PLANNING COMMISSION REPORT Regular Agenda – Public Hearing Item

PC Staff Report 11/16/15

ITEM NO. 6B SPECIAL USE PERMIT FOR FITNESS & TENNIS FACILITY; 5200 & 5300 CLINTON PKWY (SLD)

SUP-15-00468: Consider a Special Use Permit for an *Active Recreation* use, an indoor/outdoor Fitness & Tennis Facility, located at 5200 & 5300 Clinton Pkwy. The proposed facility will include 54,687 SF of indoor space and continue the use of the 6 existing outdoor tennis courts. Submitted by Paul Werner Architects, Genesis Health Clubs of Lawrence LLC, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of a Special Use Permit for *Active Recreation* uses to be located at 5200 and 5300 Clinton Parkway, and forwarding the request to the City Commission with a recommendation of approval subject to the following conditions:

- 1. Provision of a site plan performance agreement.
- 2. Prior to the release of the Special Use Permit for issuance of a building permit the applicant shall provide a revised drawing to include the following notes and changes:
 - a. Provision of a revised plan that removes all references to KU and renames the project.
 - b. Drawing shall be revised per the approval of the City Stormwater Engineer to include the storm sewer information as noted on the previously approved UPR dated 8-9-2007 for the tennis courts east of the building to include pipe materials and sizes.
 - c. Drawing shall be revised per the approval of the City Stormwater Engineer to delineate the "easement" or area of inundation from the emergency spillway for Lake Alvamar/Yankee Tank Lake. This area shall be identified as a no build area in the event of a high water event for the dam and the subsequent use of the emergency spillway.
 - d. Provision of a note on the face of the site plan that states "Changes to the lighting shall require the submission and approval of a photometric plan per section 20-1103 of the Land Development Code prior to the submission of a building permit."
 - e. Provide a revised landscape plan per the City Parks Department approval to include a revised list of species for replanting as needed for this site.
 - f. Provision of a note that states: "Changes or addition to mechanical equipment shall be screened in accordance with section 20-1006 (b) of the Land Development Code."
 - g. Provision of a revised landscape plan to show the following changes:
 - i. Two additional trees along Clinton Parkway Frontage Road adjacent to 5200 Clinton Parkway.
 - ii. Two additional trees along the west side of Olympic Drive adjacent to 5300 Clinton Parkway.
 - iii. 12 trees along the north side of Clinton Parkway adjacent to 5300 Clinton Parkway.
 - iv. Provision of shrubs to create solid screening along the parking row parallel to Clinton Parkway west of Olympic Drive.
 - h. Update Special Use Permit plan and parking summary to reflect total square

footage.

Reason for Request: The correct procedure under our current code is to convert the UPR to an SUP.



KEY POINTS

- Change of Use from University-related facility to public recreation facility.
 - o This application was submitted by KU Athletics. Since the submittal of the application the ownership has changed.
- Site includes existing interior and exterior facilities.
- Site was originally developed prior to the 2006 Land Development Code and included property that was in the unincorporated area of Douglas County.
- Site includes interior remodel to expand the interior facilities within the existing building footprint.
- Existing building footprint is 44,437 SF
- Proposed Building, including 2nd-story mezzanine is 54,687 SF
- Refer to Article 17 of the Land Development Code for complete list of definitions.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- CUP-3-1-95; 5300 Clinton Parkway, Sport 2 Sport adult softball fields.
- UPR-3-3-95; 5200 Clinton Parkway, Sport 2 Sport Indoor Athletic complex (basketball, soccer & volleyball).
- Z-2-6-96; 5300 Clinton Parkway, A-1 to RS-A, City Commission approved on May 14, 1996.
- UPR-3-3-97; 5200 Clinton Parkway, Revision to UPR 3-3-95 for Sport 2 Sport. Expansion to include additional parking and 825 SF building addition.

- UPR-12-15-98; 5150 Clinton Parkway, Dance City, gymnastics and dance studio.
- UPR-4-3-06; 5200 Clinton Parkway, First Serve Tennis.
- PF-04-07-06; Final Plat for Yankee Tank View Addition 2nd Plat. Property is being replatted as a result of a land purchase from the City of Lawrence from the parkland to the north and the northern portion of Lot 2A to the east.
- Dedication of right-of-way for the extension of Olympic Drive to the parkland to the north and vacation of easements where building expansion is to be located.
- B-04-14-06; First Serve Tennis; 5200 Clinton. Variances were granted by the Board of Zoning Appeals on May 4, 2006 to allow the retaining walls to encroach into the required setbacks as shown on the review plans.
- SUP-15-00459; special Use Permit for "Active Recreation Use, Indoor" for KU Tennis Facility, Minor Modifications reviewed administratively.
- Z-15-00469: Submitted concurrently with this application to establish a uniform zoning district.

Other Action Required

- City Commission approval of rezoning and Special Use Permit and adoption of related ordinance.
- Publication of rezoning and Special Use Permit ordinances.

PLANS AND STUDIES REQURIED

- *Traffic Study* No comments available. An update will be provided to the Planning Commission at the public hearing.
- Downstream Sanitary Sewer Analysis Fixture count analysis accepted.
- *Drainage Study* A drainage study is not required for this project because there is no change in the property surface summary.
- Retail Market Study Not applicable to this request

ATTACHMENTS

- 1. Area Map
- 2. Site Plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

• Concern identified by Wakarusa Watershed Joint District No. 25 regarding any planned development below the dam.

Site Summary		Lot Summary		
	Existing	Proposed	5200 Clinton Pkwy	5300 Clinton Pkwy
Lot Size:	643,180	643,180	Lot 2 Yankee Tank	Lot 1 Sport To Sport
14.77 Acres			View	
Building Summary:	44,378	44,378	5.69 Acres	9.08 Acres
Proposed Interior		10,250		
Addition:				
Pavement Cover:	137,453	137,453	Building and outdoor	Surface Parking Lot
Impervious Cover: (SF)	181,831	181,831	Tennis Courts	and Open Space
Pervious Cover: (SF)	461,349	461,349		
percent	72%	72%		

This proposed application includes an expansion of the interior space by increasing a mezzanine area. The total area "under roof" will increase from 44,378 SF to 54,000 SF. No changes to the 6

outdoor tennis courts are proposed with this application. That feature of the development will remain.

The purpose of a special use permit review and approval process is established in section 20-1306. It states that these procedures "provide a discretionary approval process for uses with unique or widely varying operating characteristic or unusual site development features. The process entails a public review and evaluation of the use's operating characteristic and site development features and is intended to ensure that proposed special Uses will not have a significant adverse impact on surrounding uses or on the community at large." This application is intended to bring both properties (previously approved through either a Special Use process or a Conditional Use process through previous Zoning Codes) into a current cohesive development project and to facilitate the expansion of the use through an interior remodel of the building that increases the total floor area within the existing building footprint.

Section 20-1306 (I)(6) allows the modification (amendment) to an approved Special Use Permit. Minor changes may be completed administratively. Limitation of administrative changes restrict the addition of floor area to 5% (or 2,222 SF of the existing building). Because the proposed increase is more than 5%, a public hearing is required to amend the Special Use Permit for this application.

Existing Building	44,437 SF	100%
Proposed Mezzanine	10,250 SF	23%
Addition Allowed Administratively	2,222 SF	5%

GENERAL INFORMATION		
Current Zoning and Land Use:	5200 Clinton Parkway – RM12 (Multi-Dwelling Residential) District and GPI (General Public and Institution) District. Existing building housing <i>Active Recreation</i> use. 5300 Clinton Parkway – RS40 (Single Dwelling Residential) District. Existing parking lot and former softball fields (fields have been removed)	
Surrounding Zoning and Land Use:	Surrounding Land Uses are described in the related staff report for Z-15-00469.	

Summary of Request

Active Recreation is a subset of the Use Group Recreational Facilities in the Public and Civic Use Group Category. Active Recreation Uses are permitted in the RM districts subject to a Special Use Permit. These uses are defined in section 20-1755 of the Land Development Code as a type of Recreational Facility and specifically as Areas and facilities used or designed for active or group sports and recreation activities, including spectator areas associated with such faculties, such areas include but are not limited to:

- i) athletic fields and courts, playgrounds and play apparatus
- ii) skating rings and swimming pools,
- iii) boat docks and launches,
- iv) zoos
- v) community recreation buildings, including but not limited to meeting rooms, classes or lecture rooms, band shelters or gazebos, and gymnasiums and

vi) structures accessory to community recreation uses such as public restrooms, refreshment stands, concession shops selling sporting goods and miniature golf.

Fitness Centers are listed as a typical use of a *Participant Sports and Recreation, Indoor use (20-1762).* Fitness Centers can also be considered as an accessory use to an *Active Recreation* use such as was recently approved for the Alvamar Planned Development.

Sample Recreation Uses		
Proposed Use/Activity	Land Development Code Defined Use	
Alvamar Golf Couse	Passive Recreation	
 Clubhouse, Lockers, 	Accessory to Passive Recreation Use	
 pro-shop, and restaurant 	Retail Sales and Eating and Drinking Establishment	
	and/or <i>Structures Accessory</i> to <i>Active and Passive</i>	
	Recreation Uses	
Alvamar swimming pools	Active Recreation	
Fitness/Wellness center	Accessory to Active Recreation Use	
Eagle Bend Golf Course	Passive Recreation	
Public Parks, South Park	Active Recreation	
Sandra Shaw Trail	Passive Recreation	
High School Stadium	Active Recreation Use	
Cougar Basketball Training	Active Recreation Use	
G-Force	Participant Sports and Recreation, Indoor	
Dance Studio	Participant sports and Recreation, Indoor	
Family Fun Center with outdoor go-cart	Participant sports and Recreation, Outdoor	
Track		
Royal Crest Bowling	Participant Sports and Recreation, Indoor	
Epic Fun Center	Participant Sports and Recreation, Indoor	
South wind Movie Theater	Entertainment and Spectator Sports, General	
Rock Chalk Park Stadium	Entertainment and Spectator Sports, General	

This application includes an expansion of the use by adding a 10,250 Sf mezzanine space. The existing building (44,437 SF) and the mezzanine space (10,250 SF) will result in a total area under roof of 54,687. The addition represents a 23% increase in total floor area in the building. The footprint of the building is not altered by the request except for the changes to the building entry area. The building currently includes 11 indoor courts. The installation of the proposed mezzanine will reduce that to 10 indoor courts. The 6 existing outdoor courts are not altered by this application.

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: *It does.*

The review of this application request is required because *Active Recreation Uses* are allowed in the RM12 District subject to a Special Use Permit. The intent of the review is to address the required processing standards of the Development Code. Only minimal changes to the exterior of the site are proposed. The existing parking lot and access are not modified with this application.

Staff Finding – This use complies with the applicable provisions of the Development Code as an allowed use in the RM12 district subject to a Special Use Permit and as conditioned.

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: Yes.

Compatibility with site design is retained by providing for this project. The site includes an existing building, exterior tennis courts and surface parking. The softball fields located west of Olympic Drive have been removed as part of the improvements to the lake and dam. Development of the area west of Olympic Drive is not proposed and is not recommended. The majority of the area is a designated overflow area for the lake and not suitable for development.

Staff Finding – The proposed use is generally compatible with the adjacent uses in terms of size, massing, orientation, hours of operation and other external impacts.

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: No, the existing use of this building will continue.

Approval of the request allows continued use of existing improvements for recreational uses in the area. The intensity of the site has been reduced since the removal of the softball fields.

Staff Finding – Substantial diminution of other property values in the area is not anticipated.

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

The property includes and existing 44,437 SF two story building 6 outdoor tennis courts and surface parking. The proposed changes include an interior remodel to create a 10,250 Sf mezzanine level. The property is currently served with public and private utilities. There are no proposed changes to the existing utility service for this property.

Access to the property is from the Clinton Parkway Frontage Road. No changes to access are proposed with this application.

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

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

The proposed request provides an enforceable tool to address the use and continued maintenance of the property with regard to landscaping, exterior activity, and off-street parking.

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

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

Applicant's Response: No

The assessment of this factor is intended to address the "natural environment" or that area that is undisturbed by development and includes floodplains, jurisdictional wetlands, stream corridors and stands of mature trees as well as archaeological and historic sites. This property is developed with a building, exterior tennis courts and surface parking.

The area west of Olympic Drive is within the regulatory floodplain and is a spillway for the adjacent lake. Development of that area is not recommended or permitted. Staff recommends the plan be revised to clearly indicate this use restriction.

Staff Finding – The proposed development is subject to regulatory controls to protect the significant natural features including the existing site drainage. This property is encumbered by the regulatory floodplain.

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 PEMRIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE

This Special Use Permit is required to accommodate a specific use in this district. The purpose of this district is to accommodate multi-dwelling residential development as an RM District. However, the property was developed with non-residential uses – specifically as an *Active Recreation* use that included outdoor facilities through previous special use processes.

A variety of recreation uses have operated at this location since 1995. This Special Use Permit brings the property into compliance with the current zoning code.

Staff Finding – Staff does not recommend a time limit on the Special Use Permit.

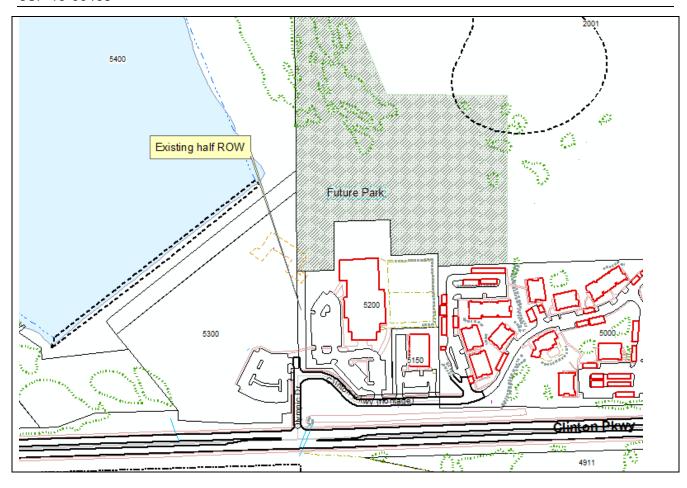
STAFF REVIEW

This section of the staff report typically addresses the site plan elements of the proposed use. This property is developed. The modifications proposed are predominantly interior to the existing building. Exterior changes include minor changes to the front entry of the building.

A. Access and Parking

Access: Access to this site is provided via a single driveway to Clinton Parkway Frontage Road on the east side of the property. The surface parking lot to the west is accessed from Olympic drive that intersects the Frontage Road along the west side of the facility.

Olympic Drive is a short local street that connects several properties to Clinton Parkway. The existing street is constructed a length of 175'. Additional right-of-way extends north along the west property line of the property at 5200 Clinton Parkway and provides unimproved access to the City's property to the north, designated as a future park. Only one-half of the street right-of-way exists at this time. The City does not intend, at this time, to pursue acquisition of the additional west half of the right-of-way. The west half of the Olympic Drive, extended, would be located within the overflow spillway of the lake.



As plans for the future park are developed access options will be considered. The existing half right-of-way may or may not be used in the future for access to the park property. There are no proposed changes to site access.

USE SUMMARY /PARKING SUMMARY PER SECTION 20-902				
Use	Parking Requirement	Required Parking		
Active Recreation	1 space per 500 SF +	46,658 SF Interior space/500 =94 spaces		
	4 spaces per tennis Court	6 outdoor tennis courts @ 4 space per = 24 spaces		
Total		118 spaces required		
Provided		123 spaces provided		
Additional parking		96 spaces provided to the west		

This site includes 123 surface off-street parking spaces. Not included in this project but related to this site is a surface parking lot located on the west side of Olympic Drive that includes 96 off-street parking spaces. Adequate parking is provided for the proposed use.

B. Design Standards

Site Design:

The attached site plan shows the location of the existing improvements. As noted, no exterior changes are proposed with the exception of a remodel of the front entryway. The site design is an existing condition of the site.

Building Elevations:

There are no changes to the rear and sides of the existing building. The front entrance area is proposed to be remodeled. This project is not subject to design guidelines.

Pedestrian accessibility:

Existing pedestrian pathways are provided along the north side of Clinton Parkway Frontage Road and along the west side of Olympic Drive. Sidewalks were previously constructed through and a round the parking lot areas and provide reasonable connectivity between the public sidewalk along Clinton Parkway and the adjacent land use. No modifications are proposed with this application.

C. Landscaping and Screening

This application represents a change of use with minimal exterior changes to the site. It has been noted that many existing plants will require pest management strategies and/or chemical treatments to remain alive in the future. This will be an ongoing maintenance issue for the site. Staff recommends the applicant provide a revised landscape plan to include a species list for the replacement of trees (Ash and Scotch Pine) in the future. Additionally, since this property is located along a principal arterial street the applicant should develop a strategy to replant trees on the site along the public right-of-way.

Street Trees:

The Code requires street trees along public and private streets. Master Street Tree Plans were required when the property was final platted.

5200 Clinton Parkway: Yankee Tank Addition No. 2 was approved with a master street tree plan that required 10 trees along Olympic Drive and 9 trees along Pinewood Drive (Clinton Parkway Frontage Road). The proposed plan shows seven trees along the frontage road and no trees along Olympic Drive. Since Olympic Drive north of the frontage drive has not been constructed the corresponding street trees have not be installed. However, along the frontage road two additional street trees should be added per the approved Master Street Tree Plan for this lot.

5300 Clinton Parkway: Sport-2-Sport Addition was approved with a master street tree plan that requires 4 trees along Olympic Drive and 12 trees along Clinton Parkway. The site plan as proposed does not meet the required street tree standards. Staff recommends the plan be revised to provide the required trees along Clinton Parkway and Olympic Drive.

Figure 1: Required Street Trees

Bufferyard:

This design standard is generally applicable to the periphery of a development where different zoning districts abut. The property abuts the same zoning, RM12 to the east. A bufferyard is not required. A type 2 bufferyard would be applicable along the north property line for that portion of the property that abuts the GPI District. The portion of the property that abuts the Lake and the UR District to the west are assumed to have a Type 1 Buffyard. The property to the south, south of Clinton Parkway includes County A (Agricultural) and A-1 (Suburban-Home Residential) County Zoning Districts and City OS (Open Space), a City Zoning District. The property is separated from the south land uses by K-10 Highway. The west portion of the property is open space and part of the regulatory floodplain. No vegetation or buffer is proposed for this area. The outdoor tennis courts are separated from the adjacent multi-dwelling residential use, along the east property line by a retaining wall and fencing. Garages and an access drive further separate the residential use from the *Active Recreation* use on the residential side of the property line to the east.

The developed conditions of the site are not suitable for installation of additional bufferyards for the abutting property. The open space uses to the north and northwest provide a natural buffer between the existing development and the future park and existing lake that are adjacent to this property.

Interior and Perimeter Landscaping:

The plan shows two separate parking areas. The landscape summary and off-street parking summary are combined. The primary parking lot includes 123 spaces on the south and west sides of the building. The parking lot located west of Olympic Drive includes 96 off-street parking spaces. Off-street parking is typically required to be 25' setback from all right-of-way lines in residential districts. This site was not developed per that design standard. The off-street parking is generally located 10-15' setback from the Clinton Parkway Frontage Road and from Olympic Drive rights-of-way.

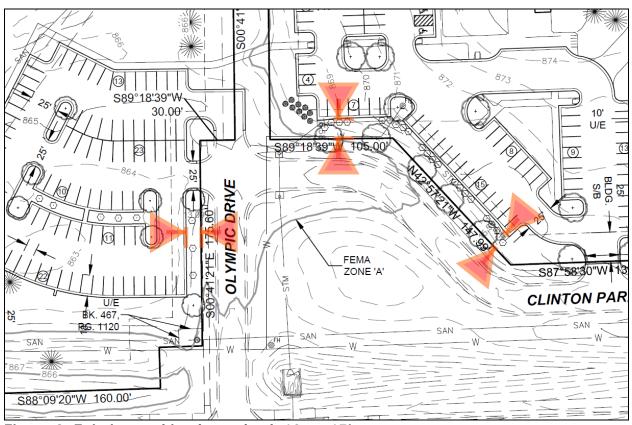


Figure 2: Existing parking lot setback 10' to 15'

No changes to the existing parking configuration are proposed. The site plan shows shrubs located along Clinton Parkway to screen the primary parking lot from the adjacent public street. The west parking lot does not include similar screening. Staff recommends that shrubs be added along the periphery of the parking lot to the west to provide additional parking lot screening.

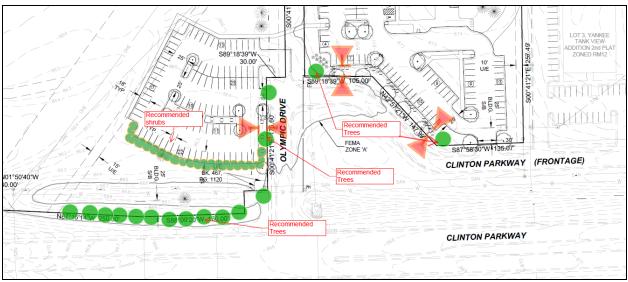


Figure 3: Recommended additional landscape

Alternative Compliance:

None is proposed with this request at this time.

Mechanical Equipment Screening:

The site plan does not indicate if any changes to mechanical equipment are proposed with this application. Mechanical equipment is required to be screened per section 20-1006 (b). Staff recommends a note be added to the face of the site plan stating that changes or addition to mechanical equipment shall be screened in accordance with section 20-1006 (b) of the Land Development Code.

D. Lighting

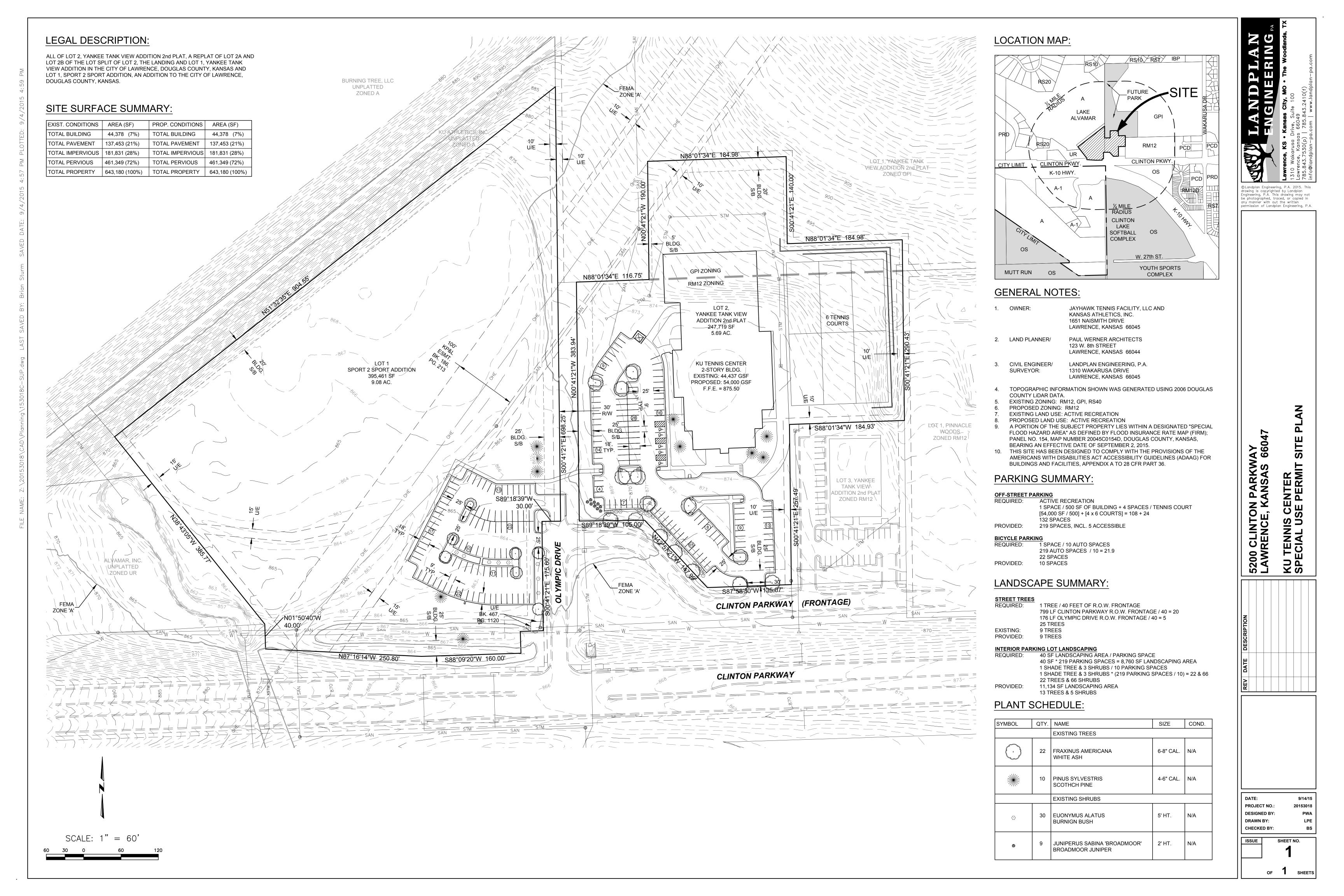
This application did not include a photometric plan. It is staff's understating that no changes to the parking lot lighting are proposed. Staff recommends a note be added to the face of the site plan that states that changes to the lighting shall require the submission and approval of a photometric plan per section 20-1103 of the Land Development Code prior to the submission of a building permit.

E. Floodplain

The development application is a Special Use Permit. There is no new development in the regulatory floodplain. A floodplain permit is not required. Floodplain on west side of property (west of Olympic Drive) is designated Zone A. Per code, BFE's will need to be determined before any development activity in the floodplain. Future development activity is not recommended for the area west of Olympic Drive.

CONCLUSION

Based on the findings in this report, and as conditioned, staff recommends approval of the proposed Special Use Permit.



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TENNIS CENTER RENOVATIONS

PROJECT # 215-570 AUGUST I, 2015

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LAWRENCE, KS

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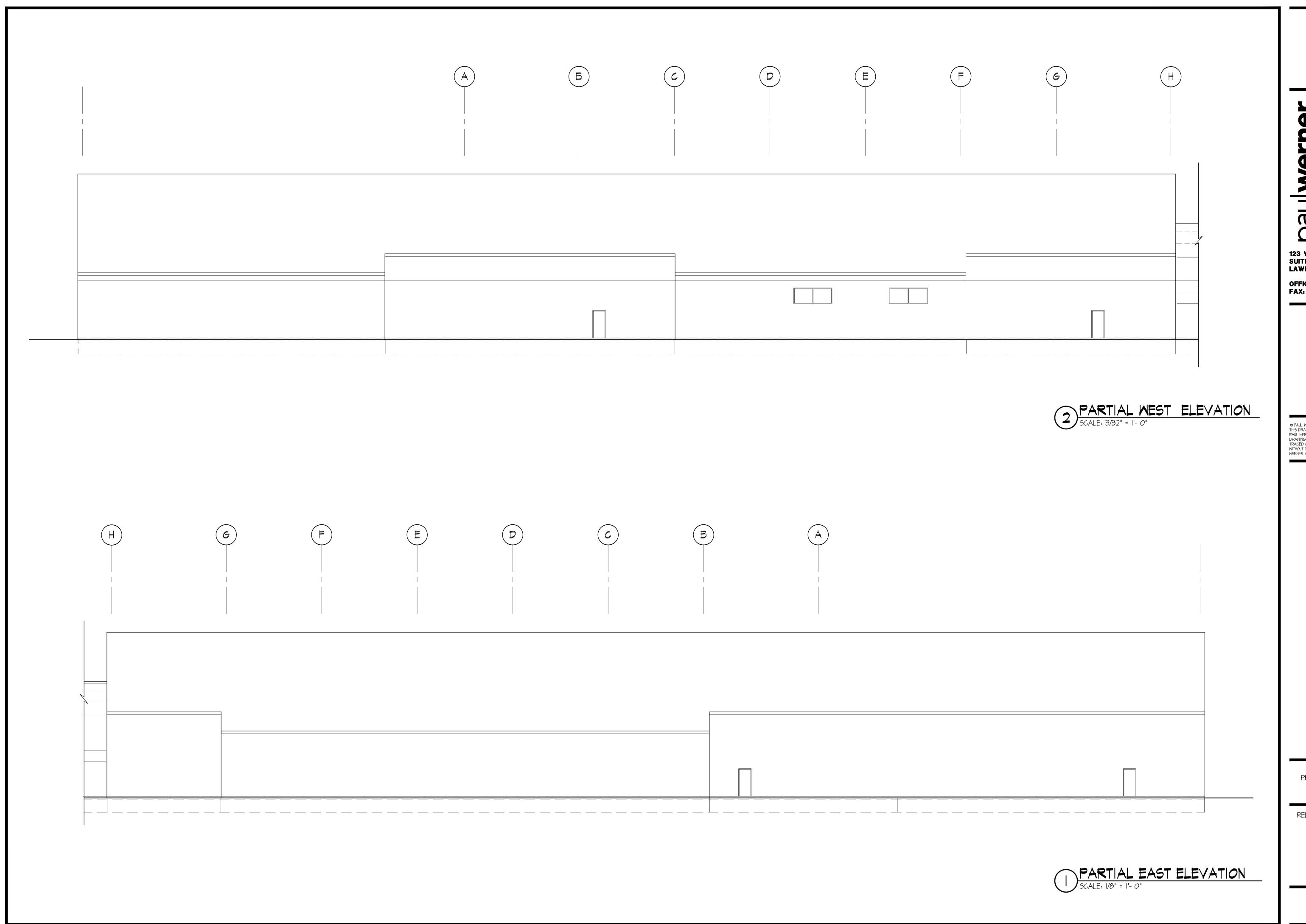
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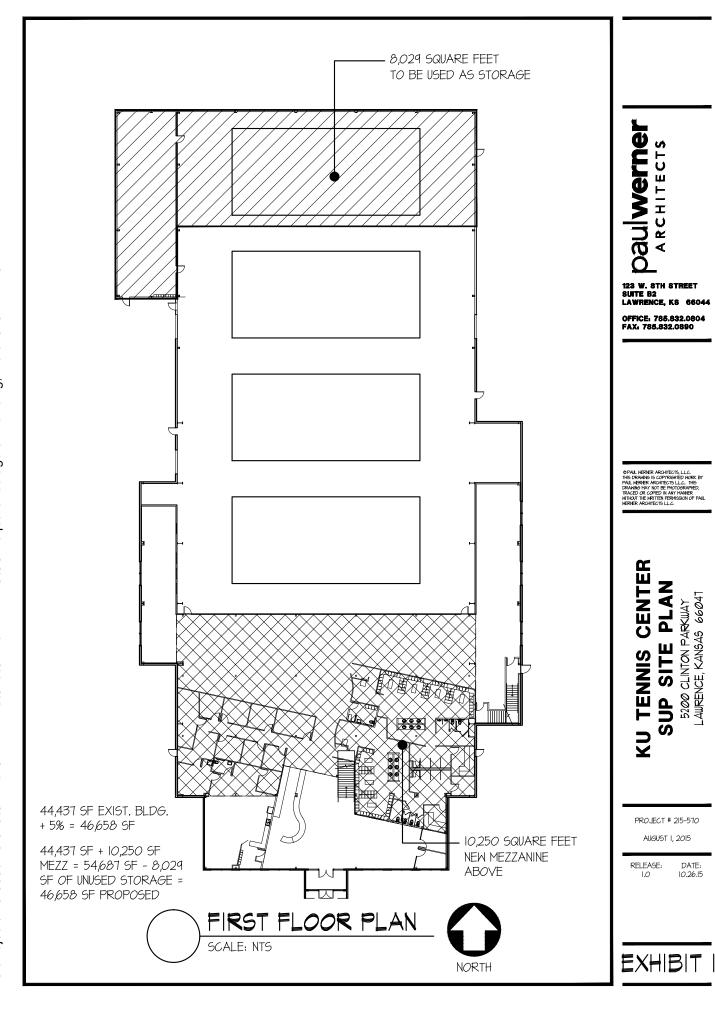
TENNIS CENTER

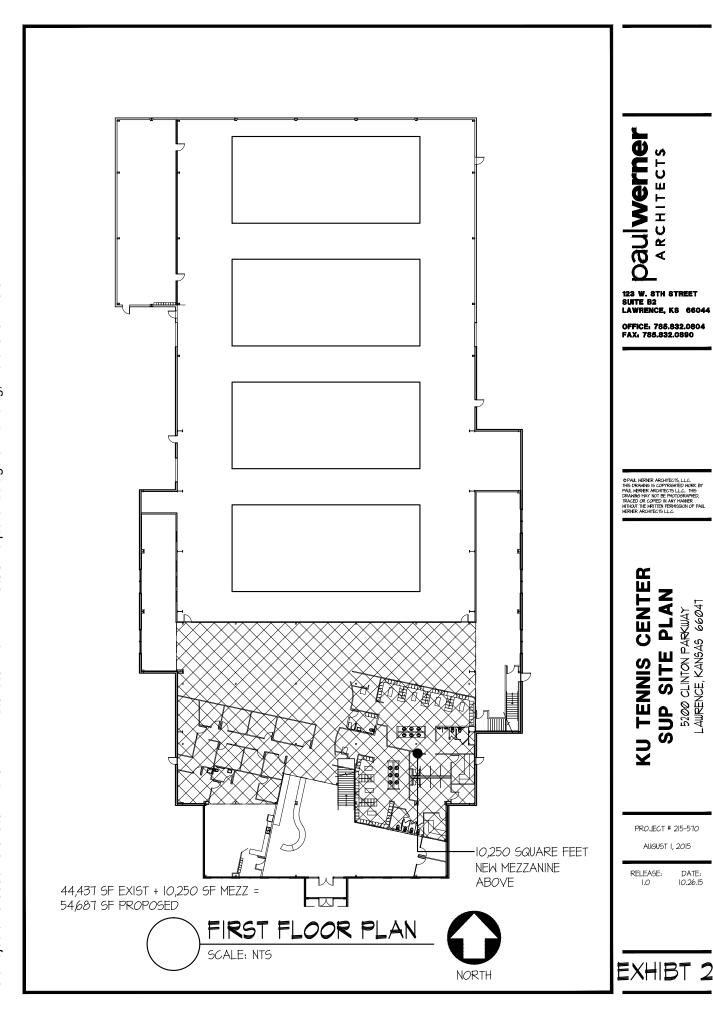
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RELEASE: DATE: 1.0 08.05.15 2.0 09.28.15

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ect/215-000\215-570\CAD & CAD PDF's\Architectural\A500-wall sections.dwg, 9/30/201

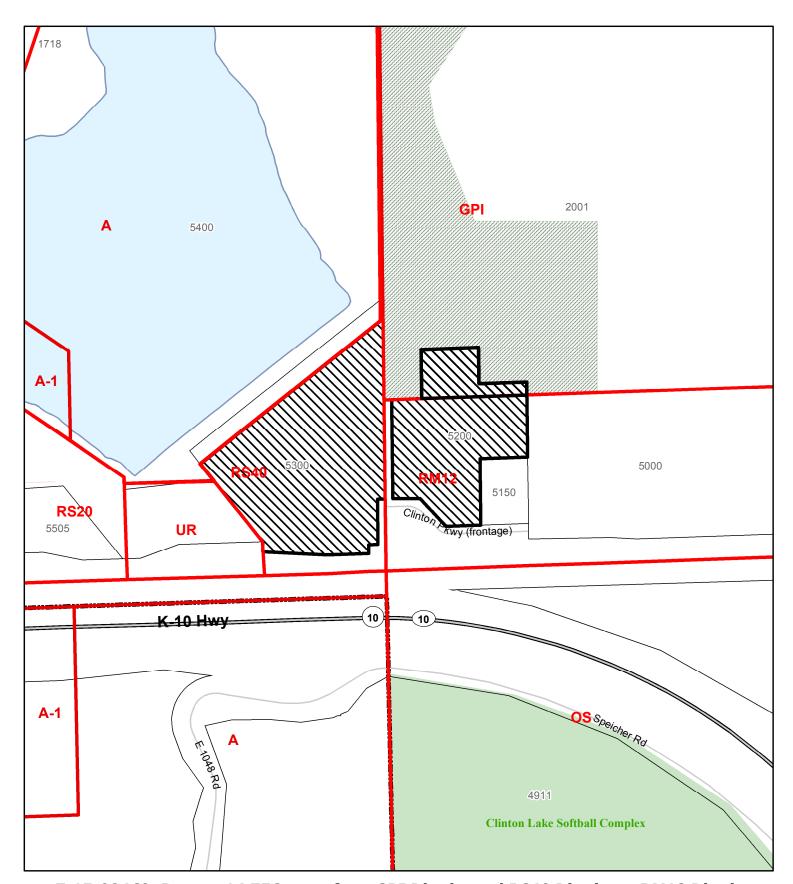




5200 CLINTON PARKWAY -AWRENCE, KANSAS 66041

DATE:

10.26.15



Z-15-00469: Rezone 14.756 acres from GPI District and RS40 District to RM12 District SUP-15-00468: Special Use Permit for an Active Recreation Use, an Indoor/Outdoor KU Tennis Facility Located at 5200 & 5300 Clinton Parkway



