be enhanced with better aligned pedestrian connections and pedestrian amenities within the development and appropriate building placement within the site.

**Staff Finding –** A limited number of drive-in uses within the commercial development can be compatible, and even benefit the development and the neighborhood, if located in a manner that promotes strong pedestrian orientation to the site. Staff supports a development that includes only one *Fast Order Food, Drive-in* at this location. Staff does not support the location of a *Fast Order Food, Drive-in* at the immediate corner of Inverness Drive and W 24th Place.



**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 criterion is related to the intensity of the development and, more specifically, the traffic generated by the proposed *Fast Order Food* use. Drive-in 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-in 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-in uses being more accessory to the business rather than the primary use if they are even included. Additionally, many high-volume *Fast Order Food* uses include late night drive-in only hours. These types of *Fast Order Food* uses are inconsistent 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-in as an accessory use. This application does not include a specific tenant. It is unlikely that popular chain store type restaurant (*Fast Order Food*) uses would find this particular location desirable as there is no direct access to Clinton Parkway. A lower traffic volume class use is more probable 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 minimum buffering standards are met. A development with multiple *Fast Order Food*, *Drive-in* uses would be undesirable in this location and would be considered a diminishment to very low-density uses (to the west). This concern may be mitigated by restricting the number of drive-in uses that may be permitted for this property. Providing site design criteria that manage the expectations for both the future uses and the neighborhood should be established with this application. Specific recommendations are discussed in the Site Design portion of this staff report.

**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-in service as secondary to seating. However, multiple *Fast Order Food* uses offer drive-in 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 are accommodated for this development.

**Staff Finding** – Adequate public facilities and transportation access are 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. This application for a Special Use Permit is specific to drive-in use as it relates to *Fast Order Food* uses but as a necessity also incorporates design elements such as location and building orientation as part of the approval. This activity is proposed for the Building A as shown on the site plan.

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-in*, 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.

Approval of this Special Use Permit should not be considered to be transferable to any of the other tenant spaces within the site. If approved, any future use for *Fast Order Food* use that intends to provide “pick up/order window” shall be required to first secure a Special Use Permit, as a public process. This ensures that neighborhood concerns are addressed as tenants change over time within the development. 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. The north side of the property adjacent to Clinton Parkway includes a significant slope. This feature of the site makes direct access to Clinton Parkway impractical in addition to the access restrictions preventing driveway cuts.

**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 a Family Fun Center. Use of the property has evolved to include residential duplex development along the east side of the property through the approved subdivision and rezoning plans for this area.

If approved, the drive-in feature for a *Fast Order Food* use would be considered a permanent and integral part of the site's overall use. However, in the context of the neighborhood design, the Commission can restrict the activity or hours of operation of the drive-in 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-in use shall not include overnight hours (24 hour activity).

### Part 1 Summary:

Key conclusions of this section of the report find that the maximum number of *Fast Order Food, Drive-In* uses should be restricted to one (1). Additionally, the placement of the drive-in should be prohibited from the immediate intersection of Inverness Drive and W 24th Place to provide for pedestrian-oriented site design. A site design that places a *Fast Order Food, Drive-In* use to the north or central portion of the site would be consistent with a more cohesive design of a neighborhood commercial center and would better implement staff's understanding of the expectations of the Development Plan to manage auto-pedestrian conflicts.

## PART 2 – SITE PLAN REVIEW

### 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.

### Site Summary

**Table 2: Use and Parking Comparison Table**

<b>Lot 1, 24<sup>th</sup> Place Addition</b> (Final Plat approved, to be recorded with Register of Deeds)				
<b>Lot Size</b>	<b>7.027 Acres</b>			
Inverness Drive Buffer	65' by 350' = 22,750 SF (.5 acres)			
Building Use per Plan	Phase	Patio Space	Examples of use with similar SF	SF
<b>A – Restaurant with Drive-in</b>	1		Raising Canes Pet World	2,600 SF
<b>B – Restaurant</b>	1	800 SF	Taco John's	1,800 SF
<b>C - Restaurant</b>	2		Panda Garden	2,900 SF
<b>D – Restaurant</b>	2	1000 SF	Beimer's BBQ	3,200 SF
<b>E – Retail / Office Drive-in option</b>	2		Walgreens 23 <sup>rd</sup> and La.	14,125 SF
<b>F – Retail / Office Drive-in option</b>	1		23 <sup>rd</sup> Street Brewery	8,000 SF
<b>Total Proposed Building Including patio space</b>	<b>32,625 SF 34,425 SF</b>			
Maximum allowed SF in CN2	Without grocery = 100,000 SF With grocery greater than 60,000 = 125,000 SF Maximum grocery use = 80,000 SF Maximum primary building = 40,000 SF			
Maximum SF for specific uses	3,000 SF			

This table represents a speculative development. The building footprints used in the site plan are also used for calculating off-street parking requirements. Specific uses may be larger or smaller than what is represented in this application. However, some uses are expressly limited to a maximum 3,000 SF in the CN2 district. As specific applications are submitted for tenants within the development, additional development review will be required.

### A. Access and Parking

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***On-site Parking:***

The site plan, as proposed, identifies multiple pad sites and buildings that can accommodate one or more tenant spaces as mixed retail/office buildings. Restaurant uses require parking at a ratio of 1 space per 100 SF of customer service area plus 1 space per employee. Additionally, drive-in uses require a minimum of four (4) stacking spaces at an order board or window as well as four (4) stacking spaces for a pick up window. 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.

Parking shown for the proposed development includes a combined parking requirement of 234 spaces and shows 237 spaces provided. However, the applicant has calculated the *Eating and Drinking* uses at 80% or more of the building footprint dedicated to the customer service area. This ratio is more than double the past seven site plans for *Fast Order Food* and *Restaurant, Quality* uses approved in 2015. If the off-street parking requirement is adjusted to an average of the approved projects, then the required parking is reduced from 234 spaces to 179 spaces. This would suggest the proposed development includes excessive parking. The proposed parking lot design and building orientation both focuses on automobiles as a primary user when a more balanced approach to a pedestrian mix is in order. A separate parking summary is attached to this report for reference.

In accordance with Section 20-901(a), this excess parking must be mitigated through best management practices for stormwater surface runoff. An assessment of the parking finds that there may be as many as 40 excess parking spaces. This supports the position that building orientation may be changed and adequate off-street parking can be provided for the site. Any excess parking should be removed from the site design and additional open space, patio spaces, and pedestrian connections should be made.

***Direct Access:*** Access to this site is provided from W 24<sup>th</sup> Place. Access to Clinton Parkway and Inverness Drive is prohibited.

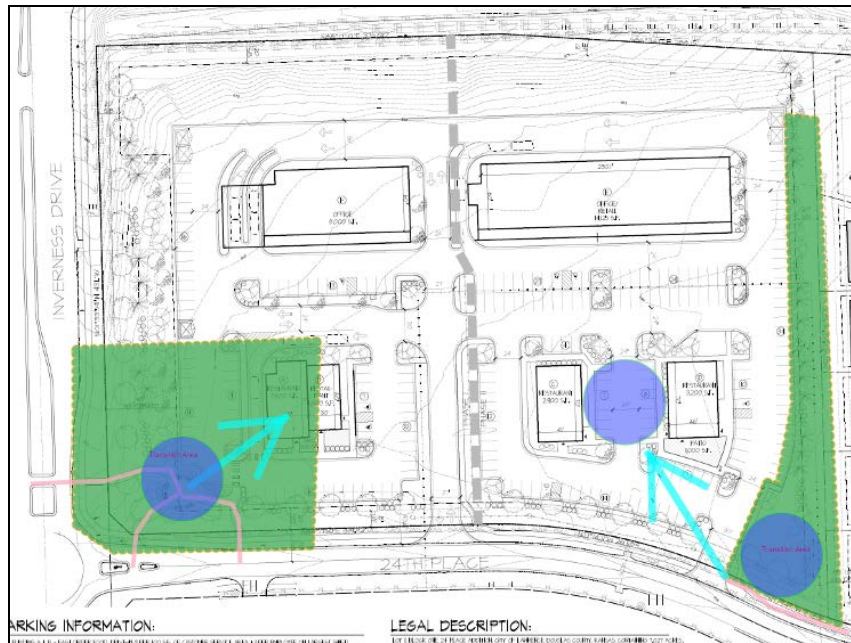
Pedestrian access within a neighborhood commercial center should be as prominent as vehicular circulation. Pedestrian access is discussed in detail later in this report.

**B. Design Standards**

Basic design standards have been evaluated for this proposed commercial development. Specific evaluation of building elevations must 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, Drive-in* use on this property. As proposed, this use would be located nearest the existing residential uses at the south end of the property. Staff does not support a plan that includes a drive-in at this location.

This property is uniquely located within the Inverness Park District Plan boundary. This property includes residential uses to the west and south and future duplex use to the east. Building placement, orientation and relationships external to the development, as well as internal, are key to creating an inviting neighborhood commercial development.

The following graphic highlights the buffer areas, initial pedestrian pathways and focal points of the development. Transition areas at the southwest and southeast corners of the site are not appropriate locations for auto oriented uses (drive-in) in this specific neighborhood context.



**Figure 1: Pedestrian Focal Points**

***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 future condition of approval.

***Pedestrian accessibility and amenities:*** Several pedestrian connections within the development and from the public sidewalks to the development need to be more fully developed. This plan provides a stronger pedestrian amenity at the intersection than has been seen in previous plans; however, this space immediately connects to a parking lot with crossings through a drive-in lane.

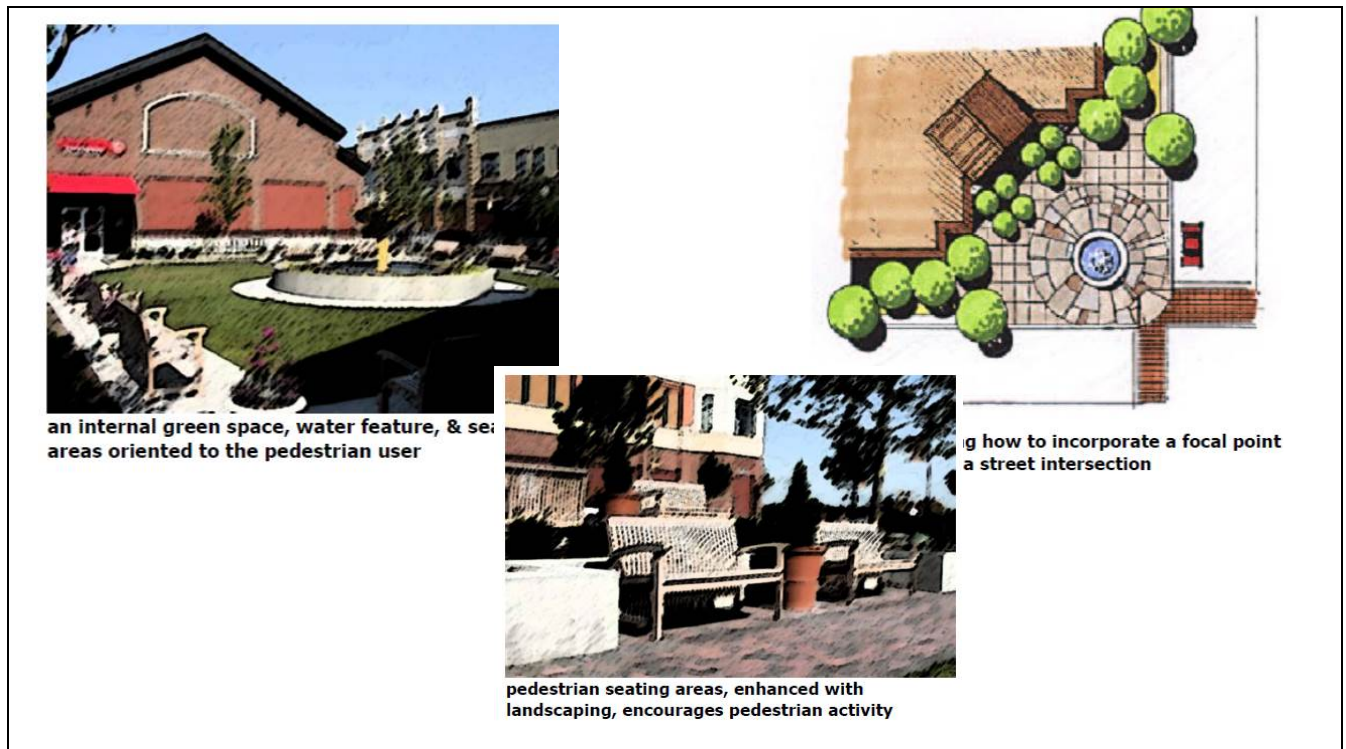


**Figure 2: Southwest Corner Development**

Previous development discussions of this property, and specifically the southwest corner of this property, have focused on the need for a wide buffer that provides 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).



**Figure 3: Commercial Design Guideline Examples**

By revising the plan and moving the *Fast Order Food, Drive-in* use to the north or central portion of the site, the pedestrian connections within the site can be enhanced and interior green space, open space, or patio/plaza space can be provided that allow customers or diners to overlook something other than a surface parking lot. By moving patio spaces interior to the site, between buildings, the activity is contained and sheltered from the adjacent residential uses. The residential uses on the east side include duplex lots with relatively small year yards. Dense landscaping along the perimeter provides additional buffering between the uses. An example of this shared patio space is shown below.



**Figure 4: Development Alternative**

The graphic above is intended only to reflect the following values:

- Create a strong pedestrian use at the corner of Inverness Drive and W 24<sup>th</sup> Place.
- Enhanced pedestrian network for the entire project.
- Provide additional open space in lieu of extra parking

Staff encourages the applicant to incorporate the values into a revised plan.

### **C. Landscaping and Screening**

**Street Trees:** The proposed plan does not show the required street trees along Clinton Parkway (within the right-of-way). However, along Inverness Drive and W 24<sup>th</sup> Place, street trees are provided. W 24<sup>th</sup> Place street trees are setback north of an existing utility 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. The applicant's rendered (colored) drawing shows street trees along Clinton Parkway. The plan must be revised to include the required street trees along Clinton Parkway.

**Interior Landscaping:** The site plan complies with the required interior landscape standards for interior parking. As noted earlier in this report, there is significantly more off-street parking than is likely needed for the proposed uses. Reducing the parking and adding interior green space or other usable spaces provide a more human scale to the development. If approved, staff recommends that the amount of off-street parking be reduced and that additional open space be provided. Within the site, open space may be interior landscaped islands or it may be courtyards, patio spaces or other public spaces within the development. A cautionary note is that as patio space is added for restaurant related activity, additional parking must be accommodated. For this reason, it is appropriate to require a revised plan to show compliance.

**Perimeter Landscaping:** This property is adjacent to public streets on three sides. Parking is proposed along Inverness and W 24<sup>th</sup> Place. A wide buffer yard with dense screening is provided along Inverness Drive. W 24<sup>th</sup> Place includes a mix of street trees and shrubs that will provide parking lot screening. The parking areas are screened per the Development Code.

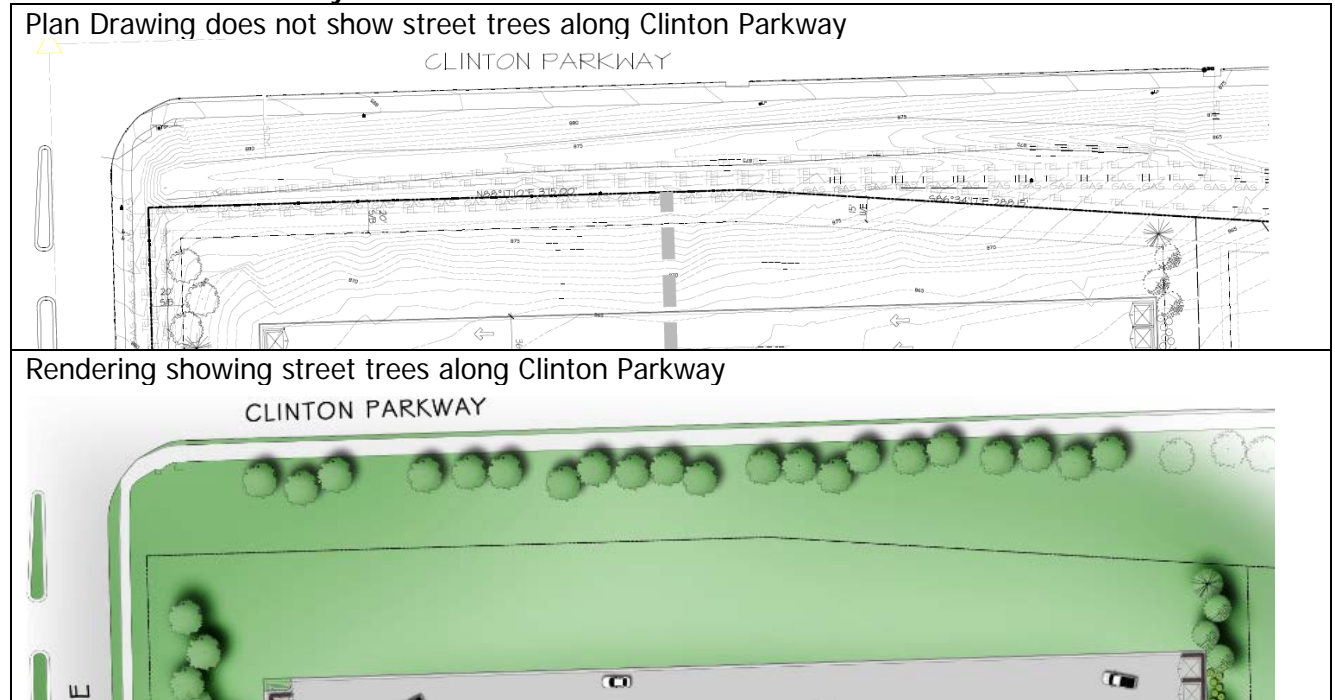
**Mechanical Equipment Screening:** At this time details of the building mechanical plans are not available. A general note on the face of the plan recognizes the requirement that these elements must be screened. Prior to issuance of a building permit, the applicant shall be required to provide building elevations that demonstrate compliance with this standard. Of particular concern is how equipment will be screened from Clinton Parkway. The street elevation is substantially higher than the pad site elevations and anticipated building height. Standard parapet screening of roof equipment may not meet the design standard.

**Buffer Yard:** Buffer yard standards are applicable to all four sides of this property.

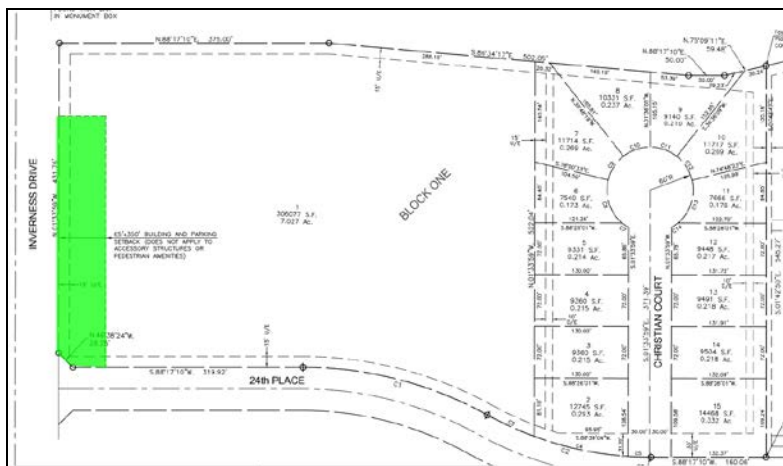
**Clinton Parkway Buffer Yard.** The north side of the property abuts Clinton Parkway. The existing topography includes a 10' hill with the street elevation much higher than the pad site of the buildings. The hill side creates a natural buffer between the proposed use and Clinton Parkway. The rear building facades and service areas are likely to be screened by the natural topography. It is probable that only the rooftops of the buildings will be visible from the public street.



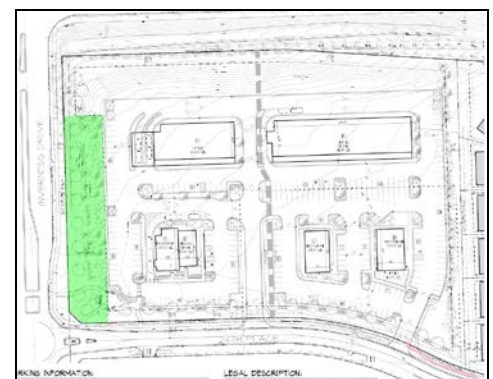
**Table 3: Clinton Parkway Street Tree Exhibit**



**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 prescribe 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. A described buffer area along Inverness Drive was created as part of the subdivision process establishing this commercial lot. A Type 1 Buffer yard along Inverness Drive is required for this development.



**Figure 5: Subdivision Plat with Dedicated Buffer Yard**



**Figure 6: Site Plan with Buffer Yard**

Green space extends to the north along Inverness Drive and to the east along W 24th Place. The proposed plan provides a code compliant buffer yard along Inverness Drive as shown in the following images.

**W 24<sup>th</sup> Place Buffer Yard.** The interface between the neighborhood and the proposed development occurs along W 24<sup>th</sup> Place. Within this area pedestrian connections are made between the public sidewalk and the individual businesses. The intersection of Inverness Drive and W 24<sup>th</sup> place provide a focal point for the transition between the low density development to the west and the higher intensity uses to the east. The site includes appropriate street trees and parking lot screening to both buffer and transition higher and lower intensity uses.

**East Property Line Buffer Yard.** The east property line represents the area between commercial and residential land uses. There is no public street separating uses along the east property line as there are on the other three sides of the property. The site plan includes dense vegetation to provide a buffer separation between uses in this buffer yard application.

#### **D. 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 a note be added to the plan to clarify that a building permit for any part of this development shall not be issued until a photometric plan required per section 20-1103 has been submitted for review.

#### **E. 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:

1. The location of drive-in uses
2. The allowance of parking between buildings and the property line in the southwest corner of the site.
3. Appropriate pedestrian connections within the site.

Additional approval of the buildings for compliance with Commercial Design Guidelines and lighting plans are required prior to issuance of building permits for this property.

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** Lawrence Douglas County Metropolitan Planning Commission

**FROM:** Planning Staff

**Date:** May 20, 2015  
Updated November 25, 2015

**RE:** Inverness Park Area Development History

This memo provides a brief summary of land use for the area included in the Family Fun Center development applications (Z-13-00483, SUP-13-00486 and SUP-14-000026). The subject property proposed for CN2 zoning is part of an area known as Inverness Park. This area is also included in the *Inverness Park Area Plan*. The Plan was developed in response to several development applications for medium density residential uses on the remaining undeveloped land in Inverness Park. It was initiated in 2010 and approved in the fall of 2011. The Plan was then revised and approved by the City Commission in June 2012.

The history of development applications is provided below. This includes a summary of the distinct areas located within the original 160+ acre Inverness Park area. Following this description is a timeline identifying the various development proposals and rezoning actions that have occurred over the past 15 years in this area.

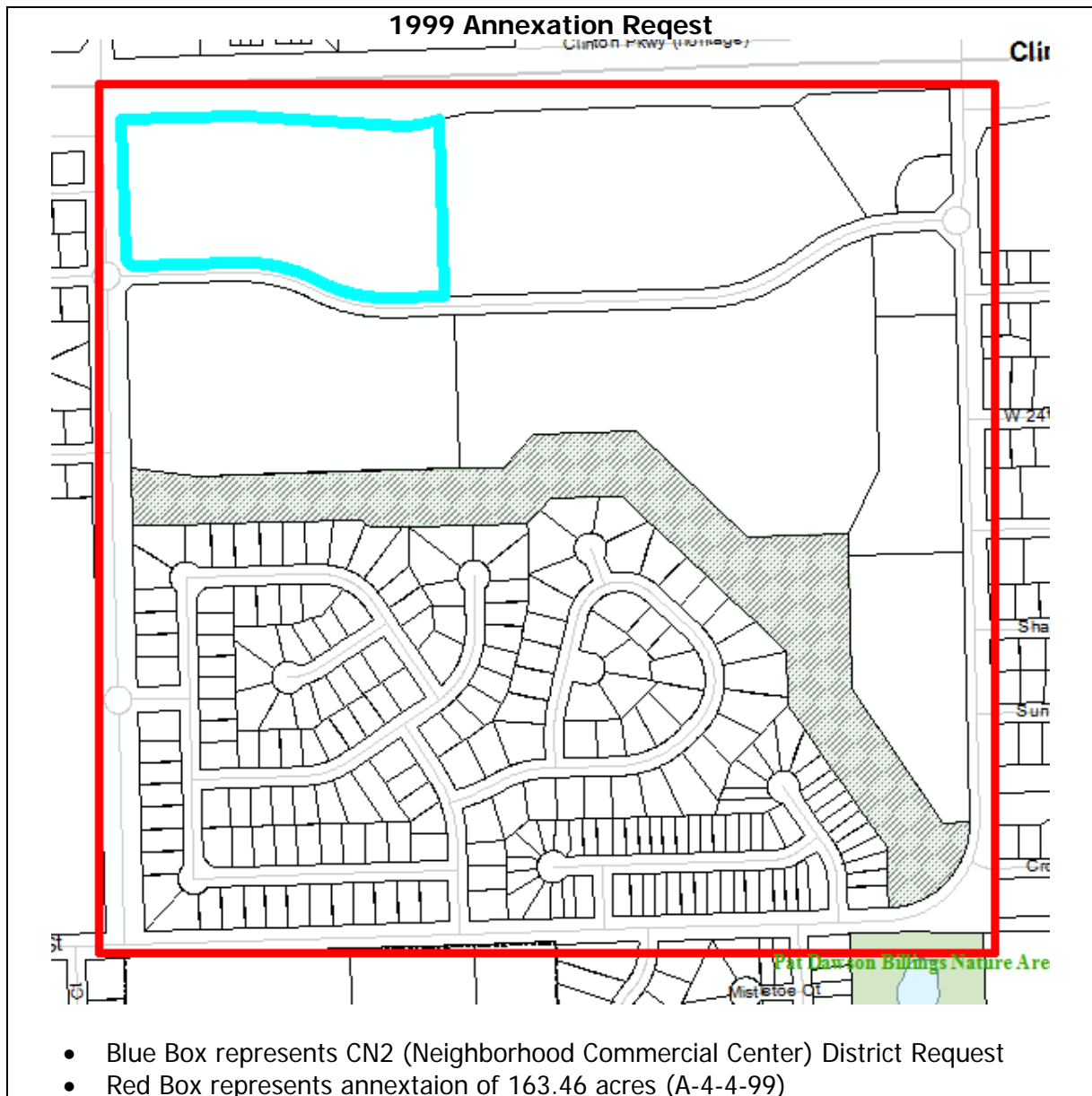
#### History

An annexation request for 163 acres was approved in 1999. The development application included multiple rezoning requests. Large tracts were platted along Clinton Parkway and zoned RO-1B for the most intensive part of the development of the 163 acres. The area south of W 24<sup>th</sup> Place but north of the open space/drainage area was designated as the transition area to the lower density, detached residential home lots to the south. The area south of W 24<sup>th</sup> Place was zoned PRD-2 with a maximum density of 12 dwelling units per acre. W 24<sup>th</sup> Place was designed to provide access to all lots in the area with access prohibited to Clinton Parkway as well as limitations placed on Inverness Drive and Crossgate Drive.

The preliminary plat for the entire 163 acres was approved in October 1999, and later revised in February 2001. The revisions affected the single-family area by reducing lot size and creating more lots than the original approval. The large lot configuration along Clinton Parkway and W 24<sup>th</sup> Place did not change. The preliminary plat served as the master plan for the development of the site. It provided the basic boundary of the various zoning districts planned for the 163 acres.

Much of the original land use discussion focused on the need to provide adequate public facilities such as streets and other infrastructure, as well as the land use scheme and transition through the entire acreage included in the Inverness Park Addition. At the time only the area on the west side of Inverness Drive was developed with single-family uses.

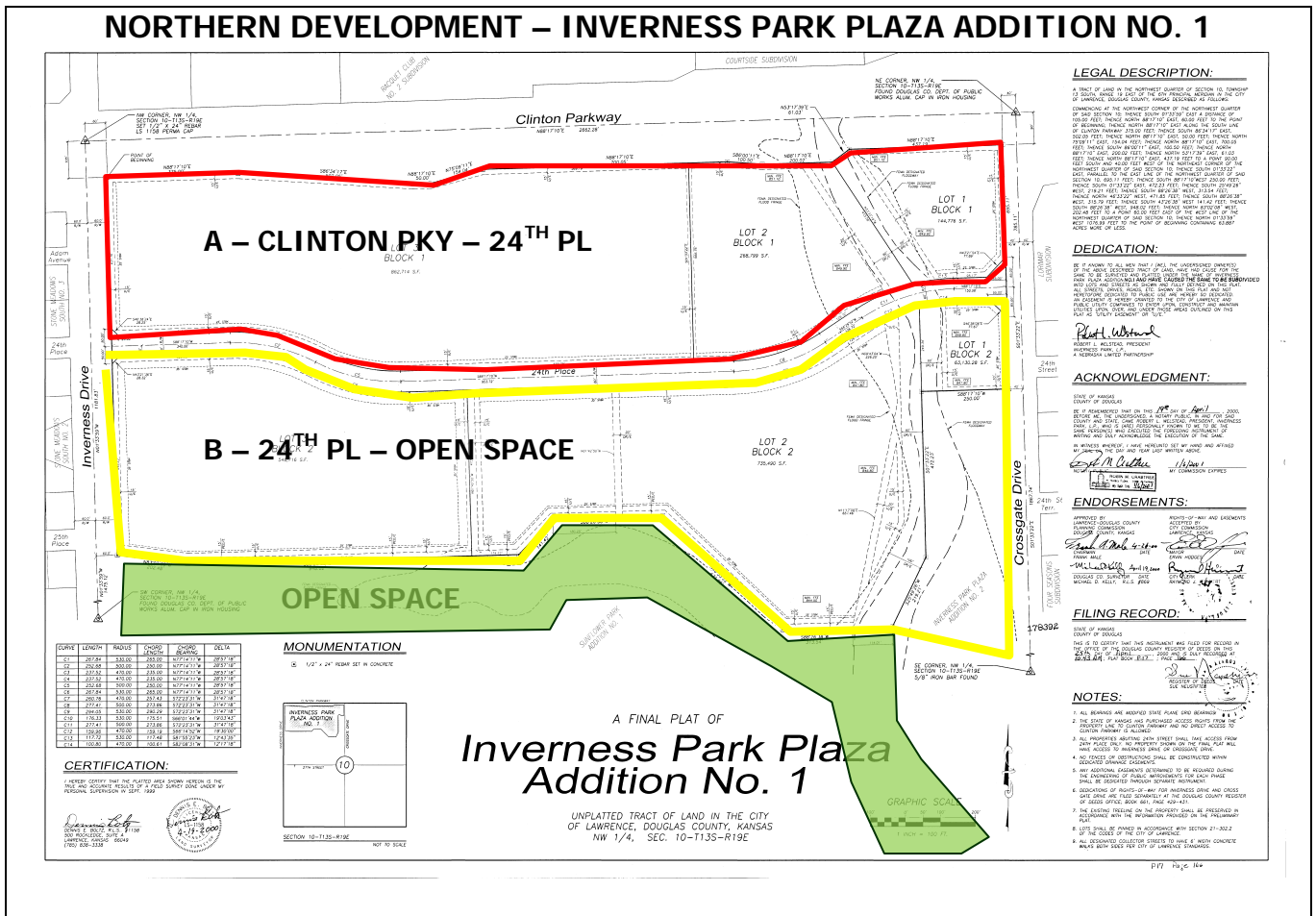
Multiple land use decisions made since 1999 have resulted in deviations in the land use pattern first proposed for the original 160 acre plan. The location of boundary streets isolates the remaining undeveloped property from connectivity with the larger surrounding neighborhood.



The area included requests for conventional detached single-family residential, duplex, office, planned commercial and planned residential zoning. The office zoning (21.63 acres) was located along the south side of Clinton Parkway adjacent to Inverness Drive. However, this zoning was withdrawn by the applicant in 1999.

Development of the area included subdivision approval that established the structure of the developing neighborhood. This included large lots along Clinton Parkway, an east-west street connection south of Clinton Parkway (W 24<sup>th</sup> Place) and large lots south of W 24<sup>th</sup> Place. The natural boundary for the higher-intensity uses in the north portion of the area was identified as the drainage area located in the central portion of the overall site and a tributary that runs north-south in the eastern portion of the

property. The area south of the drainage way was platted and developed with low-density residential uses (single-family and duplex housing) between 1999 and 2002.



### A - Clinton Parkway to 24<sup>th</sup> Place

Zoning along the entire Clinton Parkway frontage, north of W 24<sup>th</sup> Place between Crossgate Drive and Inverness Drive, was zoned RO-1B prior to 2006. This district allowed a maximum density of 12 dwelling units per acre. Allowed uses included single-dwelling residential, multi-dwelling residential, and office uses. When the Land Development Code was adopted in 2006, this zoning designation converted to RSO. While still allowing office uses, RSO districts do not allow multi-dwelling uses. On December 19, 2007, the Planning Commission voted unanimously to recommend rezoning 15 acres of land along Clinton Parkway from RSO to RM15 as part of the Remington Square development. The City Commission approved the rezoning on March 11, 2008 via Ord. No. 8223.

### B - 24<sup>th</sup> Place to the Open Space

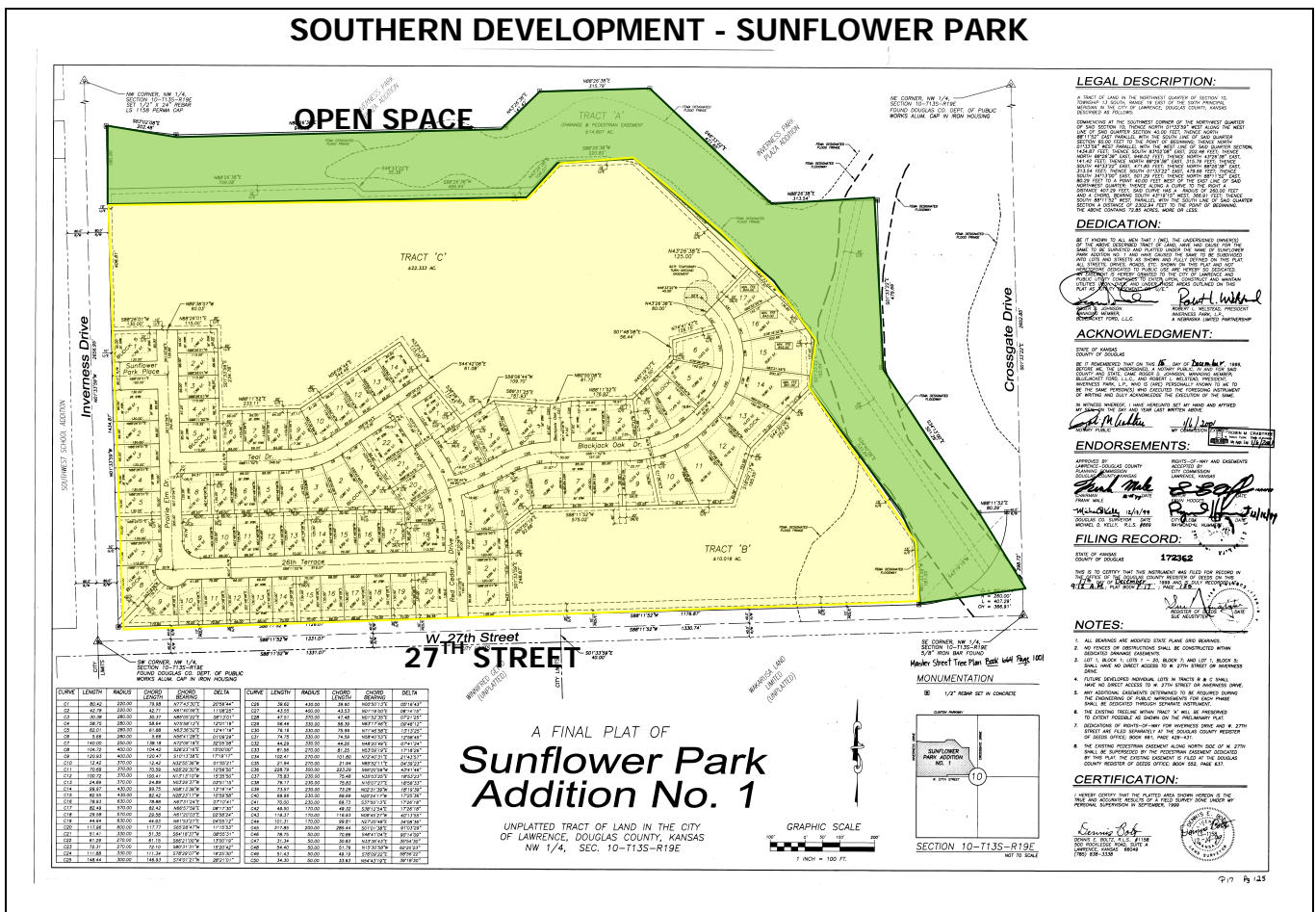
The zone for the large lots along the south side of W 24<sup>th</sup> Place was approved as PRD-2 with a maximum gross residential density cap of 12 dwelling units per acre via Ord. No. 7170, which was approved by the City Commission on November 16, 1999. The property, at 4301 W 24<sup>th</sup> Place, The Grove, (*aka* Legends at KU Phase II) was rezoned via Ord. No. 7828. This zoning was approved by the City Commission on September 14, 2004 with a limitation on the maximum gross residential density to 13.7 dwelling units per acre. Special attention was paid to the development pattern along Inverness Drive. This section of the plan required a transitional building type and dense landscaping to buffer the development from the existing detached homes west of Inverness Drive.



Three lots are located along Crossgate Drive south of W 24<sup>th</sup> Place. One lot at the corner of W 24<sup>th</sup> Place & Crossgate Drive is zoned RSO. The other two lots are currently zoned PRD-1. This zoning was approved in 1999 via Ord. No. 7169 and restricted residential development to not more than 10 dwelling units per acre. The southernmost lot is developed as Wyndam Place, a retirement facility.

### C - Open Space to 27<sup>th</sup> Street

The first section completed of the 160 acre development included the single-family lots south of the drainage easement. Several final plats were approved for the low density residential development including single-dwelling and duplex homes.



## Residential Uses

The original 1999 land use approvals for the 163 acres included residential and residential office uses. The intent of the zoning approval was to establish a transition of uses from north to south with the most intensive uses located closest to Clinton Parkway and the least intensive uses located closest to W 27<sup>th</sup> Street. The following graphic shows RO-1B zoning along Clinton Parkway, PRD-2 zoning along

W 24<sup>th</sup> Place and along Crossgate Drive. The area south of the park area includes the RS-2 and RM-D district boundaries.

The southern portion of the original 163 acres developed consistently with planned low-density residential development. The southeast area was zoned and developed with duplex lots. The remaining southern area was developed in phases with detached single-family lots.

### **Commercial Uses**

Commercial uses were not recommended at the intersections of Clinton Parkway & Crossgate Drive or Clinton Parkway & Inverness Drive prior to the adoption of the *Inverness Park Area Plan* in 2011. Previous plans including *Horizon 2020* supported commercial development at specific nodes. Along Clinton Parkway, the commercial nodes designated in this area were at Kasold Drive and Wakarusa Drive.

Through the planning process and the development of the *Inverness Park District Plan* neighborhood commercial uses were identified as appropriate for the corners at Crossgate Drive and Inverness Drive. This use was identified by residents in the area as preferable to the existing residential zoning. Since the adoption of the plan, commercial development has occurred on the southwest corner of Crossgate Drive and Clinton Parkway (Hy-Vee gas station/convenience store) in 2011. Commercial zoning was approved for the southeast corner of Inverness Drive and Clinton Parkway in 2015.

## **TIMELINE OF DEVELOPMENT ACTIVITY**

### **1999-Annexation Request**

163.46 acres bounded by Clinton Parkway on the north, Crossgate Drive on the east, W 27<sup>th</sup> Street on the south, and Inverness Drive on the west.

### **Multiple Rezoning Requests**

Large tracts were platted along Clinton Parkway and zoned RO-1B for the most intensive part of the development of the 163 acres. The area south of W 24<sup>th</sup> Place but north of the open space/drainage area was designated as the transition area to the lower density, detached residential home lots to the south. The area south of 24<sup>th</sup> Place was zoned PRD-2 with a maximum density of 12 dwelling units per acre.

### **Preliminary Plat**

The preliminary plat served as the master plan for the development of the site. It provided the basic boundary of the various zoning districts planned for the 163 acres.

### **2000-Silvercrest at Inverness**

UPR-3-2-00/PDP-3-10-00, Special Use Permit/Preliminary Development Plan for assisted living/independent living senior housing development. **Project never built.**

### **2001-Revised Preliminary Plat**

The revisions affected the single-family area by reducing lot size and creating more lots than the original approval. The large lot configuration along Clinton Parkway and W 24<sup>th</sup> Place did not change.

### **2002-The Legends at KU**



FDP-2-1-02, Final Development Plan for multi-family residential development located along the south side of W 24<sup>th</sup> Place. This development was designed as a student oriented residential apartment complex.

**2003-Wyndam Place**

FDP-12-17-02, Final Development Plan for senior independent living units located along Crossgate Drive.

**2004- The Fountains**

UPR-9-9-04, a Special Use Permit, located along Clinton Parkway proposed a mixed residential retirement facility. The retirement project expired with conditions of approval not being met. The developer abandoned the project.

**2008- Legends at KU -Phase 2**

FDP-7-10-04/FDP-2-3-06, Final Development Plans approved for second phase approved, **but not built**.

**2008- Minor Subdivision**

Modified interior lot lines for lots along Clinton Parkway.

**2008- Walgreens**

Z-5-12-08, a rezoning request from RSO to CN2 at the southwest corner of Clinton Parkway & Crossgate Drive. The request was approved by the Planning Commission but was **withdrawn by the applicant** prior to the City Commission's consideration of the item.

**2009- The Grove**

FDP-7-5-09, Final Development Plan for multi-family residential development revised Phase 2 of the Legends at KU with new owners was approved. This development was designed as a student oriented residential apartment complex.

**2009-Remington Square**

Development request for property located on the north side of W 24<sup>th</sup> Place that included a request to rezone to RM15 as well as a final plat and site plan for multi-family residential development.

**2009- Clinton Parkway Casitas**

SP-9-40-09, a site plan for an attached multi-family residential development located on the southeast corner of Clinton Parkway & Inverness Drive. The applicant **withdrew** the request in October 2009.

**2010- W 24<sup>th</sup> Place Casitas**

SP-1-2-10, a revised site plan for multi-family residential development submitted following public comment to address landscaping. This project was also **withdrawn**.

**2010- Inverness Park District Plan Initiated**

Plan initiated by the City Commission on November 9, 2010 after concerns raised by residents in the area about the proliferation of multi-family uses and the impact they were having in the area. Plan specifically focused on the remaining undeveloped parcels in the neighborhood.

**2010- Remington Square**

Rezoning request for property located on the north side of W 24<sup>th</sup> Place to increase in density from RM15 to RM24 to accommodate additional development on the east side of the property. The zoning request **was denied**.

**2011-Hy-Vee Gas Station**

Z-7-21-11, a rezoning request from RSO to CN2 and SUP-7-4-11, Special Use Permit for Hy-Vee gas station with future carwash for the southwest corner of Clinton Parkway & Crossgate Drive.

**2011- Inverness Park District Plan Approved**

Plan approved October 2011.

**2011- Crossgate Casita**

FPD-11-11-10, Final Development Plan for attached multi-family residential development located north of the senior living facility along Crossgate Drive.

**2012- Revised Inverness Park District Plan Approved**

Plan revised to provide additional land use guidance for undeveloped portion of Remington Square and approved June 2012.

**2012-Minor Subdivision**

A minor subdivision was approved, which subdivided the lot on the southwest corner of Clinton Parkway & Crossgate Drive for the Hy-Vee gas station. This division created two commercial lots at the corner.

**2013- Family Fun Center**

TA-13-00488; Special Use in CN2 District] City Commission denied text amendment on May 27, 2014.

Z-13-00483, rezoning request from RSO to CN2 for 15.3 acres; Withdrawn by applicant prior to City Commission consideration.

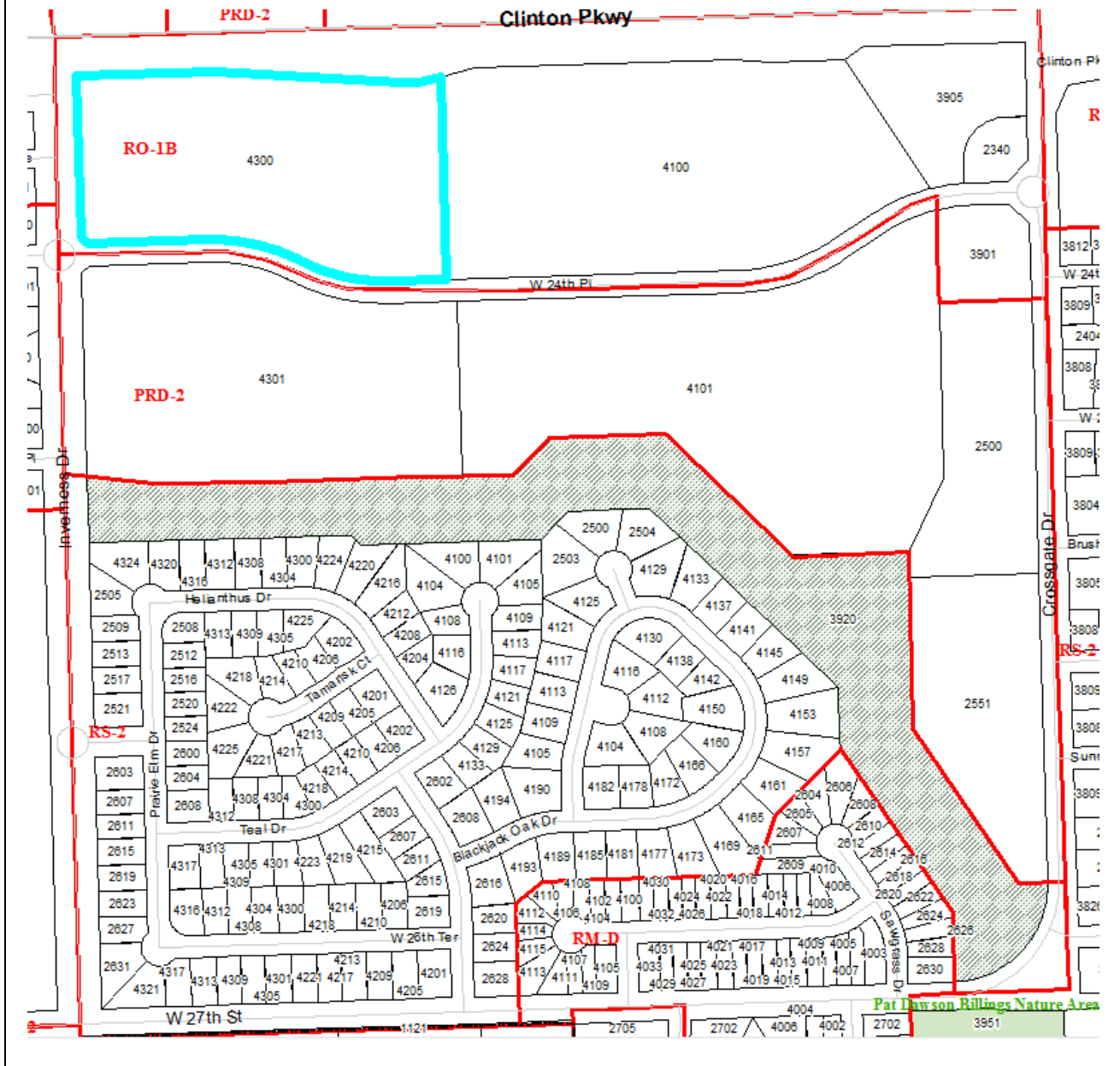
SUP-13-00486; Family Fun Center [Required a text amendment]. Withdrawn by applicant prior to City Commission consideration.

SUP-14-00026; Inverness Corner Retail Development (with drive-thru) – Staff recommend approval with conditions. Withdrawn by applicant prior to City Commission consideration.

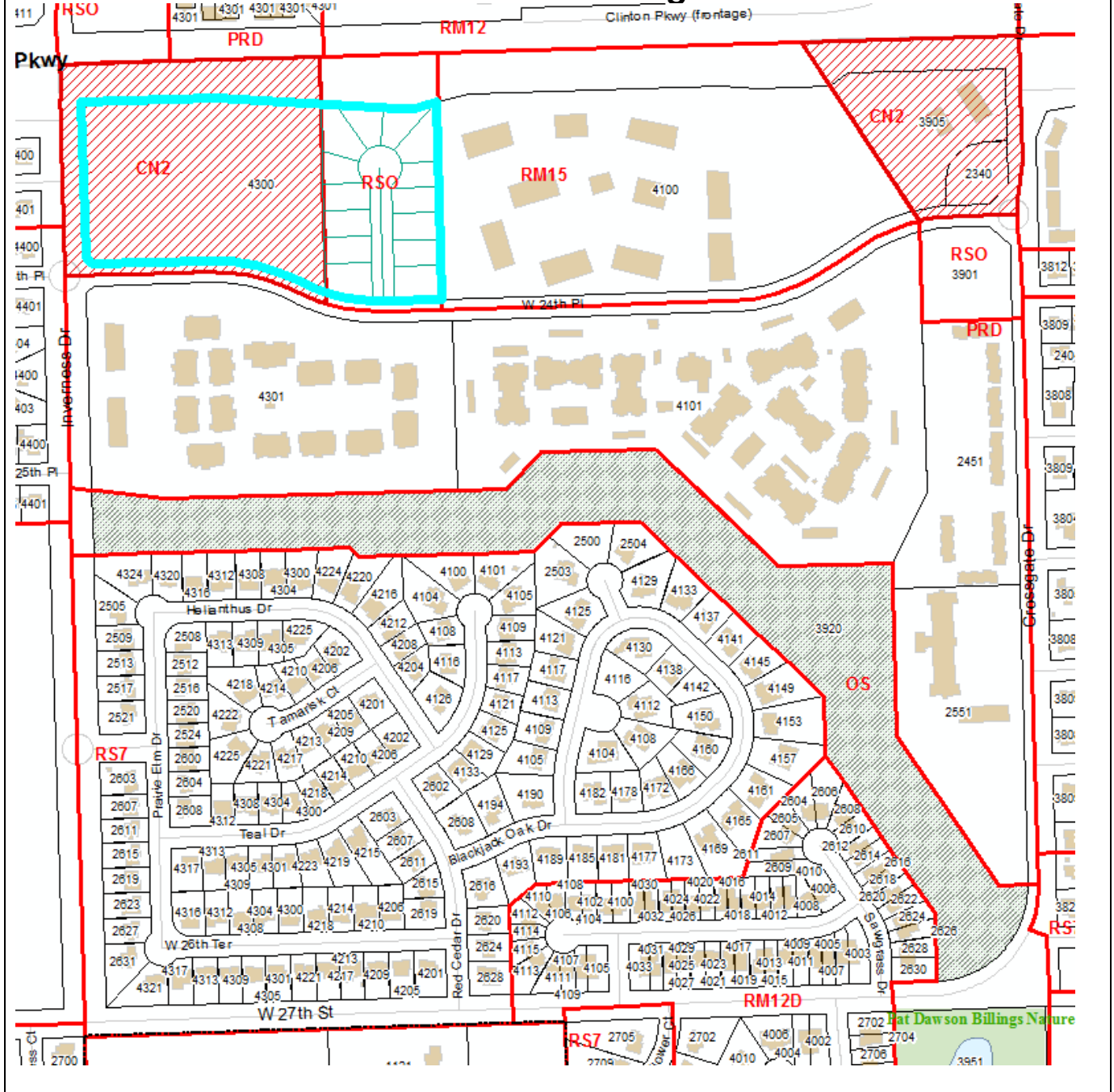
**2015 – Residential and commercial**

Z-15-00198; rezoning request from RSO to CN2 for 10 acres, Ordinance # 9128. PP-15-00196; Preliminary Plat including 14 duplex lots and one 7.027 commercial lot approved by the Planning Commission on June 22, 2015. PF-15-00585; Final Plat submitted for review and being processed.

## Zoning prior to 2006

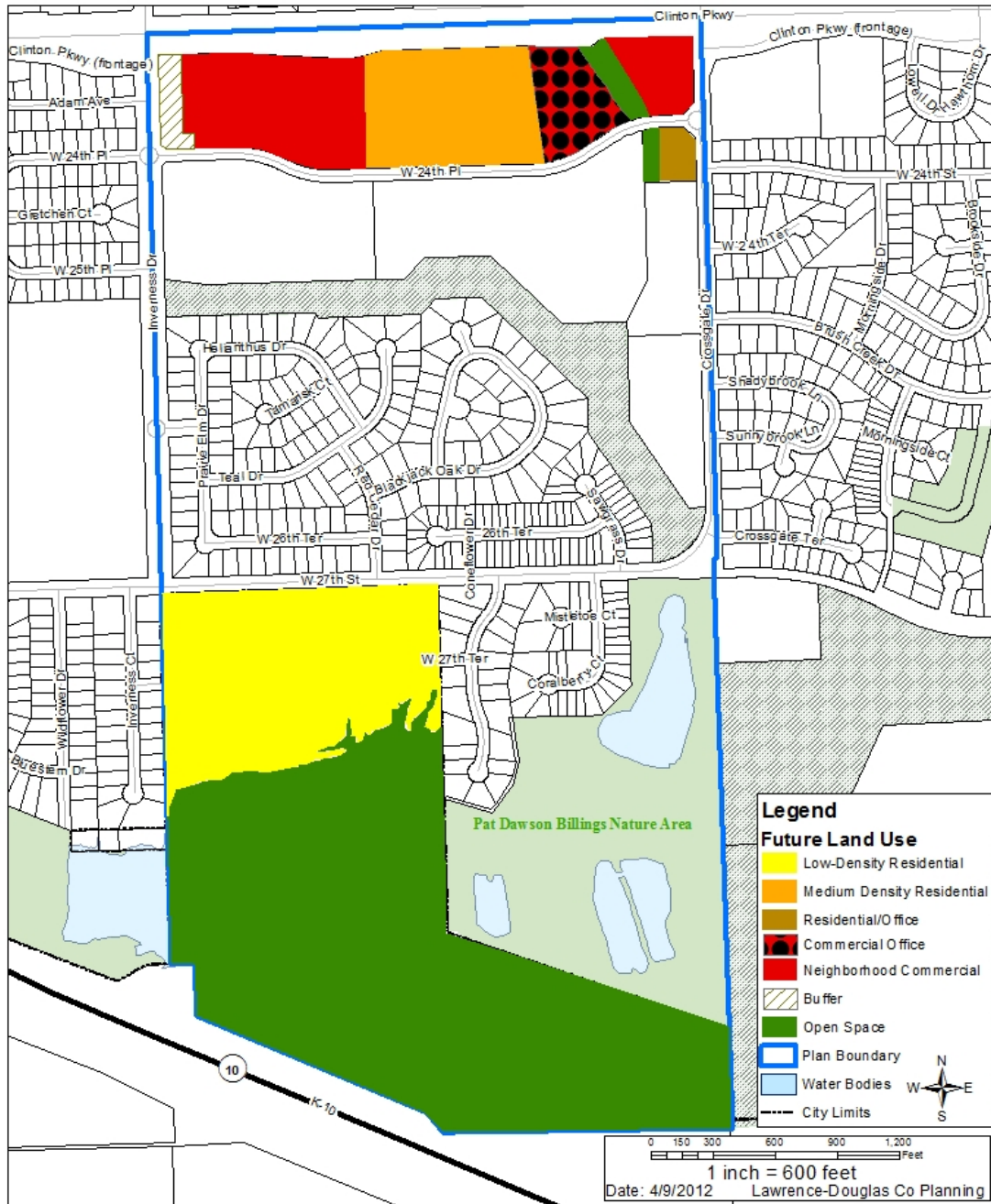


# Current Zoning

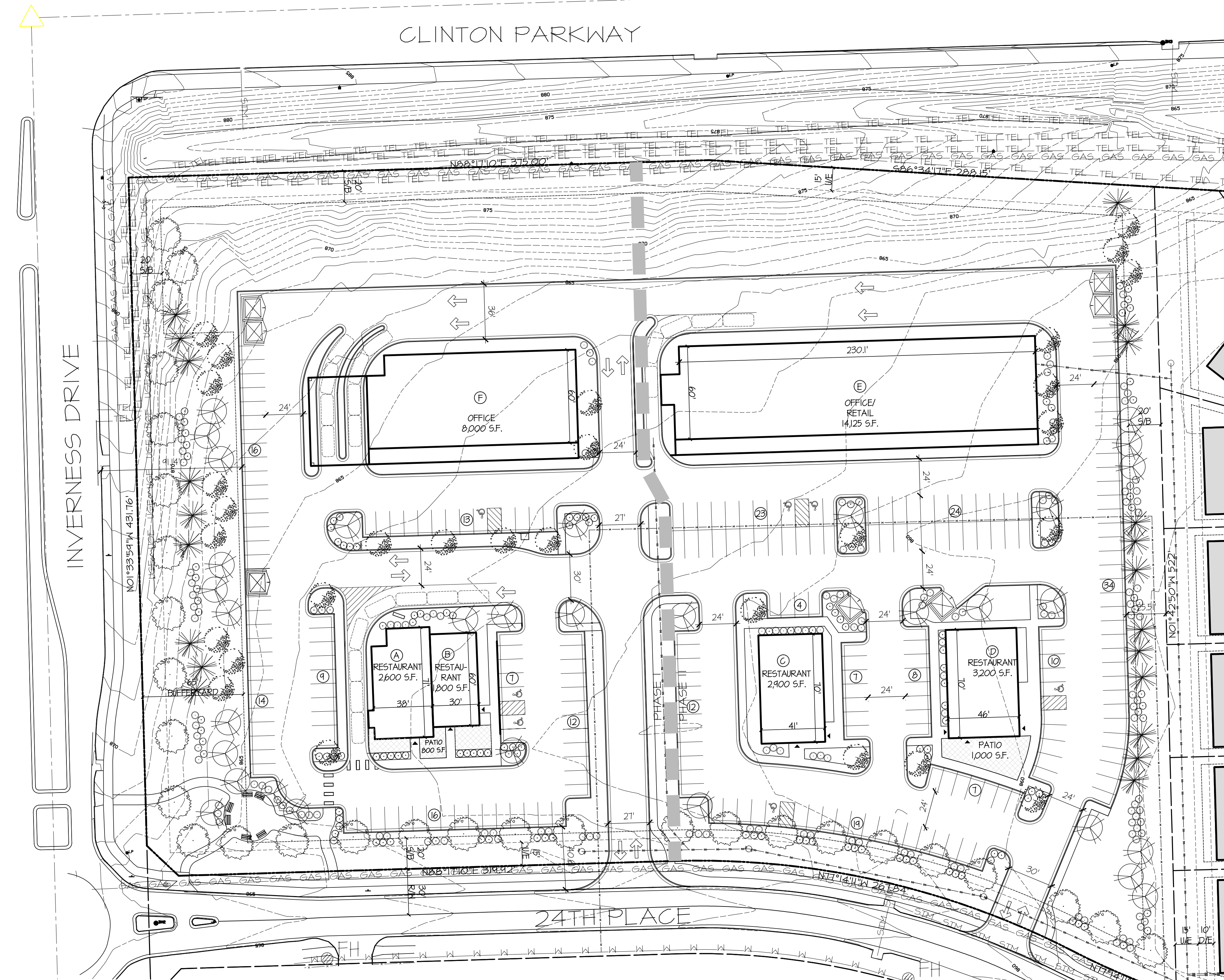


Map 4-1 – Future Land Use

### Inverness Park District Plan Future Land Use







### PARKING INFORMATION:

- 3.1 BUILDING A & B - FAST ORDER FOOD, DRIVE-IN (1 PER 100 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE ON LARGEST SHIFT)  
REQUIRED PARKING: 4320 S.F. OF CUSTOMER SERVICE AREA (INCLUDES PATIO)/100 = 44 SPACES + 16 FOR EMPLOYEES = 60 SPACES  
PROVIDED PARKING: 60 SPACES
- BUILDING C - FAST ORDER FOOD, DRIVE-IN  
REQUIRED PARKING: 2320 S.F. OF CUSTOMER SERVICE AREA/100 = 24 SPACES + 10 EMPLOYEES = 34 SPACES  
PROVIDED PARKING: 34 SPACES
- BUILDING D - QUALITY RESTAURANT (1 PER 100 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE ON LARGEST SHIFT)  
REQUIRED PARKING: 2360 S.F. OF CUSTOMER SERVICE AREA/100 = 36 SPACES + 14 EMPLOYEES = 50 SPACES  
PROVIDED PARKING: 50 SPACES
- BUILDING E - OFFICE (1 PER 300 S.F.), RETAIL (1 PER 200 S.F.)  
REQUIRED: 5/25 S.F. OF OFFICE/300 = 18 SPACES, 9,000 S.F. OF RETAIL/200 = 45 SPACES, TOTAL = 63 SPACES  
PROVIDED: 64 SPACES
- BUILDING F - OFFICE (1 PER 300 S.F.)  
REQUIRED: 8,000 S.F. OF OFFICE/300 = 27 SPACES  
PROVIDED: 24 SPACES
- 3.2 TYPICAL DIMENSIONS: R' SPACES - 9' X 18' (16.5' + 1.5' OVERHANG AT SIDEWALKS)  
SIDEWALKS SHALL BE 4" CONCRETE - 5' OR 6.5' WIDE DEPENDING UPON THE LOCATION.  
H' SPACES - 9' X 16.5' OR 18' (5' OR 9' AISLE)
- 3.3 PAVEMENT:  
APPROACHES: 1" - 4000 PSI CONCRETE W/ #5 BARS 12" O.C.B.W.  
DRIVES: MIN. 6" ASPHALT ON 4" GRAVEL OR 5" CONCRETE  
PARKING AREAS: MIN. 5" ASPHALT ON 4" GRAVEL OR 4" CONCRETE  
CURB & GUTTER: THROUGHOUT SITE
- 3.4

### LEGAL DESCRIPTION:

LOT 1, BLOCK ONE, 24 PLACE ADDITION, CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, CONTAINING 7.021 ACRES.

### PROJECT SUMMARY:

- 1.1 CURRENT ZONING: CN2  
1.2 CURRENT USE: VACANT  
1.3 PROPOSED USE: FAST ORDER FOOD, DRIVE-IN  
1.4 LAND AREA: 7.021 ACRES (306,071 SQ. FT.)

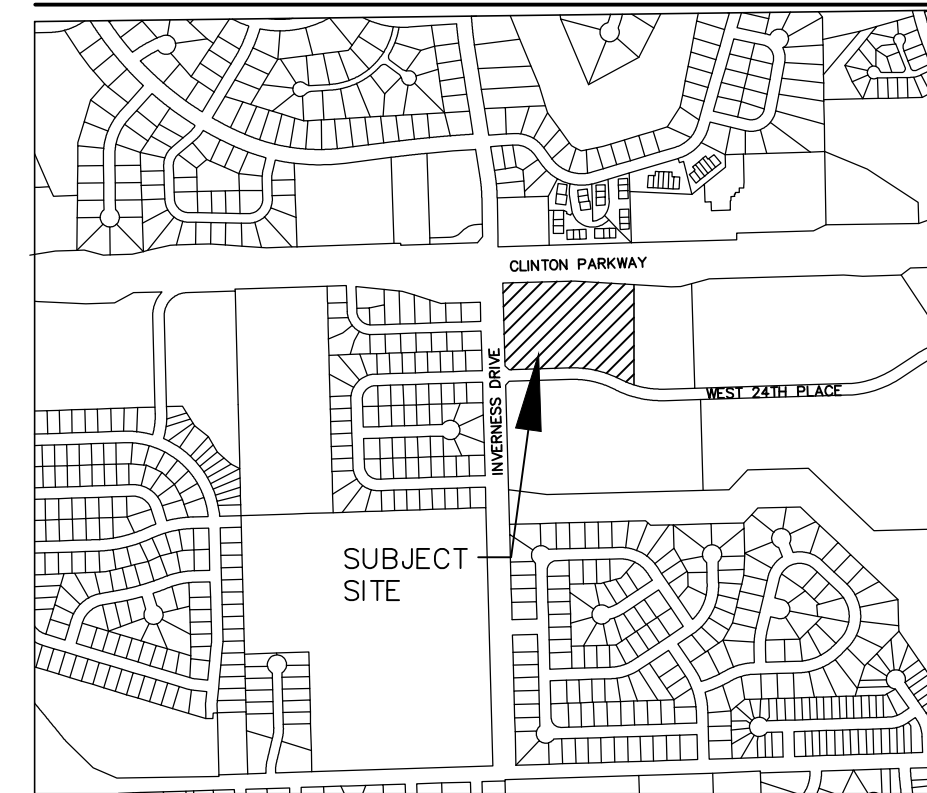
### IMPERVIOUS SURFACE SUMMARY:

PROJECT SITE: 7.021 ACRES (306,071 SQ. FT. +/-)			
EXISTING CONDITIONS:		PROPOSED CONDITIONS:	
	SQ. FT.		%
LAND AREA	306,071	LAND AREA	306,071
BUILDING FOOTPRINT:	0	BUILDING FOOTPRINT:	32,625
PAVEMENT AREAS:	0	PAVEMENT AREAS:	142,216
TOTAL IMPERVIOUS:	0	TOTAL IMPERVIOUS:	174,843
TOTAL PERVIOUS:	306,071	TOTAL PERVIOUS:	151,234

### SPECIAL USE PERMIT:

SPECIAL USE PERMIT PERTAINS TO BUILDING A & C ONLY

### LOCATION MAP



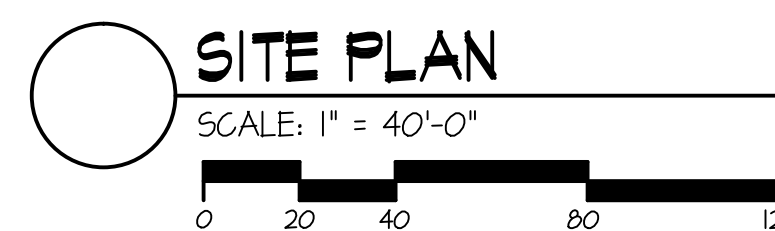
### GENERAL NOTES:

- 2.1 ALL GROUND MOUNTED MECHANICAL UNITS SHALL BE SCREENED IN ACCORDANCE WITH SECTION 20-14A04 .
- 2.2 ALL ACCESSIBLE SIDEWALK RAMP BY ADA STANDARDS.
- 2.3 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.
- 2.4 THE CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR DAMAGE CAUSED BY TRASH TRUCKS.
- 2.5 PLAN FOR CITY APPROVAL ONLY! CONSTRUCTION DOCUMENTS TO BE FURNISHED AT THE REQUEST OF OWNER.
- 2.6 INFORMATION TAKEN FROM SURVEY COMPLETED BY BG CONSULTANTS, AERIAL PHOTOS AND, AVAILABLE DOCUMENTS.
- 2.7 ALL TRAFFIC CONTROL SIGNS PLACED ON PRIVATE PROPERTY OPEN TO THE GENERAL PUBLIC SHALL COMPLY WITH THE "MANUAL ON UNIFORMS TRAFFIC CONTROL DEVICES" AND "STANDARD HIGHWAY SIGNS," PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION, WITH RESPECT TO SIZE, SHAPE, COLOR, RETROREFLECTIVITY, AND POSITION.
- 2.8 ANY PROPOSED EASEMENTS SHALL BE DEDICATED WITH THE FINAL PLAT AND/OR BY SEPARATE INSTRUMENT PRIOR TO THEIR CONSTRUCTION.
- 2.9 SIGN APPROVAL AND PERMITTING IS NOT PART OF THE SITE PLAN APPROVAL. SEPARATE APPROVAL IS REQUIRED THROUGH NEIGHBORHOOD RESOURCES.
- 2.10 SUP. IS REQUESTED FOR THE FAST ORDER FOOD, DRIVE-IN USE.
- 2.11 ALLOWED RESTAURANT USES: COFFEE SHOP, ICE CREAM, BAKERY, YOGURT OR SMOOTHIE STORE, LOCALLY BASED QUALITY/FAST FOOD RESTAURANT, PIZZA STORE, PANERA, CHIFOTLE

### LANDSCAPING NOTES:

SYM.	DESCRIPTION	QTY.	APPROVED TYPES	BOTANICAL NAMES	SIZE	COND.
	EXISTING TREES	0	REFER TO SITE PLAN		REFER TO SITE PLAN	
	STREET TREES	24	SAN TOOTH OAK NORWAY SPRUCE THORNLESS HONEY LOCUST	QUERCUS ACUTISSIMA ACER PLATANOIDES 'NORWEGIAN SUNSET' GLADISTIA TRIACANTHOS VAR. INERMIS	2'-2 1/2" CAL.	B & B
	SHADE TREES	32	SHIMARD OAK SHANTING MAPLE FRONTIER ELM	QUERCUS SHIMARDII ACER TRUNCATUM ULMUS 'FRONTIER'	2'-2 1/2" CAL.	B & B
	ORNAMENTAL TREES	30	CLEVELAND SELECT PEAR KUSA DOGWOOD CORAL BURST CRABAPPLE EASTERN REDBUD	PYRUS CALLERYANA 'CHANTELEER' CORUS KUSA MALUS 'CORALBURST' CERCIS CANADENSIS	1 1/2"-2" CAL.	B & B
	EVERGREEN TREES	22	WHITE PINE BLUE SPRUCE	PINUS STROBUS PICEA PUNGENS	6'-8" HT.	B & B
	DECIDUOUS SHRUBS	133	DWARF JAPANESE BARBERRY LEATHERLEAF VIBURNUM BEAUTY BUSH DWARF KOREAN LILAC	BERBERIS THUNBERGII 'CRIMSON PYGMY' VIBURNUM RHYTIDOPHYLLUM KOLKATZIA AMABALIS SYRINGA MEYERI 'PALIBIN'	18"-24" HT.	CONT
	EVERGREEN SHRUBS	134	BLUE PFITZER JUNIPER BAR HARBOR JUNIPER CREEPER ARMSTRONG CHINESE JUNIPER	JUNIPERUS CHINENSIS 'PFITZERIANA GLAUCA' JUNIPERUS HORIZONTALIS 'BAR HARBOR' JUNIPERUS CHINENSIS 'ARMSTRONGII'	24"- 36" HT.	CONT

- 4.1 THERE MUST BE A MIN. OF (2) SPECIES USED IN EACH CATEGORY.
- 4.2 ALL TURF AREAS TO BE SEEDED WITH K-31 FESCUE
- 4.3 STREET TREES (1 PER 40 L.F. OF STREET FRONTAGE)  
24TH PLACE - 688.03/40 = 18 TREES REQUIRED, 18 TREES PROVIDED  
INVERNESS DRIVE - 431.16/40 = 11 TREES REQUIRED, 11 TREES PROVIDED
- 4.4 INTERIOR PARKING LOT LANDSCAPING (40 SQ.FT. OF LANDSCAPED AREA PER PARKING SPACE & 1 SHADE TREE AND 3 SHRUBS PER 10 PARKING SPACES):  
BUILDING A&B: 60 SPACES X 40 = 2400 SQ.FT. OF REQUIRED LANDSCAPED AREA; PROVIDED 2416 SQ.FT.  
60 PARKING SPACES / 10 = 6 TREES AND 18 SHRUBS PROVIDED 6 TREES AND 18 SHRUBS  
BUILDING C: 34 SPACES X 40 = 1360 SQ.FT. OF REQUIRED LANDSCAPED AREA; PROVIDED 2916 SQ.FT.  
34 PARKING SPACES / 10 = 4 TREES AND 12 SHRUBS PROVIDED 4 TREES AND 12 SHRUBS  
BUILDING D: 50 SPACES X 40 = 2000 SQ.FT. OF REQUIRED LANDSCAPED AREA; PROVIDED 2,042 SQ.FT.  
50 PARKING SPACES / 10 = 5 TREES AND 15 SHRUBS PROVIDED 5 TREES AND 15 SHRUBS  
BUILDING E: 64 SPACES X 40 = 2560 SQ.FT. OF REQUIRED LANDSCAPED AREA; PROVIDED 2,786 SQ.FT.  
64 PARKING SPACES / 10 = 7 TREES AND 21 SHRUBS PROVIDED 7 TREES AND 21 SHRUBS  
BUILDING F: 21 SPACES X 40 = 840 SQ.FT. OF REQUIRED LANDSCAPED AREA; PROVIDED 4,004 SQ.FT.  
24 PARKING SPACES / 10 = 3 TREES AND 9 SHRUBS PROVIDED 3 TREES AND 9 SHRUBS
- 4.5 PARKING LOT PERIMETER LANDSCAPING  
24TH PLACE BUILDING A&B: 146 L.F./25 = 6 TREES  
INVERNESS DRIVE BUILDING A&B: 346 L.F./25 = 14 TREES  
24TH PLACE BUILDING C&D: 200 L.F./25 = 8 TREES
- 4.6 BUFFERYARD  
EAST PROPERTY LINE - TYPE I - 10' WIDE = 522 L.F./100 = 21 TREES AND 53 SHRUBS REQUIRED, 21 TREES AND 53 SHRUBS PROVIDED  
24TH PLACE - TYPE I - 10' WIDE = 660 L.F./100 = 21 TREES AND 66 SHRUBS REQUIRED, 21 TREES AND 61 SHRUBS PROVIDED  
INVERNESS DRIVE - TYPE I - 25' WIDE (65' WIDE PROVIDED) = 450 L.F./100 = 9 TREES AND 23 SHRUBS REQUIRED, 34 TREES AND 24 SHRUBS PROVIDED



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

PROJECT # 213-T30

RELEASE: 1.0  
DATE: 10.12.15

SUP - I



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

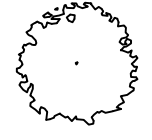

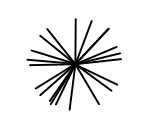

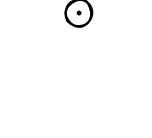
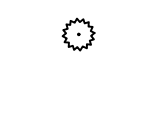
PROPERTY SURFACE SUMMARY:

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	1,651
TOTAL PROPERTY AREA:	135,328	3,106	TOTAL IMPERVIOUS:
			82,663
			1,641
			TOTAL PERVIOUS:
			52,665
			1,204
			TOTAL PROPERTY AREA:
			135,328
			3,106

PARKING INFORMATION:

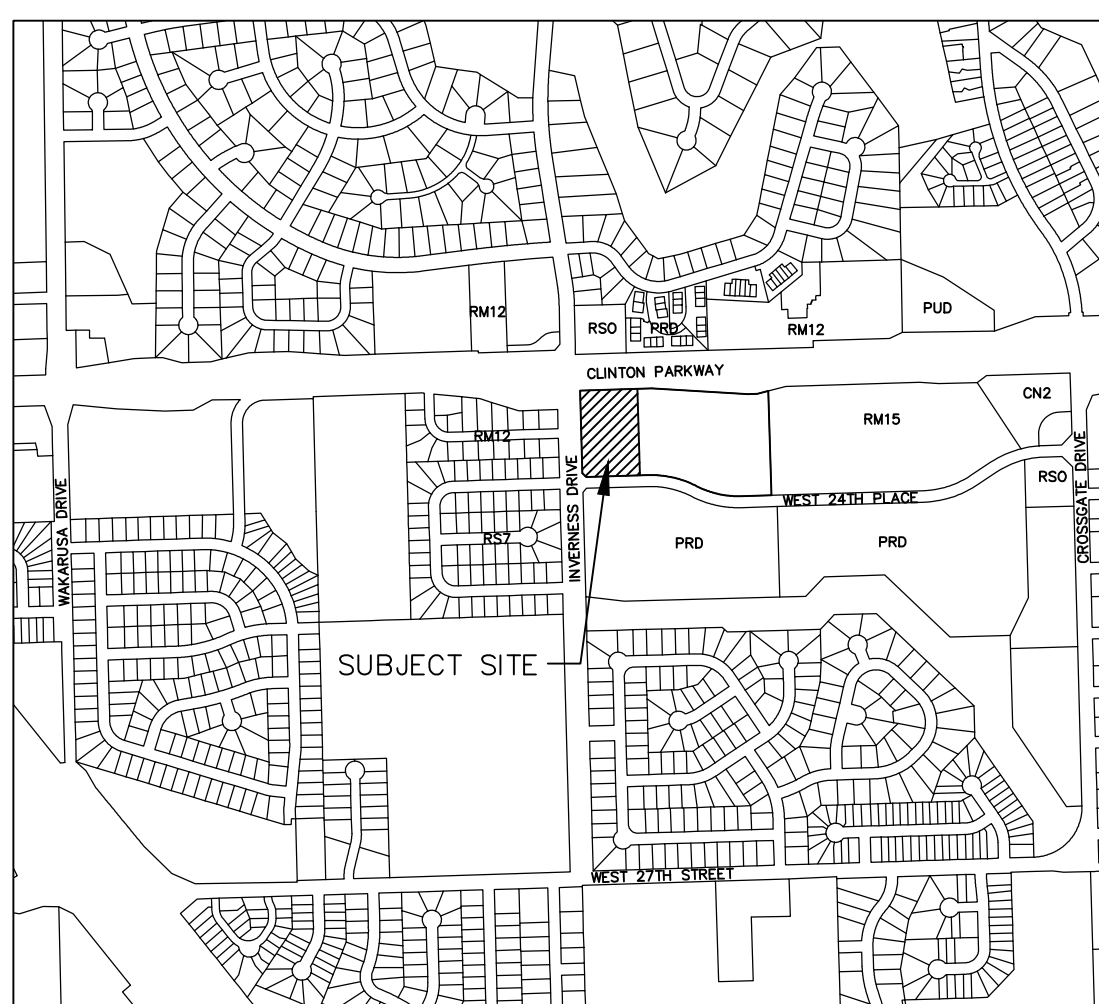
- 2.1 PARKING: PHASE III  
REQUIRED/ PROVIDED  
(A) - FAST ORDER FOOD, DRIVE-IN: 1 SPACE PER 100 S.F. OF CUSTOMER SERVICE AREA + 1 PER EMPLOYEE  
1,680 S.F. / 100 = 16.8 = 17 SPACES + 6 EMPLOYEES = [23 SPACES REQUIRED/21 PROVIDED]  
(B) - PERSONAL CONVENIENCE SERVICE, DRIVE-IN: 1 SPACE PER 300 S.F. OF 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' OVERHANGS 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 DISTICAHM 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 SADIANA '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

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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

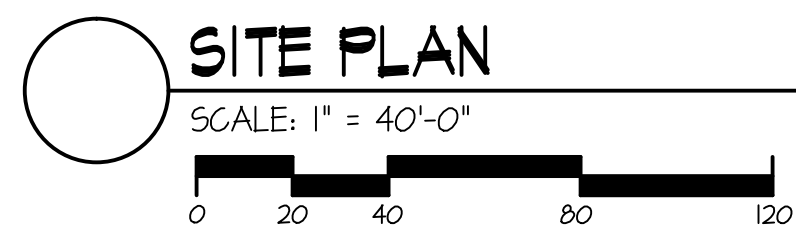
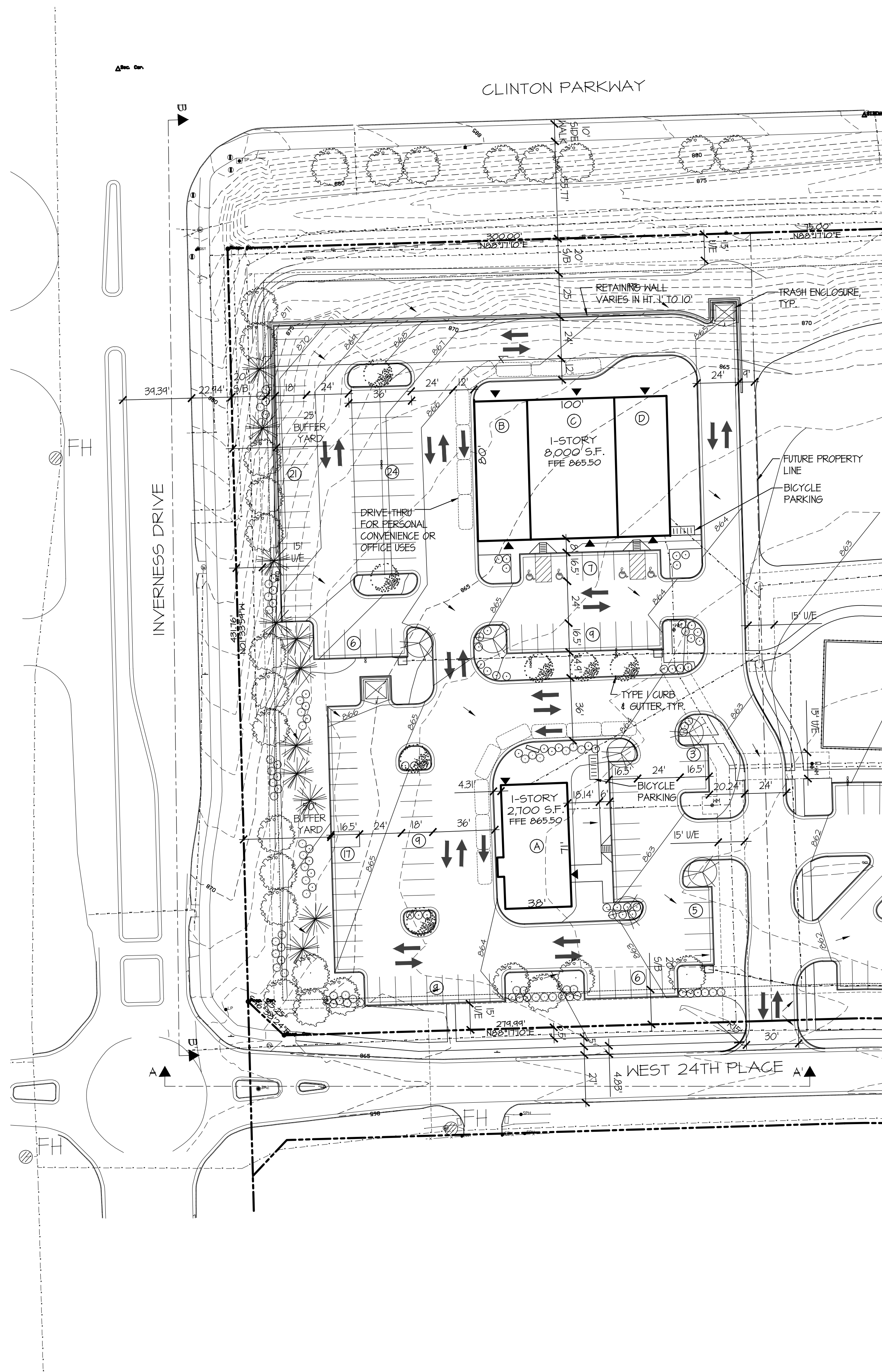
Case No. \_\_\_\_\_  
Approval Date: \_\_\_\_\_  
Release Date: \_\_\_\_\_  
Planner: \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_ Sheets  
Asst./Director: \_\_\_\_\_

City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

SUP-1



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**paulwerner**  
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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	2.19.14

SUP - 2

FROM : Joy Rhea  
RE : 24th and Inverness Site Plan and SUP  
DATE : December 18, 2015

---

**Updates to Plan:**

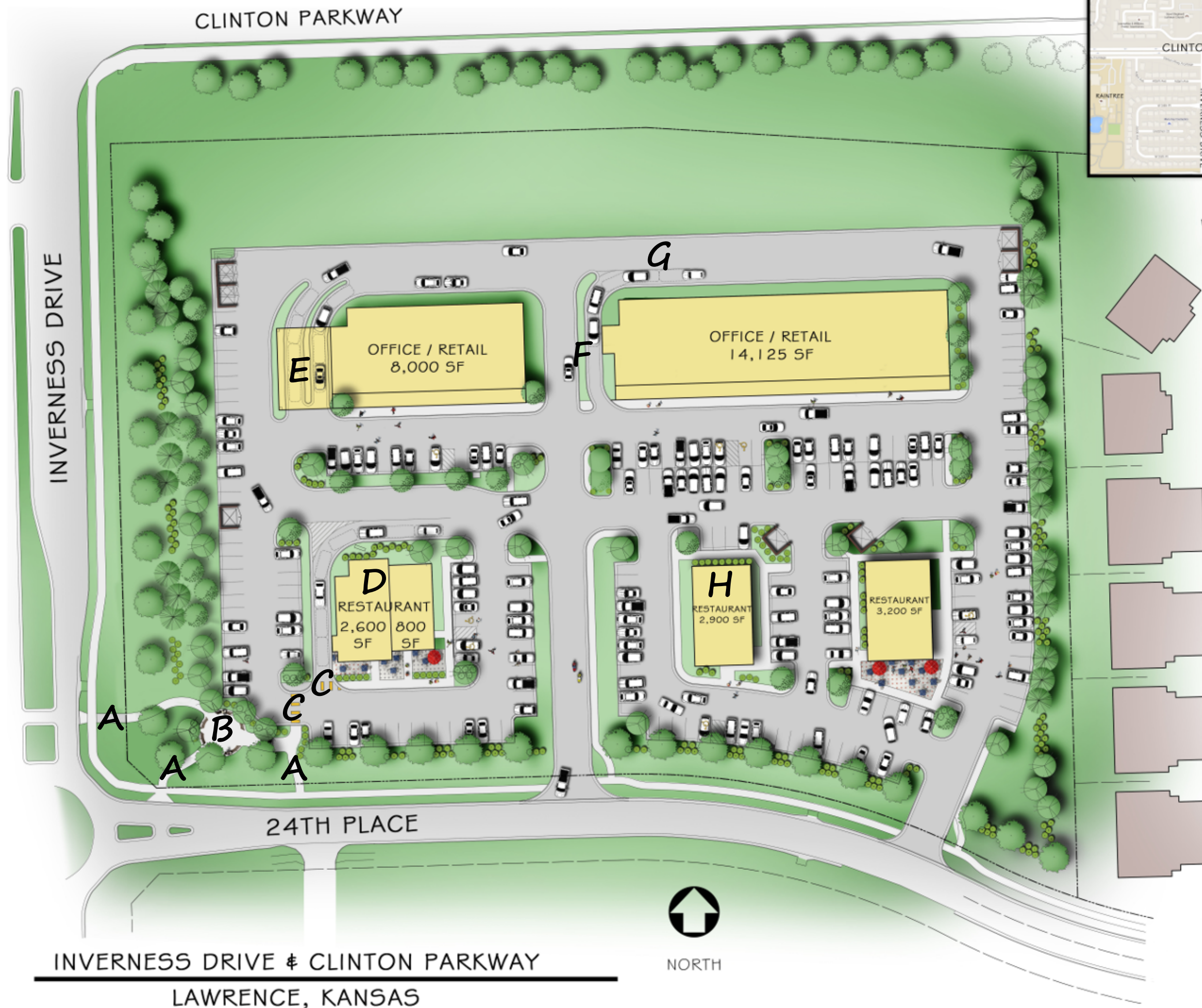
The site plan for the 24th and Inverness project is being re-submitted with changes as described below. These changes were made in order to create a more pedestrian friendly site, improve traffic circulation and update the plan per a known bank in the northwest corner. We believe these changes along with the previously shown 65' bufferyard next to Inverness Drive will continue to make this site an asset to the neighborhood.

- Three pedestrian connections from Inverness Drive and 24th Place have been shown in the southwest corner of the site. (A)
- A plaza area with benches has been added to provide a gathering and seating area for those using the services on the site or for local pedestrians to stop and enjoy a rest. (B)
- A marked pedestrian crossing has been shown from the plaza area into the site. (C)
- Due to market demand the pad site in the southwest corner remains as originally shown except that it has been pushed slightly back to allow more pedestrian gathering and circulation space in front of the businesses. (D)
- Should the southwest pad site be forced to the north edge of the site we believe this development is in danger of failing as a vibrant neighborhood commercial space. The failure would likely be attributed to lack of visibility for such prominent anchor businesses due to rather extreme grade changes between Clinton Parkway and the site. If prominent anchor businesses were asked to locate in the northwest corner it is likely a direct access from Clinton Parkway to the site would be requested. (D)
- Should the southwest pad site be forced to the west we believe this is too close to the 65' bufferyard and the neighborhood to the west.
- A drive-thru for a bank has been shown on the northwest building since we have a good indication from a local bank that they would occupy that space. (E)
- A median has been provided between the two north buildings on the site in order to eliminate conflict points between vehicles using this service drive-through for a business such a Scotch Cleaners. (F)
- Vehicular circulation along the north driveway has been shown as one-way to eliminate conflict points with drive-through. (G)
- The drive-through has been eliminated from the 2nd pad site on the south side of the site. (H)

---

Office : 123 W. 8th Street, Suite B2 : Lawrence, Kansas : 66044  
Mail : PO BOX 1536 : Lawrence, Kansas : 66044-8536  
PHONE: 785.832.0804 FAX: 785.832.0890





INVERNESS DRIVE & CLINTON PARKWAY  
LAWRENCE, KANSAS



NORTH

April 20, 2015

RE: Traffic Impact Study  
24<sup>th</sup> Place Addition  
4300 W. 24<sup>th</sup> Place, Lawrence

Several development scenarios have been analyzed in the recent past for the proposed 11 acre site on the southeast corner of 24<sup>th</sup> and Inverness. Most recently, in November 2013, a Traffic Impact Study (TIS) was prepared for a proposed development known as the *Family Fun Center at 24<sup>th</sup> and Inverness*. That development proposed a combination of entertainment and commercial land uses. The following estimate of peak hour trips generated by the site was used to analyze potential traffic impacts. No offsite improvement needs were identified as a part of that TIS.

Previous TIS: Family Fun Center

AM Peak Hour Trips = 180 vehicles per hour (vph)

PM Peak Hour Trips = 274 vph

The current development proposal, *24<sup>th</sup> Place Addition* proposes to improve this undeveloped property with 14 townhouses (duplexes) and 7 acres of neighborhood commercial improvements. Actual commercial users have not been identified yet so 35,000 square feet of general commercial uses was assumed for a Floor-Area-Ratio of 11%.

An estimate of AM Peak Hour (between 6:00 am and 8:00 am) and PM Peak Hour (between 4:00 pm and 6:00 pm) traffic generated by this site was developed using the *Trip Generation, 8th Edition* manual published by the Institute of Transportation Engineers (ITE). ITE Code 230 (Residential Condominium/Townhouse) was used to estimate trips generated by the residential portion of the site and ITE Code 820 (Shopping Center) was used to estimate trips generated by the commercial portion. Added together, the resulting estimate of peak hour trips are similar to the analysis performed in the prior TIS.

Current Site Development: 24<sup>th</sup> Place Addition

AM Peak Hour Trips = 97 vph

PM Peak Hour Trips = 315 vph

Based on this information, the traffic generated by the proposed *24<sup>th</sup> Place Addition* development will be similar in magnitude to the analysis in the prior TIS. Assuming access is provided via 24<sup>th</sup> Place, we do not anticipate the need for offsite transportation system improvements. The PM Peak Hour site generated trips are anticipated to occur at a time which will not coincide with the afternoon peak hour traffic generated by the nearby schools. Additional analysis of traffic impacts should be considered at a future date when a site plan is developed for the commercial improvements on Lot 1 and potential users are known.

If additional information is needed, please contact me.

Sincerely,  
BG CONSULTANTS, INC.



Jason Hoskinson, P.E., PTOE  
Principal



Also

Manhattan, KS. • Hutchinson, KS • Emporia, KS

## Trip Generation Calculation

Residential Condominium/Townhouse (ITE Code 230)

ITE Trip Generation, 8th Edition

General Information	Site Information
Analyst: <i>Jason Hoskinson, PE, PTOE</i>	Area: <i>24th Place Addition</i>
Agency: <i>BG Consultants, Inc.</i>	Jurisdiction: <i>Lawrence, KS</i>
Project Description: <i>Traffic Impact Study for 24th Place Addition</i>	

X = 28		Dwelling Units	
<b>Typical Weekday</b>			
Number of Studies: 56			
Average Rate: 5.81			
Equation: $LN = 0.87 \ln(X) + 2.46$		$a = 0.87$	$b = 2.46$
$R^2 = 0.80$			
Pass-by Trips: 0%			
Method of Calculation (Selected by Analyst):		2 (Enter 1 for Average Rate or 2 for Regression Equation)	
Total Trips	Ingress/Egress	Entering Trips	Exiting Trips
213	50% 50%	107	107
Method Used: REGRESSION EQUATION			
<b>AM Peak Hour of the Adjacent Street (7:00 AM to 9:00 AM)</b>			
Number of Studies: 59			
Average Rate: 0.44			
Equation: $LN = 0.80 \ln(X) + 0.26$		$a = 0.80$	$b = 0.26$
$R^2 = 0.76$			
Pass-by Trips: 0%			
Method of Calculation (Selected by Analyst):		2 (Enter 1 for Average Rate or 2 for Regression Equation)	
Total Trips	Ingress/Egress	Entering Trips	Exiting Trips
19	17% 83%	3	16
Method Used: REGRESSION EQUATION			
<b>PM Peak Hour of the Adjacent Street (4:00 PM to 6:00 PM)</b>			
Number of Studies: 62			
Average Rate: 0.52			
Equation: $LN = 0.82 \ln(X) + 0.32$		$a = 0.82$	$b = 0.32$
$R^2 = 0.80$			
Pass-by Trips: 0%			
Method of Calculation (Selected by Analyst):		2 (Enter 1 for Average Rate or 2 for Regression Equation)	
Total Trips	Ingress/Egress	Entering Trips	Exiting Trips
22	67% 33%	15	7
Method Used: REGRESSION EQUATION			

## Trip Generation Calculation

Shopping Center (ITE Code 820)

ITE Trip Generation, 8th Edition

General Information	Site Information
Analyst: <i>Jason Hoskinson, PE, PTOE</i>	Area: <i>24th Place Addition</i>
Agency: <i>BG Consultants, Inc.</i>	Jurisdiction: <i>Lawrence, KS</i>
Project Description: Traffic Impact Study for 24th Place Addition	

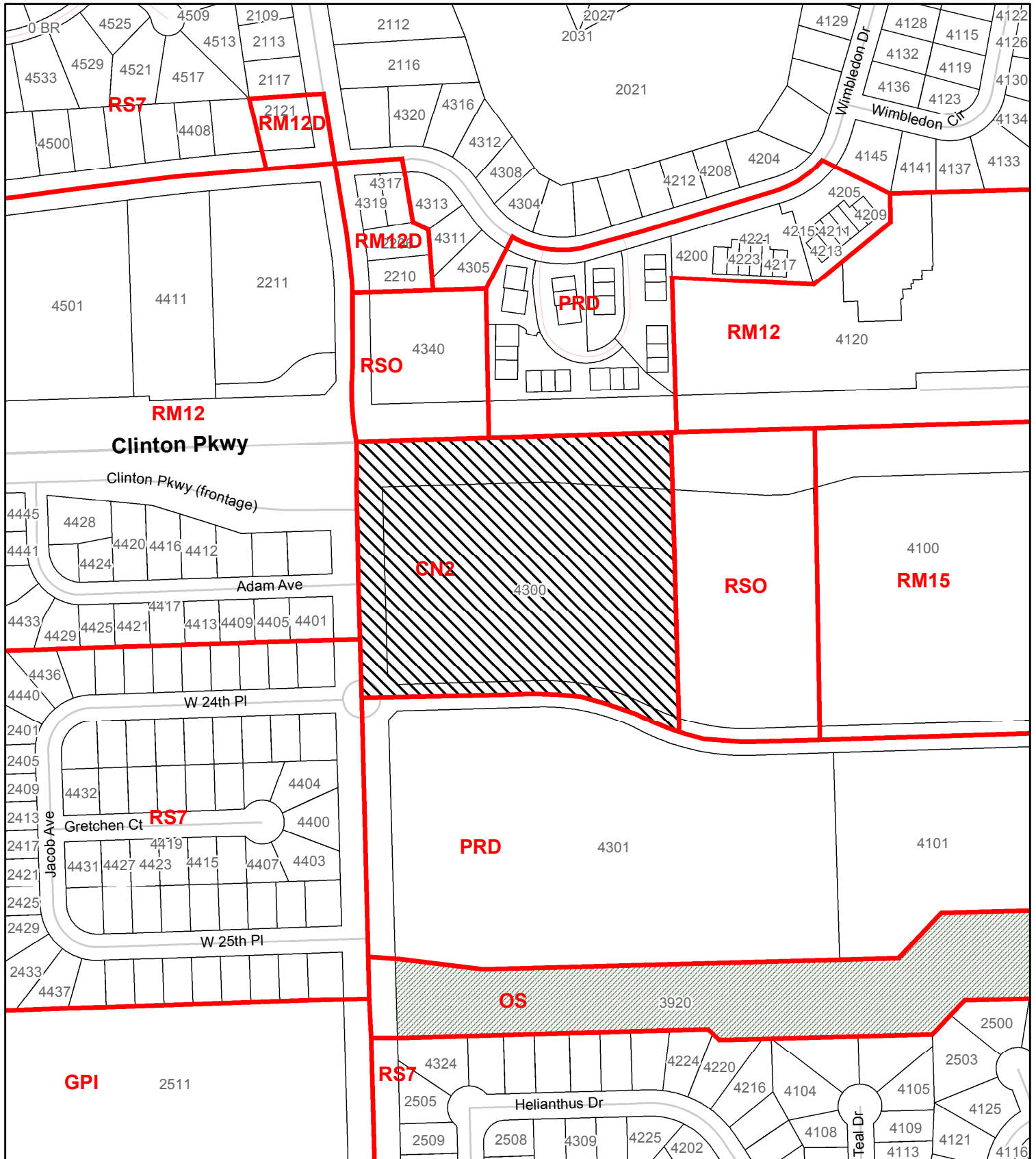
X =	35	1,000 Square Feet Gross Floor Area		
<b>Typical Weekday</b>				
Number of Studies: 302				
Average Rate: 42.94				
Equation: $LN = 0.65 \ln(X) + 5.83$		$a = 0.65$	$b = 5.83$	$R^2 = 0.78$
Pass-by Trips: 7%				
Method of Calculation (Selected by Analyst):		2 (Enter 1 for Average Rate or 2 for Regression Equation)		
Total Trips	Ingress/Egress	Entering Trips	Exiting Trips	
3,193	50% 50%	1,597	1,597	
Method Used: REGRESSION EQUATION				
<b>AM Peak Hour of the Adjacent Street (7:00 AM to 9:00 AM)</b>				
Number of Studies: 101				
Average Rate: 1.00				
Equation: $LN = 0.59 \ln(X) + 2.32$		$a = 0.59$	$b = 2.32$	$R^2 = 0.52$
Pass-by Trips: 7%				
Method of Calculation (Selected by Analyst):		2 (Enter 1 for Average Rate or 2 for Regression Equation)		
Total Trips	Ingress/Egress	Entering Trips	Exiting Trips	
78	61% 39%	48	30	
Method Used: REGRESSION EQUATION				
<b>PM Peak Hour of the Adjacent Street (4:00 PM to 6:00 PM)</b>				
Number of Studies: 412				
Average Rate: 3.73				
Equation: $LN = 0.67 \ln(X) + 3.37$		$a = 0.67$	$b = 3.37$	$R^2 = 0.81$
Pass-by Trips: 7%				
Method of Calculation (Selected by Analyst):		2 (Enter 1 for Average Rate or 2 for Regression Equation)		
Total Trips	Ingress/Egress	Entering Trips	Exiting Trips	
293	49% 51%	144	149	
Method Used: REGRESSION EQUATION				

## OFF STREET PARKING SUMMARY

Proposed Development 24 <sup>th</sup> & Inverness								
	Building SF Summary		Percent	Proposed Parking		Adjusted At 45%	Adjusted Parking	
Building/Use	GSF	service area	Service Area	required	provided	SF	required	provided
A - Fast Order Food, Drive-In	2,600					1,700		
B - Fast Order Food, Drive-In	1,800					810		
<b>A &amp; B Combined</b>	(4,400)	4,320	98%	60	60	1,980	36	
Patio	800 SF	800	100%	8	?	800	8	
C - Fast Order Food	2,900	2320	80%	34	34	1,305	24	
D - Quality Restaurant	3,200	2560	80%	50	50	1,440	29	
Patio	1,000	1,000	100%	10	?	1,000	10	
E - mixed office/retail	14,125			63	64		63	64
E - Office	(5,125)			18				
E - Retail	(9,000)			45				
F - Office	8,000			27	29		27	29
Patio Space	1,800							
<b>TOTAL</b>	<b>32,625</b>	<b>11,000</b>		<b>234</b>	<b>237</b>	<b>6,574</b>	<b>179</b>	<b>237</b>
With Patio	34,425						197	237
Note: Plan is not clear if off-street parking for patio space is included.								

Recently approved site plan – 2015							
	Building Summary		Percent			Parking Summary	
Tenant/Use Zoning Code Use	SF	Service Area				Required Parking	Provided Parking
<b>Leeway Franks</b> Missed use	757	291	38%			5	Shared
<b>Raising Canes</b> Fast Order Food, Drive-In	2853	968	34%			18	40
<b>Texas Road House</b> Quality Restaurant		4358				84	Shared
<b>Qdoba</b> Fast Order Food	2827	1400	50%			24	35
<b>Popeye's</b> Fast Order Food, Drive-In	2887	1223	42%			21	35
<b>Pie Five Pizza</b> Fast Order Food	2400	1195	50%			21	32
<b>Dominos</b> Fast Order Food	2785	1040	37%			13	13
<b>Average</b>			42%				

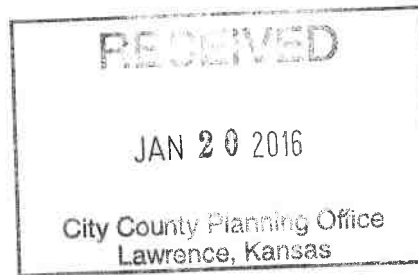




**SUP-15-00521: Special Use Permit for a Neighborhood Commercial Shopping Area  
with 5 Buildings - 4 Buildings having Drive-Thru Uses, 2 being for Fast Order Food  
Located at 4300 W. 24th Place**



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



January 13, 2016

**RE: SUP-15-00521**

Dear Commission Members:

I am writing to express my wife and I's concerns and opposition to the above Special Use Permit application as home owners in the affected area. There are several aspects of this proposed item that are problematic and make the proposition a bad one for all residents in the area.

This sort of commercial shopping area within a residential area would mean a greater volume of car traffic causing greater congestion and putting pedestrian and bicycle users at increased risk. There is a good amount of pedestrian and bicycle traffic in this area on a regular basis. This proposal would negatively affect such use--desirable for health and well-being as well as residents walking of dogs, another frequent activity on the well used sidewalks along this stretch of 23rd street and Inverness. The proposed development also reduces aesthetically pleasing green space in the area, and would eliminate an ecological corridor for bird and wildlife habitat.

It should be anticipated that such a commercial development will increase the volume of traffic on **the residential thoroughway of Inverness** as it is the cross street for the main thoroughfare of 23rd street directly to the area in question. Inverness cannot physically tolerate such increased traffic, (relatively recent extensive repairs yet a high-rate of erosion continues), and should not as it is already at a maximum traffic volume for a residential street being the only way many residents can get out from their home street. This in itself was unfortunately a poor street planning design, generally tolerable only as long as Inverness does not become even more congested. Inverness is already a frequently used trafficway between 15th and 23rd.

Having been a homeowner at our current residence for over 8 years we have witnessed an unfortunate increase in the traffic noise from 23rd street with the addition of multiple apartment complexes. Louder and heavier traffic is a direct result, and has not only increased but has become frequently extended into the late night, especially on the weekends, accompanied by many more drunk driver pullovers in this area as well. This proposal can logically be anticipated to increase these negative aspects as the commercial businesses proposed clearly include fast order junk food drive-thru operations.

No doubt the desire of the proposers of the SUP have in mind to exploit the many lower income, generally young and transient population that lives in the cheaply built apartments nearby. I will hazard a guess that the food being offered will not be of a healthy variety, and thus also not in the health interests of the "young and the restless". I also assume that the other commercial

businesses being proposed will not be in the general interest, need or desire of the majority of homeowners in the affected area.

This proposal is not in the best interests of those of us living in the area, especially homeowners. The negative impacts I've touched on will occur should this proposal go through, and will thus also negatively affect home values, with virtually no positive impact for the majority of area residents or Lawrence citizens as a whole.

Commercial developments such as this should either be done at the intersections of two major traffic arteries or else should not be built at all because of their long-term negative impacts on residential areas. They are not conducive to the economic sustenance of residential areas nor to the health and well-being of those in residence.

Sincerely,

A handwritten signature in cursive script, appearing to read "Randy Hershey".

Randy Hershey  
Homeowner  
4133 Wimbledon Circle  
Lawrence, KS 66047

**From:** [Dawn Shew](#)  
**To:** [Joy Rhea](#)  
**Cc:** [kayteekate@hotmail.com](#); [markandrewsimpson@yahoo.com](#); [sclark@sunflower.com](#); [lfinger@douglas-county.com](#); [mmulloy@ku.edu](#); [wecare@cpah.com](#); [jamiehulse@att.net](#); [Leanne Cooper](#); [angelamk@swbell.net](#); [critter\\_72@yahoo.com](#); [donschawang@seaburyacademy.org](#); [vhammond1@hotmail.com](#); [itsgreen@sunflower.com](#); [aeversole@ku.edu](#); [garberprop@aol.com](#); [mrsdeltachi@yahoo.com](#); [lleanna@raintreemontessori.org](#); [jtedder@sunflower.com](#); [go-gre@peoplepc.com](#); [Robbie Farha](#); [Christopher King](#); [Sandra Day](#); [Paul Werner](#); [Scott McCullough](#)  
**Subject:** Re: 24th and Inverness Site Plan Update  
**Date:** Tuesday, January 12, 2016 11:26:15 AM

---

Hello all,

I remain concerned about the quantity and types of traffic that this development will bring to this area, specifically:

- The roundabout at 24th Place and Inverness. As it stands currently, residents often have difficulty leaving our street during heavy pick up and drop off times for Raintree, Southwest, and Sunflower schools. Rather than turning left onto Inverness, Raintree parents come around the roundabout. Adding a commercial area that receives access from this roundabout will exacerbate this problem, as each car approaching from 23rd will be forced to come around the roundabout to continue onto 24th place.
- The lack of a school zone along a heavily pedestrian area frequented by children-- Inverness, made more dangerous by increased traffic from outside the residential area (i.e. a parent dropping off their child is more likely to be aware of walking students than someone coming in from Topeka on 23rd who is swinging in for coffee.) There are three large schools on this street, and there is no school zone on Inverness south of 23rd at all.

My first suggestion would be to move the entrance and exits for this development onto 23rd street, which has precedence a busy thoroughfare with other entrances and exits east of this development. At the very least, moving traffic away from this residential pedestrian area and schools would be ideal.

Obviously many of the residents of this area would prefer that this land not be used for commercial zoning at all, as it is in the middle of a residential area. Our immediate area is not currently serviced by parks or playgrounds other than the public schools, and this would likely be our ideal use pattern for the space. However, if commercial development must occur, giving consideration to those who live here (and are most likely to spend their dollars here) seems like good business sense and good citizenry.

I want to iterate that I speak only for myself, not any organized effort of this neighborhood. However, my children are constantly outside, running, and riding bikes up and down the sidewalks on Inverness. I would assume that when wide, pedestrian-friendly sidewalk was built on this street, that was the intent-- a vibrant, pedestrian neighborhood that could traverse the route to school safely. I believe that addressing these traffic issues is paramount to your intent to develop this property.

Sincerely,  
Dawn Shew

On Tue, Jan 12, 2016 at 9:58 AM, Joy Rhea <[joyr@paulwernerarchitects.com](mailto:joyr@paulwernerarchitects.com)> wrote:

| Good Morning,

Please see the attached letter and images regarding the development at 24th and Inverness. Feel free to forward this information to other neighbors whom I do not have email addresses for.

If you have recently moved out of the neighborhood and would like to be removed from future updates on this site please let me know.

Joy Rhea, RLA

Landscape Architect

paul**werner** ARCHITECTS

123 West 8th, Suite B2, Lawrence, KS 66044

P: [785.832.0804](tel:785.832.0804) | F: [785.832.0890](tel:785.832.0890) | [joyr@paulwernerarchitects.com](mailto:joyr@paulwernerarchitects.com)

[www.paulwernerarchitects.com](http://www.paulwernerarchitects.com)

**From:** [Larry](#)  
**To:** [Dawn Shew](#); [Joy Rhea](#)  
**Cc:** [kayteekate@hotmail.com](#); [markandrewsimpson@yahoo.com](#); [sclark@sunflower.com](#); [lfinger@douglas-county.com](#); [mmulloy@ku.edu](#); [wecare@cpah.com](#); [jamiehulse@att.net](#); [Leanne Cooper](#); [angelamk@swbell.net](#); [critter\\_72@yahoo.com](#); [donschawang@seaburyacademy.org](#); [vhammond1@hotmail.com](#); [itsgreen@sunflower.com](#); [aeversole@ku.edu](#); [garberprop@aol.com](#); [mrsdeltachi@yahoo.com](#); [lleanna@raintreemontessori.org](#); [jtedder@sunflower.com](#); [go-gre@peoplepc.com](#); [Robbie Farha](#); [Christopher King](#); [Sandra Day](#); [Paul Werner](#); [Scott McCullough](#)  
**Subject:** Re: 24th and Inverness Site Plan Update  
**Date:** Tuesday, January 12, 2016 12:10:10 PM

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I will gather my thoughts more on this and will attend the meeting at City Hall. My first reaction is "here we go again" and that we all have been told half-truths through this entire debacle. We hear no drive-through restaurants, then we hear "quality" drive-through restaurants, then we hear that other options may appear.

Mr. Werner and Mr. Lemesany -- who gave me their words last year that they agree that they will work with homeowners -- seem to change their minds and postpone City Council meeting and decisions. Is it to wear us all down to bend to their wills?

I would remind all of you who are monitoring this situation that the Council agreed that the philosophy of the Clinton Parkway area was to cater to neighborhoods close in proximity to the area. It seems high-volume, traffic clogging would NOT facilitate our needs.

More to come.

--Larry Grecian

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

From: Dawn Shew <2shews@gmail.com>

Sent: Jan 12, 2016 11:26 AM

To: Joy Rhea

Cc: [kayteekate@hotmail.com](#), [markandrewsimpson@yahoo.com](#), [sclark@sunflower.com](#), [lfinger@douglas-county.com](#), [mmulloy@ku.edu](#), [wecare@cpah.com](#), [jamiehulse@att.net](#), [Leanne Cooper](#), [angelamk@swbell.net](#), [critter\\_72@yahoo.com](#), [donschawang@seaburyacademy.org](#), [vhammond1@hotmail.com](#), [itsgreen@sunflower.com](#), [aeversole@ku.edu](#), [garberprop@aol.com](#), [mrsdeltachi@yahoo.com](#), [lleanna@raintreemontessori.org](#), [jtedder@sunflower.com](#), [go-gre@peoplepc.com](#), [Robbie Farha](#), [Christopher King](#), [Sandra Day](#), [Paul Werner](#), [Scott McCullough](#)

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Joy Rhea, RLA

Landscape Architect

paulwerner ARCHITECTS

123 West 8th, Suite B2, Lawrence, KS 66044

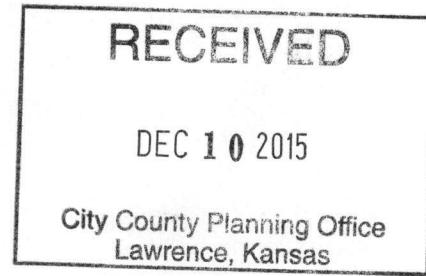
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[www.paulwernerarchitects.com](http://www.paulwernerarchitects.com)



December 7, 2015

Sandra Day, AICP  
City of Lawrence Douglas County  
6 East 6<sup>th</sup> Street  
Lawrence, KS 66044



Dear Ms. Day:

Re: SUP-15-00521 – Special Use Permit for a Neighborhood Commercial Shopping Area with 5 Buildings

This letter is to protest the proposed building of a commercial shopping area at 4300 W. 24<sup>th</sup> Place.

Our house is located on Wimbledon Drive and would suffer if such a commercial venture were to be built. It would lower the value of our home and the homes in our neighborhood. The quality of life in our neighborhood would also be affected negatively because of the noise level, heightened traffic and glare of the lights of such a project. We purchased our home that backs on to the golf course because of the quietness and believing that commercial building could not encroach. Don't you think there are enough such commercial sites in Lawrence already without building in neighborhoods where families would like to live in peace and quiet?

We strongly oppose this building permit being issued and hope you will consider the negative effect such a project would have on one of the nicest and most picturesque neighborhoods in Lawrence.

Thank you for your consideration:

A handwritten signature in cursive script, appearing to read "Paul and Marilyn Meier".

Paul and Marilyn Meier  
4316 Wimbledon Drive  
Lawrence, KS 66047  
785-856-3486



LEAGUE OF WOMEN VOTERS  
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED

JAN 25 2016

City County Planning Office  
Lawrence, Kansas

**President**

Debra Duncan

**Vice President**

Cille King

**Treasurer**

Marjorie Cole

**Directors:**

Margaret Arnold

Marci Francisco

Janice Friedman

Midge Grinstead

Carol Klinknett

Marlene Merrill

Marlaine Stoor

Austin Turney

Melissa Wick

January 24, 2016

TO: Members of the Lawrence-Douglas County Metropolitan Planning Commission

**Re: Item No. 6 SPECIAL USE PERMIT FOR FAST ORDER DRIVE IN; 4300 W 24 PLACE (SLD)**

The League of Women Voters is in favor of shopping and recreational spaces within walking distance for residents of each neighborhood; but we also believe they should have the right to walk, ride bicycles and safely enjoy their neighborhood – without worry and while being protected from heavy traffic. A fast order drive-in, next to a residential area, especially one housing two schools and, therefore, teeming with children, will not meet this goal.

Although permissible in a CN2 District, drive-ins, and even some drive-thrus are not appropriate for this area. This was recognized by the Planning Staff last June. In the June 22, 2015, Staff Report that addressed rezoning the area from ROS to CN2, Planning Staff noted that the CN2 District allows for the following types of eating and drinking establishments: Bar or Lounge; Brew Pub; Fast Food; Fast Food with a Drive-Thru (with SUP); Private Dining Establishment; or a Restaurant. Staff further noted to protect the public interests, a drive-thru or pick-up window would require a Special Use Permit to evaluate the appropriateness of the use in a Neighborhood Commercial Center, stating "High volume, multiple peak-hour traffic generators such as a chain "fast order food" use would not be consistent with neighborhood- oriented commercial development". Staff noted that some types of drive-thrus, such as a coffee shop, might be acceptable because it could easily serve neighborhood residents. Because these very different uses fell under the same definition (drive-thru) staff specifically did not recommend prohibition of this use from the proposed CN2 district, noting instead that this use would require a Special Use Permit ensuring neighborhood compatibility is preserved within the Inverness Park District.

The League does not oppose a neighborhood commercial center which might include a coffee shop, restaurant and various businesses which would benefit the neighborhood and the residents. Although the drive-in proposal doesn't rise to the level of the highly invasive Fun Center proposed in 2014, it would bring in enough noise and traffic to have a profound negative effect on the Inverness Park District.

For these reasons, we ask that instead of deferring the project, as recommended by staff, you deny the proposed special use permit. Thank you for your consideration.

Sincerely,

Debra Duncan  
President

Alan Black  
Chairman, Land Use Committee

PO Box 1072 Lawrence, KS 66044-1072

[lawrenceksleague@gmail.com](mailto:lawrenceksleague@gmail.com) - [www.lawrenceleague.com](http://www.lawrenceleague.com)

[www.facebook.com/lwvldc](https://www.facebook.com/lwvldc) - [www.twitter.com/lwvldc](https://www.twitter.com/lwvldc)

**From:** Amy Waldron [<mailto:amywaldron@gmail.com>]

**Sent:** Wednesday, January 20, 2016 12:40 PM

**To:** Patrick Kelly <[PKelly@usd497.org](mailto:PKelly@usd497.org)>; [julia.v.butler@gmail.com](mailto:julia.v.butler@gmail.com); [bcculver@gmail.com](mailto:bcculver@gmail.com); [robert.c.sands@gmail.com](mailto:robert.c.sands@gmail.com); [jecarpener15@gmail.com](mailto:jecarpener15@gmail.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:** Concerns for SUP-15-00521

Dear Committee,

I am saddened to hear that, once again, plans for the 11-acre tract of land at Inverness and Clinton Parkway include commercial development. When my family and I moved to Lawrence from Kansas City nearly 4 years ago, one of the things we looked forward to was having more green space around us. We didn't realize at the time that the lovely, open grassy area near to where our girls would go to school was designed, in City Plan Horizon 2020, to stay a parkway. We were just grateful it was there!

From anywhere, it's only a short distance to any shop here in Lawrence, especially with the convenience of the by-pass. We have never wished we had more commercial buildings nearby; instead, we have often congratulated ourselves for upping stakes and moving here where all of the conveniences of a big city are cleverly melded with both the mindful consideration and aesthetic of nature. Both are present, currently, without having to make a special trip to either.

One of the wonderful and unique things about Lawrence is the people and how progressive and educated they are. Cities like Lawrence are built by communities that understand the valuable presence of busy farmers markets, efficient bus routes, and extensive bike paths. Stretches of natural space bring much more value to this community than more commerce, and while a few individuals might benefit enormously, Lawrence is worlds better than that stereotypical sentiment of the "rich getting richer." We are all richer for keeping it simple.

I add my voice to the number of residents who disagree with and even resent the suggestion of development of this lovely patch of land. Please consider the voice of the community and leave this area as a neighborhood free of the blight of commercialism. We really appreciate and value what it is already.

Very Sincerely,

Amy Waldron