City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Updated:
8/26/08 @ 4:30pm
Added attachments for Items 9-11 regarding SUP's for Lawrence High School, Centennial, & Free State High School

8/25/08 @ 1:00pm
Added communications for the following items:
Item 6 – CUP for Penny's Concrete
Item 7 – TA for Mixed Use District
Item 9 – SUP for Lawrence High School
Item 10 – SUP for Centennial
Item 11 – SUP for Free State High School
Added plan for Misc 1

8/22/08 @ 2:00pm
Added material for the following items:
Item 9 – SUP for Lawrence High School
Item 10 – SUP for Centennial
Item 11 – SUP for Free State High School
Updated Misc1 with revised Staff Memo & attachment

8/21/08 @ 3:00pm
Added draft June & July, 2008 Planning Commission minutes.

8/20/08 @ 11:00am
DEFERRED – Items 1A-1C, 4A-4B, 5, & 8
Materials for Item 9, 10, & 11 will be added when available.
June & July, 2008 draft Planning Commission minutes will be added when available.

LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS
AUGUST 25, 2008 6:30 - 10:30 PM
AUGUST 27, 2008 6:30 - 10:30 PM

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meetings of June 23 & 25, 2008, and July 21 & 23, 2008.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

COMMUNICATIONS

a) Receive written communications from the public.
b) Receive written communications from staff, Planning Commissioners, or other commissioners.
c) Disclosure of ex parte communications.
d) Declaration of abstentions from specific agenda items by commissioners.

REGULAR AGENDA (AUGUST 25, 2008) MEETING:
PUBLIC HEARING ITEMS:

~~****DEFERRED****~~

~~**ITEM NO. 1A RM-24 & UR TO CC-200; 44.259 ACRES; SE CORNER K-10 & O'CONNELL RD (SLD)**~~

~~**Z-06-13-08**: Consider a request to rezone a tract of land approximately 44.259 acres from RM-24 (Multi-Dwelling Residential) & UR (Urban Reserve) to CC-200 (Community Commercial) for Fairfield Farms East Addition No. 2. Submitted by Peridian Group Inc, for Eastside Acquisitions LLC, property owner of record.~~

~~****DEFERRED****~~

~~**ITEM NO. 1B RM-24 & UR TO IL; 14.784 ACRES; SE CORNER K-10 & O'CONNELL RD (SLD)**~~

~~**Z-06-14-08**: Consider a request to rezone a tract of land approximately 14.784 acres from RM-24 (Multi-Dwelling Residential) & UR (Urban Reserve) to IL (Limited Industrial) for Fairfield Farms East Addition No. 2. Submitted by Peridian Group Inc, for Eastside Acquisitions LLC, property owner of record.~~

NON-PUBLIC HEARING ITEM:

~~****DEFERRED****~~

~~**ITEM NO. 1C PRELIMINARY PLAT FOR FAIRFIELD FARMS EAST ADDITION NO. 2; SE CORNER K-10 & O'CONNELL RD (SLD)**~~

~~**PP-06-07-08**: Preliminary Plat for Fairfield Farms East Addition No. 2 located on the SE corner of K-10 & O'Connell Road. Submitted by Peridian Group Inc, for Eastside Acquisitions LLC, property owner of record.~~

RESUME PUBLIC HEARING:

ITEM NO. 2 VARIANCE FOR FIRST UNITED METHODIST CHURCH ADDITION; NEAR K-10 & HWY 40 (MKM)

Variance Request from Section 20-810 (a)(2)(i) which requires that Lots shall comply with all applicable zoning district regulations to permit the creation of a lot with less than the minimum required acreage 90% lot width.

ITEM NO. 3 AMENDMENTS TO SUBDIVISION REGULATIONS (MKM)

TA-06-12-08: Consider amendment to Section 20-810 of the Subdivision Regulations to clarify the natural resources and environmentally sensitive areas that are to be protected or preserved. Initiated by County Commission June 23, 2008.

****DEFERRED****

~~**ITEM NO. 4A RSO TO INCLUDE PD OVERLAY FOR CN-2; 3.324 ACRES; SW CORNER CLINTON PKWY & CROSSGATE DR (SLD)**~~

~~**Z-05-12B-08**: Consider a request to rezone a tract of land approximately 3.324 acres from RSO (Single-Dwelling Residential-Office) to include a PD overlay for the proposed CN-2 (Neighborhood Commercial Center), located on the SW corner of Clinton Pkwy and Crossgate Drive. Submitted by Mission River LLC, for Inverness Park Limited Partnership, property owner of record.~~

****DEFERRED****

~~**ITEM NO. 4B PRELIMINARY DEVELOPMENT PLAN FOR WALGREENS; SW CORNER CLINTON PKWY & CROSSGATE DR (SLD)**~~

~~**PDP-05-04-08**: Preliminary Development Plan for Walgreens, located on the SW corner of Clinton Pkwy and Crossgate Drive. Submitted by Mission River LLC, for Inverness Park Limited Partnership, property owner of record.~~

****DEFERRED****

~~**ITEM NO. 5 UR TO CO; 4.55 ACRES AT 6TH ST & STONERIDGE AND 2.68 ACRES AT 6TH ST & QUEENS RD (MKM)**~~

~~**Z-05-11-08**: Consider a request to rezone a tract of land approximately 4.55 acres located at the NE corner of 6th St & Stoneridge and a tract of land approximately 2.68 acres located at the NW corner of 6th St & Queens Rd from UR (Urban Reserve) to CO (Office Commercial). Submitted by Landplan Engineering, for Pear Tree Village L.P., property owner of record.~~

MISCELLANEOUS NEW OR OLD BUSINESS

MISC NO. 1 EXTENSION REQUEST FOR FINAL DEVELOPMENT PLAN FOR MIRACON PLAZA; NE CORNER OF WAKARUSA DR & CLINTON PKWY (SLD)

FDP-01-02-07: Consider a 6 month extension for the Final Development Plan for Miracon Plaza, located on the NE corner of Wakarusa Drive & Clinton Parkway.

Consideration of any other business to come before the Commission.

Recess until 6:30 P.M. on August 27, 2008.

BEGIN PUBLIC HEARING (AUGUST 27, 2008):

COMMUNICATIONS

a) Receive written communications from staff, Planning Commissioners, or other commissioners.
b) Disclosure of ex parte communications.
c) Declaration of abstentions from specific agenda items by commissioners.

PUBLIC HEARING ITEMS:

Recess LDCMPC
Convene Joint Meeting with Eudora Planning Commission

ITEM NO. 6 CONDITIONAL USE PERMIT FOR PENNY'S CONCRETE; 1752 N 1500 ROAD (PGP)

CUP-06-04-08: Consider a Conditional Use Permit for Penny's Concrete, located at 1752 N 1500 Road. Submitted by Penny's Concrete, for Schaake Farms Inc and Larry C. Schaake, property owners of record. *Joint meeting with Eudora Planning Commission.*

Reconvene LDCMPC

ITEM NO. 7 AMENDMENTS TO DEVELOPMENT CODE (JCR)

TA-07-14-08: Consider an amendment to Section 20-525 and Section 20-526 of the Development Code to specify use standards for general retail sales and retail establishments in the MU (Mixed Use) District. (Initiated by Planning Commission on 7/21/08)

****DEFERRED****
~~**ITEM NO. 8 RMG TO MU; .483 ACRES; 1420 CRESCENT ROAD (JCR)**~~

~~**Z-05-10-08**: Consider a request to rezone a tract of land approximately .483 acres from RMG (Multi-Dwelling Residential-Greek Housing) to MU (Mixed Use), located at 1420 Crescent Road. Submitted by Barber Emerson, for Jayhawk Bookstore, William P. Muggy, property owner of record.~~

ITEM NO. 9 SPECIAL USE PERMIT FOR LAWRENCE HIGH SCHOOL; 1901 LOUISIANA ST (PGP)

SUP-07-04-08: Consider a Special Use Permit and Institutional Development Plan for Lawrence High School for the construction of additional parking and installation of bleachers/restrooms/concessions/lighting/sound systems to accommodate football/softball/soccer competition on-site at 1901 Louisiana Street. Submitted by Landplan Engineering, for City of Lawrence Public Schools USD 497, property owner of record.

ITEM NO. 10 SPECIAL USE PERMIT FOR CENTENNIAL/LAWRENCE VIRTUAL SCHOOL; 2145 LOUISIANA ST (PGP)

SUP-07-06-08: Consider a Special Use Permit and Institutional Development Plan for Centennial/Lawrence Virtual School for the construction of additional parking and installation of bleachers/restrooms/concessions/lighting system to accommodate baseball and tennis competition on-site at 2145 Louisiana Street. Submitted by Landplan Engineering, for City of Lawrence Public Schools USD 497, property owner of record.

ITEM NO. 11 SPECIAL USE PERMIT FOR FREE STATE HIGH SCHOOL; 4700 OVERLAND DR (PGP)

SUP-07-05-08: Consider a Special Use Permit and Institutional Development Plan for Free State High School for the construction of additional parking and installation of bleachers/restrooms/concessions/lighting/sound systems to accommodate football/softball/basketball/soccer/tennis competition on-site at 4700 Overland Dr. Submitted by Landplan Engineering, for City of Lawrence Public Schools USD 497, property owner of record.

Recess LDCMPC
Convene MPO

ITEM NO. 12 TRANSPORTATION IMPROVEMENT PROGRAM (RTG)

Receive and approve the FY 2008-2012 Transportation Improvement Program (TIP) – Amendment #1 and Program of Projects for the Lawrence Transit System: Approval of this TIP Amendment will include the addition of Job Access-Reverse Commute (JARC) funding for the Lawrence Transit System, addition of Transportation Enhancement (TE) funding for the Burroughs Creek Rail-Trail Project, deletions and revisions to Douglas County road improvement projects, approval of the Program of Projects (POP) for Lawrence Transit, addition of a map showing the locations of TIP projects, and various other revisions and corrections to the TIP text and tables. This TIP amendment can be viewed at http://www.lawrenceks.org/pds/

Recess MPO
Reconvene LDCMPC

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

PUBLIC COMMENT SECTION

CALENDAR

July						2008
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						2008
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						2008
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

PCCM Meeting: (7/9, 8/13, 9/10)
TAC Meeting: (Generally 1st Tuesday of each month, 1:30pm–2:30pm)
CPC Meeting: (Generally 1st & 3rd Wednesday of each month, 4:00pm)
RZC meeting: (Generally every 2 weeks on Thursdays, 3:30pm–5:00pm)

ADJOURN

City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

PLANNING COMMISSION MEETING
July 21 & 23, 2008
Meeting Minutes DRAFT

July 21, 2008 – 6:30 p.m.
Commissioners present: Blaser, Carter, Dominguez, Finkeldei, Harris, Hird, Moore, Rasmussen, and Singleton
Staff present: McCullough, Day, Leininger, J. Miller, Patterson, Rexwinkle, and Brown

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MINUTES

Receive and amend or approve the minutes from the Planning Commission meetings of June 23 & 25, 2008.

Minutes were not available to approve.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

Commissioner Moore said that TAC met and discussed the re-designation of the MPO and KDOT was looking at doing a corridor study between I-35 and Highway 59, along 56 Highway that runs through Baldwin and there would be opportunity for input. He also stated that the Industrial Committee met and discussed design guidelines.

Commissioner Rasmussen met with Mary Miller on sensitive lands language and gave her a number of comments.

COMMUNICATIONS

Mr. Scott McCullough reviewed new attachments/communications that were posted to the online Planning Commission agenda after the initial posting date.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:

Commissioner Blaser said he had a conversation regarding item 4.

- No Abstentions.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 1A FINAL DEVELOPMENT PLAN FOR BAUER FARM; 4700 W 6TH STREET (PGP)

FDP-05-07-08: Final Development Plan for First Phase of Bauer Farm, located at 4700 W 6th Street. Submitted by Landplan Engineering PA, for Free State Holdings Inc and Free State Group LLC, property owners of record.

ITEM NO. 1B FINAL PLAT FOR BAUER FARM; 4700 W 6TH STREET (PGP)

PF-05-04-08: Final Plat for Bauer Farm First Plat, located at 4700 W 6th Street. Submitted by Landplan Engineering PA, for Free State Holdings Inc and Free State Group LLC, property owners of record.

Commissioner Harris had questions and asked that items 1A and 1B be taken off the consent agenda.

Commissioner Harris asked what the difference was between the final and preliminary development plan.

Mr. Patterson said the only change on the first phase was the drive thru restaurant drive being flipped.

Commissioner Harris asked if the traffic pattern would change.

Mr. Patterson said that it would change the circulation somewhat but that the circulation still works.

ACTION TAKEN ON ITEM 1A
Motioned by Commissioner Moore, seconded by Commissioner Carter, to approve the Final Development Plan, subject to the following conditions:

1. Recordation at the Register of Deeds' Office of a Final Plat of Bauer Farm First Plat.
2. Recordation at the Register of Deeds' Office of all restrictions or covenants that will be applied to this phase of the development.
3. Provision of the following fees and executed documents:
    a. A Site Plan Performance Agreement.
    b. A copy of the document listing the site's restrictions and/or covenants.
    c. Recording fees made payable to the Douglas County Register of Deeds.
    d. Final Development Plan Mylar.

    Unanimously approved 9-0.

ACTION TAKEN ON ITEM 1B
Motioned by Commissioner Moore, seconded by Commissioner Blaser, to approve the Final Plat for Bauer Farm First Plat and forwarding it to the City Commission for acceptance of dedications of easements and right-of-ways, subject to the following conditions:

1. Provision of the following fees and recording documentation:
    a) A current copy of the paid property tax receipts.
    b) Recording fees made payable to the Douglas County Register of Deeds.
2. Submittal of a Temporary Utility Easement Agreement.
3. Pinning of the corners of the subdivision per Zoning Code Section 20-811(g)(8).
4. Payment to Public Works of street and traffic control sign fees per the approval of the City Traffic Engineer, prior to the submittal of the Final Plat Mylar to Planning for recording at the Register of Deeds Office.

Unanimously approved 9-0.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 2 CPA-2008-10 (DDW)

CPA-2008-10: Amend Horizon 2020 Chapter 6, Commercial Land Use, to include the SW corner of Clinton Pkwy and Crossgate Drive as a potential location for a new Neighborhood Commercial Center.

ITEM NO. 3A RSO TO CN-2; 3.324 ACRES; SW CORNER CLINTON PKWY & CROSSGATE DR (SLD)

Z-05-12A-08: Consider a request to rezone a tract of land approximately 3.324 acres from RSO (Single-Dwelling Residential-Office) to CN-2 (Neighborhood Commercial Center), located on the SW corner of Clinton Pkwy and Crossgate Drive. Submitted by Mission River LLC, for Inverness Park Limited Partnership, property owner of record.

ITEM NO. 3B RSO TO INCLUDE PD OVERLAY FOR CN-2; 3.324 ACRES; SW CORNER CLINTON PKWY & CROSSGATE DR (SLD)

Z-05-12B-08: Consider a request to rezone a tract of land approximately 3.324 acres from RSO (Single-Dwelling Residential-Office) to include a PD overlay for the proposed CN-2 (Neighborhood Commercial Center), located on the SW corner of Clinton Pkwy and Crossgate Drive. Submitted by Mission River LLC, for Inverness Park Limited Partnership, property owner of record.

ITEM NO. 3C PRELIMINARY DEVELOPMENT PLAN FOR WALGREENS; SW CORNER CLINTON PKWY & CROSSGATE DR (SLD)

PDP-05-04-08: Preliminary Development Plan for Walgreens, located on the SW corner of Clinton Pkwy and Crossgate Drive. Submitted by Mission River LLC, for Inverness Park Limited Partnership, property owner of record.

Mr. McCullough said that the applicant requested items 3B & 3C be deferred. If the rezoning for item 3A was approved then the Preliminary Development Plan would convert to an administrative site plan and could be approved with additional review.

ACTION TAKEN ON ITEMS 3B & 3C
Motioned by Commissioner Singleton, seconded by Commissioner Hird, to defer items 3B & 3C.

Unanimously carried 9-0.

STAFF PRESENTATION FOR ITEMS 2 & 3A
Mr. Dan Warner presented item 2. Items 2 & 3A were heard together.

Ms. Sandra Day presented item 3A.

APPLICANT PRESENTATION
Ms. Jane Eldredge, of Barber Emerson, gave the history of Walgreen locations in Lawrence. Ms. Eldredge stated that the proposed site had severe limitations. There is a 60' drainage easement on the west side of the property. On the north, south, and east side is a major arterial collector and another street. The proposed property is small and confined with stringent building locations. She said that it was not suitable for residential or office building because of the size being so small. It was suitable for the proposed use which they are requesting be a CN2 use. She said that at the time of the new Development Code adoption in July of 2006 the zoning district RSO permitted 'retail sales general' and

that remained a permitted use until June of 2007 when there was a 104 page amendment to the Land Development Code, that included the deletion of two uses in the RSO district. The two uses deleted were 'repair services' and 'retail sales general.' The property owner, Mr. Gary Conwell, entered into an agreement to purchase the land before the change in the zoning code so now he was trying to regain what he had contracted for at the time he had made the initial agreement. In reviewing the proposed findings of fact in the staff report there was a great deal of discussion with conformance to the Comprehensive Plan. She said that staff was careful to point out that in its opinion that the application did not conform to the land uses of the Comprehensive Plan. She felt that it conformed to the policies.

Mr. Anthony Golden, Swartz Design Architect, worked on several Walgreen stores and stated that the proposed one was unique because it was deigned to blend with the neighborhood. It will have covered walkways and a 15' wall trash enclosure, and all the elements are stone or brick.

Commissioner Harris asked about the size of the facility compared to the other Walgreen facilities in Lawrence.

Ms. Eldredge said the other two facilities have 13,000 gross square feet and the proposed project would have 15,000 gross square feet.

Commissioner Rasmussen asked about the relationship between the current property owner and the original developer.

Ms. Eldredge said it consists of some of the same original ownership group. The applicant includes Walgreens and HT Paul.

Commissioner Moore asked if a traffic study had been completed.

Ms. Eldredge said the traffic study was completed and submitted on May 19, 2008. Access was proposed onto Crossgate Drive. On June 16, 2008 an addendum to the study was submitted.

Mr. Leon Osburn, Kaw Valley Engineering, said the amended traffic study converted the entrance off of Crossgate to a right-in-only.

Commissioner Blaser asked if there were any other street changes necessary besides the right only turn. He also asked if a median was required.

Ms. Eldredge replied no.

Commissioner Dominguez asked if the applicant was correct in saying they should avoid strip development and that because of the geography or stormwater issues they would be allowed but that nobody else could do it behind them.

Mr. McCullough said that there are no entitlements today for stripping out sections of Clinton Parkway, west of Crossgate Drive. There is always the potential for the request but has little to do with the topography of the area. The site is a 3 acre site in an urban setting so there are no hindrances to developing the site or anything west of the drainage channel. There are some access issues, much like 6th Street where some developments have obtained access to 6th Street. There are currently no-access easements on the plat for the property. One of those would have to be lifted to gain access to Crossgate Drive. He said there are currently no entitlements to strip out Clinton Parkway west of the floodplain.

Commissioner Harris asked how the access would work.

Ms. Eldredge displayed a large map showing access.

Commissioner Rasmussen asked if the public only submitted four letters and one email for communications.

Mr. McCullough said that was correct.

Commissioner Carter asked about additional sites that staff mentioned in the staff presentation and asked staff to display on overhead. He also inquired about the history of the property and the property owner purchasing the land under a code that then changed. If the zoning changed from what his initial intent

Ms. Eldredge said the general retail services zoning went into effect July 2006, and Mr. Conwell negotiated and came to the agreement in May 2007, relying on the retail service being one of the uses and therefore the drugstore was appropriate. One month later the 104 page amendment to the Development Code was approved striking that use. She said the only thing for Mr. Conwell to do at this point is to seek a rezoning.

Ms. Day displayed other commercial sites in proximity to the subject property and stated that she looked specifically for properties that still had open pad sites.

Commissioner Carter asked staff about other uses for that site that would be more conducive to the neighborhood or area plan.

Ms. Day said the uses identified as being allowed in the RSO district include various residential uses and office uses such as banks, engineering firms, real estate offices, yoga center, school, day care facility, and medical offices.

Commissioner Harris inquired about determining the use of a location. She asked when retail use is allowed in a zoning district is it automatically allowed or do other factors need to be looked at.

Ms. Day said that if the base district allowed the use in the use table, than yes it was allowed. Then there needs to be compliance with development or site criteria, such as parking, building setbacks, landscaping, screening, etc. She said there were lots of conflicts in the Development Code which lead to the text amendments. There were a number of things that were carried over in the original use tables that should not have been. The RSO district was not designed for commercial uses and that was one of the text amendment changes.

Commissioner Singleton said that Ms. Eldredge stated in 1993 there were changes in the zoning so that the other Walgreens could be brought in and that those were residential areas initially. She inquired about the current Walgreen sites surrounded by commercial uses.

Ms. Eldredge said that both of the sites have some commercial uses and some residential surrounding them. Walgreens believes they are a residential pharmacy and they want to be in residential areas. She believed the surrounding commercial sites were in place before both Walgreens were built.

Commissioner Rasmussen asked if when the property was originally developed and the zoning was established as RO-1B, would the type of use been acceptable at the proposed site.

Ms. Day replied, no, and that in the RO-1B district there are even fewer uses allowed than in today's Development Code.

PUBLIC HEARING

Ms. Gayle Sigerdson, neighbor of the site, supported staffs recommendation of denial. She did not see a need for a Walgreens in the area and was concerned about the traffic increase.

Commissioner Rasmussen asked where she lived.

Ms. Sigerdson said she lives at the corner of 24th Street and Crossgate Drive.

APPLICANT CLOSING COMMENTS

Mr. Gary Conwell, general council for Mission River LLC, said he was anxious to build another Walgreens in Lawrence and that there is a need for a Walgreens at the proposed location. He said they looked at the site at the northeast corner of Clinton Parkway and Wakarusa and there were infill problems. He also said they are looking at other sites on 6th Street. The proposed site is a unique site with the drainage ditch and easement and some of the land is not usable.

COMMISSION DISCUSSION

Commissioner Carter said that it sounded like they were trying to amend Horizon 2020 for something that is a created need because it would be a quarter mile from other pharmacies. When development happens to the west of the property there may be enough demand to have such things as daycare or a karate studio, that might fit the neighborhood better. He said that there are spots for pharmacies all over town that comply and that it sounds like the proposed site was never intended to be a pharmacy. He said he was not compelled at this time to amend Horizon 2020.

Commissioner Hird asked if until the amendments in June of 2007 the Walgreens would have been allowed at the proposed site.

Mr. McCullough said that between July 2006 and June 2007 the Development Code permitted general retail sales in the RSO district.

Commissioner Finkeldei asked if Horizon 2020 did not have to be amended to approve the project.

Mr. McCullough said that was correct, Horizon 2020 is a guide plan and state statute does not require strict adherence to it. It was requested at staffs direction. He stated for the record, staff did not recommend the PD overlay because staff did not support the project. He said Commissioner Finkeldei was correct, they did not need to amend the plan to support the rezoning.

Commissioner Finkeldei said he felt this was a good way to proceed in cases where there would be a denial based on the Comprehensive Plan to give them the option to look at both.

Commissioner Carter thought that prior to the text amendment changes in June 2007 that the Code was more restrictive and there could not have been a pharmacy at this location.

Mr. McCullough said that the property was annexed into the city and the rezonings occurred in 1999, which rezoned the property to RO1B. The zoning would not have allowed the pharmacy. In July of 2006 zoning category RO1B transferred into zoning category RSO. After awhile it was discovered that there were incompatibilities which lead to the text amendment in June of 2007. He went on to say that for about a year the zoning district permitted retail uses.

Commissioner Carter asked if the current owner purchased the property during that time period intending to put a pharmacy on it.

Mr. McCullough said that per testimony, yes.

Commissioner Singleton asked about what would be behind the proposed project and if there would be an apartment complex with large parking lots.

Ms. Day said there was a proposed apartment complex which included roughly 2 ½ acres of open space so the density would be within the center portion of the project.

Commissioner Dominguez inquired about the cost of building the site and if there would be extra cost because of the location.

Mr. Golden said the typical Walgreens costs approximately $1.8 - $2.2 million to build. The proposed project would cost about $3.8 million. He said it was a substantial increase due to the site. The west side of the site goes down into the floodplain.

Commissioner Carter asked if the building would be mostly brick.

Mr. Golden said that was correct and that the $1.8 million dollar buildings are typically brick.

Commissioner Harris said this was a tricky decision for her because there was a year time period where the Code would have allowed the use at the location. She did not feel commercial development was appropriate for the area and was concerned about the traffic it would draw to the neighborhood. She said she would not vote in favor of the project.

Commissioner Rasmussen thanked the applicant for trying to propose something that looked nice and would be a beautiful addition to Lawrence. He stated he lives just south of the area and at the time when the Getto property was originally annexed into Lawrence people in the area did not want a store that would generate more traffic. He thought it was interesting that the Planning Commission received letters of support from neighbors who would not be affected by the traffic and the two people who wrote letters in opposition were near the site and would be affected by the traffic. He did not feel it was a good idea and said he would be voting against the plan.

Commissioner Blaser said that the plan did not seem to fit Horizon 2020 and that he would vote against the project.

Commissioner Hird said that if someone can take a piece of vacant land and turn it into something that is useful and aesthetically pleasing then they should move forward with it. He said the same services are available right down the road but the larger issue for him was that Clinton Parkway was an opportunity to do things right, where they have nodal plans and difficult to depart from that. He also stated that the land owner bought the property under the impression that they could build a pharmacy.

Commissioner Finkeldei said this is the second time they have addressed Horizon 2020's focus on nodal development. He said he was a big proponent of traditional neighborhood design and said that a more walkable and pedestrian friendly city could not be achieved if they continue to focus on nodal development in commercial centers. He supported having more walkable access to services and the proposed project would go in that direction.

Commissioner Hird had reservations about this being a walkable facility considering the drainage ditch. He said this was an isolated unique piece of real estate that has sat empty and useless for years.

Commissioner Harris felt that they needed to look at the bigger picture of what they intend for the area.

ACTION TAKEN ON ITEM 2

Motioned by Commissioner Harris, seconded by Commissioner Carter, to deny the comprehensive plan amendment to *Horizon 2020* to amend Chapter 6 to include the southwest corner of Crossgate Drive and Clinton Parkway as a potential location for a new Neighborhood Commercial Center and recommend forwarding the comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for denial.

> Motion failed 4-5, with Commissioners Blaser, Carter, Harris, and Rasmussen voting in favor. Commissioners Dominguez, Finkeldei, Hird, Moore, and Singleton voting in opposition.

Motioned by Commissioner Hird, seconded by Commissioner Moore, to approve CPA-2008-10 to amend Horizon 2020 to include the southwest corner of Crossgate Drive and Clinton Parkway as a potential location for a new Neighborhood Commercial Center in Chapter 6 Commercial Land Use, based on the applicants' response as set forth in the staff report on each of the proposed issues, and forward to the Lawrence City Commission and the Douglas County Board of County Commissioners.

> Motion carried 5-4, with Commissioners Dominguez, Finkeldei, Hird, Moore, and Singleton voting in favor. Commissioners Blaser, Carter, Harris, and Rasmussen voting in opposition.

Motioned by Commissioner Moore, seconded by Commissioner Hird, to authorize the Chair to sign the PC resolution 2008-07.

> Motion carried 5-4, with Commissioners Dominguez, Finkeldei, Hird, Moore, and Singleton voting in favor. Commissioners Blaser, Carter, Harris, and Rasmussen voted in opposition.

ACTION TAKEN ON ITEM 3A

Motioned by Commissioner Moore, seconded by Commissioner Dominguez, to approve rezoning a tract of land approximately 3.324 acres from RSO (Single-Dwelling Residential-Office) to CN-2 (Neighborhood Commercial Center), located on the SW corner of Clinton Pkwy and Crossgate Drive, based on the applicants' response dated July 21, 2008 included as an attachment to the staff report and restrict the use to the personal services category.

Commissioner Rasmussen asked if there was certainty that Walgreens would be built there and not a different commercial development instead.

Mr. McCullough said that it can be conditioned to a certain use. The applicant would voluntarily place a condition on the approved rezoning that would limit it to a neighborhood pharmacy use.

Ms. Eldredge said that was correct.

Mr. McCullough said that they would need to match up the request with the use category by the time it is heard by City Commission. In concept form that is what was volunteered by the applicant.

> Motion carried 5-4, with Commissioners Dominguez, Finkeldei, Hird, Moore, and Singleton voting in favor. Commissioners Blaser, Carter, Harris, and Rasmussen voted in opposition.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 4 AMENDMENTS TO CHAPTER 20, DEVELOPMENT CODE (JCR)

TA-04-03-08: Consider amendments to Chapter 20 of Lawrence City Code (Land Development Code) to define and permit various homeless facilities in certain zoning districts with use standards. Initiated by City Commission April 29, 2008.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

Commissioner Harris inquired about the white areas on the map he showed.

Mr. Rexwinkle listed the four zoning districts that the white areas included.

Commissioner Finkeldei inquired about social service agency being permitted.

Mr. Rexwinkle said he did not map the zoning districts that permit social service agency. The only uses he mapped were the day center and shelter uses.

Commissioner Finkeldei said they look like the same districts.

Mr. Rexwinkle said social service agency is permitted in the same residential districts as type B homeless shelters and homeless workplaces, and that was intentional because it might be in the day center.

Commissioner Finkeldei asked if staff has tried to map out social service agencies because he would hate to be creating non-conforming special service agencies that are already established.

Mr. Rexwinkle said that staff has not mapped out social service agencies but that it can be done.

Commissioner Harris asked why planned residential development or planned development of any kind was excluded.

Mr. Rexwinkle said it was because it was not a base zoning district. It could be rezoned to allow the use but the base zoning districts are listed in the use table, and PD overlay districts are not listed because they are not base districts.

Commissioner Harris what criteria would be used for Special Use Permits in residential areas.

Mr. Rexwinkle said that they do not distinguish between whether the area is predominately residential or commercial. For Special Use Permits for type B shelters the use standards are that the operator must make a presentation to the City Commission and update them on the status of the use at least every five years, and the Special Use Permit would be up for review at that time. That would be to determine compliance with the original conditions of approval and use standards. There would also be minimum requirements for restroom facilities and staffing. An indoor waiting area must be provided for guests one hour prior to opening if it is not co-located with a basement or transportation is not provided. All uses and activities conducted outdoors shall be shown on the site plan. Mr. Rexwinkle said that those are the basic use standards and there are also management plan requirements and design standards.

Commissioner Harris asked if a four-plex could be built in a single family neighborhood because type A shelter would allow up to four families.

Mr. Rexwinkle said that the type A shelter had to be an accessory to a religious institution or non profit or charitable organization, it could not be its own principle use on the property.

Commissioner Carter inquired about the minimum staffing requirement.

Mr. Rexwinkle said that the minimum staffing requirement is recommended out of concern was that if only one staff person member was present and an emergency were to occur or if the one staff member became ill then there would be an extra staff member present to watch over the guests. He stated there would be a minimum of two staff members and a ratio of one staff member per thirty guests.

Commissioner Carter asked if the ratio allowed two staff members supervising up to sixty people.

Mr. Rexwinkle said that was correct.

Commissioner Carter said that a facility in general could be understaffed based on the needs of the residents. Whoever is running the facility may have to adjust the staffing levels based on needs.

Commissioner Rasmussen had a question regarding draft design standards section 8 regarding littering and loitering. The last one says the effort through design to minimize loitering in the vicinity of the shelter through three things; careful site design, building design, and by providing site features for amenities on the property which attract guests to the property. He inquired what the third thing meant.

Mr. Rexwinkle said it should probably be more specific and state to attract guests to a certain area on the property. The point of that is to provide some sort of amenity outside that draws guests waiting for the center to open to one location on the property rather than all along the edges of the property.

Commissioner Harris asked about type A shelter needing to be an accessory to an institution, such as a church. She asked if it would need to be on the same property.

Mr. Rexwinkle replied, yes.

Commissioner Harris asked if a church could essentially build a four-plex on their property.

Mr. Rexwinkle said yes, but only in an RM zoning district and that in RS districts it could not technically be a four-plex, they could build four bedrooms, but not four dwelling units.

PUBLIC HEARING

Mr. Price Banks, said that Gwen Klingenberg was going to request a deferral and he was opposed to that. He said that if they were going to defer the item they should do it now instead of having all the public people speak and then have them all come back again.

Mr. McCullough said that staff does not recommend deferral. There is an active group known as Family Promise, which is one type of program helping homeless families, that have begun work to make that program work and they need zoning and text changes to allow them to proceed with providing some of the homeless services in the facility. If we had to defer the item we could separate the two types of shelters out.

Ms. Gwen Klingenberg, Lawrence Association of Neighborhoods, said that the staff report said there was only one public person who was involved. She said that since this would affect the whole community she would like the public to have more of an opportunity to look at all of the issues. She requested that the item be deferred.

Mr. Banks said that there is time for the Lawrence Association of Neighborhoods, and anyone else, to study the item between tonight and when it goes to City Commission.

The Commissioners agreed they should proceed with the item and hear public comment.

Mr. Joe Reitz, Family Promise of Lawrence, felt there was a need for assisting homeless families with children. A Homeless Day Center, Type A, would serve a maximum of 14 persons and serve only families with children. A Homeless Day Center, Type B, would be any homeless day center not meeting the definition of a Type A Homeless Day Center. Such a distinction would be consistent with the proposed distinctions between Type A and Type B Homeless Shelters. The Community Commission on Homelessness has clearly recognized the distinction between homeless families with children and other homeless persons and that their status and needs are different. An example of a Homeless Day Center, Type A, would be the model being employed by Family Promise, which plans to open in Lawrence in November. Family Promise is open only to homeless families with children. Nationwide, 80 percent of Family Promise guests are single mothers and their children; the remainder are two-parent families and the occasional single father with children. To provide a safe environment for the children, Family Promise uses a thorough and stringent screening program, including drug testing, and will not accept as clients those who abuse alcohol or other substances or who have a history of violence against persons. Finally, the size of the program is limited to no more than four families or 14 people. This number has been proven to be a manageable number for overnight sheltering provided by faith congregations and staffed by trained volunteers. It also provides a case load for the director that enables that director to work with each family every day to solve their problems and get them into permanent housing. The validity of this model is reflected in their success rate: The average family stays in the program 60 days; 70 percent graduate into permanent housing, another 10 percent into temporary housing. Family Promise further request that the proposed Residential District Use Table 20-402 be amended to allow for the distinctions between Type A and Type B Day Centers, and that a Type A Shelter be permitted across all categories provided that it obtains a Special Use Permit. First, a neighborhood is the ideal place for families with children to spend their days – quiet, safe, and surrounded by other families. Homeless children are simply, children, and do not need to be stigmatized by forcing them to spend their time in an industrial environment. Because of the screening process for admission and the limits on numbers, the Day Center poses little impact on the surrounding area. In the Family Promise model, guests are accountable to the full-time professional director for their behavior and can be immediately removed from the program for violating its rules. Further, traffic impact will be minimal: a fifteen passenger van transports the families to and from the Day Center once each day. The only other vehicles will be that of the director and one volunteer. The Center will open at 7am and close at 5pm. There will be no nighttime activities. The Family Promise model opening in Lawrence has broad support from the community. It has been endorsed by the chairs of the Community Commission on Homelessness, the Interfaith Initiative on Homelessness, and the two social workers from ECKAN and Bert Nash who work primarily with homeless families with children, Jeanette Collier and Valerie Miller-Coleman. So far fifteen faith congregations have signed on to support the program by providing shelter, food, and volunteers. Funds to operate the program have been obtained from private sources. Family Promise will not ask for nor expect financial support from the City of Lawrence. An owner has offered the use of her house for the Day Center. Family Promise has been contacting neighbors to assess their reaction to having the Center in their neighborhood and have not encountered any opposition. One of the neighbors is planning a community meeting at her home to explain the program and answer questions.

Commissioner Harris inquired about the house being separate from the church.

Mr. Reitz said the day center would not be on the same property as the church. The guests would spend the night at the church and then go to the offsite day center during the day.

Mr. Rexwinkle said the type A homeless shelter is an accessory to churches or non-profit centers. Guests would stay the night at the church and the day center is a separate location and that would require a Special Use Permit.

Commissioner Finkeldei clarified that the guests could stay overnight at the church, living in the neighborhood, but during the day they would be transported to a different location under this particular plan. This amendment would allow a four-plex to be built on a church property but that is not what Mr. Reitz is proposing.

Mr. McCullough said that was correct. Staff took the general notion of shelter and dissected it to get it at its various parts. A large shelter may need a Special Use Permit for the day center aspect, the workplace aspect, and the overnight sheltering aspect. Those are three separate uses per the Development Code as proposed. The Development Code allows overnight sheltering up to four families or fifteen people as an accessory use to a church or institution. That is not the day center, just the overnight center. The day center is a special use regardless of the zoning district or type of day center.

Commissioner Harris asked if the homeless shelter type A is a day center or night center. She also asked if it does have to be an accessory to a church.

Mr. McCullough said shelter type A is a night center and that it would be an accessory to a church. He said there can be two types of day centers and two types of night centers.

Commissioner Rasmussen asked if the type A homeless day center was not only affiliated with churches but with other institutions as well, and that those could be different entities.

Mr. McCullough said that was correct.

Commissioner Carter inquired about the proposed staffing levels.

Mr. Reitz said that they would have two staff members at the day center and two staff members at the night center.

Mr. Rexwinkle said the alternate language versus staff recommendations applies only to the type B overnight center and type B day center.

Mr. Price Banks, attorney for the Lawrence Community Shelter, Said the text amendment would help solve problems related to relocating the Lawrence Community Shelter. He said the shelter at 10th Street and Kentucky Street has inadequate space and the Salvation Army is changing the way they conduct their operations. The Lawrence Community Shelter employed a commercial realtor and found they were faced with an impossible task because homeless shelters are hardly permitted anywhere. He was concerned that the ordinance contained provisions that were unnecessary or may encumber operations. He felt it was unprecedented for a zoning regulation to mandate employment levels.

Commissioner Carter asked if Mr. Banks wanted it reworded to say ‘adequate’ staffing.

Mr. Banks said that it should be based on the management plan. He felt that if staffing levels were mandated that it would eliminate the opportunity for volunteers. He gave the example of teachers being the only staff member in a classroom and that schools are not mandated to have a certain number of staff in the classroom.

Commissioner Finkeldei said that staff alternate language says 'it shall be staffed in compliance with the staffing requirements in the approved management plan.' He asked if Mr. Banks was okay with that language.

Mr. Banks replied, yes.

Commissioner Rasmussen asked if the State required certain staffing requirements.

Mr. Banks said he was not sure.

Commissioner Harris inquired about crime. She wondered if it would help to divide people up to have different types of shelters in different parts of town.

Mr. Banks said he did not know and it was not his intent to address crime issues or to assume the homeless shelter would beget criminal activities.

Mr. Chris Burger, Downtown Lawrence Inc, felt there should not be an automatic right to have shelters in industrial areas. Homeless shelter type A includes accessory uses but those are accessory to any sort of non-profit or charitable organization, not just religious organizations. He felt this was not an issue about the services that they were offering, but rather the location.

Commissioner Harris asked Mr. Burger if his group talk about the appropriateness of homeless shelters in commercial areas.

Mr. Burger said they did not think it was beneficial for downtown.

Mr. Don Huggins, Board of Directors President for Lawrence Community Shelter, felt that they need to relocate in the best interest of everyone. He said that problems continue with the Shelter because of the number of people who visit the Lawrence Shelter. He said it was physically too small to serve all of those that visit and will continue to struggle when the Salvation Army implements their plan that focuses on families. The current location is not adequate as far as space and the Board of Directors initiated an effort to relocate to best serve the homeless community and the community at large.

Commissioner Singleton asked what the best fit would be.

Mr. Huggins said there are several committees to deal with the growing needs. He said they have a Programs Committee, a Building Committee, a Capital Campaign Committee, and a Public Relation Committee. Those committees work together to find the best location. He said that they would like to have choices for a location and have input from the community in picking a location that would best fit.

Mr. Loring Henderson, Director of Lawrence Community Shelter, said the need for the shelter to move is apparent and he agreed with Mr. Huggins' comments. He spoke about staffing levels and said staff did investigate 30+ cities, but he has been working with Bolder, CO as a model for policies and such. Bolder does not have a certain staffing requirement as long as it is adequate. He also talked about type A shelter having a maximum of four families, while type B says it will be any type that does not meet the definition of type A. He wanted to clarify that it did not mean that type B shelter would be five families.

Ms. Anne Bracher, board member of Lawrence Community Shelter, stated that a real estate agent has helped them find about twelve locations, most of which are in industrial zoned areas. She wanted qualifications such as security, egress as well as ingress. She said they have considered both existing structures and open lots and there are not a lot of spaces that would fit their needs.

Commissioner Singleton asked if the buildings she has found if they have come before Planning Commission.

Ms. Bracher said no, they have not had any specific sites come before Planning Commission. She said that they do not want to be tied down to one location if for some reason that location did not work out.

Commissioner Singleton asked if the text amendment was specifically written for Lawrence Community Shelter.

Mr. Rexwinkle said that the Community Shelter has worked with the Community Commission on Homelessness and the City Commission initiated this Text Amendment and that staff broadened the scope to include a variety of uses.

Commissioner Harris asked if Lawrence Community Shelter was interested in type B shelters.

Ms. Bracher said that was correct.

Mr. Michael Almon, spoke on behalf of Brook Creek Neighborhood Association and East Side Coalition, said there were good possibilities in the program and that staff has done a good job of researching the issue. He felt that staff did not do what City Commission asked staff to do. He felt that the text amendment went way beyond what was initially asked for. He said that it completely blindsided East Side Coalition and they were not prepared for the item. He said that there were all kinds of implementations and that there are four totally new uses. He felt that the neighbors should have been notified. He said that homeless shelter type A was totally new and does not comply with what the City Commission asked for. The community meals program does not comply with what the City Commission asked for. He said the text amendment was eight pages and if the Planning Commissioners were confused by it then the public would be too. He said this was a huge deal and he requested that the item be deferred so that all neighborhoods have a chance to look at it.

Mr. John Tahaw, said a bulk of the people served by the Shelter are Douglas County residents. He said that homelessness is a concern and he was surprised that Lawrence has not been an active player in helping to locate the ideal site for a shelter. He urged the Planning Commission to approve the text amendment so they could proceed with the process of finding a site.

Commissioner Carter asked if he was speaking about homeless shelter type B.

Mr. Tahaw said that was correct.

Ms. Debbie Nall, neighbor in favor of the homeless shelter from Family Promise. She said that they have had over 70 homeless people stay in her home. She said that the kids have to leave the shelter at 7am and wander the streets until school opens and then wander the streets after school from 3pm-9pm until the shelter opens up again. She asked that they not defer the item.

Mr. James Grouerholz, agreed there was still time for public comments before the item would be heard by City Commission. He said he was here on behalf of the east side of Lawrence and that all three east side neighborhoods are in talks of merging together. He thanked staff for broadened the scope of work that City Commission asked them to do. He discussed the concept of 'fair share.'

Ms. Eileen Scharts, board member of Lawrence Community Shelter, said timing was really important and the shelter needs more space.

COMMISSION DISUCUSSION
Commissioner Carter asked why the public is not given more advance notice.

Mr. McCullough said the agenda item was released on July 11th that it would be heard by Planning Commission but the staff report and information were recently formulated.

Mr. Rexwinkle said the Community Commission on Homelessness holds public meetings monthly and they discussed the issue.

Commissioner Harris inquired about the legal notice in the Journal World.

Mr. McCullough read the legal notice printed in the Journal World on June 29, 2008:

> '**TA-04-03-08**: Consider amendments to Chapter 20 of Lawrence City Code (Land Development Code) to define and permit various homeless facilities in certain zoning districts and permit homeless shelter uses by Special Use Permit with use standards in the IG (General Industrial) and IL (Limited Industrial) Districts. Initiated by City Commission April 29, 2008.'

Commissioner Rasmussen asked staff to compare the legal notice versus what City Commission asked.

Mr. McCullough said that City Commission did initiate a Text Amendment that was applicant driven to place the current terms 'transient and homeless shelters' as special uses in all industrial zoning districts.

Commissioner Finkeldei asked about being able to build, for example, a four-plex, permitted as an accessory to a principal use, subject to compliance with all other applicable local and state regulations, including the regulations of the Development Code. If there was a church in a single family residential area, a section of the Development Code would prevent a four-plex from being built in a single family residential area, correct.

Mr. Rexwinkle said, yes, it would be an accessory but the use itself would be a multi family use.

Commissioner Finkeldei said that while he was at the Planning conference recently they discussed the 'fair share' concept. He gave the example of Las Vegas only having one large day center and then dispersing guests throughout the city to smaller sites for the night.

Mr. McCullough said protections can be obtained through a Special Use Permit or the size of the facility. Based on its size it would have a lower impact to the neighborhood.

Commissioner Dominguez inquired about the safety of the overnight shelter type A. He gave the examples of drug use or violence.

Mr. McCullough said the type A shelter as an accessory use has no standards checked to allow guests into the facility, it is based strictly on the numbers and the fact that it is no more than four unrelated individuals but up to four families.

Commissioner Finkeldei asked if a church would have to get permission to get an accessory use.

Mr. McCullough said they would have to have the church constructed and go through any necessary building permits and any needed site plans. Planning would only get involved if the neighborhood filed a complaint, for example, saying twenty people were staying overnight. The church could then be found to be in violation of the Code.

Commissioner Singleton asked about the definition of family.

Mr. Rexwinkle said the definition of family was in article 17 of the Development Code.

Commissioner Singleton asked if the families would be families with children only. She was concerned about people over the age of 18 claiming to be family.

Mr. Rexwinkle said that families with children is the model that Family Promise is using. The City defines a family of one person living alone, two or more persons related by blood, marriage, or legal adoption, or in an RS zoning district a group of not more than three persons not related by blood or marriage living together as a single housekeeping unit, or in a zoning district other than RS a group of no more than four persons not related.

Commissioner Carter said it seemed like staff took the issue a step farther than what City Commission asked for.

Mr. McCullough said this was a tough community issue and the Lawrence Community Shelter folks were reaching out for advocates for this tough community issue. He went on to say that the Community Commission on Homelessness has been advocating for a master vision for a long time. Staff had the opportunity through the Text Amendment initiation to take a broader look and felt that a lot better job could be done with the homeless issue in Lawrence if they look at model codes, do some research, and look at the vision on homelessness and then try to let the Code support some of that. He understood this was new to the community but staff has been working on this for a while and feel that it is a good code that will help a lot of people in the community. It is not a specific Special Use Permit yet, that will come in due time, but in staffs opinion the accessory use structure for churches and institutions is not any more impactful than some of the other uses already in those residential districts. Staff would like to see this move forward because there is time between now and City Commission for others to review it and provide comments. City Commission certainly has the ability to change it, send it back to Planning Commission, or defer it.

Commissioner Dominguez said he serves on the Housing Board Authority and they are working with the homeless situation as well and have creating a database of people who volunteer their homes. He said the guests would be screened through various social services before they are actually entered into the database to get housing. He felt that if they go forward with the Text Amendment that they should take out the overnight in type A and move forward with type B.

Commissioner Harris said she could support limited approval but was not comfortable supporting type B shelters in commercial areas without more opportunity for public comment. She agreed that it was important to move forward with the issue but felt that more public comment was needed.

Commissioner Rasmussen felt that his role as a Planning Commissioner was to provide duty to City Commission and make sure they had adequate time to consider and reflect issues and provide good recommendations. He said they also have a duty to the community as a whole. He was concerned about moving forward too quickly and did not think they could separate the issues tonight and approve part of it and defer the rest. He did not feel that the community had enough time to comment on the issue and felt it was premature to move forward on the item.

Commissioner Moore agreed with Commissioner Rasmussen.

Mr. McCullough said that the City Manager and individual City Commissioners have been briefed throughout the process and he felt they are looking forward to seeing the Text Amendment that provides some framework for both types of shelters and day centers. He said the Commissioners he has talked to individually thought that the Family Promise model was a good model and serves certain needs of the community as does the Lawrence Community Shelter serves certain needs to the community. He said City Commission was aware of staff taking a comprehensive look and have not opposed that.

Commissioner Moore thanked the audience for coming up with solutions and suggestions.

Commissioner Hird felt it was commendable of staff to take charge and look at the broader issue than what City Commission requested. He felt that the neighbors should be given more notice.

Commissioner Finkeldei felt that by saying City Commission does not support going above and beyond what they ask was not true and he felt it was not a reason to delay the issue. He stated that the bylaws say that staff reports have to be out five days before the meeting. It would just delay items more to have fifteen day notice. He said he would strongly oppose that if a staff report does not come out more than five days in advance then the project should be deferred. He was sympathetic for Lawrence Community Shelter to get moving on the issue.

Commissioner Carter thought that there should be more public input on the issue for his own benefit of understanding.

Commissioner Moore agreed with Rasmussen's comment about splitting the item and did not feel it should be split.

Commissioner Dominguez asked staff how they felt about separating type A from type B shelter.

Mr. McCullough said that both types are important. There is concern because Family Promise is trying to start up and keep their coalition of churches together and move forward, and the Lawrence Community Shelter needs to get their Capital Campaign moving along as well.

Commissioner Harris asked how soon City Commission could approve the item if they chose to defer it to the August Planning Commission meeting.

Mr. McCullough said the soonest that the Text Amendment could be heard by City Commission would be mid-September if Planning Commission did not approve it until August.

Mr. Rexwinkle said a Special Use Permit could not be approved until after City Commission approves the Text Amendment so it would be approximately December before City Commission would be able to approve a Special Use Permit.

Commissioner Harris said she was not able to move forward on this issue and did not feel it was ready for City Commission. She felt there were still questions on the accessory dwelling type A and type B not being incorporated in the text.

Motioned by Commissioner Harris to defer Text Amendment TA-04-03-08 to the August Planning Commission meeting with direction to staff to add information about type A and type B Day Centers in the Development Code and notify the neighborhoods and commercial businesses.

Commissioner Finkeldei asked if Commissioner Harris wanted staff to do some sort of notice that they do not normally do. He was concerned about notifying all commercial businesses in Lawrence.

Mr. McCullough said that they can send notice to all of the registered neighborhood groups. He said that this item has already met the statutory requirement for notice.
Commissioner Harris felt that the public notice should be worded clearer so the community has a better understanding of what is going on.

Commissioner Singleton seconded the motion to defer the item.

Commissioner Finkeldei wanted to be clear on the motion to defer and add more notice. He said that they should not require notification to commercial businesses community wide. He recapped the motion to defer and give reasonable notification to neighbors, associations, and commercial businesses. Commissioner Finkeldei did not agree with deferring the item and felt it was ready to go forward.

Commissioner Rasmussen said he made suggestions about the design standard language about the loitering. He asked for clarification as to the definition of public institution, non-profit institution, charitable institution, and religious institution. He was concerned about any non-profit institution being able to qualify for this. He stated that not much language changes needed to be made, but that it can affect a large number of people in the community so he thought that maybe more notice should be required.

Commissioner Hird said he was ready to agree about inadequate notice to the neighborhoods but the notice did meet the statutory notice. His concern was that the legal notice may not have included the full extent of what the Text Amendment accomplishes. He said that if they require additional notice in this case because it impacts the public, then what are they saying about other issues that come before Planning Commission. Should they add on arbitrary additional notice requirements for other proposals? He felt that was a slippery slope. He said the Text Amendment was not perfect and there are things that could be fine tuned, but he was in favor of moving it forward.

Commissioner Carter said he would not vote to defer the item.

Commissioner Dominguez agreed with Commissioner Carter.

Commissioner Singleton said that if the is deferred she would like staff to look at homeless shelter type A and have the focus be on children.

Commissioner Blaser felt that the item should move forward.

Commissioner Finkeldei said that if they vote to move it forward that does not mean that certain issues cannot be looked at by City Commission.

> Motion failed 3-6, with Commissioners Harris, Singleton, and Rasmussen voting in favor of deferring the item.

Motioned by Commissioner Carter, seconded by Commissioner Moore, to approve the proposed amendments [TA-04-03-08 to define and permit various homeless facilities with use standards] to Chapter 20, Development Code to the City Commission, with the alternative language as presented in the staff report, clarify 20-542(8)viii per Commissioner Rasmussen's earlier comments, and to include the latest staff recommendation to incorporate the two distinct day centers.

Commissioner Finkeldei said his support of the alternative language on the management plan goes both ways. He thought that the approved management plan could require a staffing requirement that is much

greater than what is set forth in the minimum and it could require something less than that in the right circumstance. He said there are many different types of programs and he did not like minimums because people gravitate to the minimums. He felt they should leave the staffing requirement open and that it can be considered at the right time.

Commissioner Harris said that if the item moves forward she would like staff to clarify how many people can live in an accessory structure.

Motion carried 7-2, with Commissioners Harris and Singleton voting in opposition.

Motioned by Commissioner Moore, seconded by Commissioner Rasmussen, to hear Item 9 after Item 4.

Unanimously approved 9-0.

PC Minutes 7/21/08 **DRAFT**
ITEM NO. 9 CPA-2008-9 (MJL)

CPA-2008-9: Consider amending Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the K-10 & Farmer's Turnpike Plan.

STAFF PRESENTATION
Ms. Michelle Leininger presented the item.

Commissioner Rasmussen inquired about the transition areas being removed.

Ms. Leininger said that was the direction from the comments made at the last meeting.

Commissioner Harris thought the transition area was changed because the slope would be the transition. She asked about the rationale for taking out the transition area.

Ms. Leininger said that she did not recall that specifically. She said the reason for taking the transition area out was that there was quite a bit of discussion about whether it would benefit anybody.

Mr. McCullough said there were discussions about the Development Code required buffer yards serving community wide so the Commission as a whole felt like the current Code would suffice versus having a transition area. He said they talked about different types of ways to get transitioning.

Commissioner Finkeldei said that it did not mean there was no transition in those areas, it just meant there was no transition above what the Development Code says.

Ms. Leininger said that was correct, that there would be no extra ordinary transition and would still apply to what is in the Development Code.

Commissioner Harris said she stated at the last Planning Commission meeting that she did not think the plan reflected the vision of the neighbors. She did not see any of that reflected in the revised plan.

Ms. Leininger said that staff did not get a lot of direction out of public comments as to what to change. Specifically, there was talk about preservation of agricultural land, large buffer areas, and preservation of existing use. She said this was really a plan for urbanization for when the land becomes part of the city. Those are all things that if property owners want to preserve their agricultural land, this really is not the avenue to do that. This is for urbanization, and agricultural uses are not really a part of urban development.

Mr. McCullough said there was some commitment from the neighbors and community to provide additional comments that staff did not receive prior to establishing the staff report. Staff did not receive substantive comments from the neighbors that would lead staff in any clear direction, except for keep it agricultural, which is not what sector planning does.

Commissioner Harris said she remembered comments about having lower density residential and not as much industrial and those were more specific comments. She asked if staff was looking for neighbors to draw the lines differently on the map.

Mr. McCullough replied no. He stated that in the next few months the West of K-10 Plan will be heard at Planning Commission and staff has received many comments about how to address land use concepts, density issues, and take advantage of some of the infrastructure that is coming to the West of K-10

area. At this point staff is using Planning Commission as the filter to take any and all comments and filter out the important elements.

Commissioner Harris said she was not aware of that and thought it was staffs job to take comments from the public and present a plan to Planning Commission that balanced the needs of the land owners and the applicants with what the rest of the neighbors wanted for a sector plan

Mr. McCullough said that staff does that to the point of releasing it to Planning Commission and then Planning Commission becomes the filter. Staff waits to hear from the Planning Commission to see what they want changed in the plan. Staff has not obtained very many comments from the public. He said that a letter was received after the communication deadline, so the Planning Commissioners did not have a copy of that.

PUBLIC HEARING
Mr. Ron Schneider, spoke on behalf of Scenic Riverway Association, asked for a continuance. He felt this was a big issue and he did not think the item should be heard late at night.

Commissioner Finkeldei said that they could possibly move the Wednesday Planning Commission agenda. He polled the audience and they all agreed they were okay with coming back on Wednesday.

Commissioner Rasmussen stated he would not be present at the Wednesday Planning Commission meeting.

ACTION TAKEN
Motioned by Commissioner Moore, seconded by Commissioner Hird, to defer item 9 until Wednesday, July 23, 2008 Planning Commission meeting, and hear it after items 11 and 12 on the agenda.

Unanimously approved 9-0.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 5 AMENDMENTS TO CITY CODE & SUBDIVISION REGULATIONS (JCR)

TA-05-08-08: Consider amendments to Chapter 20, Article 8 of Lawrence City Code and Chapter XI of Douglas County Code (Subdivision Regulations) that define "Easement, Cross Access", clarify the process for creating such easements, and provide minimum construction standards for access drives within such easements. Initiated by County Commission April 14, 2008.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Hird, to approve the proposed amendments [TA-05-08-08 to Chapter 20, Article 8 of Lawrence City Code and Chapter XI of Douglas County Code (Subdivision Regulations)] to the Lawrence City Commission and the Douglas County Board of County Commissioners.

Unanimously approved 9-0.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 6 AMENDMENTS TO CITY CODE & SUBDIVISION REGULATIONS (JCR)

TA-05-09-08: Consider amendments to Chapter 20, Article 8 of Lawrence City Code and Chapter XI of Douglas County Code (Subdivision Regulations) that require the submittal of a certificate that all taxes or special assessments due and payable have been paid for properties included in Certificates of Survey requests. Initiated by County Commission April 14, 2008.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Carter, to approve the proposed amendments [TA-05-09-08 to Chapter 20, Article 8 of Lawrence City Code and Chapter XI of Douglas County Code (Subdivision Regulations)] to the Lawrence City Commission and the Douglas County Board of County Commissioners.

Unanimously approved 9-0.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 7 AMENDMENTS TO COUNTY ZONING REGULATIONS (JCR)

TA-05-06-08: Consider amendments to Article 19, County Zoning Regulations, to add a new use for 'value-added agricultural business.' Initiated by County Commission April 14, 2008.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Rasmussen asked why it was limited to just four full-time equivalent employees.

Mr. Rexwinkle said he could not answer that question because he did not draft that specific language.

Commissioner Hird said it was a type two business in the existing Code. He agreed it made no sense.

Commissioner Hird asked what the interplay was between the value-added agricultural business and agri-tourism.

Mr. Rexwinkle said a component of the agri-tourism use might be a value-added agricultural use by producing something on a property that draws people, but the standards probably would not go the full extent of what someone might want to do with agri-tourism.

Commissioner Hird said there were a lot of cases where a Conditional Use Permit was required, and that the people subject to that face the same problems getting financed that builders do. He said the same thing applies to people in the agricultural world and he wondered if there was a kind of zoning contemplated for value added or agri-tourism.

Mr. Rexwinkle said that Mary Miller or someone who has been working on the County Zoning re-write might be best suited to answer those types of questions.

Commissioner Finkeldei said on behalf the committee for County Zoning re-write that it is on the agenda Wednesday. He said they spent a lot of time narrowing the Conditional Use Permits down and allow a lot more permitted uses. He said they have been trying to get away from a complex Conditional Use Permit within the middle of the zoning code.

Commissioner Harris said the wording of the three examples was confusing and not entirely necessary. She wondered about instances where they would not want to have agri-cultural product changed to a chemical that may not be good for the environment.

Mr. McCullough said that Planning was shepherding the item through for the County Planning Officer, Linda Finger. He said that comments or questions could be taken to her.

The Commission had questions that could be best answered by Linda Finger, who was not present, so they decided to defer the item to Wednesday.

ACTION TAKEN

Motioned by Commissioner Hird, seconded by Commissioner Moore, to defer item 7 until the Wednesday, July 23, 2008 Planning Commission meeting.

Motion carried 9-0.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 8 AMENDMENTS TO COUNTY ZONING REGULATIONS (JCR)

TA-05-07-08: Consider amendments to Article 19, County Zoning Regulations, to correct formatting error by creating sections 19-2 and 19-3 (which currently don't exist) and by revising 19-1.06 to add compliance with all applicable state and federal laws to the application process. This amendment also includes an addition of the compliance issue to what the County Commission can consider in a review or revocation of a CUP under 19-3. Initiated by County Commission April 16, 2008.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

PUBLIC HEARING

No public comment.

Commissioner Rasmussen pointed out a typo.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Hird, to approve the proposed amendments [TA-05-07-08 to Chapter XI, Article 19 of Douglas County Code (Zoning Regulations)] with the typo correction, and forward to the Douglas County Board of County Commissioners.

Unanimously approved 9-0.

PC Minutes 7/21/08 **DRAFT**

ITEM NO. 10 RMG TO MU; .483 ACRES; 1420 CRESCENT RD (JCR)

Z-05-10-08: Consider a request to rezone a tract of land approximately .483 acres in area from RMG (Multi-Dwelling Residential-Greek Housing) to MU (Mixed Use), located at 1420 Crescent Road. Submitted by Jayhawk Bookstore, for William P. Muggy, property owner of record.

Item 10 was deferred prior to the meeting.

PC Minutes 7/21/08 **DRAFT**

MISCELLANEOUS NEW OR OLD BUSINESS

MISC NO. 1 KDOT FUNDING FOR RESURFACING ON 23RD ST

Receive information from Public Works regarding KDOT funding for a resurfacing project on 23rd Street.

Mr. McCullough said that this was just for their information and that any questions could be passed along to Public Works.

MISC NO. 2 INITIATE TA TO MU DISTRICT (JCR)

Receive memo from staff and initiate a text amendment to the Mixed Use District use standards.

Mr. Rexwinkle presented the item.

Commissioner Harris asked about the term retail and how retail was different than general retail.

Mr. Rexwinkle said there are a number of retail uses that are specific, such as personal convenience. There are also retail sales general, and three other types of uses that are related; specialty retail establishment, medium retail establishment, and large retail establishment. He said that there are many different types of uses and there are some inconsistencies, so the proposed language may change some of those uses to be consistent with the definitions. He said that that general retail is defined as any business involved in the sale, lease, or rent of new or used products to the general public.

Commissioner Harris asked if there was a size associated with general retail.

Mr. Rexwinkle said it is less than 65,000 gross square feet.

Commissioner Harris felt there should be a maximum size of general retail in certain zones.

ACTION TAKEN

Motion by Commissioner Harris, seconded by Commissioner Carter, to initiate a text amendment to allow staff to pursue amending the language of Section 20-525 as described.

Unanimously approved 9-0.

Consideration of any other business to come before the Commission.

Adjourn at 12:15pm Recess until 6:30 P.M. on July 23, 2008.

PC Minutes 7/23/08 **DRAFT**

Reconvene July 23, 2008 – 6:30 p.m.

Commissioners present: Blaser, Carter, Chaney, Dominguez, Finkeldei, Harris, Hird, Moore, and Singleton.
Staff present: McCullough, Leininger, J. Miller, M. Miller, and Brown

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BEGIN PUBLIC HEARING (JULY 23, 2008):

COMMUNICATIONS

- Mr. Scott McCullough stated there was one new communication and that the order of the agenda had been changed to accommodate items that had been deferred from the Monday Planning Commission meeting.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
  Commissioner Finkeldei received a phone call regarding item 9.
- No abstentions

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 11 CONDITIONAL USE PERMIT FOR PYRAMID PLACE EARLY EDUCATION CENTER; 2295 N 1300 ROAD (MKM)

CUP-05-03-08: Consider a Conditional Use Permit for Pyramid Place Early Education Center, located at 2295 N 1300 Road (near the intersection of N 1300 Road & E 2300 Road). Submitted by Family of Faith Fellowship, property owner of record. *This will be a joint meeting with Eudora Planning Commission.*

STAFF PRESENTATION
Ms. Mary Miller presented the item.

Two members of the Eudora Planning Commissioner were present in the audience but they did not have quorum to vote on the item.

APPLICANT PRESENTATION
Ms. Rachel Torkelson, Pyramid Place Early Education Center, explained how the daycare would work and their intentions for the center.

Commissioner Carter inquired about the maximum of 40 children and asked if she anticipated that.

Ms. Torkelson replied yes, they do anticipate that.

Commissioner Finkeldei asked if they had a license.

Ms. Torkelson said yes, they currently have their license but that the license for this location was pending due to the Conditional Use Permit.

Commissioner Hird asked if she was going to break ground on a new facility in the future.

Ms. Torkelson said yes, they are working with the Fritzel's who own the property next to the church.

Commissioner Moore inquired about the septic system.

Ms. Miller said that the applicant did a study and suggested installing water conserving toilets. The amount of water used at the site, even with the preschool, would be less than the church.

Commissioner Moore suggested having the Church provide the Health Department with monthly water usage records for the first year after the day care has been in use.

Commissioner Finkeldei asked if the Conditional Use Permit had a time frame.

Ms. Miller said it would have the same standard time frame of 5 year review and 10 year expiration.

Commissioner Harris asked if the facility expanded or a new facility was built would the applicant have to come back to Planning Commission for a new Conditional Use Permit.

Ms. Miller said that if the building was added on to it would be a change to the Site Plan. If the number of students changed or the program changed it would be a change to the Conditional Use Permit and that would come back to Planning Commission.

PUBLIC HEARING

No public comment.

Eudora Planning Commission did not have any questions or comments.

ACTION TAKEN
Motioned by Commissioner Harris, seconded by Commissioner Hird, to approve the Conditional Use Permit to permit the co-location of the Pyramid Pre-School with the Family of Faith Fellowship Church located at 2295 N 1300 Road and forward to the County Commission with a recommendation for approval, based upon the findings of fact presented in the body of the staff report, and subject to the following revised conditions:

1) Prior to commencing the use, two hard-surfaced ADA accessible parking spaces shall be provided as shown on the plan, at grade or with ramps.
2) Provision of a revised site plan with the following revised note added referencing the Health Department's conditional approval of the lateral system.
   "The Health Department agrees to the CUP use without adding more lateral trench at this time subject to the following conditions:
   A) A plumber shall provide a letter to the Health Department certifying that all 8 toilets within the facility have been changed from a 5 gallon flush to a 1.6 gallon flush per use.
   B) The Church shall provide the Health Department with monthly water usage records for the first year after the day care has been in use.
   C) The Health Department shall make periodic inspections of the existing lateral field to ensure that it is working properly.
   D) If the septic system fails to work property, the church and/or day care agree to either expand the lateral field or discontinue the day care use at the church"
3) The following language referencing the time limits of the Conditional Use Permit shall be added to the revised site plan as a note:
   "The permit will be administratively reviewed by the County in 5 years (Calendar Year 2013). The permit will expire at the end of 10 years (Calendar Year 2018), unless an application for renewal is approved by the local governing body."
4) Prior to commencing the use, a copy of the State KDHE license shall be provided to the Planning Office for the file.

Unanimously approved 9-0.

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 7 AMENDMENTS TO COUNTY ZONING REGULATIONS (JCR)

TA-05-06-08: Consider amendments to Article 19, County Zoning Regulations, to add a new use for 'value-added agricultural business.' Initiated by County Commission April 14, 2008.

STAFF PRESENTATION

Mr. Joe Rexwinkle was not present at the meeting. Mr. Scott McCullough recapped that the item was deferred from the Monday Planning Commission meeting so that Linda Finger could attend for questioning.

Commissioner Harris said the descriptions for what a value added business is seemed confusing and seemed to be geared more toward a business plan rather than how you would treat such a business in a zoning regulation. (she referred to page 19-11). She wanted more simple clear language.

Ms. Linda Finger said that they started with the USDA definitions. She put on the overhead projector her suggested word changes. She stated that if people are out growing products organically she does not want them to get caught up in this regulation. She wants to encourage niche farming in the county. She suggested changing the example to say 'such as production of products from raw agricultural materials' to be more succinctly what was intended. She does not want to discourage the production of raw materials and that they want to have some control over how those raw materials are then produced into something else and/or processed. She said that processing involves the changing of the material. She said that one individual they have talked to wants to take raw products such as hay or straw and compress and create compound little bricks and then would be marketable as a different product. The individual has not processed anything from them but has produced a more compact form of the original agricultural product. Ms. Finger thought if it was made more clear that it was the production of products from raw agricultural materials that that definition would work. She also stated that standard #2 was not meant to just capture agricultural structures, because there may be an accessory building on a property. There could be what was formerly a residential building or some other type of outbuilding that was not used for agricultural. If it is used for production it needs to be included, so the 'agricultural' adjective needs to be stricken. Regarding standard #7, since the County Commission sent this forward they have adopted by home rule resolution the administrative policy for what an agricultural use is. It is either 40 acres or the determination that the owner is in agricultural production through the provision of a schedule F, which is filed with their federal income tax, which shows they have invested more than $1,000 in farming. If the government believes they are agricultural than the County will believe that too, even if they do not have 40 acres. That is what the County recently adopted so they felt they should change the minimum site area to be consistent with the County's adopted policy for agriculture uses.

Mr. McCullough asked if this is an offshoot of something the State is trying to encourage.

Ms. Trudy Rice, County Extension Director, said the three definitions that Commissioner Harris referred to were taken from the USDA's website of how they have determined 'value-added.' Kansas State University has a value added center that is encouraging this type of value added to agricultural products to enhance the economic growth of the community as well as the economic status of the farmer. The Kansas Department of Commerce and Department of Agriculture are both actively encouraging value added through education and grants that are available to producers, organizations, and communities.

Commissioner Harris said that the second definition could possibly be taken out. She asked if there was a difference between the first definition and the second definition.

Ms. Rice said that the first definition was changing the physical state. She did not think it would make a difference to take out the second definition. USDA was trying to come at it in that it was selling a finished product rather than a commodity, which traditional agricultural has been commodity based, and this is more of a product based that is ready to be consumed by the consumer.

Commissioner Finkeldei said it was very unlikely someone would sell something that decreased the value of the commodity they were working with.

Ms. Rice said that an example of definition number two could be if someone decided to market birdseed and they produced two or three of the grains that went into the birdseed and purchased the fourth grain, that would be considered a production of a product that enhances its value. She went on to say her example could probably fall under the third definition and that definition two might not be necessary.

Commissioner Harris said getting to the point of using some of the products on the land, she thought as it is written that was not required. She said someone could actually bring all the natural resources from outside and manufacture them onsite and then ship them off. She wondered if that was what they really want.

Ms. Finger said yes, that is what the County Commission anticipated if it is an agricultural product they would not have to produce it onsite but could not claim it as an agricultural product simply because hay or straw was brought in that they did not farm on the property. That is precisely what the one property owner who has contacted Ms. Finger wants to do. She said that he has about 80 acres and is not farming it for hay or straw. The amount of product that he could create from his own 80 acres would be processed in less than a day and a half so it would not be worth the effort. You have to provide an area where others who have hay and straw that are within a reasonable marketing distance can bring it to be processed so it would still be an agricultural product.

Ms. Rice said that not all agricultural producers have their skill set in marketing or a finished product, that this really is an advantage to agricultural producers because they can still produce that product and market it for a higher resale value because someone else in the neighborhood or in the community is providing the marketing or value added service.

Commissioner Harris said some other ordinances say that there should be 50% of the product coming from the property. She said that if that is not what they are wanting, but are wanting to use the neighboring area, should it be worded to say a certain percentage should come from the county or surrounding area, so that manufacturing facilities are not created in the country.

Ms. Rice said that currently 'local food for local people' uses a 100 mile radius.

Commissioner Harris said it would make sense to have some language that refers to reasonably nearby in the county.

Ms. Finger said that was a reasonable consideration. She stated there was minimal discussion about that at the County Commission meeting, only to the extent that the County Zoning Administrator had raised the question of how to monitor where it comes from. She said that criteria can be placed that says it has to come from Douglas County but what if it was next to the Jefferson County line, why could they not cross the border. The County Commission felt that Planning Commission would be better to have the first shot at what that standard should be.

Ms. Rice said currently the 'local food for local people' use a 100 mile radius.

Ms. Finger said they would be fine with the 100 mile radius if they wanted to add it to one of the standards.

Commissioner Harris said that the section does not really describe the goals in encouraging these businesses in the county. It would be helpful in making judgment calls on something they would have goals to shoot for. There is no reference to disposal of sewage, using water, noxious discharge or odor, which she felt could be a factor.

Ms. Rice said definition four was the closest to that because it talks about air quality.

Commissioner Harris said those were only air quality issues, not liquid emissions, odor, sewage, water use, etc. and that there might be need to address those depending on the size of the business.

Ms. Finger said those issues could be looked at on an individual basis when the Commission evaluates the use. She asked if Commissioner Harris wanted to set standards today of no greater than so many gallons.

Commissioner Harris said she did not want to set standards today but she noticed in the Special Use Permit language that some of the Special Uses have a lot of conditions attached to them and some do not. It depends on the intensity that is expected, such as daycare versus quarry. She also expressed concern about the limit of five ton loads going in and out of the facility two times a day.

Ms. Finger said that Keith Browning, County Public Works Director/County Engineer, was present at the County Commission meeting when it was discussed. They felt that two trips were reasonable and would help limit the intensity of use because manufacturing production would have many more than two trucks coming in at any time. They moved the tonnage up from two to five and the trips from one to two. She said that the number of four employees was based on making it similar to the Home Occupation regulations for some equivalency.

Commissioner Hird asked if any thought was given to the seasonality of the workers.

Ms. Finger said it was full time equivalency that would allow seasonable employees to be increased, and that also corresponds with Home Occupation type 2.

Commissioner Finkeldei asked if there was a time rush on this or if it could be reworked and brought back to Planning Commission.

Ms. Finger said a time delay might affect one applicant because he might lose grant funding, but the County would like to get it right the first time.

Commissioner Carter said that getting it right the first time would delay it.

PUBLIC HEARING
No public comment.

COMMISSION DISCUSSION
Commissioner Moore asked what Commissioner Harris had in mind for the goals.

Commissioner Harris said she had the Michigan Agricultural Tourism Advisory Commission Local Zoning Guide book which had examples of goals. She read some examples from the book: *intense goals and purposes to promote and maintain local farming, to increase community benefits by having fresh local*

produce for sale, increase positive growing businesses that contribute to the general economic conditions.

Commissioner Finkeldei asked if the Zoning Regulations would need to be rearranged.

Ms. Miller said yes, it would need to be reworked.

Commissioner Harris wondered if the new comments could be incorporate in the new form.

Mr. McCullough said that it is doable and Commissioner Harris' comments could be incorporated.

Commissioner Hird was not extremely concerned about the definitional section because subparts 1, 2, & 3 were illustrative of the main concept. He was concerned however about the limitation of 4 full-time equivalent employees. He understood that it came from the type 2 Home Occupation licensing but felt that type 2 Home Occupation licensing was for less intense and smaller activities that take place inside a home and has its own set of limits on square footage and other requirements. The value added business can have the need for a significant number seasonal workers. It is a great way to encourage employment in the county but flexibility needs to be allowed to business owners. He also stated that 10,000 square feet for the buildings was very small.

Commissioner Singleton was concerned about environmental issues and felt that other environmental issues other than air quality should be addressed.

Commissioner Finkeldei asked if this is passed this would be the first step and then the applicant would have to submit a Conditional Use Permit, and then Planning Commission could condition the environmental factors.

Mr. McCullough said that was correct, they would be subject to the County Health Codes.

Commissioner Blaser felt they should get this started so that the one applicant so far could proceed.

Commissioner Carter asked if the 4 employee requirement was okay with the current applicant.

Ms. Finger said yes, it was okay for him, and he does understand that he will have to go through the Conditional Use Permit process.

Commissioner Harris said she would like the following words stricken from the paragraph:

> *A business that economically adds value to an agricultural product as a result of a change in the physical state of an agricultural commodity ~~that is not produced on the site~~, by manufacturing value-added products for end users instead of producing only raw commodities. Value-added products may include:*

Commissioner Finkeldei said the reason the words were there was because they do not want this to apply to a person who produces something onsite and does all the work themselves onsite, they would not have to have a Conditional Use Permit. If someone grew strawberries onsite and created jam in the basement this would not apply to them. He felt that they should clear up the language to say 'not produced entirely on site.'

Mr. McCullough said that maybe they could define agricultural product and agricultural commodity.

Ms. Finger said that it could be helpful to add definitions for agricultural product and agricultural commodity. It may complicate matters to say that it is not entirely produced onsite.

Commissioner Harris asked if the wording 'entirely produced onsite' could be added.

Ms. Finger said that might capture someone who may have any part of production.

Commissioner Moore asked if they were confusing raw commodity with the end product. He said that Commissioner Harris was saying if it is entirely produced onsite that is fine if the raw commodity comes from outside.

Commissioner Harris was also concerned that they are not setting up a business that brings its raw commodities totally from the outside to be manufactured into a product.

Ms. Finger said that a business does not have to produce any of the agricultural product onsite, but it has to be an agricultural product that is produced, it just may not be on the land where it is being changed into a commodity.

Ms. Rice gave the example of 'local food for local people', do individual marketing, so they can be a broker for the fruits and vegetables, a collection site for the fruits and vegetables, make jam onsite, and also work with restaurants or vendors to sell that food.

Commissioner Harris was still not comfortable with the language because there might be consequences.

ACTION TAKEN
Motioned by Commissioner Moore, seconded by Commissioner Blaser, to approve the proposed amendments [TA-05-06-08 to Chapter XI, Article 19 of Douglas County Code (Zoning Code)] with the following changes and forward to the Douglas County Board of County Commissioners.

35. *Value-added Agricultural Business.*

A business that economically adds value to an agricultural product as a result of a change in the physical state of an agricultural commodity that is not produced on the site, by manufacturing value-added products for end users instead of producing only raw commodities. Value-added products may include:

1. *A change in the physical state or form of the product (such as milling wheat into flour or making strawberries into jam).*
2. ~~*The production of a product in a manner that enhances its value, as demonstrated through a business plan (such as organically produced products).*~~
3. *The physical segregation of an agricultural commodity or product in a manner that results in the enhancement of the value of that commodity or product (such as an identity preserved marketing system).*

Agricultural value-added businesses shall meet each of the following location and development standards:

1. *Employees: A maximum of 4 full-time equivalent employees shall be allowed.*
2. *Buildings or Structures: The total square footage for all buildings used in the operation, production, and storage of materials shall not exceed 10,000 sq feet.* ~~*Existing agricultural*~~ *structures are required to be upgraded to meet commercial building code requirements if used for more than storage of raw agricultural materials.*

3. *Deliveries to/from the site: Commercial vehicles that exceed 5 tons in capacity shall be limited to two trips (to and from the site) per day.*
4. *Environmental considerations: No part of the production of the value-added product may result in dispersal of smoke or particulate matter emissions that exceeds federal EPA standards.*
5. *Equipment: All equipment used in the production of the value-added product shall be located wholly within a building or structure, or be screened from public rights-of-way and adjacent residential buildings. In either case, the associated noise, light and vibrations from the production operation shall not be perceptible at the site boundary/property lines.*
6. *Storage of products: Shall be enclosed within a building or structure so that it is not visible from the site boundary/property lines.*
7. *Minimum Site Area: A minimum site area ~~of 40 acres is required for the operation of all value-added agricultural businesses.~~* ***is consistent with the County adopted policy for agricultural uses.***
8. *Road Access and Frontage: The site must have direct access to a full maintenance public road, as defined in Chapter XI, Subdivision Regulations, Douglas County Code, and the site shall meet the minimum frontage requirements in accordance with the Access Management Regulations.*
9. *Signage: One sign, limited to no more than 6 square feet in area, shall be visible from a public road, identifying the business. The sign shall be located no closer than 10 feet from the road easement/right-of-way line. No other signs may be posted or erected on the property.*

Motion carried 8-1, with Commissioner Harris voting in opposition

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 12 CONDITIONAL USE PERMIT FOR LONE STAR LAKE BISON RANCH; 588 N 300 ROAD (MKM)

CUP-05-02-08: Consider a Conditional Use Permit for Lone Star Lake Bison Ranch, located at 588 N 300 Road (near the intersection of N 300 Road & E 600 Road), Overbrook. Submitted by Don & Terri Gibbs, property owners of record.

STAFF PRESENTATION
Ms. Mary Miller presented the item.

APPLICANT PRESENTATION
Ms. Terri Gibbs, property owner, said this was a way for them to promote the value of locally produced items.

PUBLIC HEARING
No public comments.

ACTION TAKEN

Motioned by Commissioner Carter, seconded by Commissioner Hird, to approve the Conditional Use Permit for Lone Star Lake Bison Ranch County Store located at 588 N 300 Road, Overbrook, KS and forwarding it to the County Commission with a recommendation for approval, based upon the findings of fact presented in the body of the staff report, and subject to the following conditions: (Condition No. 2 was deleted by the Planning Commission as the County Health Authority has provided Planning with a determination that additional septic system is not necessary for this use):

1) An ADA accessible parking space with signage and accessible ramp to the entrance will be provided by the property owner prior to the commencing of the use.
2) ~~If additional septic system capacity is deemed necessary by the Douglas County Health Department it will be provided by the property owner prior to the commencing of the use.~~
3) Provision of a revised site plan with the following changes:
   a. The title changed from 'Certificate of Survey' to 'Bison Ranch Country Store Site Plan'.
   b. Delineation of the area included within the CUP.
   c. The addition of the following notes:
      - The permit will be administratively reviewed by the County in 5 years (Calendar Year 2013).
      - The permit will expire at the end of 10 years (Calendar Year 2018), unless an application for renewal is approved by the local governing body.
      - Proposed use: operation of a country store/farmer's market.

Unanimously approved 9-0.

PC Minutes 7/23/08 **DRAFT**
ITEM NO. 9 CPA-2008-9 (MJL)

CPA-2008-9: Consider amending Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the K-10 & Farmer's Turnpike Plan.

STAFF PRESENTATION
Ms. Michelle Leininger presented the item.

Commissioner Dominguez asked when the process began.

Ms. Leininger said February 2008.

Commissioner Singleton inquired about the removal of buffer zones.

Ms. Leininger said the letters regarding buffer zones are referring to the transition areas and the transition areas were removed because of discussion from the June Planning Commission meeting.

Commissioner Harris said the letter received from the Department of Wildlife and Parks was regarding the impact to Clinton Lake State Park. She asked for staffs view on the letter.

Ms. Leininger said she had a hard time understanding what they meant in the letter. She thought it was regarding a small area that drains to the south as far as water sheds and they are concerned about drainage issues. She said a lot of those considerations are taken up at the time of development through stormwater regulations and stream buffer ordinances that the City Stormwater Engineer is currently working on.

Commissioner Finkeldei said he thought the letter from the Department of Wildlife and Parks referred mostly to the K-10 plan that abuts to Clinton Lake.

Commissioner Dominguez inquired about the discussion that took place by Planning Commission in June about buffer zones. He asked if the discussion was about the reduction of buffers.

Ms. Leininger said there were various discussions. It was noted that the transition area requirements as far as landscape buffering currently in the Development Code could take care of the buffering.

Commissioner Dominguez asked if the buffering could be put back in.

Ms. Leininger said the buffering could be put back in if the Commission wanted to.

Mr. McCullough said part of the discussion the Planning Commission had in June was about why staff proposed the concept of a transition zone in this area. There are policy statements in Horizon 2020 that talk about appropriate transitions for land use. Staff believed they addressed appropriate transitions moving east to west along Farmers Turnpike in terms of industrial employment, residential office, and different densities for residences. Staff discussed in June that because the concept for land use in this area attempts to address the need for a strong employment center at the intersection of state and federal highways, that when staff started backing north from Farmers Turnpike there were few things that were options to propose to make those transitions from the industrial employment center to the residential to the north. It could be done with intensity of uses by going from industrial to high density residential to low residential or with industrial to office to residential. Staff felt like residential was appropriate there but did not care for the abrupt change of industrial to low density residential. Staff

proposed the concept for a transition zone which meant at the minimum some extraordinary landscape buffering would be needed and that would be discussed at the time of development.

Commissioner Finkeldei said he remembered the discussion centering around not doubling the buffer requirement of the current Development Code. He was not against a transition area, but he was against the idea of doubling the buffer requirement that is already in the Development Code. He said that if the transition area is eliminated that does not mean there is no transition, it just means it is governed by the Code. He felt it was appropriate to include the transition area and include language the transition is important. He felt that how that is actually defined might require further discussion. He wondered if it was inappropriate to talk about something that was not going to be added.

Mr. McCullough said that if there is a transition area then staff would need direction as the plan is implemented and the opportunity to implement the definition. The Development Code does include its own standards for transitioning between industrial uses and different types of land uses. He felt there was opportunity here to do something on a clean slate that would allow the type of traditional transitional uses that are typically done with intensity of uses. Staff believes this was too abrupt of a change to let the Code cover it in terms of standards for the landscape areas.

Commissioner Blaser said that since they are writing the industrial design guidelines now, wouldn't it be better to put the language in that since it is really part of the industrial areas, rather than make it part of this.

Mr. McCullough said that it would be one implementation strategy if the governing bodies wanted to go in that direction it is good to have the support in a Planning document. He said that the Industrial Design Guidelines that are being worked on is a way to implement some of the strategies in the comprehensive plan.

Ms. Leininger said that the Industrial Design Guidelines would be used across all industrial development. The Comprehensive Plan Amendment being discussed would be used for a specific area needing specific description and specific additions.

Commissioner Harris asked if the Development Code talks about transitions but it does not actually set out a way to transition between heavy industry and low density residential and that is why staff thought the extra buffer might be needed.

Ms. Leininger said that the way the Code speaks to it is through bufferyards and it does speak to bufferyards between RS districts and Industrial districts. It speaks to all of the zoning districts.

Commissioner Hird asked if standards for the transition period have been drafted.

Ms. Leininger said there were policies that went along with the transitions and descriptions in the land use designations for the transition areas.

PUBLIC HEARING

Ms. Marie Willis, member of the Scenic Riverway Community Association, said that her neighbor Marguerite Ermeling encouraged her to attend the meeting tonight. She referenced a book titled *The Job of the Planning Commissioner* which said the 'goals are best set by public discussion and government should be open and accountable to the public in every step of the Planning process.' She wanted the property owners to share their ideas about the land.

Ms. Gwen Klingenberg, President of Lawrence Association of Neighborhoods, said a major portion of the land is already in the Northwest Plan and the Northwest Plan states that industrial land use is not recommended in this planned area. She referred the Growth Management chapter in Horizon 2020 which is service area 3 and most of the area is outside of area 4. She said that the plan does not address parks, Perry/Lecompton schools, pedestrian routes, and bike paths. She felt that they needed to slow down the process and really study the plan. She felt that IG was incompatible with residential areas.

Commissioner Finkeldei asked staff about service area 3 requirements.

Ms. Leininger said it does not really talk to the service areas because the service areas are out of date and those will be updated in the future facilities plan.

Ms. Lynne Ward, 922 N 1800 Road, has a cattle ranch and is concerned about buffering to protect the land, water, and cattle. She wants a safe area for her family. She asked that more time be spent on this sector plan.

Commissioner Dominguez asked how big her land is.

Ms. Ward said 90 acres.

Mr. Ron Schneider, attorney for Scenic Riverway Community Association, felt that this sector plan was moving too fast and felt that it should be more deliberate and comprehensive. He did not think that many members of the community were aware of the plan. He said that the proposed plan failed to thoroughly consider and evaluate the topographical factors, drainage, flooding, and other environmental factors which his clients consider essential. He said that transportation considerations appear to be limited or inconsequential. Transportation costs, alternatives to conventional vehicle access, rail, etc. appear to have received limited consideration. He felt that the relationship of industrial, commercial, and residential was extremely disturbing. Transitional and compatible use has apparently been rejected or disregarded in many areas. Transitional design concepts have been considered, but their true benefit and implementation requires further discussion. Industrial areas have been proposed with little or no distinction between 'levels' of industrial use. The majority of citizens in the community do not seek new industry which presents potential harm to the environment, neighbors, and its employees. The plan does not provide guidance or limitations on industrial use and activity. Presently the industrial designation would allow any and all heavy industry on a huge volume of land. The sector plan ignores the existing industrial zone, the Santa Fe Industrial Area, as the appropriate adjacent area to expand industrial activity. Horizon 2020 addresses the concept clearly in Chapters 5, 6, and 7. Contrary to Horizon 2020, the plan proposes a huge 'leapfrog' of industrial development. The proposed industrial area is placed in a remote western location and expands Eastward. Infrastructure development and costs do not appear to have received appropriate consideration. 'Leapfrog' development of industrial areas creates an unnecessary financial hardship to the City. Industrially driven infrastructure is closer to the Santa Fe Industrial Area and far less expensive at the current industrial area. This area will include some access locations which are recognized as "Gateways" to the cities of Lawrence and Lecompton. The sector plan appears to harm the true benefits of a "Gateway" impression, and prohibit and logical consideration for areas of future growth for preferred commercial or residential development. He went on to say that the problem of the plan is not only where it designates industrial and other commercial uses, but the consequences that it will exclude, diminish, and prevent consideration of more desirable alternatives for preferred growth and development nearby in the area. Among the most significant components of Horizon 2020 is the function and designation of urban growth areas. The proposed sector plan dramatically alters and enlarges the urban growth area in the northwest region. As late as December 2006, the community did not consider such changes appropriate. The only apparent change is the pending industrial development proposal which is driving this alteration. This proposed sector plan

includes vast areas of land located outside of the City's boundaries. He said the plan should not be recommended for approval in its current draft.

Mr. Dave Ross, President of the Scenic Riverway Community Association and Regional Manager for Pur-O-Zone, discussed his experience with Pur-O-Zone. He started in 1992 and the revenues at that time were 1.5 million dollars. This year he expects to exceed 11 million dollars. He said that their growth was due to identifying their competition and identifying what they do well. He showed on the overhead the New Century Air Center in Gardner. It has the advantage of owning and operating it's own water system and rail switching equipment. They have a fire station in the heart of the business park. He said the K-10 and Farmers Turnpike area does not have this same infrastructure in place. Those things are available at the eastern end of the sector plan. He said that he talked to Michelle Leininger on the phone and sent a letter with suggestions. Ron Willis also wrote a letter with suggestions.

Ms. Bonnie Johnson, she wondered how it went from a Comprehensive Plan that indicated this area should be rural for the foreseeable future to a full fledge plan for urban development. She also wondered what happened to the proposal in the Parks and Recreation open space plan that she and citizens worked on which called for the area to be a rural part of a large green belt surrounding Lawrence. She felt there was a better way than relegating the area to more of the same urban development. She presented on the overhead an 'alternative vision' of 'listening to the land' and 'listening to the people.' She presented on the overhead an alternative sector plan.

Commissioner Harris inquired about the ability of an area that has lower industrial area to generate tax revenue.

Ms. Johnson said that it certainly could but that she did not know how it compared to a higher intensity industrial use. Rural and agricultural are good for tax base because they do not have to use certain city resources.

Commissioner Dominguez asked about the downsides to Ms. Johnson's proposed plan.

Ms. Johnson said she only talked to a few property owners in the area and did not meet with neighbors or the general public.

Commissioner Dominguez asked what made the land not ready.

Ms. Johnson replied, infrastructure.

Ms. Marguerite Ermeling, said she was one of the instigators in the alternative sector plan. She would like some sort of negotiable starting point to work with. She felt there were other locations that could be used.

Mr. Paul Bohnmier, said that 60% of visitors to Lecompton use the Lecompton interchange. He gave the historic significance of Lecompton. He felt that the appearance of the Lecompton gateway was an important area for the city.

Ms. Sarina Farb, felt that people living in the area are not being listened to. She felt that the plan was being pushed too quickly. She wanted the residences to have input. She felt there were other sites in Lawrence for industrial.

Mr. Ron Willis, member of SRCA, felt that there were other properties that could be used and hoped that the plan could be worked on together.

Mr. Kurt von Achen, said that New Century Air Center in Gardner is private. He also stated that things have changed since the adoption of Horizon 2020 and it was not intended to be followed to the letter.

Ms. Beth Johnson, Chamber of Commerce, said she just worked on a project for a company that makes solar panels and was not able to offer them any locations. She said that she needs more large sites to bring companies to the community.

Commissioner Carter said that in a few letters from the public they suggested using the eastern end of the sector plan.

Ms. Johnson said that Westar Energy owns a large portion of that and they are not a willing land owner.

Ms. JoAnn Farb, felt that the public was not being listened to. She said that lots of people get up and talk and voice their opinion and that the Planning Commissioners just nod and maybe ask a few questions, but that when Beth Johnson gets up and talks the Commissioners make great eye contact, pay attention, and always ask her questions. She said that the area does not have infrastructure and the process needs to be longer to involve the community.

Ms. Jane Eldredge, Barber Emerson, supported the plan and staffs recommendation. She said it is a bold plan that looks far into the future. She stated that the plan is not developer driven. She said that she has made suggestions to the sector plan and is satisfied with the ones that have been changed. She stated that Planning staff has taken a beating over the plan and felt that they should be supported. She spoke about bufferyards.

Commissioner Dominguez asked if Ms. Eldredge felt that the residences cause a natural buffer.

Ms. Eldredge said that was correct.

Commissioner Dominguez asked what happens if the land owner sells off a part of the land.

Ms. Eldredge said that the Code already outlines bufferyard regulations.

Commissioner Dominguez felt that the Commission should ensure that buffering be provided to the neighbors.

Mr. Joe Farb, felt that the process was unreal and that the Planning Commissioners already has their mind made up. He felt like their concerns were not heard and that the plan was moving too fast. He would like the opportunity to work with the developer to come up with a good plan. He was concerned about infrastructure and where the money would come from to pay for it.

Ms. Betty Lichtwardt, stated that when the new Development Code was adopted there were two industrial districts combined into one general industrial district and that includes everything that you can imagine an industrial. She also suggested that the industrial areas should be developed with a PD overlay for the added protection for the residence.

Ms. Janette Funk, opposed the sector plan and felt there were other industrial areas in Lawrence that could be used. She suggested the Santa Fe area, Anaheim, and East Hills Business Park, and displayed on the overhead different areas of acreage. She felt that the Schwada project would cost Lawrence money in paying for the infrastructure.

COMMISSION DISCUSSION

Commissioner Carter asked Ms. Johnson about the information that Ms. Funk presented.

Ms. Johnson said that the information was on the chamber website and that people can call her as well.

Mr. McCullough said that it is a process and that this planning project did not start out in the best context and staff has gotten tonight the kind of feedback they have been looking for.

Commissioner Finkeldei inquired about a timeline.

Mr. McCullough said that staff has already been working on the plan for about 5 months and it would be another 3 months for it to go through the Board of County Commissioners and City Commission. He said that staff would like to remain on track to get a good plan in a reasonable timeframe

Commissioner Moore inquired about the work-live center that was shown on the proposed future land use map.

Mr. McCullough said that staff contemplated expanding the industrial area east but decided to keep it all by the interchange and transition east. There is a good deal of residential south of the highway.

Ms. Leininger said that another reason staff strayed away from making that area industrial is because there would be quite a distance either way to highway access.

Commissioner Dominguez asked when an industrial site plan is submitted how much leeway would staff have to say what the business does as far as transitions and bufferyards.

Ms. Leininger said that they would have to meet the bufferyard requirements.

Commissioner Carter felt that there was more specific feedback heard tonight and that he does not feel that the plan is being rushed even though the speakers have thought that.

Commissioner Singleton said this is the biggest sector plan that has come before this board. She felt that they needed to take the peoples concerns into account and there is no reason to vote on the item tonight. She suggested they invite the leaders of Perry/Lecompton and involve as many people as possible. She was concerned about the letter from the Clinton Parks & Recreation about potential runoff. She was also concerned about how to handle water and sewage needs in the area.

Commissioner Hird said that when Ms. Klingenberg spoke she raised a point about land near the South Lawrence Trafficway and he wondered if there was overlap.

Ms. Leininger replied yes and that it was done on purpose. Staff thought it was appropriate that the area be updated as part of this plan since the Northwest Area Plan is roughly 10 years old.

Commissioner Harris was encouraged by the meeting this evening. She said her idea of what a sector plan is and does comes from Horizon 2020. She felt that in the plan they were shown tonight by the public where thinking about the needs of the people and that they could all win something from it. She felt that staff should look more into the ideas presented.

Commissioner Finkeldei said that staff needs direction to move this plan forward. He said that he listens to all of the public speakers even if he does not agree with the ideas. He stated that the area around the Turnpike is at some point in the future a prime location for industrial land for the community. He said he

heard some ideas tonight that might work and he appreciated hearing those things tonight and could agree with some of the ideas. He felt it was important to leave the transition in the language. He did not support doubling the bufferyard. He thought there was misconception about a sector plan and infrastructure. He said that the plan does not zone the property and does not cause industrial to be built. The plan does not equal infrastructure. He discussed the need for significant industrial land and moving some of the industrial east is a possibility.

Commissioner Hird agreed with Commissioner Finkeldei. He was disturbed that public speakers say the Commission already has their minds made up. He said they do not have their minds up and they do listen to every speaker.

Commissioner Moore liked the idea of 'bookending' the industrial and felt they should look into the idea of buffering to the west, but not by way of bufferyards.

Commissioner Blaser wanted to move the plan forward. He said part of the problem in Lawrence was talking about things to death and dragging feet on items and not moving them forward. He cautioned about discussing other industrial sites due to size because industrial need larger sites.

Commissioner Dominguez said there is a place for everyone and they need to appreciate each other. He felt the Chamber of Commerce was going a good job.

Commissioner Harris liked the idea of having industrial at Santa Fe. She liked the innovative ideas of mixing industrial with agriculture.

Commissioner Singleton felt that they should preserve the view from I-70.

Commissioner Harris felt it was important to have a high quality gateway into Lecompton.

Commissioner Finkeldei felt that the plan needed to be moved forward. He felt it was important as a goal that large tracts of land are needed and he was okay with the idea of Prairie Stone with big tracts of land with buffering.

Mr. McCullough said that the concepts of when an area urbanizes is going toward higher densities.

Commissioner Finkeldei said he heard tonight that they can incorporate being able to use land and natural topography and make it more pleasing in that industrial area.

Mr. McCullough said they have seen some new concepts this evening that staff will have to try to operate under the existing codes.

Commissioner Carter felt that they should delay the project instead of starting all over.

Commissioner Harris disagreed. If there is another tool out there then it should be considered.

Commissioner Finkeldei agreed. He said he was hearing all the input and there are some additions to the commentary. He said that the overall industrial space could be expanded but that it should be done in a different way that allows for transitions.

Commissioner Dominguez asked about a timeframe for the plan to come back.

Mr. McCullough said that at the earliest the plan could come back in 3 months.

Commissioner Finkeldei asked that an update be provided at an upcoming mid-month meeting. He felt that instead of having it sent to a committee he would direct it back to staff to meet with the citizens.

ACTION TAKEN
Motioned by Commissioner Moore, seconded by Commissioner Blaser, to defer item and reschedule for the October 2008 Planning Commission.

Unanimously approved 9-0.

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 13 UR TO CO; 4.55 ACRES AT 6TH ST & STONERIDGE AND 2.68 ACRES AT 6TH ST & QUEENS RD (MKM)

Z-05-11-08: Consider a request to rezone a tract of land approximately 4.55 acres located at the NE corner of 6th St & Stoneridge and a tract of land approximately 2.68 acres located at the NW corner of 6th St & Queens Rd from UR (Urban Reserve) to CO (Office Commercial). Submitted by Landplan Engineering, for Pear Tree Village L.P., property owner of record.

Item 13 was deferred prior to the meeting.

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 14 COUNTY ZONING REGULATIONS (MKM)

Receive draft revised County Zoning Regulations and receive any public comment on proposed revisions. No action will be taken at this meeting. A public hearing will be scheduled at a future Planning Commission meeting.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

No public comments.

NO ACTION TAKEN

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 15 AMENDMENTS TO COUNTY ZONING REGULATIONS (MKM)

TA-06-13-08: Consider amendment to Article 18, County Zoning Regulations, to revise the minimum lot area requirements in the A District. Initiated by County Commission May 7, 2008.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

Commissioner Harris asked if the reduction in area would result in a change in the density permitted.

Ms. Miller said that the change would not result in an increase in density. When the County Commission initiated the text amendment they asked Staff to clarify if this would result in an increase in density. The land divisions would still be of the same minimum area and would require the same amount of road frontage so the density would not be affected. In the rural portions of the County, a parent parcel must be 20 acres and 2 or 3 RDPs can be created depending on the classification of the bounding roads. The arrangement of the RDPs would be changed, but not the total number of RDPs that are possible.

PUBLIC HEARING

No public comments.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Dominguez, to approve the proposed amendment [TA-06-13-08] to revise the table in Section 18 to reduce the minimum lot area requirements, and forward to the Board of County Commissioners.

Unanimously approved 9-0.

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 16A AMENDMENTS TO SUBDIVISION REGULATIONS (MKM)

TA-06-10-08: Consider amendment to Section 20-806(d)(1), Subdivision Regulations, to clarify the number of RDPs that may be created based on the classification of the bounding roads. Initiated by County Commission June 23, 2008.

ITEM NO. 16B AMENDMENTS TO SUBDIVISION REGULATIONS (MKM)

TA-12-26-07: Consider amendments to Section 20-806(b)(3) and 20-806(d), Subdivision Regulations, to clarify that a parent parcel may be divided to create 1 residential development parcel, and is not required to create 2 or 3 RDP's. Initiated by the Planning Commission November, 26 2007.

STAFF PRESENTATION

Ms. Mary Miller presented items 16A and 16 B together.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Carter asked how big an RDP could be.

Ms. Miller said that with the amendment, a RDP could be as large as the parent parcel. It could be as small as 3 acres with a public water supply and 5 acres with a private water supply.

Ms. Betty Lichtwardt, League of Women Voters, gave the general background as to the establishment of the size of RDP's in the subdivision regulations. Originally, they had wanted a minimum area of 20 acres per RDP, but the result of the Subdivision Regulations was that a property had to have a minimum area of 20 acres in order to be divided and the number of RDP's which could be created was limited to 2 or 3 per parent parcel.

ACTION TAKEN ON ITEM 16A

Motioned by Commissioner Harris, seconded by Commissioner Moore, to approve the proposed revisions [TA-12-26-07 and TA-06-10-08] to Sections 20-806(b)(3), 20-806(c)(1 and 2), and 20-806(d) of the Subdivision Regulations, and forward to the Board of County Commissioners and the City Commission.

Unanimously approved 9-0.

ACTION TAKEN ON ITEM 16B

Motioned by Commissioner Harris, seconded by Commissioner Moore, to approve the proposed revisions [TA-12-26-07 and TA-06-10-08] to Sections 20-806(b)(3), 20-806(c)(1 and 2), and 20-806(d) of the Subdivision Regulations, and forward to the Board of County Commissioners and the City Commission.

Unanimously approved 9-0.

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 17: **AMENDMENTS TO SUBDIVISION REGULATIONS (MKM)**

TA-06-11-08: Consider amendment to Section 20-804, 805 and 806 of the Subdivision Regulations to include requirement that RDPs must comply with the lot requirements in Article 18, County Zoning Regulations. Initiated by County Commission June 23, 2008.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

No public comments.

ACTION TAKEN

Motioned by Commissioner Moore, seconded by Commissioner Chaney, to approve the proposed amendment [TA-06-13-08] to require that RDPs comply with lot dimensional requirements in Article 18 of the County Zoning Regulations, and forward to the Lawrence City Commission and the Douglas County Board of County Commissioners.

Unanimously approved 9-0.

PC Minutes 7/23/08 **DRAFT**

ITEM NO. 18 AMENDMENTS TO DEVELOPMENT CODE (MKM)

TA-12-27-07: Consider amendments to Section 20-1101 and 20-1701, Lawrence City Land Development Code, relating to environmentally sensitive lands.

STAFF PRESENTATION

Ms. Mary Miller presented the item. Since the June Planning Commission meeting, Staff has received comments on the proposed text amendment language from various individuals. Stan Rasmussen, Planning Commissioner, met with Staff to discuss language which may be unclear. The amendment has been revised based on his suggestions to clarify language and to reformat the amendment so that standards and guidelines are clearly listed in a separate section and not distributed throughout the amendment. Frank Norman of Norman Ecological Consulting provided information on the native prairie remnants as well as other ecological issues. The text amendment has been revised to include the language and reformatting as a result of these discussions.

COMMISION DISCUSSION

Commissioner Dominguez asked for information on the revised standard for historical properties which includes those which are 'eligible' for listing. He asked how eligibility is determined.

Ms. Lynne Braddock Zollner, Historic Resources Administrator, stated that the State Historical Preservation Office has a database of properties that are eligible for listing and there is a set of criteria that must be met in order to be eligible for listing. Utilizing the database and the criteria, she would determine if the property was eligible for listing.

Commissioner Dominguez asked how long the determination would take.

Ms. Braddock Zollner responded that it takes a short time to make the determination, usually within one day.

PUBLIC HEARING

Ms. Betty Lichtwardt, League of Women Voters, said that several months ago the League was encouraged by Mary Miller examining the proposed revisions for loopholes. A key provision in the draft is the following excerpt (i) under the new Section 20-1109 which is a source of their concerns.

> (i) Ranking and Required Protection of Environmentally Sensitive Areas
> All protected areas together shall not be required to exceed 30% of gross land area unless critical sensitive areas exist.

She said that the term "gross land area" was not clear. It could be interpreted in two different ways: (1) the gross land area of the sensitive features or (2) the gross land area of an ownership tract. She was assuming that it means the ownership tract, but it should be made clear. Second, the amount of environmentally sensitive land required to be "protected" by the new draft they believe would be a major source of trouble. The arbitrary limit of "All protected areas together shall not be required to exceed 30% of the gross land area." they view as a major problem. She went on to say that the draft also states that 100% of "protected areas" must be preserved. However, except for the category of 40% slopes and stream corridors on USGS Quad maps this is not over and above the amount of land that would, under other laws be required to be preserved anyway. If 30% or more of a tract constituted all "protected areas" features, everything else that might exist on a tract would be lost regardless of what other features might be present. She said that the League has mentioned this several times in letters. Some sensitive features commonly exist in combination such as streams, wooded slopes, rocky outcroppings, and even prairie. In the case of a major stream existing on a tract coming up to or exceeding the 30% preservation allotment, the wooded slopes, rocky outcroppings, and prairie would be

sacrificed because they exceeded the 30% maximum required for preservation. She said that this did not make sense. In the near future, besides the other many environmental benefits, trees are going to be worth money in the form of carbon credits and they should be protected. She said that it would make more sense if there must be a limit on how much is protected, to add the 30% allotment over and above the mandatory protected areas when they also exist on a tract. She said that there are many other problems that by setting arbitrary allotments. The land itself should dictate what is to be preserved and not the size of an ownership tract. However, the most serious issue of this code that we see is its method of enforcement. Mitigation requires only replacement of what would have been required to be preserved. This is an invitation to destroy everything else before submitting a Sensitive Areas Site Plan with a challenge to the City to prove the damage. The enforcement would require taking the perpetrator to court. We suggested in previous communications on this code that the City extend the Development Permit requirement to all land in the City, not just in Floodplains where they now are required. She said that they have also asked that the City and County institute a program of Transferrable Development Rights or similar program to better preserve environmentally sensitive areas and agricultural lands.

ACTION TAKEN

Motioned by Commissioner Blaser, seconded by Commissioner Carter, to approve the proposed amendment [TA-12-27-07] to Section 20-1101 and 20-1701, Lawrence City Land Development Code, relating to environmentally sensitive lands, and forward to the Lawrence City Commission.

Motion carried 7-1-1, with Commissioner Singleton voting in opposition and Commissioner Harris abstaining.

PC Minutes 7/23/08 **DRAFT**

MISCELLANEOUS NEW OR OLD BUSINESS

Commissioner Harris was concerned about the process of minutes and wondered how the minutes could be done faster.

Commissioner Harris inquired about a GIS overlay for class 1 and class 2 soils.

Motioned by Commissioner Harris, seconded by Commissioner Carter, to approve adding a GIS overlay for class 1 and class 2 soils.

Unanimously approved 9-0.

Consideration of any other business to come before the Commission.

ADJOURN 12:00am

City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

PLANNING COMMISSION MEETING
June 23 & 25, 2008
Meeting Minutes DRAFT

June 23, 2008 – 6:30 p.m.
Commissioners present: Blaser, Chaney, Dominguez, Finkeldei, Harris, Hird, Moore, Rasmussen, and Singleton
Staff present: McCullough, Day, Girdler, M. Miller, and Brown

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Recognition of Planning Commissioners
Introduction of new Planning Commission members.

MINUTES
Receive and amend or approve the minutes from the Planning Commission meetings of May 19 & 21, 2008.

Commissioner Harris suggested a few changes on pages 22 & 23.

Motioned by Commissioner Moore, seconded by Commissioner Hird to approve the May 2008 Planning Commission minutes with the changes suggested by Commissioner Harris.

Motion carried 7-0-2 with Commissioners Rasmussen and Singleton abstaining.

COMMITTEE REPORTS
Commissioner Moore said TAC met and he was elected chair. They discussed bike route changes and also discussed the redesignation of the MPO and new public participation plan.

COMMUNICATIONS
Mr. Scott McCullough reviewed new attachments/communications that were posted to the online Planning Commission agenda after the initial posting date.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST
- No ex parte.
- No abstentions.

ELECTION OF OFFICERS FOR 2008-2009
Accept nominations for and elect Chair and Vice-Chair for the coming year.

Motioned by Commissioner Moore, seconded by Commissioner Harris, to nominate Commissioner Finkeldei as Chair.

Unanimously approved 9-0.

Motioned by Commissioner Hird, seconded by Commissioner Chaney, to nominate Commissioner Moore as Vice-Chair.

Unanimously approved 9-0.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 1 FINAL DEVELOPMENT PLAN FOR THE GROVE; 4301 W 24TH PLACE (SLD)

FDP-04-06-08: Final Development Plan for The Grove, located at 4301 W 24th Place. Submitted by Peridian Group, for Campus Crest, property owner of record.

Commissioner Harris inquired about a letter from a resident who requested fencing to screen out trash and noise.

Ms. Day said it would be above and beyond what was required through the various public hearings. There is fencing and controlled access to the backside of the property. There is vegetation and the park area with future pedestrian paths. If that is a condition that the Commission wants to pursue they can.

Commissioner Moore asked if there was anyone from the public at the meeting to speak about this consent agenda item. There were none.

Commissioner Blaser inquired about a bus shelter on the north side of 24th Place.

Ms. Day replied yes, it is located on the north side and a bit to the east. It is a bus stop, not a bus shelter.

Commissioner Blaser did not think there was a bus stop at that location.

Ms. Day said that she received the information from Cliff Galante, Public Transit Administrator.

Commissioner Rasmussen asked about the staff analysis regarding variances.

Ms. Day said that the Planning Commission action to accept the plan would void the variances on the Preliminary Plan.

ACTION TAKEN

Motioned by Commissioner Blaser, seconded by Commissioner Hird, to approve the revised Final Development Plan for The Grove, subject to the following conditions:

1. Applicant shall execute a site plan performance agreement.
2. Applicant shall provide a cross access easement with the abutting property to the east to allow for emergency access at the south end of the property to be recorded with the Register of Deeds office.
3. Applicant shall provide a revised Final Development Plan with the following changes:
    a. Revised endorsement block for the current Planning Chair.
    b. Provision of a note that includes the deed book and page references for the existing agreements and their purpose on the face of the Final Development Plan.
    c. Provision of a note on the face of the Final Development Plan to show the deed book and page reference for the cross access easement between the subject property and the abutting property to the east.
4. Submission and approval of public improvement plans prior to issuance of a building permit.
5. Submission and approval of photometric plan prior to release of the Final Development Plan for issuance of a building permit.
6. Provision of a mylar and all required recording fees for the final development plan and to include all elevations of the proposed project.

Motion carried 8-0-1, as part of the Consent Agenda, with Commissioner Singleton abstaining.

ITEM NO. 2A MINIMUM MAINTENANCE; N 1 ROAD (RTG)

MM-12-03A-07: Request to designate minimum maintenance road status for a portion of N 1 Road within Marion Township.

ITEM NO. 2B MINIMUM MAINTENANCE; E 200 ROAD (RTG)

MM-12-03B-07: Request to designate minimum maintenance road status for a portion of E 200 Road within Marion Township.

ITEM NO. 2C MINIMUM MAINTENANCE; E 600 ROAD (RTG)

MM-12-03C-07: Request to designate minimum maintenance road status for a portion of E 600 Road within Marion Township.

ITEM NO. 2D MINIMUM MAINTENANCE; E 650 ROAD (RTG)

MM-12-03D-07: Request to designate minimum maintenance road status for a portion of E 650 Road within Marion Township.

STAFF PRESENTATION
Mr. Todd Girdler presented items 2A-2D together. He explained a change to Item 2A to extend the road a little further. (he showed on an overhead map) The change was agreed on by Michael Kelly, County Surveyor, due to the concern of a neighbor that wanted the minimum maintenance to include the road leading to his field gate, which is a few feet from where the paintball entrance is.

Commissioner Harris asked if the current staff report for Item 2A included the change that he just explained.

Mr. Girdler said no, but the change would be included in the motion to approve.

Commissioner Hird asked if access to the paintball facility was from the west.

Mr. Girdler said that was correct, off of County Road 1029.

Commissioner Dominguez asked what happens if the road needs to be taken off minimum maintenance.

Mr. Girdler said it would come off the same way it went on. It would be initiated by the Township and then proceed through the process.

Commissioner Dominguez asked if ditches were included in the minimum maintenance.

Mr. Girdler said the minimum maintenance would include ditches.

PUBLIC HEARING
No public comment.

ACTION TAKEN ON ITEM 2A

Motioned by Commissioner Hird, seconded by Commissioner Harris, to approve Minimum Maintenance Road status for N 1 Road in Marion Township including the change discussed and forwarding this recommendation to the Douglas County Commission.

Motion carried 8-0-1, with Commissioner Singleton abstaining.

ACTION TAKEN ON ITEM 2B

Motioned by Commissioner Hird, seconded by Commissioner Harris, to approve Minimum Maintenance Road status for E 200 Road in Marion Township and forwarding this recommendation to the Douglas County Commission.

Motion carried 8-0-1, with Commissioner Singleton abstaining.

ACTION TAKEN ON ITEM 2C

Motioned by Commissioner Hird, seconded by Commissioner Harris, to approve Minimum Maintenance Road status for E 600 Road in Marion Township and forwarding this recommendation to the Douglas County Commission.

Motion carried 8-0-1, with Commissioner Singleton abstaining.

ACTION TAKEN ON ITEM 2D

Motioned by Commissioner Hird, seconded by Commissioner Harris, to approve Minimum Maintenance Road status for E 650 Road in Marion Township and forwarding this recommendation to the Douglas County Commission.

Motion carried 8-0-1, with Commissioner Singleton abstaining.

ITEM NO. 3 AMENDMENTS TO SECTIONS 20-1101 & 20-1701, DEVELOPMENT CODE (MKM)

TA-12-27-07: Amend Section 20-1101 and 20-1701 of the Development Code relating to environmentally sensitive lands.

STAFF PRESENTATION
Ms. Mary Miller presented the item.

Commissioner Moore inquired about the woodland area regarding 36" above ground.

Ms. Miller said that was changed to diameter breast height. She spoke with Jennifer Smith at the Douglas County Extension office and that the common diameter breast height is 54" above ground.

Commissioner Rasmussen inquired about the potential for a loophole.

Ms. Miller said that it was an attempt to avoid a loophole. She said there were a lot of issues where large parcels had different owners.

Commissioner Rasmussen asked if it would be considered the same owner and control.

Ms. Miller replied, yes.

Commissioner Rasmussen inquired how the trees on the Kansas native species list were picked.

Ms. Miller said they were picked by the City Horticulture Manager, Crystal Miles. Ms. Miller stated that a provision could be made that an applicant could use native species with the approval of Crystal Miles, or the native species list could be expanded.

Commissioner Rasmussen inquired about section (h) which refers to development activity that occurs without approval of sensitive areas site plans. He asked about the timeframe.

Ms. Miller replied, three years. Every three years new aerials are flown. Clear cutting for the woodlands is the accumulated number of trees in three years.

Commissioner Rasmussen inquired about section (h), where it talks about damage to the stream corridor. He asked if removal of poison ivy would be considered removal of vegetation from the stream corridor.

Ms. Miller said it could be clarified more to include maintenance of the vegetation.

Commissioner Rasmussen inquired about a difference between minimum and mixture of tree species. He felt that the language should be consistent.

Ms. Miller said she could take out the wording 'mixture of' and put minimum of 6 species.

Commissioner Rasmussen discussed section (i)(1)(iii)b, that says '*The site plan shall show the delineation of a jurisdictional wetland area that is accepted by the US Army Corps of Engineers prior to submittal of the Sensitive Areas Site Plan; and the site plan shall show any area that is included on the U.S. Fish and Wildlife Service Wetland Map~~per~~, as a suspected or potential wetland area, along with a*

100' buffer area unless a certified wetland specialist, the Kansas Biological Survey, or the Army Corps of Engineers, determine that the area is not a wetland.' Commissioner Rasmussen asked if that meant there should be some sort of affirmative documentation from the corps of engineers that they agree.

Ms. Miller replied, yes.

Commissioner Rasmussen asked if the certified wetlands specialist should that be called a certified wetland delineator. A delineator would identify the boundary of the wetland area.

Ms. Miller said that perhaps it could be limited to the state of Kansas. The wetland map includes freshwater ponds as wetlands. She said that the Kansas Biological Survey might be able to help with wetland boudaries.

Commissioner Rasmussen inquired about 'connected greenways' to protect wildlife.

Ms. Miller said that was covered under stream corridors.

Commissioner Rasmussen inquired about the definition of clearcutting.

Ms. Miller said that it could be changed to say that the removal of more than 50%.

Commissioner Rasmussen inquired about the definition of streams.

Ms. Miller said on the USGS quad maps, the solid lines are streams and the dotted lines are intermittent streams.

Mr. McCullough said the goal is to use the quad maps for determining if a stream exists or not. The intent with the code is to use an objective reference.

Commissioner Finkeldei suggested taking out the definition of stream or state that when the word stream is used that it is defined as the definition on the USGS quad map.

Commissioner Harris inquired about ranking. She asked if property had a significant tree next to a sloped area and also had a prairie remnant, according to the ranking that combination would still be more important than the prairie remnant.

Ms. Miller said the native prairie remnants would be connected to another item and in the definition of ranking it was specifically to woodland areas, but prairie remnants could be added to that.

7:30pm - Commissioner Hird left the meeting.

Commissioner Harris asked about submitting the plans for sensitive lands together or separately from development plans. She asked if there would be a way for a decision making body to review a plan and then see the plan again with the sensitive lands.

Ms. Miller said the sensitive land site plan would have to be submitted before or with the development plan so that staff could review it for compliance. If it does not comply it would be returned to the developer for revisions.

Commissioner Rasmussen asked about section m on the modifications, page 102, if there are jurisdiction elements on a property is it saying that anything cannot be done with the land. He asked if a critical feature cannot be altered.

Ms. Miller said that was correct.

Commissioner Dominguez asked if there was an exemption.

Ms. Miller said there was an exemption for utilities. There are other exemptions if you have property that is already platted. But as far as an exemption from the wetlands, no.

PUBLIC HEARING

Ms. Carrie Lindsey, President League of Women Voters, said the Commissioners had great comments. The League supports the sensitive land site plan being submitted first to save developers from having unrealistic expectations about the process. Was also concerned about historical sites having protection. She wanted sites that were not yet historical sites, but were in the process of being registered for as historic, to be protected as well.

Commissioner Dominguez asked what would happens if someone wants to develop some property and there is an argument about it being historical and someone starts the process to register it as historic just to delay the development process.

Ms. Lindsey said that there should be someway to have a timestamp of when the site plan was submitted to the City and when the historic process is started.

Commissioner Finkeldei asked if someone could apply for an historic site on someone else's property.

Mr. McCullough said that a better example might be the recent deliberations on the rock quarry that probably met the age of being historic but there was not historic registration for it but there was a lot of debate about whether it was a structure worthy of preservation and protection but it did not show up in the sensitive area site plan.

COMMISSION DISCUSSION

Commissioner Rasmussen asked if someone has critically sensitive area, as defined, would protection of 100% of those sensitive features be required. He also asked if someone had jurisdictional wetland on their property could they not do anything with it.

Ms. Miller replied that was correct.

Commissioner Rasmussen asked if there was a way to modify that.

Ms. Miller said under the modification section M, page 9-9, could modify the areas.

Commissioner Rasmussen asked how someone could get a modification if they are going to be altering the environmentally sensitive feature.

Ms. Miller said it would not be possible, she was mistaken. If the Commission wants people to be able to modify jurisdictional wetlands and to be able to develop on the floodways then item 5 could be removed and those kind of requests could be brought before the Commission for modifications.

Mr. McCullough said that they could also follow the lead of the Corps and grant permits to modify wetlands.

Commissioner Rasmussen asked what the mechanism was if there is a critically sensitive area for saying we are not going to hold someone to the 100% protection requirement.

Mr. McCullough said it would be an appeal to the City Commission. If the proposed language is maintained where they cannot come to the Planning Commission to be modified and the site plan with their proposed changes to the critical features is denied then they can appeal that to the City Commission.

Commissioner Harris said that they might be opening up a can of worms by creating appeals to the City Commission.

Commissioner Finkeldei said that staff could try to define that and draw the line of how much of the land could be effected.

Mr. McCullough said that the definition of wetlands needs to be better defined and how that will be used in the Code.

Commissioner Moore said that maybe they should have language that if any requests are made to have a mitigation plan come forward at the same time to mitigate whatever the sensitive land is.

Commissioner Dominguez asked Ms. Miller to look into the historical registration process.

Commissioner Harris was in favor of making a change that speaks to having an active application prior to the submission of the development plan. She also liked the comment about having an environmental specialist. She said that one of the letters received from the public suggested having an environmental specialist looking at it.

Mr. McCullough asked if Commissioner Harris was suggesting that someone outside be consulted.

Commissioner Harris said that was correct.

Mr. McCullough said that the City is not in the position to hire out consulting at this point.

ACTION TAKEN
Motioned by Commissioner Moore, seconded by Commissioner Chaney, to defer until July Planning Commission.

Unanimously carried 8-0, with Commissioner Hird leaving prior to the vote.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 4 AMENDMENT TO GPI DISTRICT, DEVELOPMENT CODE (MKM)

TA-03-01-08: Amend Article 4 of the Development Code relating to uses permitted in the GPI District. Initiated by Planning Commission on 3/24/08.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

Commissioner Harris asked about lighting standards.

Ms. Miller explained the lighting standards.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Chaney, to approve the proposed amendment [TA-03-01-08] and additional revisions as stated in the staff report and forward to the City Commission.

Unanimously approved 8-0.

Motioned by Commissioner Moore, seconded by Commissioner Harris, to recommend staff initiate two text amendments as set forth in staff report.

Unanimously approved 8-0.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 5 AMENDMENT TO SUBDIVISION REGULATIONS (MKM)

TA-05-04-08: Amendment to Section 20, Subdivision Regulations pertaining to nonconforming uses created through the dedication or acquisition of public easement(s). Initiated by County Commission in April, 2008.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

Commissioner Moore asked if the item was initiated by County Commission.

Ms. Miller replied, yes.

Commissioner Harris asked if this might create a situation where there would not be enough right-of-way for roads in the future or utilities.

Ms. Miller replied, no, because there will be dedication of right-of-way for what is needed.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Rasmussen, seconded by Commissioner Moore, to approve the proposed amendment [TA-05-04-08] to revise the language in Section 20-2 and 20-4 regarding the impact of dedication of additional permanent easement for road right-of-way and forward to the Board of County Commissioners.

Unanimously approved 8-0.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 6 AMENDMENT TO COUNTY ZONING REGULATIONS (MKM)

TA-05-05-08: Amendment to Article 18 to add a footnote to lot/parcel width at road frontage to waiver requirement when county engineer has approved an exception based on execution of an access restriction agreement. Initiated by County Commission on 4/16/08.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

Commissioner Harris asked if the placement of the access points remain the same.

Ms. Miller said the spacing would still be the same. The only thing changed was the amount of frontage.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Moore, seconded by Commissioner Chaney, to approve the proposed amendment [TA-05-05-08] to revise the table in Section 18 to indicate that the County Engineer may waive the minimum frontage requirements and enter into access restriction agreements.

Unanimously approved 8-0.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 7 AMENDMENT TO COUNTY ZONING REGULATIONS (Linda Finger)

TA-05-06-08: Amendment to Article 19 to add a new use for 'value-added agricultural business.' Initiated by County Commission on 4/14/08.

Item 7 deferred prior to the meeting.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 8 AMENDMENT TO COUNTY ZONING REGULATIONS (Linda Finger)

TA-05-07-08: Amendment to Article 19 to correct formatting error by creating sections 19-2 and 19-3 (which currently don't exist) and by revising 19-1.06 to add compliance with all applicable state and federal laws to the application process. This also includes an addition of the compliance issue to what the County Commission can consider in a review or revocation of a CUP under 19-3. Initiated by County Commission on 4/16/08.

Item 8 deferred prior to the meeting.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 9 AMENDMENTS TO SUBDIVISION REGULATIONS (JCR)

TA-05-08-08: Amendment to Section 20-804 and to the definition of "Easement, Cross Access" in 20-815 to clarify the process/procedure for creating a cross access easement and to provide minimum construction standards for the service drive within the easement. Initiated by County Commission on 4/14/08.

Item 9 deferred prior to the meeting.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 10 AMENDMENTS TO SUBDIVISION REGULATIONS (JCR)

TA-05-09-08: Amendment to Section 20-806(c) and 20-807(d) to clarify the process/procedure for providing proof that no unpaid taxes exist for property included in Certificates of Survey or Minor Subdivisions. Initiated by County Commission on 4/14/08.

Item 10 deferred prior to the meeting.

PC Minutes 6/23/08 **DRAFT**

ITEM NO. 11 AMENDMENTS TO SUBDIVISION REGULATIONS (MKM)

TA-12-26-07: Amend Section 20-806(b)(3) and 20-806(d) to clarify that a parent parcel may be divided to create 1 residential development parcel, and is not required to create 2 or 3. Initiated by the Planning Commission on 11/26/07.

Item 11 deferred prior to the meeting.

PC Minutes 6/23/08 **DRAFT**

MISCELLANEOUS NEW OR OLD BUSINESS

Commissioner Finkeldei stated that all of the Planning Commissioners should have received a list of committees. He asked they each look it over and decide which committee they would like to serve on.

Consideration of any other business to come before the Commission.

Recess at 8:53 P.M. until 6:30pm June 25, 2008.

PC Minutes 6/25/08 **DRAFT**

Reconvene June 25, 2008 – 6:30 p.m.

Commissioners present: Blaser, Carter, Chaney, Dominguez, Finkeldei, Harris, Hird, Moore, and Rasmussen
Staff present: McCullough, Day, Leininger, J. Miller, M. Miller, and Brown

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BEGIN PUBLIC HEARING (JUNE 25, 2008):

COMMUNICATIONS

- No Communications

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:

Commissioner Moore received a phone call from Mr. Greg DiVilbiss regarding Misc 1 (FDP-04-04-06) on tonight's agenda.
Commissioner Carter had the same conversation with Mr. DiVilbiss.
Commissioner Hird received several emails from the public and one phone call that he did not have time to return.

- No abstentions

Planning Commission recognized previous Chair Grant Eichhorn for his time served on the Planning Commission.

PC Minutes 6/25/08 **DRAFT**

MISCELLANEOUS NEW OR OLD BUSINESS

MISC 1 EXTENSION FOR FINAL DEVELOPMENT PLAN FOR LAKE POINTE PCD; NW CORNER OF CLINTON PKWY & LAKE POINTE DR (MKM)

FDP-04-04-06: Extension for the Final Development Plan for Lake Pointe PCD, located on the NW corner of Clinton Parkway & Lake Pointe Drive.

STAFF PRESENTATION
Ms. Miller presented the item.

Commissioner Moore inquired about how plats expired under the old code.

Ms. Miller this is under the 1966 Zoning Ordinance which had the 18 month rule and then an extension could be asked for.

APPLICANT PRESENTATION
Mr. Greg DiVilbiss, owner of the center parcel that includes the shopping center, discussed the time limit on the development. He explained that he could not build until the housing market picks up. He wanted his extension to be extended again in the future.

Commissioner Rasmussen asked if he was wanting another means for extending it further.

Mr. DiVilbiss said that was correct.

Commissioner Rasmussen asked if he had talked to Planning staff or legal council about it.

Mr. DiVilbiss replied, no.

Mr. McCullough said staff recommendation was that a 6 month extension be granted. This specific circumstance where the Plat has been filed and the Development Plan is being extended, the Code is silent on how many extensions can be granted by the Planning Commission. It would be determined by the Planning Commission. There are some outstanding conditions that have not been met yet.

Commissioner Finkeldei asked if it would be possible to grant another extension.

Mr. McCullough replied, yes, the applicant would have the opportunity to request another extension.

PUBLIC HEARING
No public comment.

COMMISSION DISUCUSSION
Commissioner Carter said that if for some reason they would rush the developer into this project it might limit the quality of tenant that they might be able to get.

Commissioner Dominguez asked how big of a hassle it was for the developer to keep requesting extensions.

Mr. McCullough said the extension request is usually done through a letter.

Commissioner Dominguez asked what the downside was for the developer to not finish the project.

Mr. McCullough said internally part of staff analysis of extending the development plan is determining what is delaying the project. Typically staff appreciates when the applicant has performed all the conditions to get it to the point of being recorded and finalized with no outstanding issues.

ACTION TAKEN

Motioned by Commissioner Hird, seconded by Commissioner Carter, to approve the 6 month extension request with the condition that the conditions of approval be met and the Final Development Plan filed with the Register of Deeds. If the conditions of approval are not met and the Final Development Plan filed within the extension period, the plan would expire on Nov. 22, 2008 and no further extensions would be possible.

Unanimously approved 9-0.

PC Minutes 6/25/08 **DRAFT**

ITEM NO. 12 CPA-2008-9 (MJL)

CPA-2008-9: Amend Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the K-10 & Farmer's Turnpike Plan.

STAFF PRESENTATION

Ms. Michelle Leininger presented the item. No action will be taken on this item as it will be heard again by Planning Commission in July.

PUBLIC HEARING

Ms. Kim Richter, wanted to know if the plan talks about what type of industrial use is best for the area. She requested more time to think about this. Inquired about the purple box.

Ms. Leininger said that page 3-10 of the plan outlines zoning districts and primary uses.

Ms. Marguerite Ermeling felt that the map was extremely simplified. At the moment it is still the existing chapter but the second level of planning has not been done for this area. It might be necessary to slow the process down and give attention to a watershed plan. She did not feel like public input has been added to the plan. She felt like she has not been listened to and her ideas have not been integrated into the plan.

Commissioner Finkeldei asked Ms. Leininger how many watersheds are in the area.

Ms. Leininger said roughly 14-15 watersheds. Page 2-15 has a map.

Commissioner Finkeldei asked if there were additional planned public meetings before the public July Planning Commission meeting.

Ms. Leininger replied no.

Commissioner Harris asked Ms. Ermeling what she felt was not incorporated in the plan.

Ms. Ermeling said she was not prepared to answer that question but that there were many letters from the public with suggestions and ideas.

Commissioner Dominguez asked Ms. Ermeling if she knew how many watersheds were in the county.

Ms. Ermeling said there are tons of ravines around the area.

Mr. Mike Dunnaway, Lakeview Fishing & Shooting Association, was concerned about the lake and environmental conditions. He had concerns that if the plan as drafted is adopted, significant negative impacts to the area will result. His primary concerns are summarized as follows:

• The lake itself at Lakeview is an oxbow lake formed by a flood in 1853 that changed the course of the Kansas River channel. Only two such lakes exist in Kansas. The lake has been preserved by construction of a drainage channel linking the lake to Baldwin Creek. The drainage system diverting water to Lakeview is extremely sensitive to local runoff. If development is allowed to occur, without constructing proper safeguards, the danger of flooding will significantly increase. Not only will the structures at Lakeview be placed at risk, but other homes in the area could be in jeopardy as well.

• A portion of the lake is designated as a wetland and is an important part of the area's ecosystem.

The volume of runoff and the potential contaminants contained in the runoff as a result of commercial, industrial, and residential development in the area may be detrimental to the future of this wetland area.
• Similarly, we have a concern that the water quality in the lake itself will be adversely impacted as a result of the runoff from nearby developments. This may in fact pose health problems for our members and their guests who enjoy water sports in our lake.
• The plan as drafted does not address the benefits of the current land uses existing in the area, nor is there any mention of trying to preserve the character of the region.
We raised these same issues upon completion of the first draft of the plan. It seems prudent and responsible to address these issues in order to fully consider the impact on area residents. We ask that the planning process be revisited and that the concerns stated above be fully addressed.

Ms. Leininger said that the City has stormwater regulations and when and if this area is developed it will be under the stormwater regulations. Those issues would be addressed in other regulatory documents. The City stormwater engineer is currently working on a stream buffer ordinance and he did give comments to this plan. All of these things will help to protect the water quality. Staff is working to identify the buffers around the stream.

Commissioner Dominguez asked staff if they had already taken Mr. Dunnaway's concerns into consideration.

Ms. Leininger replied, yes. In the initial stages when the plan was started the City stormwater engineer was involved and there are regulations in place for stormwater. All of the comments have been looked at.

Commissioner Moore said that section 2-14 talks about Baldwin Creek so perhaps further mention of the Oxbow lake might be appropriate there.

Mr. Dave Ross, President of Scenic Riverway Community Association, agreed with Ms. Ermeling and felt like his concerns have been ignored. He discussed the Free State High School meeting of about 75 people that he was present at where neighbors expressed their concerns.

Mr. McCullough said that all public comments were provided to the Planning Commission. He also said that staff left the Free State High School meeting with very few comments that were specific to the plan and that the meeting was charged with emotions. The land use concept of this plan is based on policy in Horizon 2020 that call out the need for increased employment for the region. This is the third interchange to an interstate highway and has support in Chapter 7 for an industrial employment center so it was the natural extension to do the sector planning of the area. He understood the common theme that the neighbors feel that staff was not listening to them but staff was hoping for some good productive comments for the plan itself. Staff did hear good comments on adopting more of the SmartCode into the plan. This plan by itself does not urbanize the area. This plan is to be used as a guide if and when a property owner makes a request to develop and receive urban services when they are available, so staff took into account all the existing layers of development. Staff did build into the policy statement on page 3-4 and 3-5 a little bit more language about traditional neighborhood design and its benefits because that is an alternative development pattern that could be beneficial for the area, given the topography and the sensitive areas. He said that part of the plan involves education and that there is nothing in this plan that could take away somebody's farm or livelihood. The plan is a guide for when an owner wants to request annexation into the city.

Mr. Ron Schneider, attorney representing Scenic Riverway Community Association, suggested to Mr. Ross to have a meeting to put together a comprehensive presentation outlining in detail the concerns and issues. He said he would send it to staff.

Mr. Stan Unruh, said he had no intentions to request annexation or rezoning of his land, nor did any of his neighbors.

Ms. Jane Eldredge, Barber Emerson, went over the written comments that she sent in a letter, which can be found in the June Planning Commission agenda items. She asked for particular changes to the sector plan.

Commissioner Finkeldei asked staff about double bufferyards.

Mr. McCullough said that page 3-4, in the middle of the page transition area, has the language about double bufferyards.

Commissioner Carter asked staff about the bufferyards being different than the Development Code.

Mr. McCullough said that Horizon 2020 policy is about transitioning land uses. Staff gave full consideration to different alternatives to transition, knowing that they wanted to capture the goal of providing an employment center at the intersection of state and local highways and principal arterial roadway. There are a few options to do that such as transitional uses, by shrinking the employment/industrial center to something smaller than it is and then step down with uses transitioning up into the residential areas. You could keep the industrial area the same size and maybe provide higher density across the road. Or be creative and try to find other ways to transition between the very abrupt land use categories of the highest industrial category we have and the lowest residential category we have. Staff landed on the concept that looks like what is seen in the plan. It was easier to transition uses going east to west along the principal arterial road and more challenging transitioning to the north where a more local feel will is off of the highway going north.

Commissioner Harris asked about the option of toning down the intensity of the use as an alternative buffer.

Mr. McCullough said it was considered and one of the reasons is the natural boundaries of the road system that exist today. When you look at the parcel pattern of the corner section it does make some sense to keep it as a heavy industrial pattern. From the initiation of the sector plan, staff has approached this as a real opportunity as a completely greenfield area in terms of urbanization. It is an opportunity to get some esthetically pleasing developments on the interchange of I-70.

Commissioner Harris asked how the amount of industrial area was decided.

Mr. McCullough said staff took into account the fact that industrial areas are needed. Staff then looked at the road access. Staff tried to address the need for a nice inventory of large acre parcels for employment center use. Staff also took into account some of the road boundaries, the topography of the area, and the interchange location to prevent truck traffic unnecessarily moving out of the interchange.

Commissioner Hird asked if the bufferyard requirements are doubled in this sector plan would there then be an exception made in the development code.

Mr. McCullough said he did not think it would be an exception because not very many people go above and beyond the minimum.

Commissioner Carter asked about the intersection that is now identified as a minor gateway that was not identified in Transportation 2030.

Mr. McCullough said the intersection was there. Transportation 2030 was a good process but it was a hurried process. The interchange was, at that time, was still a distance from where the boundaries of the city were. The language proposed states that this will be a future gateway as it urbanizes.

Commissioner Rasmussen said he had a few transitionary questions. On page 3-4, section on transition area, statement 'all land uses within the identified transition area shall bear the burden of providing the extra buffer.' He said that the transition area seemed to be partially on the industrial area and partially on the low density residential area. He asked if that meant the industrial area would have the responsibility of providing the minimum of doubling transition area.

Mr. McCullough said that was correct.

Commissioner Rasmussen asked if there would be an extra wide buffer in the residential area and an extra wide buffer in the industrial area.

Mr. McCullough said that was also correct.

Commissioner Rasmussen said the transition area starts in the west, moves across the north side of the industrial areas and stops at the east point. He inquired about the residential office.

Ms. Leininger said that staff looked at that. The thought behind that was because the residential office acts as the transition between the lower density residential and the office research where you're going to get higher densities than you will with the low and medium density.

Ms. Ermeling (proxied minutes from audience member Grant Eichhorn) commented on the bufferyard issue. She said that you cannot expect to buffer that well from anything since it is an overlooking point. She said it is a unique setting in the topology.

COMMISSION DISCUSSION

Commissioner Harris inquired about the definition of gateway in the context of this plan and what rules they should be following. She said that Horizon 2020 shows the intersection as being a major gateway but Ms. Eldredge said that Transportation 2030 calls it a minor gateway.

Mr. McCullough said that staff would like to explore the different sections of the Code and Plans. The Gateway & Boulevard Committee might come up with recommendations on what elements to include for this issue.

Commissioner Dominguez said that everyone is concerned about the growth area. He asked how long it would take to build infrastructure out to these industrial sites and what is the City liability to build that infrastructure out. He also asked about the responsibility to run sewage and such infrastructure out there.

Mr. McCullough said this does not commit the governing body to make any commitments for infrastructure to the planning area. Timing is unknown at this point because the City Commission is considering releasing Utilities Dept to update their master plan to include the area.

Commissioner Blaser said that most industrial plans are not very pleasing to the eye. He said that it is possible to have steel buildings that look like brick. He felt they should be careful with building materials.

Commissioner Moore looked at the Southeast Area Plan and said it does not mention building materials for industrial at all and does not mention design features. He did not think they could say that in the northeast area there has to be brick but the southeast plan it does not say that.

Mr. McCullough said it has only been recently that staff has been actively pursuing industrial design guidelines.

Commissioner Carter was concerned about a warehouse for industrial uses being built of stone or brick might limit the feasibility for the developer.

Ms. Leininger said the statement that talks about that is a 'should statement.' It is meant to be an encouragement for quality building materials and other quality architectural features. She said it leads into the want for the city to have some industrial design guidelines. It is a flexible statement for what the city would like to do in the future.

Commissioner Hird said he is Chairman of the Gateways & Boulevards Committee and he would like to address these issues. He would like to be consistent with other sector plans. He felt it was an emotional issue and wanted to comment to Mr. Ross and Mr. Dunnaway saying they are not listened to. He assured the public that Planning Commission does look at the communications and they do listen, they may not agree, but they do listen.

Commissioner Harris talked again about the buffer area at the top. She wondered why is was best to divide the buffer between industrial and residential. She asked if the industrial is developed before the residential than the people living in that residential area will have half or less of the buffer unless they put it in themselves.

Mr. McCullough said the policy is for development as it comes into the city and urbanizes. He believed both land uses should share the burden of the transition. He felt that each side of an abrupt change should carry some of the burden for transitioning.

Commissioner Harris asked if the buffering on the industrial side would be adequate for transition.

Mr. McCullough said the plan is for future buildout.

Commissioner Blaser asked if there was any place in Lawrence that goes from heavy industrial directly to low density residential.

Commissioner Finkeldei said Hallmark.

Mr. McCullough said there are plenty examples of industrial within residential areas. He stated as the city has grown staff have used the codes at their disposal and developed in that fashion.

Ms. Leininger said there are industrial examples in East Lawrence along the BNSF Railroad and Hyper is an example as well.

Commissioner Harris was in favor of having a sector plan for the area and working toward the goals for the area. She felt there needed to be a purpose and that the vision leaned more toward the city rather than the neighbors. She wanted to get to a closer shared vision between the city and the neighbors.

Commissioner Rasmussen asked if staff would consider a section to the policy concerning environmentally sensitive lands.

Mr. McCullough said page 3-3 mentions that environmentally sensitive land should be protected but staff could try to boost that a little.

NO ACTION TAKEN

8:40pm - Commissioner Chaney left the meeting.

PC Minutes 6/25/08 **DRAFT**

ITEM NO. 13 A TO IG; 155 ACRES; I70/K10 BUSINESS PARK (SLD)

Z-04-09-08: A request to rezone approximately 155 acres from A to IG. The property is located on the NW Corner of N 1800 Rd & E 900 Rd; I70/K10 Business Park. Submitted by Steven Schwada, agent for Stonewall Farms LLC; JDS Kansas LC; Pert LC; Penny J Tuckel; Axrom LLC; Venture Realty Corporation; Arco Sales Corporation; Venture Properties Inc; Industrial Square Corp; JDSS Limited Company; Radol LC; Tuckel Russell L JR; Northland Ventures LC; and Oread LC, property owners of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT HEARING

Ms. Jane Eldredge, Barber Emerson, commented on the 3 conditions on the staff report. She went over the letter that she wrote that was included in the Planning Commission online packet. The property owner has agreed to exclude the uses of a truck stop, slaughterhouse, explosive storage, and salvage yard.

Commissioner Rasmussen stated that in the staff report (page 13-9) it refers to findings made by Planning Commission in December 17th regarding traffic leaving the property will head south to K-10 & I-70. He questioned how the property owners would ensure that happens.

Ms. Eldredge said that the property owners cannot ensure which way traffic will go. The owners however do know that the land has access to I-70. The most likely use of the property would be warehouse distribution. She stated that there will be no access to the county roads and that the primary arterial road would be the Farmer's Turnpike.

Commissioner Rasmussen asked how long the process would take to retire the lagoon.

Ms. Eldredge stated that the City development policy provides that utilities may be extended when a property owner requests and pays for those utilities. She said that typically those utilities are extended as the City grows and there are a number of property owners who are interested in paying for those utilities. As part of the annexation ordinance the site would use rural water and onsite sewer management services, and that those are permitted as long as they are sufficient to serve the uses that are there. Ms. Eldredge said she did not know how long the process would take to retire the lagoon and that it would depend on when City services would be available.

Commissioner Rasmussen inquired about limiting the uses to non-polluting and non-objectionable uses, as mentioned in the staff report. He wondered what the property owner considered to be non-polluting and non-objectionable uses and asked if the four uses Ms. Eldredge stated earlier would be excluded.

Ms. Eldredge replied yes, the four uses would be excluded.

Commissioner Dominguez inquired about buffering. He asked if she felt that the existing residences were large enough pieces of land that there was enough buffering.

Ms. Eldredge replied, no. Instead of applying County regulations she asked that City regulations be applied because they are greater in terms of setbacks and buffering requirements. County setbacks are 25' versus City 50' setbacks and the City has bufferyard requirements as well.

Commissioner Carter asked if the developers responsibility was a 25' setback.

Mr. McCullough said that the Code offers developers choices for bufferyards. Sometimes infill developments do not have a lot of room. The higher density landscaping and/or screen walls or berms are required if there is not room for a wider bufferyard. A berm or fence would not be required for the wider buffer but landscaping would need to be provided. The less landscaping there is the wider the bufferyard.

Commissioner Dominguez asked if a wider buffer was wanted.

Mr. McCullough said not necessarily, it was whatever the developer chose.

Ms. Eldredge showed on the overhead three choices for bufferyards. She said the bufferyard would provide screening that was intended to protect one abrupt use from another. She felt that zoning should apply uniformly to every part of the city that the zoning designation occurs.

Commissioner Hird asked if the property owner was voluntarily subjecting the property to City buffering requirements as opposed to County buffering requirements.

Ms. Eldredge replied yes.

Commissioner Finkeldei suggested using the word 'simultaneously' instead of 'prior to' in condition 1 of the staff report.

Mr. McCullough said that staff did not oppose Ms. Eldredge's changes to conditions 1 and 2 in the staff report but staff did not agree with the change to condition 3.

PUBLIC HEARING

Ms. Kim Richter, felt that the property should not be zoned IG because the property is next to residential properties. She felt that the area was a minor gateway to Lawrence but a major gateway to Lecompton. She felt that IBP or IL would be a more appropriate zoning district. She was concerned that property value would go down on residences located next to heavy industrial. She did not feel that buffering would mask any kind of development on the land. She felt that the only way to control aesthetics was to zone it properly.

Ms. Gwen Klingenberg, Lawrence Association of Neighborhoods, felt that the IG zoning was inappropriate. She stated that the zoning could be IL and still allow warehouses and that zoning districts IL or PD would be better suited to what exists. She said that conventional zoning could not be conditioned, referring to the four excluded uses that Ms. Eldredge discussed earlier. She said that if a court case comes up in which a conditioned conventional zoning was challenged and found to be invalid, every single approved conditioned conventional zoning would lose its conditioning. She went on to say that a new owner or present owner could restart the process and not have to go through the rezoning process if the approval expires. The conditioned uses would be gone but the zoning would still be there without the conditions. She felt that IL or IBP zoning districts would be more appropriate. She stated that the City spent a lot of money to improve the East Lawrence gateway. She felt that the applicant should comply with City Codes now that the property is annexed into the city.

Ms. Sarina Farb, daughter of nearby property owners, expressed concerns about buffering that would protect properties farther away from pollution. She was concerned that the owners might not honor their word of not allowing the four uses discussed by Ms. Eldredge.

Ms. Day said that buffering is not intended to 100% screen from view a particular use. It is intended to provide a barrier to capture some of the sound and screening of vehicle lights. Staff cannot ask that there be a 10' wall built around the development. Some existing vegetation would most likely be retained, a series of street trees as well as other landscaping could be placed on the property. The setback of the building continues to be measured from the property line and would most likely be located to the centers of the property with the parking lots oriented in a way to have the easiest access out of the property and to the transportation network. She stated that when staff looks at buffering they try to make sure it is applicable to the district. There are a number of locations in the community where there are additional standards or overlays such as floodplain regulations, extraordinary setbacks along portions of 6th Street and portions of South Lawrence Trafficway, so it is not an unusual requirement. She said that staff does work hard to work with the Codes addressing extraordinary setbacks and extraordinary buffers. The typical practice has been to deal with the immediate properties and layer the uses as you move outward to help retain the integrity of the neighborhood and to continue to buffer those less intensive activities. She said that the Development Code does have the ability to restrict land use in conventional zoning districts, not just for Planned Developments and the land use restrictions would typically become part of the zoning ordinance. The Planning Department would have to work with internal mapping systems to recognize the land use restrictions but in pre-submittal meetings with developers Planners could identify the restricted uses at that location.

Commissioner Finkeldei asked if the use restrictions would be included with the land.

Ms. Day replied yes, unless it was rezoned.

Mr. Ron Schneider, attorney representing Scenic Riverway Community Association, asked for a continuance of the item in order to receive additional information. He said that the neighbors have been inundated for months with meetings on the subject. He said that at the County Commission meeting a month ago there were over 30 people in opposition. He stated that his clients are opposed to the annexation and rezoning of the property to industrial development. He stated that IG zoning was too heavy of industrial zoning for the area. He understood that some form of warehouse activity was expected at the site so he suggested a less intensive zoning of IBP could be used instead. He felt that IBP zoning was a better compromise and felt that IG zoning was incompatible with the surrounding residential area. He said that if the applicant expects some form of warehouse to be built at that location then the zoning of IBP should be the compromise. He also stated that the IG zoning states 'the district is generally incompatible with residential areas in low intensity commercial areas.' He expressed concerns about noise, pollution, toxic fumes, and vibrations associated with industrial sites. He felt that the neighborhood wishes and concerns should be given serious consideration.

Ms. Marguerite Ermeling discussed buffering and felt that it would be impossible to obstruct the view from neighbors. She felt that there were better places to put IG zoning. She said that the Santa Fe area was a well identified industrial space and felt that industrial projects should be continued west from that existing industrial area. She felt that IBP zoning would be a better alternative and might be an appropriate compromise. She felt that the applicant had not worked with the neighbors and others in opposition to the project as much as they could have.

Mr. Joe Farb, lives about 1 mile north of proposed project, was opposed to the IG rezoning and felt that the property owners have not been listened to. He felt that a compromise of lesser intense industrial zoning could be reached.

Ms. Beth Johnson, Chamber of Commerce, read a statement she found through the International Economic Development Group that said 'the main goal of economic development is improving the economic wellbeing of a community through efforts that entail job creation, job retention, tax base

enhancements, and quality of life.' She said that the Chamber has heard repeatedly from elected officials that Lawrence has to grow the tax base and be able to change the tax base so that it takes a little of the reliance off of the residential tax payers and puts a little more reliance on industrial taxes. She said that Steve Brown from Berry Plastics spoke at City Commission about how there are companies in Lawrence that have growth potential but no room to expand. She stated that there are industrial areas in the city, such as East Hills Business Park and Franklin Business Park but that both of those are on K-10. There is only one property on I-70, nothing at the Airport of substance, nothing in Santa Fe Business Park, and only a 28 acre site in Riverside Business Park. She stated that more industrial sites are needed for Lawrence and that business is lost to other cities who do have industrial sites. She felt that the I-70/K-10 intersection was a perfect location for industrial. She understood the neighborhood concerns about what the industrial site would look like. She said there was an open lot across the street from where she lives and that she was concerned about what the house would look like. She said there were no guarantees of what proposed structures will look like. She said that one guarantee would be that since the land would be annexed into the City it would fall under City Codes. She said that one of the things that the Industrial Committee has been working on is to put restrictions and covenants on what that development would look like without being prohibitive. She said that there are a lot of building materials out there that are not ugly. She said that she researched jobs and according to the 2000 Census that 47.7% of residents 25 years of age and older have a bachelor degree which means that there are 53.2% of residents that do not have one. She said that meant that jobs were needed across the scale. She said that the only way to get those jobs was to bring industrial land into the inventory of marketing for companies that are interested in Lawrence.

Commissioner Harris asked how the square footage of the distribution center compare to the IBP square footage.

Ms. Johnson stated that the distribution center was 400,000 square feet and the manufacturing office was 20,000 square feet at most.

Ms. Jo Ann Farb, lives about 1 mile north of proposed site, was opposed to the IG zoning. She did not think that any of what Ms. Johnson said necessitated that the property be zoned IG. She was a little offended by the comparison of concerns that Ms. Johnson mentioned of having to deal with a house being built across the street from her. She said that 53.2% of people not having bachelor degree might include children and elderly people. She felt that taxes would not go down by this industrial development and also felt that the development would have hidden costs. She also expressed concern that the whole project might not go forward due to the downfall in the market and the tax payers might get stuck with the costs incurred by it. She felt that the area should be zoned IBP, not IG.

Ms. Johnson said that the 53.2% figure included retirees, but did not include people under 25 years of age.

Mr. Dave Ross, President of Scenic Riverway Community Association, felt that the zoning should be IBP, not IG. He felt there was a need for higher quality jobs and he would like to see something built that was high quality and benefit everyone. He did not like the uncertainty of what would be built there. He also felt that screening with berms was a better option than trees.

Mr. Stan Unruh, was concerned about buffers to the east of the property.

Ms. Day said the conventional buffer would apply.

APPLICANT CLOSING COMMENTS

Ms. Eldredge, said that the applicant has been responsive in meeting with the neighbors and that they held a meeting where only four neighbors attended. She felt that it was a positive meeting and that she did not see any of the neighbors tonight at Planning Commission. Mr. Schneider said he did not want any of his clients meeting with her and she asked who his clients were and he was unsure so during her meeting with neighbors she announced that if any of them were Mr. Schneider's client that they needed to leave. She asked Planning Commission take out the emotional aspect of the project. She agreed it was an incompatible use with residential but one of the ways to deal with that was to use bufferyards that are intended to mitigate incompatible land uses. She said that the bufferyards are meant to buffer adjacent property owners, not property owners that live a mile away. She stated that the IG zoning is in conformance and that the character of the neighborhood is agricultural. She said the property was suitable for industrial zoning and that it provides an opportunity for the community. She said the goal was not to build the ugliest thing possible at this location. The goal of the community is to increase jobs, which cannot be done without industrial sites.

Commissioner Rasmussen inquired why there were only four uses that would not be allowed at the site.

Ms. Eldredge said that the four uses were of concern to neighbors. She said that because of the location it would need to be available for multiple uses. The more restrictive the property is the less likely businesses will locate to the site. She felt that the four uses were reasonable to exclude.

COMMISSION DISCUSSION

Commissioner Harris asked if it was proper procedure to consider draft documents like the draft sector plan and the draft industrial chapter in their decision or should they stick with the approved plans.

Mr. McCullough said that it was appropriate given the context. He gave the example of the request of the revised Southern Development Plan for The Exchange to have the draft plan support that use. The Commission used that draft plan for supporting that project. He said that was a fact that they had to weigh individually in terms of whether or not the recent planning efforts were far enough along to make that a factor.

Commissioner Moore asked if there were more uses on the list and wondered what businesses such as Amarr Garage or Berry Plastics would be considered.

Ms. Day said that Berry Plastics would likely fall into the manufacturing use and the warehouse distribution piece could fall into the IBP, IL, or IG zoning districts. Martin Logan, Impact Worldwide, Microtech were uses that fell into the manufacturing production technical category and would be allowed in the IBP, IL, or IG zoning districts.

Commissioner Carter was concerned about IBP versus IG zoning. He felt that prospective employers may not want to come to Lawrence not knowing what use could be at that location.

Commissioner Blaser felt they should look at IG zoning for the site. He said that the concerns brought up by neighbors regarding toxic fumes, noise, dust, vibrations, are mostly controlled by federal laws.

Commissioner Harris did not agree that the Planning Commission role did not include considering the effect on the neighbors in the area. She felt that their job was to decide if the uses were appropriate for the site and if it fits within the context of plans for the entire community. The neighbors have asked for IBP instead of IG and she liked that idea if it supports the City's bigger goals. It might do that by bringing the employment that the City wants and might bring a better tax base. She was in favor of delaying the item since there was no sector plan in place yet. She felt that if the item was not delayed then they should go for IBP zoning that would serve the community the best and allow the developer to

accomplish what they want. She also liked the idea of the developer meeting with the community to reach a compromise.

Commissioner Rasmussen said that he personally would not want an industrial site next to his home but if he were the property owner of the site it would makes sense to put an industrial use at this site. He said the staff report says the developer would put a covenant on the plan to restrict four types of uses. He said he could think of many more uses than four but he also understood the developer wants the most flexibility. He felt it was a good and appropriate location for industrial use.

Commissioner Hird said he lives in the country so he can sympathize with the neighbors because he would not want an industrial site next to his home either but the problem for the Planning Commission was that they have to consider the community as a whole. There was not a decision that will please everyone entirely. Based upon the access to I-70 there is no better place to put an industrial site. As difficult as it is in the face of sincere land owners, he felt they should stick by their previous decision in December. He hoped that the neighbors would participate in the specific development. He felt that doubling the buffering would not hide anything. He felt it was bad policy to start singling out sectors and applying unequal treatment. He appreciated the applicant voluntarily doing City buffering instead of County buffering. He was encouraged that the four uses specified would be prohibited. The accessibility of the site lends itself to industrial development.

Commissioner Dominguez said he wanted to do what was best for Douglas County and the Planning Commission's job was land use. He said the site area was a gateway to Lecompton and he understood the concerns of Lecompton. He said the property owner had the right to develop the land. He felt that IBP zoning might be a compromise.

Commissioner Blaser said he would vote for the IG zoning.

Commissioner Carter agreed with Commissioner Hird.

Commissioner Finkeldei said the tough part of serving on Planning Commission were the extremes of items. He said that if the question was if they want jobs in the community the answer was yes, if the question was if a property owner wanted industrial next to their $350,000 house the answer was no. He said that if they could get a nice employer to bring 300 jobs to the community the neighbors would not be happy and the Chamber of Commerce would not be happy with only 300 jobs. He said that he always listens to every speakers concerns even if he does not agree with the concerns. He thought there should be some sort of balance of the extremes. He felt that the location was perfect for industrial use and best for the community as a whole.

Commissioner Moore said he watched City Commission last Tuesday where Steve Brown from Berry Plastics spoke about the need for more industrial space.

ACTION TAKEN
Motioned by Commissioner Hird, seconded by Commissioner Carter, to approve the request to rezone approximately 154.9 acres, from A (Agricultural) to IG (General Industrial) based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval, subject to the following conditions:

1. Approval and publication of an annexation ordinance ~~prior to~~ *simultaneously with the* publication of an ordinance for the rezoning.
2. ~~Prior to publishing the rezoning ordinance an annexation agreement shall be executed with the City to address the availability of public services (sanitary sewer, water and roads).~~

3. ~~Development shall include transitional recommendations (increased buffer yards) as outlined in the K10 and Farmer's Turnpike Plan if and as this plan is approved~~.
4. And restricting the following uses – truck stops, slaughter house, explosive storage, and salvage yards.

Mr. McCullough clarified that the applicant would not be voluntarily doing City buffering because the site would be annexed into the City so they would then be under the Land Development Code of the City and would be required to meet the bufferyard standards. With the straight zoning of IG any Site Planning will be administratively performed.

Commissioner Harris said she would vote in opposition because she felt it was premature and that she did not know what gateway meant. She was also not convinced that they needed as heavy industrial use as IG. She felt that it could be limited by zoning to less than IG.

Commissioner Dominguez asked if there was a statute that would stand up for these considerations for the four restricted uses and the land is sold.

Mr. John Miller said the issue of conditional zoning was not a concept that has been challenged in Kansas courts. There was no current case law on the validity of conditional zoning. The City Land Development Code does allow for both the review body and decision making body to condition the zoning of property. He felt that was statutorily allowable. The Development Code would pass legal muster if it were to be challenged. There is an unknown element to that. He said that conditional zoning is a common practice in other communities in Kansas and has not been challenged.

Motion carried 6-2, with Commissioners Harris and Dominguez voting in opposition. (Commissioner Chaney left the meeting after Item 12.)

PUBLIC COMMENT SECTION

ADJOURN @ 11:06pm

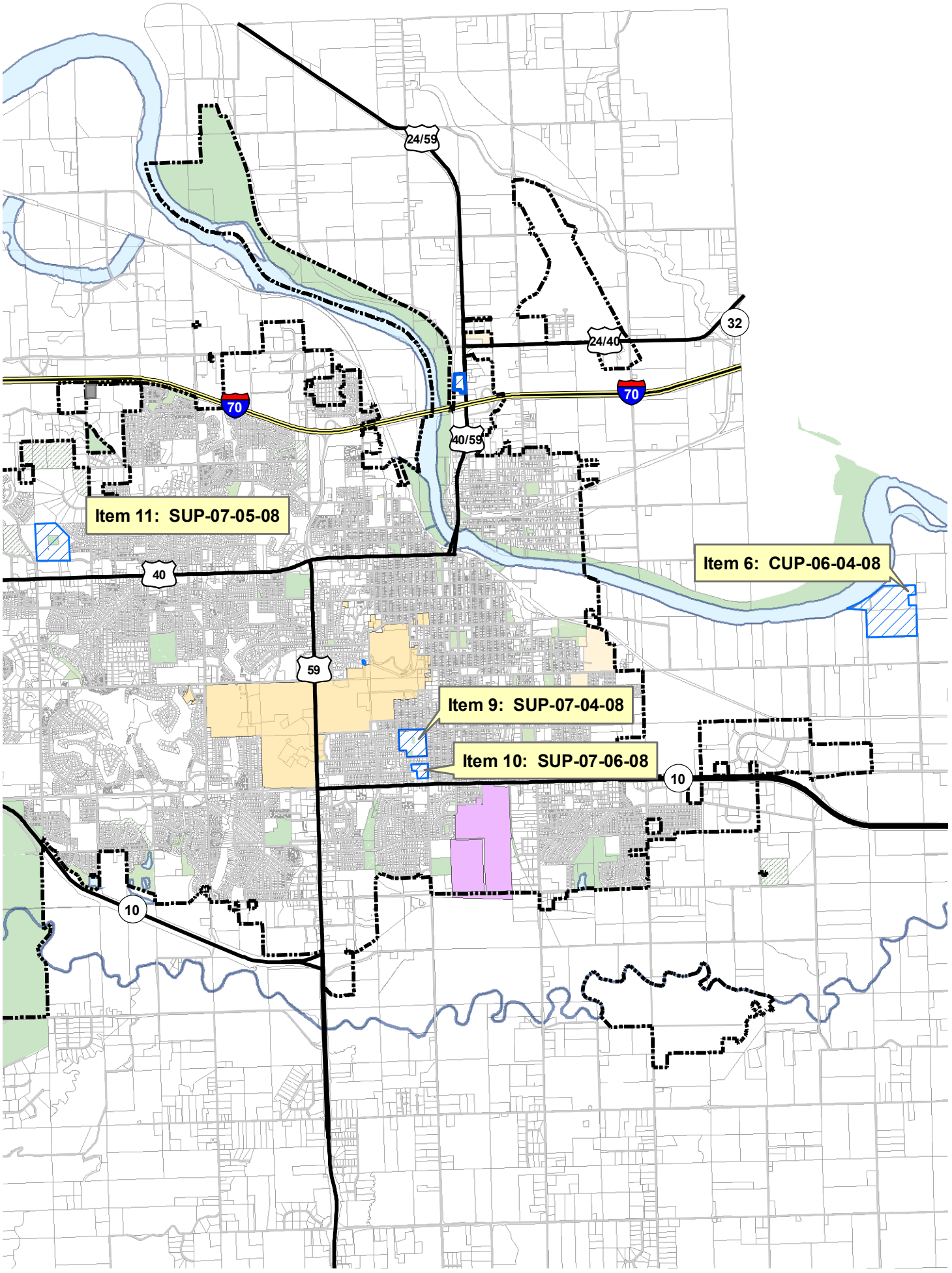
2008
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM	Mid-Month Topics		Planning Commission Meetings 6:30 PM, Mon & Wed	
Jan 09	Electronic Agenda Training / T2030 Update	Establish mid-month topics for first half 2008	Jan 28	Jan 30
Feb 13	Rural Zoning Code Update	Sector Plans Status Report/Watershed Plans	Feb 25	Feb 27
Mar 12	Jt Mtg with CC & BCC – MPO Reorganization	ITS Plan Presentation	Mar 24	Mar 26
Apr 09	Discussion with HBA	PC Orientation update	Apr 21	Apr 23
May 14	APA Conference Report	Discussion with LAN	May 19	May 21
Jun 11	Update on Draft K-10/Farmer's Turnpike Plan	Update on Draft West of K-10 Plan		
June 13 - 14 All day Friday & half day Saturday	PC Orientation/MPO Training		Jun 23	Jun 25
Jul 09	Invite School Districts – growth trends	Industrial Design Guidelines	Jul 21	Jul 23
Aug 13	Invite Parks Board	Discuss ex parte language	Aug 25	Aug 27
Sep 10	Meet with Eudora, Baldwin City, Lecompton Planning Commissions		Sep 22	Sep 24
Oct 08	Joint Meeting with CC & BCC – MPO Reorganization & PDS work program	Transfer of Development Rights	Oct 20	Oct 22
Nov 05	Historic Resources presentation		Nov 17	Nov 19
Dec 03			Dec 15	Dec 17

	Suggested topics for future meetings: Presentations from ECO2, Chamber of Commerce Design standards for Industrial Development Cell Towers Boulevards & Gateways Parking requirements/issues
Meeting Locations	The Planning Commission meetings are held in the City Commission meeting room on the 1st floor of City Hall, 6th & Massachusetts Streets, unless otherwise noticed.

Planning & Development Services |Lawrence-Douglas County Planning Division |785-832-3150 | www.lawrenceplanning.org

REVISED 07/01/08


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PLANNING COMMISSION REPORT
Public Hearing Item

PC Staff Report
08/25/08

Item No. 2: VARIANCE FOR FIRST UNITED METHODIST CHURCH ADDITION; NEAR K-10 & HWY 40 (MKM)

MS-04-05-08: Consider request for a variance from Section 20-810(a)(2)(i) of the Subdivision Regulations which requires that lots be designed to comply with all applicable district zoning regulations to permit a lot to be created which does not meet the minimum area or 90% minimum lot width requirements of Article 18 of the Douglas County Zoning Regulations. Submitted by John Selk, Landplan for First United Methodist Church, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the variance requests to permit the creation of Lot 1 which will have a minimum area of 5 acres and a minimum lot width of 125.29 ft.

Applicant's Reason for Request: To replat the property to permit transfer of ownership.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and the Unincorporated Areas of Douglas County.
- This variance application is associated with MS-06-07-08, a minor subdivision being reviewed administratively.
- Section 20-813(g) provides that the Planning Commission may grant a variance to the literal provisions of the design standards of the Subdivision Regulations in cases where there is a hardship in carrying out such provisions, except in cases where there is hardship in carrying out the literal provisions found in Section 20-811(d) pertaining to wastewater managment.
- Section 20-810(f)(1) states that the Planning Commission shall give the applicant and any other interested persons an opportunity to be heard with respect to the proposed variance.
- Minor Subdivision applications are reviewed administratively. The Planning Commission will not consider or review the associated Minor Subdivision. A copy of the subdivision has been provided for illustrative purposes in considering the variance request.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- MS-06-07-08, a Minor Subdivision for First United Methodist Church to create a lot to allow the transfer of ownership.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None

GENERAL INFORMATION

Current Zoning and Land Use: A (Agriculture) District; First United Methodist Church.

Surrounding Zoning and Land Use: A (Agricultural) District in all directions;

To the north: Agricultural uses and farm residence across the right-of-way for Highway 40
To the east: right-of-way for future road and undeveloped lot.
To the west and south: cropland, grassland, and wooded areas.

STAFF REVIEW

The First United Methodist Church addition was platted in 2005. An annexation agreement was executed. The property was not required to annex at that time; rather, development was restricted until such time that the property was annexed. Development may not occur beyond Phase I of the Church improvements until the property is annexed into the City. The applicant plans to transfer ownership of a portion of the property and has submitted a minor subdivision to divide the property to be transferred. The applicant stated in the variance request that they felt the northwest corner of the property had been deemed to be suitable for commercial development.

Staff would like to clarify that the subject property has not been recommended for commercial development in the adopted nodal plan or the draft area plan for the area. The *W 6th St. and South Lawrence Trafficway Nodal Plan* contains a Proposed Nodal Land Uses Map, Figure 8, which recommends public/institutional and office/industrial/warehouse land uses for this area. The text of the plan goes on to say, "This plan is not intended to preclude commercial development on the western portion of the nodal study area. However, such development would need to be of small-scale, ancillary in nature, and integrated into an overall development proposal." The draft *West of K10 Area Plan* recommends Public Institutional Uses for this property.

Lot 1 of the First United Methodist Church 2nd Plat does not meet the zoning requirements of the A District, but a note will be placed on the plat restricting development until the property has been annexed into the City. Development will require rezoning to an appropriate City Zoning District. The lot meets or exceeds all dimensional requirements of the zoning districts within the City. With the development restrictions, the only development activity that may occur prior to annexation is the transfer of ownership.

1) Strict application of these regulations will create an unnecessary hardship upon the subdivider;

Applicant's Response:

"Strict application of the present regulation will cause unnecessary hardship to the Owner/Subdivider by: a) rendering a significant (5-acre) parcel of property incapable of being legally subdivided and conveyed; b) Creating in perpetuity a significant (5-acre) area of land that cannot be legally subdivided and developed in accordance with the variety of land uses prescribed for this location by Horizon 2020, by the 6th & SLT nodal plan, and by the Placemaker concept plan produced on behalf of the City; c) The regulation requiring a minimum lot area of 10 acres came after this property was recently purchased and subdivided; this circumstance was not created by the Owner."

Staff Response:
Strict application of these regulations would require the property owner to create a lot which conforms to the dimensional requirements of the A (Agriculture) District even though the lot would be developed under a different zoning district. The property is being replatted to permit a portion to be sold and development restrictions are being placed on the property. If the property owner would sell the property without platting, the existing lots would lose their vested rights and would lose their rights to a building permit. If the property owner divides the property according to the dimensional requirements of the A District, they would be required to sell property they do not wish to sell.

2) The proposed variance is in harmony with the intended purpose of the Subdivision Regulations;

Applicant's Response:
"The proposed variance and subdivision will allow the subject site to develop and be used in accordance with associated regulations and guide plans. However, the present owner (First United Methodist Church) has not intention of becoming the "developer', therefore the property must be subdivided and conveyed."

Staff Response:
The division of land being proposed will have access to a future collector road and will meet or exceed the minimum lot area requirements for land within the City. The proposed variance will permit the transfer of ownership, but development will not be permitted until the property has been annexed into the City, the adjacent road has been constructed and the property has been rezoned to an appropriate zoning district. The variance is in harmony with the intended purpose of the Subdivision Regulations which is to ensure that the division of land will serve the public interest and general welfare and to provide for the harmonious and orderly development of land.

3) The public health, safety and welfare will be protected.

Applicant's Response:
"The public health, safety and welfare will in no way be negatively affected by the approval of this variance."

Staff Response:
The minor subdivision request will result in the transfer of ownership of a property which will have access and development restrictions. The property may not be developed until the road to the west has been constructed, the property has been annexed into the City, and the property has been rezoned to an appropriate zoning district. With these restrictions on development, the health, safety and welfare of the public is protected.

Landplan Engineering, P.A.

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Lawrence, Kansas 66049

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email info@landplan-pa.com

Civil Engineering
Landscape Architecture
Community Planning
Surveying

RECEIVED
JUL 25 2008
City County Planning Office
Lawrence, Kansas

July 22, 2008

Scott McCullough
Director of Planning
Lawrence/Douglas County Metropolitan Planning Office
Sixth and Massachusetts St.
Lawrence, KS 66044

Re: MS-06-07-08 First United Methodist Church, near K-10 and Hwy 40

Dear Scott,

I am in receipt of a letter dated July 10th, 2008 from Mary Miller regarding variances that you require for consideration of the above referenced Minor Subdivision Replat. First, United Methodist Church had a campus master plan performed shortly after acquiring this property several years ago. That plan centered around a religious/educational complex laid out in a circular pattern. The buildings were surrounded by radial parking. The northwest corner of the property was deemed to be a good location for future commercial activity separate from the campus. The five acre tract was deemed appropriate for this use and separate ownership within the Church was established for this particular tract of ground. An exact legal description was never provided other than a sketch and they are trying to legitimize the 5 acre tract at this time. There is no other purpose other than defining this 5 acre tract by the submittal of this Minor Subdivision Replat.

The Church and its development corporation understand that no development may occur on this property until it is annexed and Aldersgate Road is constructed. Mary's letter made reference to the fact that the lot must be no narrower than 90% of the minimum required lot width, which based on a future speed limit less than 55 mph equates to 450 foot of frontage. This lot has in excess of 500 feet of frontage, so I don't believe that a variance is required for that requirement.

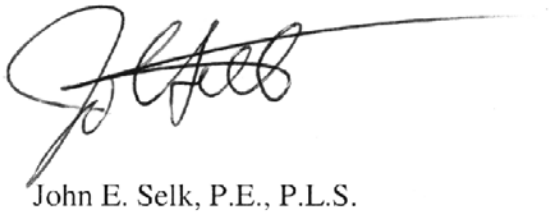
It is our understanding that there is a text amendment dealing with minimum lot area that will reduce the current 10 acre minimum to 5 acres which this tract was prior to the dedication of rights of way. So we respectfully request a variance to this minimum lot area and assume that it will become a non-issue if the text amendment is approved.

All review comments submitted to us have been made on the drawing. Access restrictions have been shown both graphically and verbally on the face of the Minor Subdivision Replat. The survey comments have been addressed, the scale corrected, a note has been added clarifying no development shall occur on Lot 1 until the property is annexed and Aldersgate Road is constructed, and the note concerning access to US40 was revised as proposed by your office.

We will prepare an easement based on the Westar comment along the common property line between lots 1 and 2 for review and approval prior to the recording of this minor subdivision replat.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



John E. Selk, P.E., P.L.S.

cc: First United Methodist Church
Mary Miller

LEGAL DESCRIPTION

THIS IS A REPLAT OF LOT 1, FIRST UNITED METHODIST CHURCH ADDITION, IN DOUGLAS COUNTY, KANSAS & LYING IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH PRINCIPAL MERIDIAN. CONTAINS 43.349 ACRES, MORE OR LESS.

SIGNATURE

OWNER(S)

SUSAN SLOOP, CHAIRMAN
BOARD OF TRUSTEES
THE FIRST UNITED METHODIST CHURCH
OF LAWRENCE, KANSAS, INC.

RONALD AUL, PRESIDENT
BOARD OF MANAGERS
GATEWAY WEST LAND HOLDING CO., LLC

ACKNOWLEDGEMENT

STATE OF KANSAS
COUNTY OF DOUGLAS

BE IT REMEMBERED THAT ON THIS_____DAY OF_____, 2008, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME SUSAN SLOOP AND RONALD AUL, WHO IS(ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVED AS A MINOR SUBDIVISION UNDER THE SUBDIVISION REGULATIONS OF THE CITY OF LAWRENCE AND THE UNINCORPORATED AREA OF DOUGLAS COUNTY

SCOTT McCULLOUGH
PLANNING DIRECTOR

REVIEWED IN COMPLIANCE WITH K.S.A. 58-2005

MICHAEL D. KELLY, P.L.S. #869 DATE
DOUGLAS COUNTY SURVEYOR

FILING RECORD

STATE OF KANSAS
COUNTY OF DOUGLAS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY REGISTER OF DEEDS ON THIS____DAY OF_____, 2008, AND IS DULY RECORDED AT _____AM (PM), IN PLAT BOOK_____, PAGE_____.

REGISTER OF DEEDS
KAY PESNELL

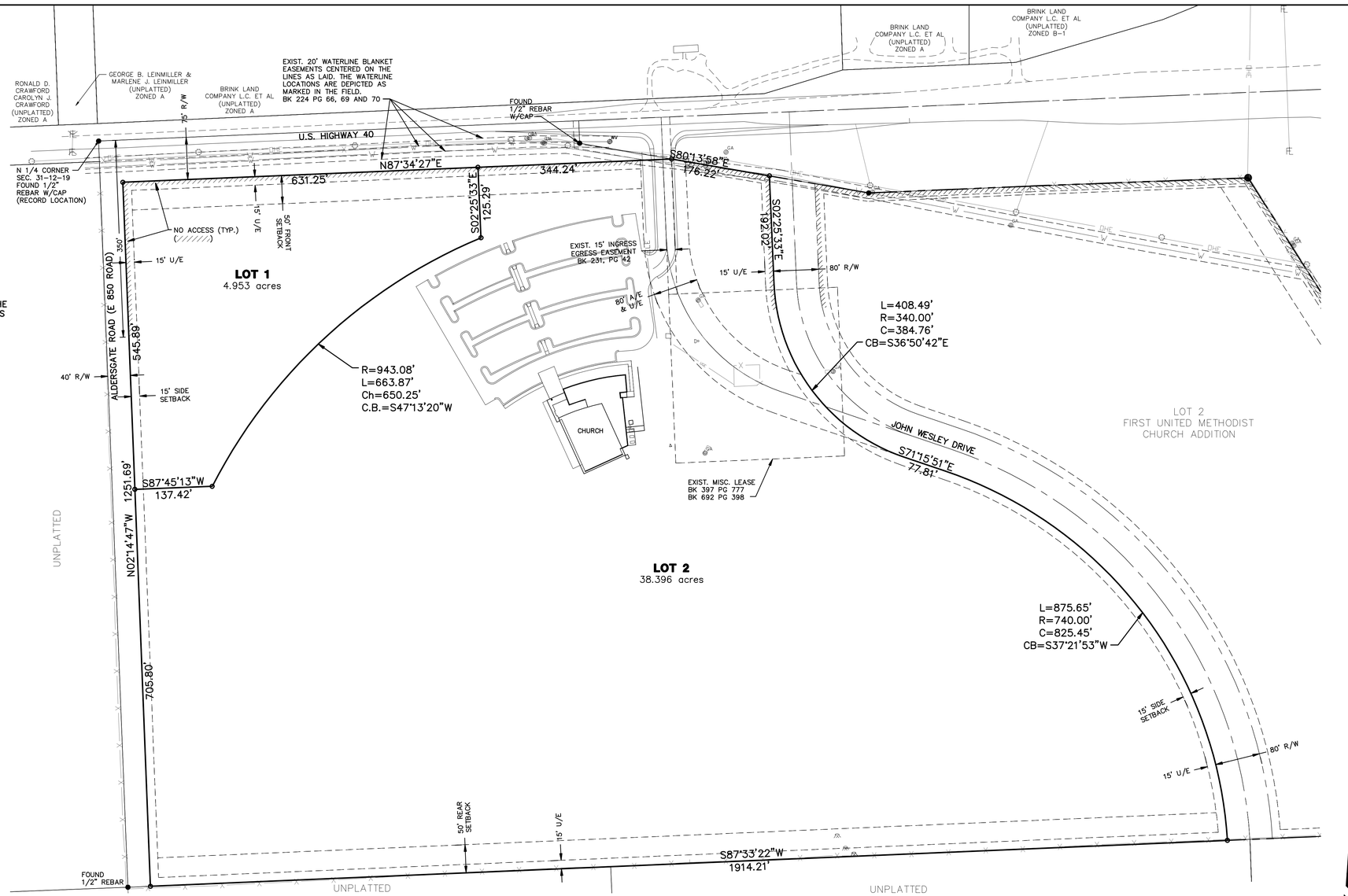
CERTIFICATION

I HEREBY CERTIFY THAT THE PLATTED AREA SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION IN THE MONTH OF MAY, 2008 AND THAT THIS SURVEY CONFORMS TO THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. THE SURVEY DOES NOT CERTIFY OWNERSHIP OR EASEMENTS, NOR SHALL IT BE CONSTRUED TO CERTIFY THAT GOVERNING SETBACK REQUIREMENTS, BUILDING CODES, SUBDIVISION REGULATIONS OR ZONING ORDINANCES WILL BE MET NOW OR AT ANY TIME HENCEFORTH.

JOHN E. SELK LICENSED PLS-610 KANSAS LAND SURVEYOR

PLAT PREPARED MAY 2008

JOHN E. SELK, P.E., P.L.S. #610
1310 WAKARUSA DRIVE
LAWRENCE, KANSAS 66049
(785) 843-7530

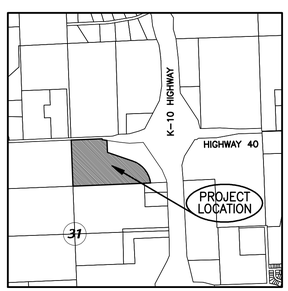


MONUMENTATION:

- ● FOUND 1/2" BAR PER RHODES SURVEY DATED 8-10-01
- ○ SET 1/2"x24" BAR W/ "PLS 610" CAP

NOTES:

1. FURTHER DIVISION OR CONSOLIDATION OF ANY LOTS CONTAINED IN THIS MINOR SUBDIVISION IS PROHIBITED, AND SHALL BE PROCESSED AS A MAJOR SUBDIVISION.
2. THE BEARINGS ON THIS PLAT ARE BASED ON THE FINAL PLAT FOR FIRST UNITED METHODIST CHURCH ADDITION.
3. PHASE I CHURCH IMPROVEMENTS SHOWN HEREON TAKE ACCESS VIA PRIVATE DRIVE LOCATED WITHIN THE 80' "ACCESS & UTILITY EASEMENT".
4. DEVELOPMENT BEYOND PHASE I CHURCH IMPROVEMENTS SHALL NOT OCCUR UNTIL ANNEXED INTO THE CITY OF LAWRENCE.
5. AT NO TIME SHALL LOT 1 AND LOT 2 COLLECTIVELY HAVE MORE THAN ONE (1) ACCESS POINT TO U.S. 40 HIGHWAY.
6. AT THE TIME OF MAJOR U.S. 40 HIGHWAY IMPROVEMENTS, THE ONLY ACCESS POINT TO U.S. 40 HIGHWAY SHALL BE THE 80' RIGHT-OF-WAY ON THE EAST SIDE OF LOT 2 AND THE EXISTING DRIVEWAY ACCESS VIA THE 80' "ACCESS & UTILITY EASEMENT" ON LOT 2 SHALL BE REMOVED.
7. LOT 1 SHALL HAVE ACCESS TO E. 850 RD. MORE THAN 350 FEET FROM ITS INTERSECTION OF U.S. 40 HIGHWAY.
8. ERROR OF CLOSURE = 1: 454,370



LOCATION MAP
SECTION 31-T12S-R19E
NOT TO SCALE

FIRST UNITED METHODIST CHURCH 2ND PLAT

A MINOR SUBDIVISION REPLAT OF LOT 1, FIRST UNITED METHODIST CHURCH ADDITION, IN DOUGLAS COUNTY, KANSAS

NE 1/4, SEC. 31-T12S-R19E

PLANNING COMMISSION REPORT
Regular Agenda -- Public Hearing Item

PC Staff Report
08/25/08

ITEM NO. 3: AMENDMENTS TO SUBDIVISION REGULATIONS (MKM)

TA-06-12-08: Consider amendment to Section 20-810 to clarify the natural resources and environmentally sensitive areas that are to be protected or preserved. Initiated by County Commission June 23, 2008.

RECOMMENDATION: Staff recommends that the Planning Commission forward a recommendation for approval of the proposed amendment, [TA-06-12-08] clarifying the types of natural resources and environmentally sensitive areas that are to be protected, along with revisions to other sections of the Code to provide consistency, to the Board of County Commissioners and the City Commission.

Reason for Request: To provide a more precise list of natural resources and environmentally sensitive areas and provide objective standards for identifying these resources and areas.

RELEVANT GOLDEN FACTOR:

- Conformance with the Comprehensive Land use Plan is the relevant factor that applies to this request. Amending regulatory tools, one of which is this amendment to the Subdivision Regulations, is an implementation step in Chapter 13 of *Horizon 2020*, the City/County Comprehensive Land Use Plan.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

No public comment was received.

OVERVIEW OF REVISIONS PROPOSED

Section 20-810(i) of the Subdivision Regulations contains the list of features which are to be considered natural resources or environmentally sensitive areas within the City of Lawrence and Section 20-810(j) contains a list of features which are to be considered natural resources or environmentally sensitive areas in the unincorporated portions of the County. Section 20-810(i) is being revised to be consistent with the changes being made to the environmentally sensitive areas protection standards in Section 20-1101 of the Development Code with text amendment TA-12-27-07. Section 20-810(j) is being revised to provide more precise definitions of the features which constitute natural resources and environmentally sensitive areas which require protection in the unincorporated portions of the County. Language is being added to provide objective criteria for the determination of environmentally sensitive area.

The text amendment, TA-12-27-07, was recommended for approval by the Planning Commission on July 23, 2008. Staff identified other areas of the Development Code which required revision in order to maintain consistency with the provisions and terms of the new language in Section 20-1101; therefore the subject text amendment is on this

agenda for the Planning Commission to consider the additional changes to other sections of the Development Code and both text amendments will be presented to the governing bodies following the Planning Commission's action.

Resources used in the determination of the natural resources and environmentally sensitive areas are included in the proposed language. A list of native tree species and a list of approved consulting firms for prairie determination are available in the Planning Office.

HOW TO READ THE AMENDED TEXT
The changes being proposed with this text amendment are shown below. Please note, only the portions of the sections which are being modified are shown below.

Portions of the Sections being proposed for revised are shown below with the proposed changes noted. New text is identified by ***bold, italic typeface*** whereas deleted text is identified by ~~double strikethrough.~~

20-810 Subdivision Design Standards

(i) Resource Preservation – City of Lawrence

(1) Subdivisions shall be designed to preserve natural resources and environmentally sensitive areas. ~~such as~~ **Environmentally Sensitive Areas include the following:** streams and **their corridors,** wetlands, **regulatory floodplain,** prominent natural ~~geographic~~ **geologic** features, **prairie remnants, steep slopes, woodland areas** ~~stands of mature trees~~**,** and **individually significant trees**. **Section 20-1101 of the Development Code defines the features which constitute environmentally sensitive areas, lists the percentage of a site which shall be protected when environmentally sensitive areas are present, and provides information on the development process for properties containing environmentally sensitive areas.** ~~See Section 20-1101(c) (2)(iii) b., which requires that development of lands containing more than 5% defined sensitive lands can be developed only through a Cluster Development or a Planned Development~~ **(k)** Section 1101~~(c) (3) requires that certain sensitive lands be dedicated, included in private open space or otherwise preserved through development design. Note also that Section 1101(c)(4) may limit the achievable density of developments containing specified sensitive lands.~~ **A Sensitive Areas Site Plan is required prior to, or concurrent with all subdivision applications for properties containing these resources or sensitive areas. The requirements of a Sensitive Areas Site Plan are found in Section 20-1101(h). If land is disturbed prior to the approval of a Sensitive Areas Site Plan, restoration is required per Section 20-1101(g).**

(2) Subdivisions shall be designed to preserve archaeological and historical sites **which are listed, or are determined to be eligible for listing, in the the local, state, or national registers of historic places**. ~~See Section 20-1101(c)(2)(iii)b, which requires that development of lands containing more than 5% defined lands, which include archaeological and~~

~~historic sites, can be developed only through a Cluster Development or a Planned Development. Section 20-1101(c)(3) requires that certain archaeological and historic lands be included in private open space or otherwise preserved through development design. Note also that Section 20-1101(c)(4) may limit the achievable density of developments containing archaeological and historic sites.~~ **Section 20-1101 of the Development Code contains information on the development process for properties which contain archaeological and historical sites. Sensitive Areas Site Plans are required for properties which contain archaeological and historic sites.**

(3) Determination of environmentally sensitive areas.
The presence of environmentally sensitive areas shall be determined from an examination of the site and the following resources:

(a) **FEMA Flood Insurance Rate Map for Douglas County, most current adopted map;**
(b) **United States Geological Survey Quadrangle Maps (USGS Quad Maps), most current map;**
(c) **US Fish and Wildlife Service National Wetland Inventory Maps;**
(d) **City Woodland Baseline Map which is based on data developed from satellite imagery provided by the Kansas Applied Remote Sensing Program and the Kansas Biological Survey as well as treeline information from the City GIS map;**
(e) **Douglas County Natural Areas Inventory Map;**
(f) **City GIS Contour Map;**
(g) **Douglas County Soil Survey;**
(h) **Kansas State Historical Society Archeological and Historic Resources Inventory; and.**
(i) **Other resources which may be appropriate.**

Resource Conservation
Resource Conservation – Unincorporated Area of the County

(1) Residential Developments and non-residential Subdivisions in the unincorporated area of the County shall be designed in a way that protects and conserves the natural resources and environmentally sensitive areas through the filing of a Temporary Set Aside Agreement or the filing of a permanent Conservation Easement, with the Register of Deeds. These ~~natural areas and~~ environmentally sensitive areas ~~shall~~ include the following: **regulatory** Floodways, **designated on the FEMA Flood Insurance Rate Map for Douglas County** ~~based on the FEMA's one-hundred year storm~~; **regulatory** Floodplains, **(100 year flood), designated on the FEMA Flood Insurance Rate Map for Douglas County** ~~based on the FEMA's one-hundred year storm~~; ~~jurisdictional~~ wetlands, streams and their **corridors**, prominent natural ~~geographic~~ **geologic** features with rocky outcroppings; **prairie remnants of one (1)**

acre or larger; steep slopes, ~~and stands of mature trees~~**; woodland areas; and** ~~or~~ individually significant mature trees**.**

(2) Residential Developments and non-residential Subdivisions shall be designed to protect and conserve archaeological and historical sites **which are listed or have been determined to be eligible for listing on the local, state, or national register of historic places** through the filing of a Temporary Set Aside Agreement or the filing of a permanent Conservation Easement, with the Register of Deeds.

(3) **The presence of environmentally sensitive areas shall be determined from an examination of the site and the following resources:**

(a) **FEMA Flood Insurance Rate Map for Douglas County, most current adopted map;**
(b) **United States Geological Survey Quadrangle Maps (USGS Quad Maps), most current map;**
(c) **US Fish and Wildlife Service National Wetland Inventory Maps;**
(d) **County Woodland Baseline Map which is based on data developed from satellite imagery provided by the Kansas Applied Remote Sensing Program and the Kansas Biological Survey;**
(e) **Douglas County Natural Areas Inventory Map;**
(f) **County GIS Contour Map;**
(g) **Douglas County Soil Survey;**
(h) **Kansas State Historical Society Archeological and Historic Resources Inventory; and**
(i) **Other resources which may be appropriate**

20-812 Contents of Plats

(a) Preliminary Plat

(2) Existing Conditions

The Preliminary Plat shall also show the following existing conditions:

(i) Location of any area designated as Floodplain or Regulatory Floodplain, location and direction of the flow of existing water courses; and the surface elevation of the Regulatory Flood.

(ii) Location of any area zoned “Floodplain”, location and direction of flow of all water courses; and Base Flood Elevation at water course entrances to and exits from the proposed Subdivision;

(iii) Location of section lines, private or public Streets, Alleys, Easements, and city boundaries within and immediately adjacent to the proposed Subdivision;

(iv) **For plats on properties within the unincorporated portions of the County:** Location of natural features such as rock outcroppings, unique topographic features, lakes, individually significant mature trees, **other features which are listed in Section 810(j)** and insofar as can reasonably be shown, natural features to be removed;

(v) **For plats on properties within the City Limits of Lawrence: Location of environmentally sensitive areas which were identified on a Sensitive Areas Site Plan for protection and those which will be altered with the development. Article 11 of the Development Code requires that a Sensitive Area Site Plan be submitted with or prior to any development proposal for lands containing environmentally sensitive areas. The Sensitive Area Site Plan is to be incorporated into the plats and other plans.**

~~(v) Boundaries of significant stands of mature trees, Jurisdictional Wetlands, historic sites~~

(b) Final Plats

(2) Material to be Included

The Final Plat shall show:

(i) Name under which the Subdivision is to be recorded;

(ii) Descriptive information, which shall:

(a) State the name of the proposed Subdivision;

(b) Show date of preparation, north arrow and graphic scale;

(c) Give a legal description of the proposed Subdivision complete with section, township, range, principal meridian, county, and acreage. Show the location of the nearest section and/or quarter-section corner on the Plat, with a description tying it to the point of beginning for the Subdivision. A replat shall not be required to be referenced to a section and/or quarter-section corner, provided the original Plat for the subject replat is tied to at least one of these corner monuments;

(d) Show names of adjoining Subdivisions or, in the case of unplatted land, the names of the Owner or Owners of adjoining property;

(e) Easements, showing width and general purpose;

(f) Sites proposed for Dedication as drainageway, park, school, or other public purposes;

(iii) In addition, the following information is required which is similarly required on the Preliminary Plat:

(a) Location of any area zoned Floodplain or within a Floodplain Overlay District zoning district;

(b) Boundaries of **environmentally sensitive areas as defined in Section 20-810)(i) or(j). For properties within the City Limits of Lawrence, this will coincide with the protected sensitive areas on the Sensitive Areas Site Plan. See Article 11 of the Development Code for information on the Sensitive Areas Site Plan.** ~~significant stands of mature trees, Jurisdictional Wetlands, historic sites and Archaeological Sites on the property proposed for subdivision~~;

(c) Proposed Streets (including location and proposed names), and their relation to Platted Streets or to proposed Streets as shown on any adopted general Development plan of adjacent property; and,

(d) Block and Lot numbers and dimensions of Blocks and Lots.

(iv) Accurate dimensions for all lines, angles, and curves used to describe boundaries, Streets. Easements and areas to be reserved for public use. Data for all curves shall include radius, arc length, chord length, and central angle;

(v) For land located in a Floodplain, as defined and regulated under Chapter 20, Article 12 of the City Code and the comparable provisions adopted by resolution in Douglas County, the following:

(a) The total area of each Lot located in the designated Floodplain;

(b) The Minimum Building Elevation and Minimum Elevation of Building Opening, as determined from Chapter 20, Article 12or the applicable County Floodplain regulations.

(vi) For any Lot including or adjacent to a lot including **environmentally** sensitive **areas** ~~lands~~ (see Section 20-1101(c)~~(iii)~~), designation of a Building Envelope within which a building may be built after compliance with all applicable setback, floodplain and sensitive land standards;

The following definitions shall be added to Section 20-815(b) Definitions:

20-815 Interpretations, Rules of Construction and Definitions

(b) Definitions

Individually Significant Tree
An existing healthy tree which, when measured four feet above grade, has a minimum diameter at breast height (54 in.) of 8 inches for evergreen trees, or 12 inches for deciduous trees. Significant trees may be of any species listed in the Northeast Kansas Preferred Species List and Native Species List (available at the Planning Office).

Prairie remnant
Prairie areas that have remained intact on undeveloped, untilled portions of properties and consisting of one (1) acre or larger. Prairie areas will be determined by the Kansas Biological Survey, or a consulting firm with local expertise in these habitats, as areas that have remained primarily a mixture of native grasses interspersed with native flowering plants.

Prominent Geologic Features with Rocky Outcroppings
A rocky protrusion of 50% or more exposed rock having greater than a 3:1 slope, a minimum height of 20' above the surrounding grade and covering an area of 1 or more acres.

Steep Slopes
A slope with a grade of 15% or more.

Stream Corridor
A 200' protective buffer area which is centered on the stream.

Woodland Areas
Any tract of land containing one (1) acre or more which is shown as 'woodland' or 'forest' on the City or County Woodland Baseline Map.

The following definition will be revised:
Woodland
~~Natural hardwood forests, whether or not actively forested.~~ **Any tract of land with a contiguous wooded area not less than one (1) acre and containing not less than one hundred (100) trees per acre that are two inches (2 in.) in diameter or greater measured at diameter breast height (dbh) which is a point 54 in. above the ground. The extent of any woodland plant community or any part thereof shall be measured from the outermost drip line of all the trees in such plant community. Woodland shall include any area where clearcutting has occurred within the previous three years. (This definition of woodland is to be used when verification of woodland area is necessary.)**

Memorandum
City of Lawrence
Planning & Development Services

TO: **Planning Commission**

FROM: **Sandra Day/Planning Staff**

CC: **Scott McCullough/ Director of Planning and Development Services**
Sheila Stogsdill/ Assistant Planning Director

Date: ~~**August 12, 2008**~~ **August 22, 2008**

RE: **MISC. ITEM 1 -- Extension request for Final Development Plan for Miracon Plaza phase 1**

The applicant submitted a written request for an extension for the Final Development Plan for the proposed Miracon Development property located on the northeast corner of Clinton Parkway and Wakarusa Drive.

The Final Development Plan for Miracon Plaza phase 1 (FDP-01-02-07) was approved by the Planning Commission on February 26, 2007 and is scheduled to expire on August 26, 2008. The document was recorded with the Douglas County Register of Deeds Office on October 31, 2007 (Book P-18, Page 163-165).

Per Section 20-1013 of the 1966 zoning code the approval of a final development plan shall be effective for no more than 18 months. **As noted at the June 2008 PC meeting, the previous code was silent regarding development plan extensions. The applicant has submitted a revised request asking for a 24 month extension rather than a 6 month due, in part, to the slow economy. Staff believes it is better to consider such requests in lesser time frames. Should the applicant need a second extension, the Commission should consider the relevant factors at that time.**

Approval of the extension will allow the applicant to finalize tenant negotiations for the development of the project to proceed.

Staff recommends approval of a ~~six~~ **12 month** extension for the Final Development Plan. Miracon Plaza phase 1 Final Development Plan (FDP-01-02-07) would be effective until ~~February 26, 2009~~. **August 26, 2009**.

Recommendation:
Staff recommends approval of a ~~six~~ **12 month** extension for the Final Development Plan. Miracon Plaza phase 1 Final Development Plan (FDP-01-02-07) would be effective until ~~February 26~~, **August 26, 2009**. ~~If a building permit is not issued by this date, the FDP would be void and a new plan would need to be submitted in accordance with the current Development Code.~~

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.

1310 Wakarusa Drive
Lawrence, Kansas 66049

tele 785.843.7530
fax 785.843.2410
email info@landplan-pa.com

Sandra Day, Planner
City of Lawrence
Planning Department
6 East 6th Street
Lawrence, Kansas 66044

August 12, 2008

RE: Miracon Plaza Phase 1 Final Development Plan; NE Quadrant of Wakarusa Drive & Clinton Parkway – PD 01-02-07

Dear Sandra;

The owners of Miracon Plaza Phase 1 wish to extend the deadline for obtaining a building permit for the construction of the approved above-referenced Final Development Plan as filed with the Register of Deed in Douglas County for 6 months.

If you have any question, please call me.

Sincerely,

C.L. Maurer, RLA, ASLA
Landplan Engineering, P.A.

From: Tim Herndon [mailto:timh@LANDPLAN-PA.COM]
Sent: Thursday, August 21, 2008 1:35 PM
To: Sheila Stogsdill
Cc: Sandra Day; Scott McCullough; tschmidt@sunflower.com; CL Maurer; Brian Sturm
Subject: RE: Miracon Plaza FDP Extension

Sheila - Thanks for your inquiry. Please consider this:

The Owner paid $130,000 in planning and engineering fees alone, just to get to a point where initial construction can be permitted. This expense excludes architectural fees and numerous other costs associated with getting the property positioned for phase one development.

Presently, the market is generally flat in Lawrence and elsewhere; construction in the near-term is an iffy prospect. Therefore, the idea that all the aforementioned Miracon Plaza planning work would simply expire, to be re-submitted, re-reviewed, re-reported, and re-acted upon in order to achieve status quo, seems like an enormous waste of time, money and energy on the part of everyone affected.

Hopefully, Miracon Plaza ground will be broken within 24 months. If not, however, it seems like four six-month extensions, rather than the one 24-month extension presently requested, would also require a lot more effort than necessary.

That is the basis for our request, and is the gist of what I'll express to the Planning Commission, if necessary. Thanks again for your note. I hope to see you soon! - Sincerely, Tim Herndon

---

From: Sheila Stogsdill [mailto:sstogsdill@ci.lawrence.ks.us]
Sent: Thursday, August 21, 2008 12:40 PM
To: Tim Herndon
Cc: Sandra Day; Scott McCullough; tschmidt@sunflower.com; CL Maurer; Brian Sturm
Subject: RE: Miracon Plaza FDP Extension

Tim –

Can you please provide additional justification for your request?

The old code provides 18 months for the FDP approval and the new code provides 12 months for FDP approval + one 6 month extension. Staff will forward your request, but the Commission will be interested in additional reasons that might support a 24 month extension.

Thanks.

Sheila M. Stogsdill, *Assistant Planning Director* - stogsdill@ci.lawrence.ks.us
Planning & Development Services Department |www.lawrenceplanning.org
City Hall, 6 E. 6th Street
P.O. Box 708, Lawrence, KS 66044-0708
office (785) 832-3157 | fax (785) 832-3160

From: Tim Herndon [mailto:timh@LANDPLAN-PA.COM]
Sent: Wednesday, August 20, 2008 4:11 PM
To: Sandra Day; Scott McCullough
Cc: CL Maurer; tschmidt@sunflower.com; Brian Sturm
Subject: Miracon Plaza FDP Extension

Sandy and/or Scott -

This emailed message is offered as communication pertaining to Miscellaneous Item No. 1 on the Aug. 25, 2008 PC Agenda, "Extension Request for Final Development Plan for Miracon Plaza."

On Aug. 11, notice was given to CL Maurer by the Planning Office that the FDP for Miracon Plaza is to expire on August 26, 2008, unless an extension by the PC is granted. On behalf of the owner, we sincerely thank you for the notice.

However, because Mr. Maurer was not at the time cognizant of the fact that Miracon Plaza was reviewed and approved per the "old" Code, we inadvertently requested a six-month extension (mistakenly in accordance with the *newer* Code.) Therefore, in hindsight, we wish to amend the extension request to be considered by the Aug. 25 Planning Commission:

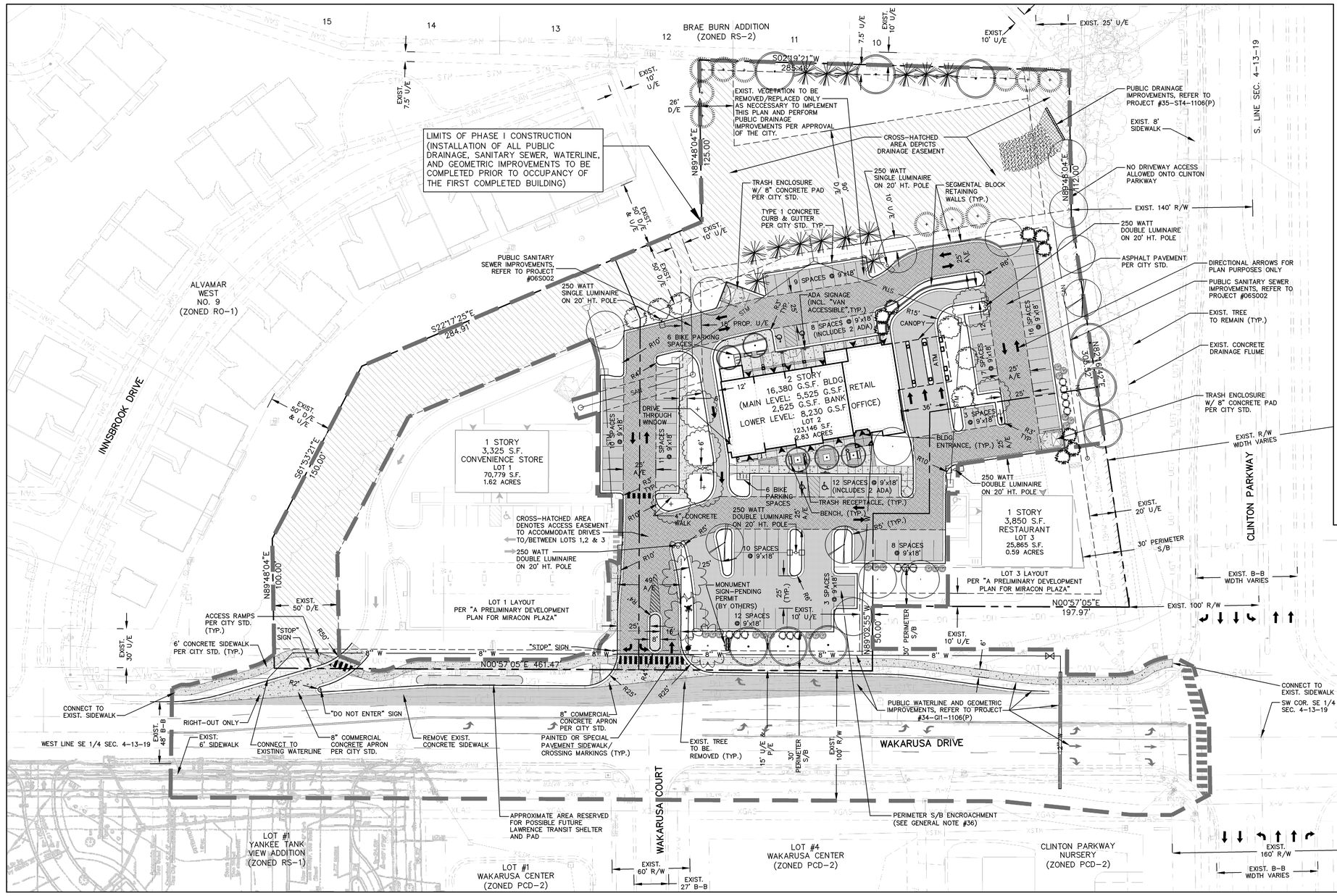
We hereby request the extension, by 24 months, of the deadline for obtaining a building permit for the construction of the initial phase of Miracon Plaza.

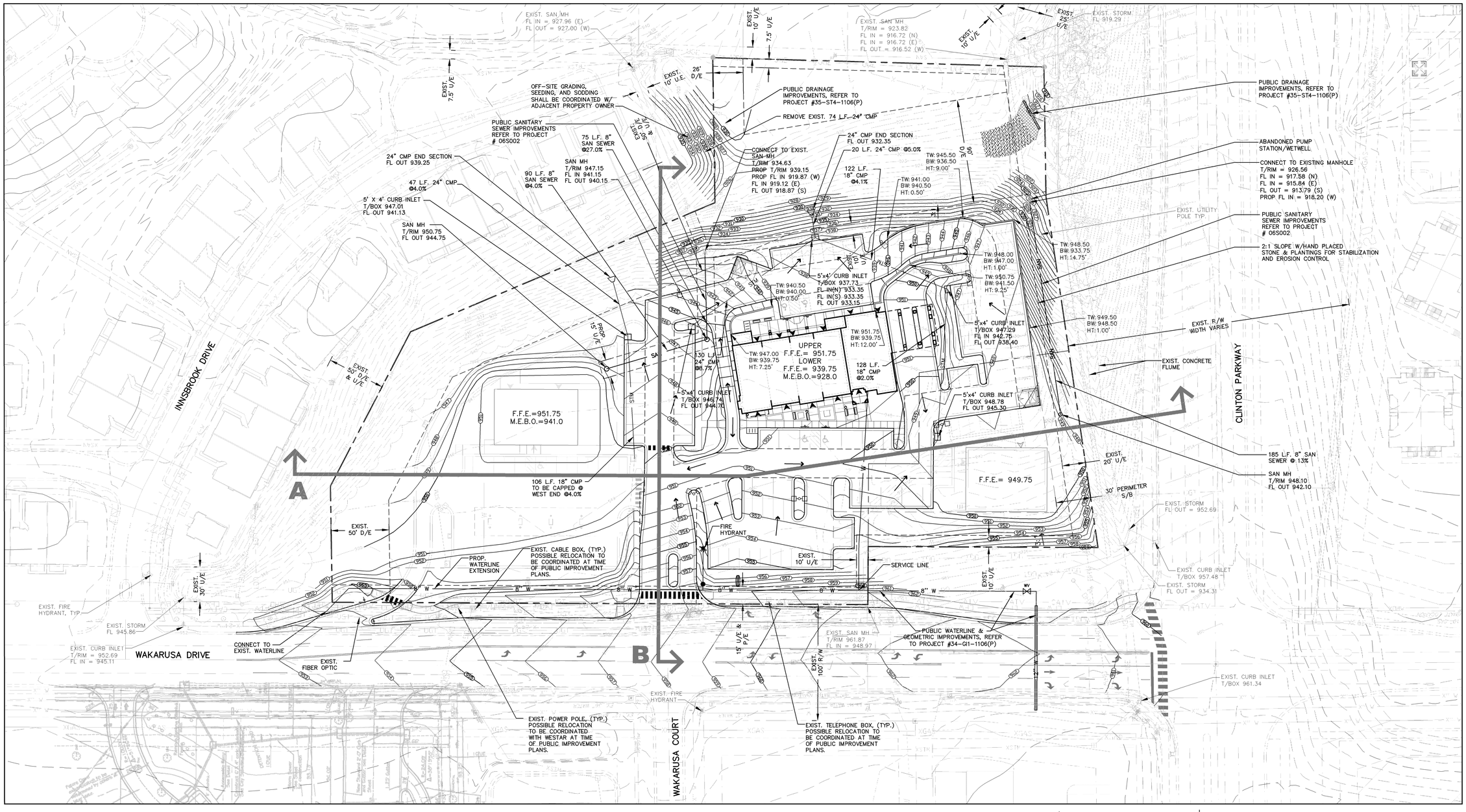
Thanks again. Sincerely,

Tim A. Herndon, RLA, ASLA
Landscape Architecture & Planning Manager - Lawrence
Licensed in KS and MO

Landplan Engineering, P.A.
1310 Wakarusa Drive
Lawrence, Kansas 66049
v. 785.843.7530
f. 785.843.2410

Lawrence, KS • Kansas City, MO • Junction City, KS • Blue Springs, MO • The Woodlands, TX
www.landplan-pa.com


BRAE BURN ADDITION
(ZONED RS-2)
ALVAMAR WEST NO. 9
(ZONED RO-1)
INNSBROOK DRIVE
CLINTON PARKWAY
WAKARUSA DRIVE
WAKARUSA COURT
S. LINE SEC. 4-13-19
WEST LINE SE 1/4 SEC. 4-13-19
LIMITS OF PHASE I CONSTRUCTION (INSTALLATION OF ALL PUBLIC DRAINAGE, SANITARY SEWER, WATERLINE, AND GEOMETRIC IMPROVEMENTS TO BE COMPLETED PRIOR TO OCCUPANCY OF THE FIRST COMPLETED BUILDING)
EXIST. VEGETATION TO BE REMOVED/REPLACED ONLY AS NECCESSARY TO IMPLEMENT THIS PLAN AND PERFORM PUBLIC DRAINAGE IMPROVEMENTS PER APPROVAL OF THE CITY.
CROSS-HATCHED AREA DEPICTS DRAINAGE EASEMENT
PUBLIC DRAINAGE IMPROVEMENTS, REFER TO PROJECT #35-ST4-1106(P)
EXIST. 8' SIDEWALK
NO DRIVEWAY ACCESS ALLOWED ONTO CLINTON PARKWAY
EXIST. 140' R/W
TRASH ENCLOSURE W/ 8" CONCRETE PAD PER CITY STD.
TYPE 1 CONCRETE CURB & GUTTER PER CITY STD. TYP.
250 WATT SINGLE LUMINAIRE ON 20' HT. POLE
SEGMENTAL BLOCK RETAINING WALLS (TYP.)
PUBLIC SANITARY SEWER IMPROVEMENTS, REFER TO PROJECT #06SS002
ASPHALT PAVEMENT PER CITY STD.
DIRECTIONAL ARROWS FOR PLAN PURPOSES ONLY
EXIST. TREE TO REMAIN (TYP.)
EXIST. CONCRETE DRAINAGE FLUME
TRASH ENCLOSURE W/ 8" CONCRETE PAD PER CITY STD.
EXIST. R/W WIDTH VARIES
1 STORY 3,325 S.F. CONVENIENCE STORE LOT 1 70,779 S.F. 1.62 ACRES
2 STORY 16,380 G.S.F. BLDG (MAIN LEVEL: 5,525 G.S.F. RETAIL 2,625 G.S.F. BANK LOWER LEVEL: 8,230 G.S.F. OFFICE) LOT 2 123,146 S.F. 2.83 ACRES
1 STORY 3,850 S.F. RESTAURANT LOT 3 25,865 S.F. 0.59 ACRES
CROSS-HATCHED AREA DENOTES ACCESS EASEMENT TO ACCOMMODATE DRIVES TO/BETWEEN LOTS 1,2 & 3
LOT 1 LAYOUT PER "A PRELIMINARY DEVELOPMENT PLAN FOR MIRACON PLAZA"
LOT 3 LAYOUT PER "A PRELIMINARY DEVELOPMENT PLAN FOR MIRACON PLAZA"
ACCESS RAMPS PER CITY STD. (TYP.)
6' CONCRETE SIDEWALK PER CITY STD. (TYP.)
"STOP" SIGN
"DO NOT ENTER" SIGN
RIGHT-OUT ONLY
CONNECT TO EXIST. SIDEWALK
CONNECT TO EXISTING WATERLINE
8" COMMERCIAL CONCRETE APRON PER CITY STD.
REMOVE EXIST. CONCRETE SIDEWALK
8" COMMERCIAL-CONCRETE APRON PER CITY STD. PAINTED OR SPECIAL PAVEMENT SIDEWALK/ CROSSING MARKINGS (TYP.)
APPROXIMATE AREA RESERVED FOR POSSIBLE FUTURE LAWRENCE TRANSIT SHELTER AND PAD
EXIST. TREE TO BE REMOVED (TYP.)
PERIMETER S/B ENCROACHMENT (SEE GENERAL NOTE #36)
PUBLIC WATERLINE AND GEOMETRIC IMPROVEMENTS, REFER TO PROJECT #34-GT-1106(P)
CONNECT TO EXIST. SIDEWALK
SW COR. SE 1/4 SEC. 4-13-19
LOT #1 PARKWAY WEST (PRD-2)
LOT #1 YANKEE TANK VIEW ADDITION (ZONED RS-1)
LOT #1 WAKARUSA CENTER (ZONED PCD-2)
LOT #4 WAKARUSA CENTER (ZONED PCD-2)
CLINTON PARKWAY NURSERY (ZONED PCD-2)
LOT #1 STONEY POINT (PCD-2)
EXIST. 160' R/W
EXIST. B-B WIDTH VARIES
EXIST. 100' R/W
EXIST. 48' B-B
EXIST. 60' R/W
EXIST. 27' B-B
N89°48'04"E 125.00'
N89°48'04"E 112.00'
N89°48'04"E 100.00'
S02°19'21"W 285.48'
S22°17'25"E 284.91'
S61°53'21"E 150.00'
N89°48'04"E 308.32'
N00°57'05"E 197.97'
N89°02'55"W 50.00'
N00°57'05"E 461.47'
9 SPACES @ 9'x18'
8 SPACES @ 9'x18' (INCLUDES 2 ADA)
ADA SIGNAGE (INCL. "VAN ACCESSIBLE" TYP.)
6 BIKE PARKING SPACES
PROP. U/E
CANOPY
16 SPACES @ 9'x18'
7 SPACES @ 9'x18'
5 SPACES @ 9'x18'
DRIVE THROUGH WINDOW
11 SPACES @ 9'x18'
12 SPACES @ 9'x18' (INCLUDES 2 ADA)
4" CONCRETE WALK
TRASH RECEPTACLE, (TYP.)
BENCH, (TYP.)
10 SPACES @ 9'x18'
8 SPACES @ 9'x18'
MONUMENT SIGN-PENDING PERMIT (BY OTHERS)
12 SPACES @ 9'x18'
3 SPACES @ 9'x18'
BLDG ENTRANCE, (TYP.)
BIKE PARKING SPACES
BENCH, (TYP.)
250 WATT DOUBLE LUMINAIRE ON 20' HT. POLE
EXIST. 10' U/E
EXIST. 50' D/E
EXIST. 30' U/E
EXIST. 20' U/E
30' PERIMETER S/B
15' U/E P/E
30' PERIMETER S/B
EXIST. 10' U/E
EXIST. 7.5' U/E
EXIST. 25' U/E
EXIST. 50' U/E & U/E
EXIST. 10' U/E
26' D/E
EXIST. 50' D/E
EXIST. 10' U/E
EXIST. 10' U/E
EXIST. 50' U/E & U/E
EXIST. 10' U/E
EXIST. 10' U/E
EXIST. 10'





Site Section A-A
Not To Scale



Site Section B-B
Not To Scale

North

0 20 40 60 100
Scale: 1"=40'-0"

BENCHMARK NO. 1: SW CORNER CURB INLET, 25' ± SOUTH OF SOUTHEAST CORNER WAKARUSA DRIVE & INNSBROOK DRIVE. ELEV. 952.69

BENCHMARK NO. 2: NORTH RIM SANITARY MANHOLE ON EAST SIDE OF WAKARUSA DRIVE. 150' NORTH OF CLINTON PARKWAY, ACROSS FROM CLINTON PARKWAY NURSERY ENTRANCE. ELEV. 961.87

A Final Development Plan for

MIRACON PLAZA PHASE I

Lawrence, Kansas

CHAIR
LAWRENCE – DOUGLAS COUNTY PLANNING COMMISSION

SECRETARY
LAWRENCE – DOUGLAS COUNTY PLANNING COMMISSION

THIS DOCUMENT IS FOR PLANNING PROCESS ONLY—NOT FOR CONSTRUCTION

Civil Engineering
Landscape Architecture
Community Planning
Surveying

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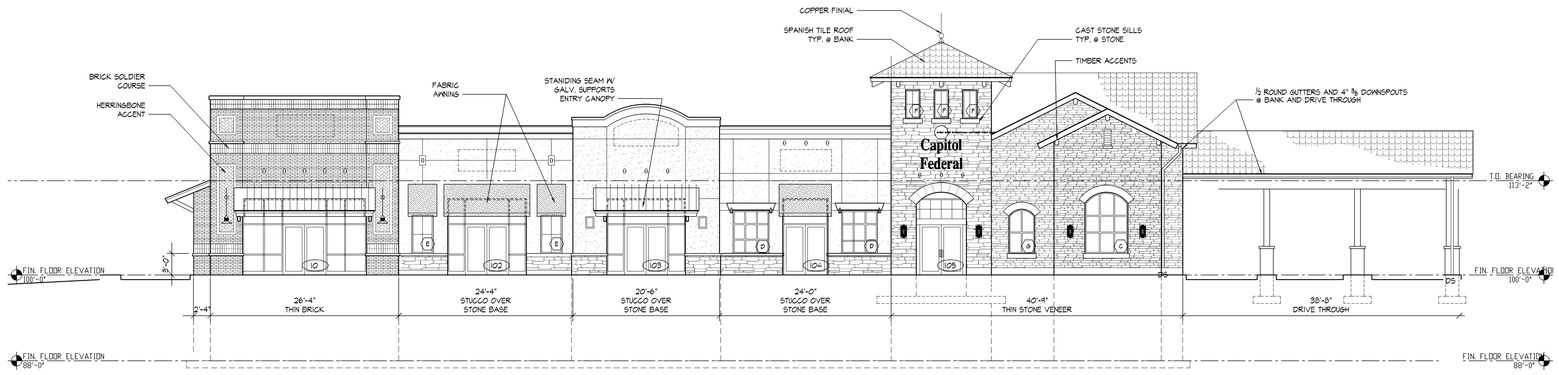
Grading Plan & Site Sections

REVISIONS
02/09/07 PER DEPT. COMMENTS
09/28/07 PER PC CONDITIONS

DATE:	1/10/07
PROJECT NO.:	2005.675
DRAWING ID:	05675-ldp-gra_ulo
DESIGNED BY:	LPE
DRAWN BY:	BS
CHECKED BY:	TAH

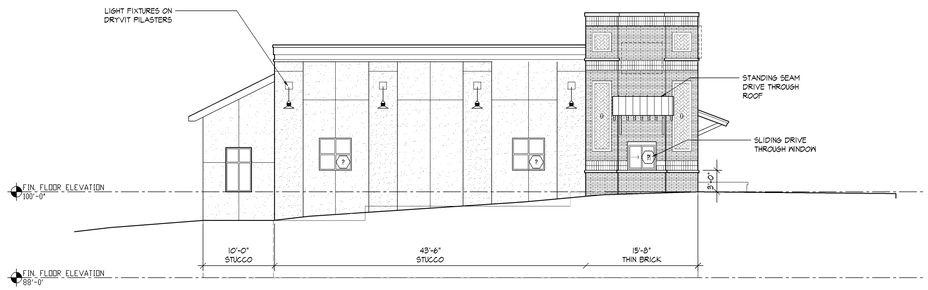
SHEET NO. 2 OF 3 SHEETS

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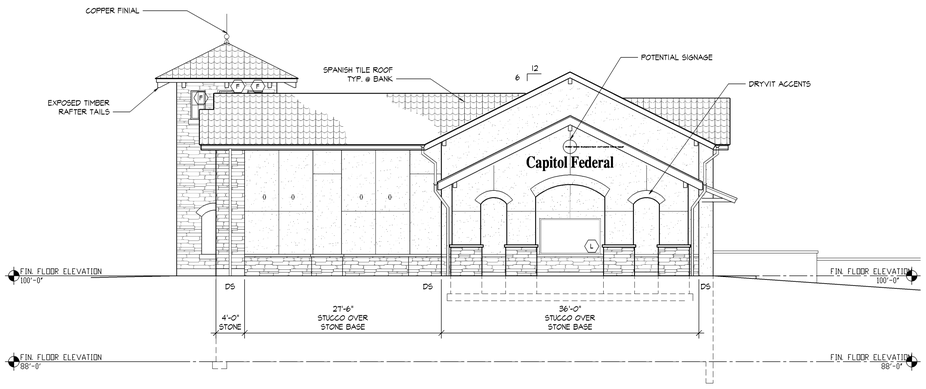
West Elevation

Scale: 1"=10'



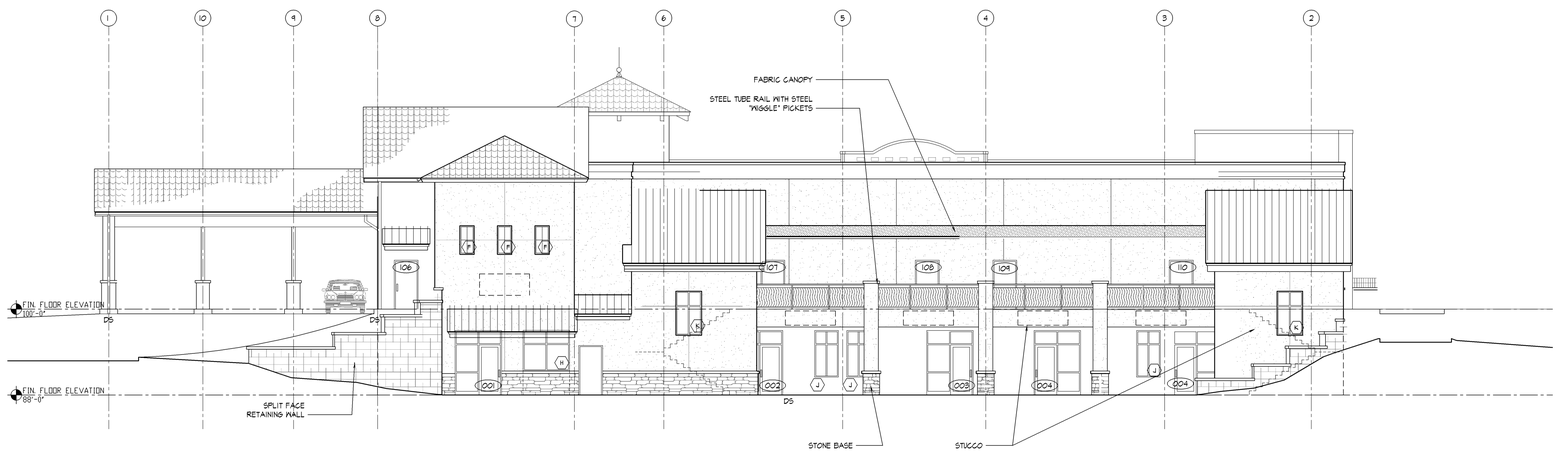
North Elevation

Scale: 1"=10'



South Elevation

Scale: 1"=10'



East Elevation

Scale: 1"=10'

TREANOR ARCHITECTS P.A.
ARCHITECTURE INTERIORS PLANNING HISTORIC PRESERVATION GRAPHIC DESIGN
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Lawrence Kansas 66044 1063
Office 785 842 4858
Fax 785 842 7536
www treanorarchitects com

A Final Development Plan for

MIRACON PLAZA PHASE I

Lawrence, Kansas

CHAIR
LAWRENCE – DOUGLAS COUNTY PLANNING COMMISSION

SECRETARY
LAWRENCE – DOUGLAS COUNTY PLANNING COMMISSION

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Building Elevations

REVISIONS
02/09/07 PER DEPT. COMMENTS
09/28/07 PER PC CONDITIONS

DATE:	1/10/07
PROJECT NO.:	2005.675
DRAWING ID:	05675-fdp-gra_ule
DESIGNED BY:	LPE
DRAWN BY:	BS
CHECKED BY:	TAH

SHEET NO.
3 OF 3 SHEETS

S:\2005\PROJ\2005.675\dwg\Planning\Gen grad\Phase 1 FDP\05675-fdp-gra_ule.dwg, 9/28/2007 3:27:02 PM, xerox, 30 ARM Project

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
08/27/08

ITEM NO. 6: CONDITIONAL USE PERMIT FOR KAW SAND/PENNY'S CONCRETE DREDGING, 1752 N 1500 Road (PGP)

CUP-06-04-08: Conditional Use Permit for Kaw Sand/Penny's Concrete Dredging, located along the south side of the Kansas River at 1752 N. 1500 Road. The CUP is a new permit for a dredging operation taking sand/gravel from the Kansas River. The applicant's prior CUP for this same location has expired. Submitted by Kaw Sand/(The Master's Dredging Company, Inc.)/Penny's Concrete Dredging for Schaake Farms, Inc and Larry C. Schaake property owners of record. ***This may be a joint meeting with Eudora Planning Commission.***

STAFF RECOMMENDATION: Staff recommends approval of a Conditional Use Permit for Kaw Sand/The Master's Dredging Company/Penny's Concrete and forwarding of it to the County Commission with a recommendation for approval, based upon the findings of fact presented in the body of the staff report and subject to the following conditions of approval:

1. The CUP permit for the sand/gravel dredging operation [CUP-06-04-06] is valid to December 31, 2012.

2. Upon applicant's request in the Fall of 2012 for an administrative review by the Douglas County Zoning Administrator, the CUP Permit [CUP-06-04-06] may be administratively extended by the Douglas County Zoning Administrator for up to six years (a consecutive maximum six year period starting on December 31, 2012 and ending no later than December 31, 2018) providing that the applicant maintains a valid Corps of Engineers' Permit for the sand/gravel dredging operation. Sand/gravel dredging operation beyond an extension by the County Zoning Administrator would require the applicant obtaining a new CUP permit.

3. The applicant shall obtain an approved County Flood Plain Development Permit from the Douglas County Zoning Administrator prior to the installation of the proposed dredging operation improvements.

4. The following general notes shall be added to the face of the Site Plan:
    a. Per Article 19-5(b), "All excavated materials will be returned to a level no higher than the elevation of surrounding land, and that proper drainage is provided."
    b. Note on plan for lighting expanded to prior condition of, "Lighting on the site be restricted to security lighting on the plant itself. Area lighting is not permitted. Lighting should be low pressure sodium lamps, directly down form the building and shielded from view of neighboring properties."

5. Provide the following minor modifications to the Site Plan:
    a. Include the Register of Deed's recorded book and page number for the access road agreement.
    b. Update the Legal Description.
    c. Remove the 'Phase 1' label as it is no longer a part of the plan.

Project Description – from Department of the Army, Corps of Engineers' Permit: *This project consists of a commercial sand and gravel dredging operation on the Kansas River that utilizes hydraulic pumps mounted on barges to convey a sand and gravel slurry to shore based facilities for processing. Excess water is drained from the sand and gravel and returned to the river. This permit is subject to the restrictions and monitoring requirements stipulated in the Regulatory Plan for Commercial Dredging Activities on the Kansas River (Plan).*

Reason for Request: Applicant's Response: *"We desire to continue operation of our sand dredging development which has been conducting business at the subject location since 1991. Extensive capital improvements have been made at this location and all of the conditions of our previous CUP have been met to the best of our knowledge. Capital Improvements exceeding $500,000."*

KEY POINTS

- The prior CUPs [CUP-01-03-91 & CUP-03-03-01] for this location were approved subject to conditions. The conditions were met or reflected on the site plan but the permit has expired. The physical improvements to the site were never made since the Corps of Engineers' Permit was not issued until after the CUP expired. The time limit placed by the Corps of Engineers' Permit for the completion of the authorized dredging work ends on December 31, 2012.
- A typical CUP is valid for up to 10 years (initial 5 year period with a potential additional 5 year administrative extension, based upon a request from the applicant and a successful administrative review by the County Zoning Administrator).

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Conditional Use Permit issued to Dunbar for this property in 1979 [CUP-02-02-79] and assumed by Penny's Concrete prior to 1991.
- Prior Conditional Use Permits issued to applicant for this property [CUP-01-03-91] [CUP-03-03-01].

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Public comment received as of the writing of this staff report is attached as correspondence.

GENERAL INFORMATION

Current Zoning and Land Use:	VC (Valley Channel) Zoning District and FW (Flood Way) and FF (Floodway Fringe) Overlay Zoning Districts; undeveloped property currently in corn production. Property has existing improved graveled access road across the property near the south bank of the river.
Surrounding Zoning and Land Use:	East, south and west: VC (Valley Channel) District; agricultural uses with sparsely scattered residences. North: Kansas River; across Leavenworth County/Riverfront Park.

SUMMARY OF KEY DATES

- The original request [CUP-1-3-91] was granted in June 1991.
- A five year extension was granted in 1996 and its term was to expire March 31, 2001.
- On February 21, 1996, the County Commission extended the CUP through March 31, 2001.
- On March 26, 2001, the County Commission granted a nine month extension through December 31, 2001 (anticipating a new Corps of Engineer's Permit – staff assigned new number [CUP-03-03-01]).
- On December 17, 2001 and prior to the CUP term expiring, the County Commission approved a five year extension of the CUP through December 31, 2006.

In December 2001, Kaw Sand had indicated they expected a renewal of their Corps permit in the near future and a December 12, 2001 letter from the Corp of Engineers extended their permit until they made a final determination on the renewal. The renewed permit was just issued in August 2007, after the [CUP-03-03-01] expiration date of December 31, 2006.

REVIEW CRITERIA

I. ZONING AND USES OF PROPERTY NEARBY

Staff Finding – VC (Valley Channel) Zoning District to the east, west and south; agriculture and river bank areas. The Kansas River is adjacent to the north.

II. CHARACTER OF THE AREA

The property is located along the south side of the Kansas River. Nearby land uses are primarily agricultural (field crops) with some naturally forested linear areas along the river bank. There is an existing sand dredging operation (Penny's Concrete) to the northeast of the property in this request, along the bend in the river.

Staff Finding – The character of the area is rural, agricultural with a long running sand/gravel dredging operation located to the north-east.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

> Applicant's response: *"This property has been operating under the regulation of the Corps of Engineer, Kansas Division of Water Resources, Kansas Department of Wildlife, and the previous Douglas County CUP-01-03-91/CUP-03-03-01. We have met all the reporting and conditions of these governing agencies to the best of our knowledge."*

The property is suitable for agricultural production and currently is growing corn. It is suitable also, based on its location along the Kansas River, for the proposed sand/gravel dredging operation.

The uses permitted in VC (Valley Channel) are few and limited to non-intrusive types of uses, e.g. grazing, hunting or fishing, public/private recreational uses not including permanent structures. Specifically prohibited are buildings for human habitation.

Section 19-4 of the Zoning Regulations of Unincorporated Areas of Douglas County permit mineral extraction (sand/gravel dredging of river) uses in the Valley Channel Zoning District with approval of a Conditional Use Permit.

The property is suitable for the uses to which it has been restricted. A Conditional Use Permit for the sand/gravel dredging operation does not alter the permitted uses in the Valley Channel Zoning District. The proposed use has been previously approved by past County Commissioners but never implemented due to timing of Corps permits.

Staff Finding – The property is suitable for the uses to which it has been restricted.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – The subject property has previously been available and used for agricultural related uses since at least 1966, when the County adopted Zoning Regulations. The property has two prior CUP's [CUP-01-03-91] & [CUP-03-03-01] for the sand/gravel dredging operation which were never implemented due to need for Corps of Engineer's permit. The property is currently used for the production of corn.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant's Response: *"None."*

There is an existing access road to and through the proposed sand/gravel dredging operation. This improved graveled access road begins at the intersection of N 1500 Road and E 1750 Road, goes north to the river and then follows the south bank of the river to the northeast. This access road is used by trucks for an existing sand/gravel dredging operation located to the northeast of this property. There are no homes located along the access road. There is a recorded access easement for the riverbank road, but the plan does not include the Register of Deed's recorded Book and Page number reference.

Staff Finding – The proposed land use should not detrimentally affect nearby property.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Applicant's Response*: "Provision of the natural resource of sand and sand products for use in road/highway construction, filter and backfill products for water and natural gas lines, as a constituent for asphalt and concrete producers, as ice control product to various government entities. This natural resource is available in greatly diminished capacities due to the suspension of Corps of Engineers and the allocations that have been placed on Kansas River dredging."*

Staff Finding – Approval of the dredging operation may benefit the community in that production at this location will provide a convenient and economical source of sand and gravel. Denial of the operation would not allow for the dredging of sand and gravel from the Kansas

River at this location and would require the obtaining of such material from a different location/source.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan recommends that agricultural uses should continue to be the predominant land use in the rural areas of the county and that uses permitted in the rural area should be limited to those which are compatible with agricultural production and uses. The land will be suitable for agricultural uses when the sand/gravel dredging and storage has ceased operation. The operator will need to abide by the restrictions on the CUP, and when the operation ceases, per Article 19-5(b) of the County Code, all excavated materials (gravel/sand removed from the riverbed and stockpiled on the property) will need to be returned to a level no higher than the elevation of the surrounding land.

Staff Finding – The request is in conformance with the Comprehensive Plan. The sand/gravel operation can be a long term use of the property with reclamation of the land when the operation ceases, a restriction placed on the Conditional Use Permit. When the CUP has expired the land will be suitable for agricultural uses as much of the land will have been undisturbed.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of a Conditional Use Permit for Kaw Sand/the Master's Dredging Company/Penny's Concrete and forwarding of it to the County Commission with a recommendation for approval, based upon the findings of fact presented in the body of the staff report and subject to the following conditions of approval:

1. The CUP permit for the sand/gravel dredging operation [CUP-06-04-06] is valid to December 31, 2012.

2. Upon applicant's request in the Fall of 2012 for an administrative review by the Douglas County Zoning Administrator, the CUP Permit [CUP-06-04-06] may be administratively extended by the Douglas County Zoning Administrator for up to six years (a consecutive maximum six year period starting on December 31, 2012 and ending no later than December 31, 2018) providing that the applicant maintains a valid Corps of Engineers' Permit for the sand/gravel dredging operation. Sand/gravel dredging operation beyond an extension by the County Zoning Administrator would require the applicant obtaining a new CUP permit.

3. The applicant shall obtain an approved County Flood Plain Development Permit from the Douglas County Zoning Administrator prior to the installation of the proposed dredging operation improvements.

4. The following general notes shall be added to the face of the Site Plan:
    a. Per Article 19-5(b), "All excavated materials will be returned to a level no higher than the elevation of surrounding land, and that proper drainage is provided."
    b. Note on plan for lighting expanded to prior condition of, "Lighting on the site be restricted to security lighting on the plant itself. Area lighting is not permitted. Lighting should be low pressure sodium lamps, directly down form the building and shielded from view of neighboring properties."

5. Provide the following minor modifications to the Site Plan:
    a. Include the Register of Deed's recorded book and page number for the access road agreement.
    b. Update the Legal Description.
    c. Remove the 'Phase 1' label as it is no longer a part of the plan.

DEPARTMENT OF THE ARMY PERMIT

Permittee The Master's Dredging Company, Inc.

Permit No. 200200317

Issuing Office U.S. Army Engineer District, Kansas City

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below, and with the plans and drawings attached hereto which are incorporated in and made a part of this permit.

Project Description: This project consists of a commercial sand and gravel dredging operation on the Kansas River that utilizes hydraulic pumps mounted on barges to convey a sand and gravel slurry to shore based facilities for processing. Excess water is drained from the sand and gravel and returned to the river. This permit is subject to the restrictions and monitoring requirements stipulated in the Regulatory Plan for Commercial Dredging Activities on the Kansas River (Plan).

Permit Drawing: Location map

Project Location: In the Kansas River at River Miles 42.6 – 44.1 and 47.1 – 48.0

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on 31 December 2012. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Daniel Perry
(PERMITTEE)

July 31, 2007
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

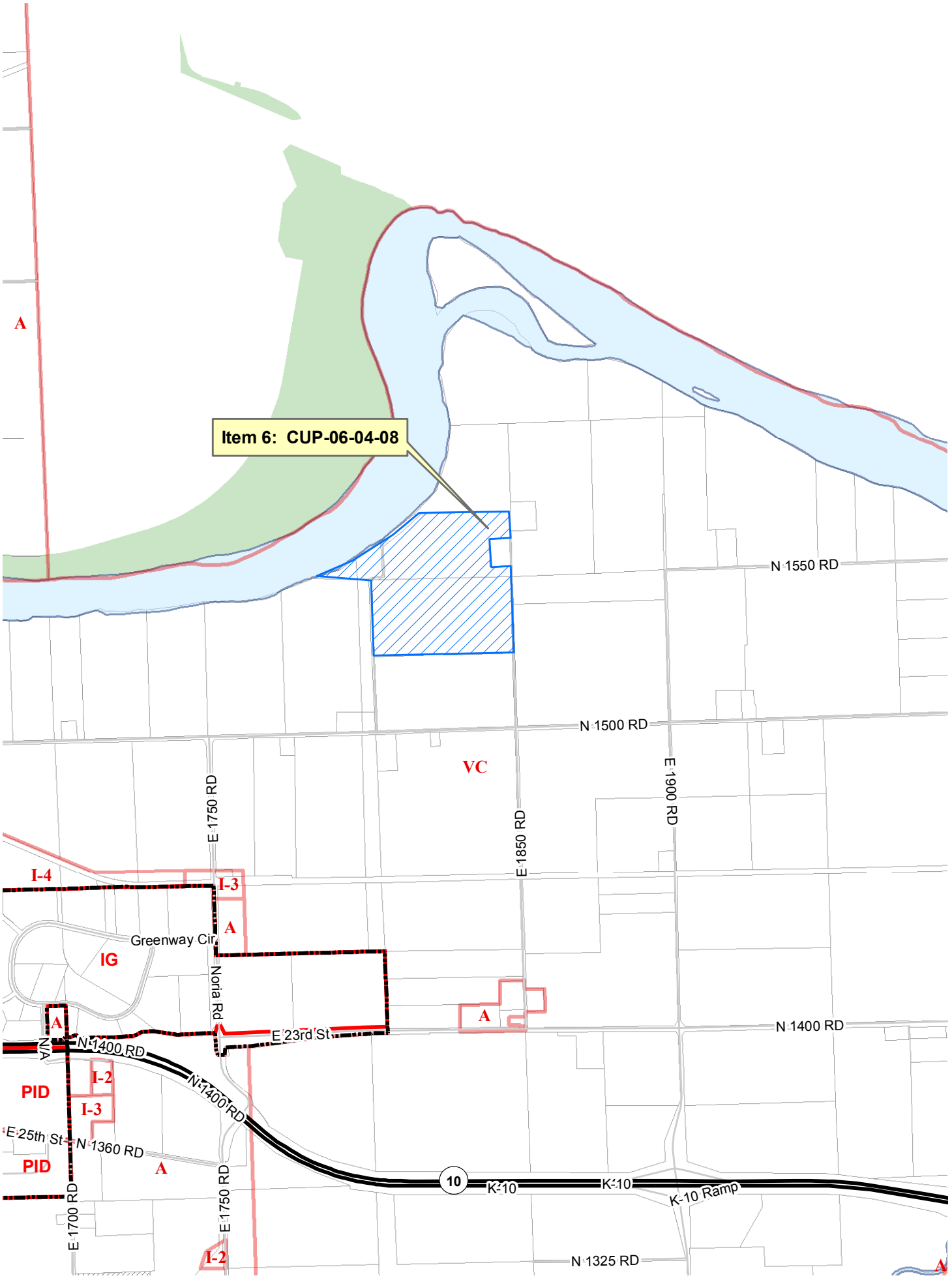
(DISTRICT ENGINEER)
ROGER A. WILSON, JR., COLONEL

21 Aug 2007
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)

(DATE)


Item 6: CUP-06-04-08
A
N 1550 RD
N 1500 RD
VC
E 1750 RD
E 1850 RD
E 1900 RD
I-4
I-3
A
Greenway Cir
IG
Noria Rd
E 23rd St
N 1400 RD
PID
I-2
I-3
E 25th St
N 1360 RD
E 1700 RD
10
K-10
K-10 Ramp
N 1325 RD

North

0 250' 500'

Scale: 1" = 200'-0"

Legal Description

A tract of land lying in the East half of Section 34-12-20 and in the West half of Section 35-12-20, more particularly described as follows:
The West 26.0 acres of the Northwest Quarter said Section 35; the South 57.0 acres of the East 134.0 acres of the Northwest Quarter said Section 35, less 4.07 acres; the Northeast Quarter of the Southwest Quarter said Section 35; the North half of the East 66.0 acres of the West half of the Southwest Quarter said Section 35; and the Northeast Quarter said Section 34, less lost land; containing 130.0 acres, more or less, all in Douglas County, Kansas.

Approximate Location River Mile 48

Kansas River

Leavenworth County
Douglas County

100' min. setback from river bank

Pipeline

077-35-0-00-00-007.00-0
Schaake, Larry C.
c/o David + Carmiletta Penny
5.0 acres

078-34-0-00-00-001.00-0
Schaake, Larry C.
c/o David + Carmiletta Penny
2.62 acres

Course material stockpile area (TYP)

Return Water Settling Basin

Sand Plant

Phase I

Light (Typ)

Sand Stockpile Area

Schaake Farms, Inc.

077-35-0-00-00-003.00-0
Penny's Concrete, Inc.
41.64 acres

Road

077-35-0-00-00-004.00-0
McElwee, Carl D. & Margery C.
5.0 acres

Area for relocation of course material piles per FEMA's notice

FUEL STORAGE
(FUEL TO BE PLACED ONE FOOT ABOVE THE REGULATORY FLOOD PLAIN ELEVATION OF 817.4')

475'

80'

077-35-0-00-00-006.00-0
Lauber, Jean L
Trustee
3.92 acres

100' Stbk.

50' Stbk.

Portable Scale

Scattered, Exist'g. Trees to Remain (typ.)

Approximate Top of River Bank (typ.)

Storage Trailer & Parking Area

Portable Scale House

Main Haul Road to be Built to min. Elevation of 806.0 feet (Corps of Engineers "Ordinary High Water Mark" = 805.1' @ River Mile 48)

Access Easement for Private Haul Road

Agreement between property owners and applicant on file at the Register of Deeds Office

Location Kansas River Floodway (per FEMA maps)

078-34-0-00-00-003.00-0
Van LLC
71.60 acres

078-34-0-00-00-004.00-0
Penny's Concrete, Inc
50.5 acres

078-34-0-00-00-002.00-0
Perkins, Carl C Jr. Trustee
75.96 acres

Section Line (typ.)

077-35-0-00-00-005.00-0
Schaake Farms Inc
72.83acres

077-35-0-00-00-005.01-0
Schaake Farms, Inc
c/o David + Carmiletta Penny
48.57 acres

077-35-0-00-00-002.00-0
Van LLC
81.24 acres

100 yr. Flood Boundary

300' R.

Project Boundary (typ.)

077-35-0-00-00-009.00-0
Knabe, Linda + Richard
Schey, Linda
69.41 acres

077-35-0-00-00-010.00-0
Van LLC
126.09 acres

Twnshp. Rd. 1810 E.

Twnshp. Rd. 1850 E.

Twnshp. Rd. 1750 E (Noria Rd.)

Twnshp. Rd. 1500 N (15th st.)

50' R/W

40' R/W

66' R/W

Existing Residence (typ.)

* Note - County Route 1810 E is restricted from use by vehicles hauling sand or gravel from the dredging site, referenced to condition No. 7 of the CUP 1 - 3 - 91 approval
* Note - Site lighting to be low pressure sodium directed down and shielded.
* Note - All structures to be at a minimum 818.4' FFE, one foot above regulatory flood plain elevation of 817.4'.

Kaw Sand Co. Site Plan
Douglas County, Kansas

landplan engineering P.A.
- LANDSCAPE ARCHITECTURE
- CIVIL ENGINEERING
- COMMUNITY PLANNING
- SURVEYING

1310 WAKARUSA DRIVE - SUITE 100
LAWRENCE, KANSAS 66049-3829
(913) 843-7530
FAX (913) 843-2410

SITE PLAN APPROVAL(Gnw)
Site Plan # SP- CUP-1-3-91
Approved by City Commission On June 19, 1991
Director of Planning Linda M. Finger
Release to Building Inspector on, 9-26, 1995

Conditional Use Permit Application Site Plan

Kaw Sand Co., Inc.

Douglas County, Kansas

REVISIONS
Feb. 4, 1991
Feb. 21, 1991 (Floodway)
March 26, 1991
July 13, 1995
AUGUST 18, 1995
SEPTEMBER 22, 1995

DATE: Jan. 11, 1991
PROJECT NO.: 91501.0
DRAWN BY: MM
CHECKED BY:
SHEET NO. 1 OF 2 SHEETS

BRUNING 7496 FORM # 3005

North

0 250' 500'

Scale: 1" = 200'-0"

General Notes

1. This is a preliminary, conceptual plan for planning purposes only. Specific locations and features of this plan may be revised during implementation based upon actual site conditions.
2. Tree plantings as shown on plan are conceptual in nature and do not represent specific species and/or quantities. Installation is to be sequential throughout the life of the project.

Approximate Location River Mile 48

Kansas River

Leavenworth County

Douglas County

Schaake, Larry C.
c/o David + Carmiletta Penny
077-35-0-00-00-007.00-0
5.0 acres

078-34-0-00-00-001.00-0
Schaake, Larry C.
c/o David + Carmiletta Penny
2.62 acres

077-35-0-00-00-003.06-0
Penny's Concrete, Inc.
41.64 acres

077-35-0-00-00-004.00-0
McElwee, Carl D. & Margery C.
5.0 acres

077-35-0-00-00-006.00-0
Lauker, Jean L. Trustee
3.92 acres

077-35-0-00-00-005.01-0
Schaake Farms, Inc
c/o David + Carmiletta Penny 48.57 acres

077-35-0-00-00-005.00-0
Schaake Farms, Inc. 72.83 acres

077-35-0-00-00-002.00-0
Van LLC
81.24 acres

34

35

Scattered, Exist'g. Trees to Remain (typ.)

Approximate Top of River Bank (typ.)

Approximate Location Kansas River Floodway (per FEMA maps)

Return to Farm Ground

100 yr. Flood Boundary

Project Boundary (typ.)

078-34-0-00-00-004.00-0
Penny's Concrete, Inc
50.5 acres

078-34-0-00-00-003.00-0
Van LLC
71.60 acres

078-34-0-00-00-002.00-0
Perkins, Carl C Jr. Trustee
75.96 acres

Section Line (typ.)

077-35-0-00-00-009.00-0
Knabe, Linda + Richard
Schey, Linda
69.41 acres

077-35-0-00-00-010.00-0
Van LLC
126.09 acres

Twnshp. Rd. 1810 E.

Twnshp. Rd. 1850 E.

50' R/W

40' R/W

Twnshp. Rd. 1500 N (15th St.)

Twnshp. Rd. 1750 E (Noria Rd.)

40' R/W

Existing Residence (typ.)

66' R/W

Typical Final Reclamation Concept
Kaw Sand Co., Inc.
Douglas County, Kansas

landplan engineering P.A.

- LANDSCAPE ARCHITECTURE
- CIVIL ENGINEERING
- COMMUNITY PLANNING
- SURVEYING

1310 WAKARUSA DRIVE - SUITE 100
LAWRENCE, KANSAS 66049 -3829
(913) 843-7530
FAX (913) 843-2410

Conditional Use Permit Application

Kaw Sand Co., Inc.

Douglas County, Kansas

REVISIONS
AUGUST 18, 1995

DATE: Jan. 11, 1991
PROJECT NO.: 91501.0
DRAWN BY: MM
CHECKED BY:
SHEET NO. 2 OF 2 SHEETS

BRUNING 14X8 FORM # 3008

August 19, 2008

Lawrence Douglas County Metropolitan Planning Office
Sixth and Massachusetts Street
P.O. Box 708
Lawrence KS 66044

Dear Staff and Commissioners,

My name is Carl McElwee and I live at 1564 E. 1850 Rd., which is adjacent on the East side of the property considered for CUP-06-04-08. I have lived at this location almost 33 years. I am writing to ask you to give me some property value protection from this proposed CUP.

This CUP dates from 1991. At that time I had extensive conversations with Bill Penny. He and his brother Dave owned two dredging permits from the Corps of Engineers. This CUP and another CUP on property north of my house were to be used to service those dredging permits. At that time I asked him to concentrate his operation on the property to the north of my house about 1500 feet away and to service both dredging permits from that location. Since that time they have done that. The property under consideration for this CUP has not been used for any stockpiling operation. I have appreciated that very much.

The Corps has been restricting dredging operations and volumes have remained the same or declined since 1991. This property has not been needed and I don't believe will be needed for stockpiling operations. I understand the need for raw materials. I have worked at KU for 34 years in the Kansas Geological Survey and Geology Department. I can coexist with the current operation north of my house. However, this CUP allows stockpiling of sand within 100 feet of the Lauber property and within 475 feet of my property line.

First of all, since I don't think this property is needed for sand stockpiles, I would ask that stockpiles not be allowed. If you feel you must grant this CUP, I ask that more reasonable setbacks for sand stockpiles be incorporated. I would ask that sand stockpiling and other industrial activity only be allowed on the western half of this property. That would give the Laubers and me about 1000 feet of setback.

In order to set things in proper perspective, I am enclosing some pictures of the area. The first picture is of my house, which was built in 1919 and is a classic Craftsman Bungalow with solid oak woodwork. My wife and I have loved it for 34 years and raised our children here. The second picture is shot from about the center of my property showing parts of two buildings for perspective and showing the current sand operation north of my house. This operation is about 1500 feet away as best as I can estimate. The third picture

is shot from the north side of my property, showing the sand operation and a fence post for perspective. If this CUP is granted as currently drafted the sand operation could also put sandpiles just 475 feet west of my property. This means the piles would be about 3 times closer and appear about 3 times bigger than in the enclosed pictures.

I think this would be a very great detriment to my property values and visual environment if this CUP was used to its current specifications. I don't believe this property is needed for stockpiling and I ask that not be allowed. If you do allow stockpiling, I ask that it only be allowed on the Western half of the property. This land is some of the best farmland in the world. We should be preserving it, not covering it up with sand. I understand the need for sand and can coexist with the current operation, but I ask that it not be allowed to expand. Thank you for your consideration and please contact me if you need further information.

Carl McElwee
1564 E. 1850 Rd.
Lawrence, KS 66046
785-843-4164 Home
785-864-2728 Office – Dept. of Geology, Univ. of Kansas



My house this previous spring.



Sand plant operation from the center of my property.



Sandplant operation for the northern boundary of my property.

August 24, 2008

Lawrence Douglas County Metropolitan Planning Off ice
Sixth and Massachusetts Street
P.O. Boc 708
Lawrence, KS 66044

Dear Staff and Commissioners,

My name is Rick Lauber and I live at 1555 E. 1850 Rd, which is the property in the white square in the middle of the CUP permit in question. I have witnessed the land around the current stockpilings become a I desert. I have lived here for 15 years and have planned on living and raising my young children here, if the permit were granted, I would be forced into raising my two children in a desert due to blowing winds, which would bury my property in sand.

I believe that Mr. Penney has acquired enough land for stockpiling sand, in which he has not made use of to date. I ask you to deny this CUP permit.

Sincerely,

Rick Lauber

PLANNING COMMISSION REPORT
Regular Agenda -- Public Hearing Item

PC Staff Report
08/27/08

ITEM NO. 7: TEXT AMENDMENT TO CHAPTER 20 DEVELOPMENT CODE (JCR)

TA-07-14-08: Consider an amendment to Sections 20-525 and 20-526 of the Development Code to specify use standards for general retail sales and retail establishments in the MU (Mixed Use) District. (Initiated by Planning Commission on 7/21/08)

RECOMMENDATION: Staff recommends that the Planning Commission forward a recommendation for approval of the proposed amendments [TA-07-14-08 to specify use standards for general retail sales and retail establishments in the MU (Mixed Use) District] to Chapter 20, Development Code to the City Commission.

Reason for Request: The Planning Commission initiated this amendment because the use standards for general retail sales and retail establishments, as written, prohibit retail uses in secondary and tertiary development zones in the Mixed Use District even though the use table permits such uses. The use standard is an error in the Development Code and the prohibition of such uses does not reflect the intent of the district.

RELEVANT GOLDEN FACTOR:
- Conformance with the Comprehensive Land Use Plan is the relevant factor that applies to this request. Adoption of new regulatory tools, one of which is the zoning regulations, is an implementation step in Chapter 13 of HORIZON 2020, the City/County Comprehensive Land Use Plan.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING
- None to date.

KEY POINTS
- This is an amendment to the use standards for general retail sales and retail establishments in the MU (Mixed Use) District.
- The MU District is a new zoning district that was approved by the Lawrence City Commission on May 13, 2008.

OVERVIEW OF PROPOSED AMENDMENT
The amendment proposes to clarify that medium retail establishments and specialty retail establishments (those establishments which are less than 100,000 gross square feet in floor area) are restricted to the primary development zone when such establishments are located in the MU District. The intent of the district is to permit a mixture of uses, including retail uses, but to control the intensity and scale of development through the implementation of development zones which govern development intensity and scale. The MU District features three development zones: primary, secondary and tertiary (most intense to least intense). The intent of the district was to restrict larger retail establishments to the primary development zone but allow general retail sales uses in other development zones in order to achieve a mixture of uses throughout the district.

The proposed amendment clarifies that medium retail establishments and specialty retail establishments shall be permitted in the Primary Development Zone when located in a Vertical Mixed

Use Structure.

CONFORMANCE WITH *HORIZON 2020*

Horizon 2020 promotes the mixture of residential and nonresidential uses throughout the MU District and recommends that neighborhood compatibility be achieved by:

- Varying of development intensity throughout the district.
- Controlling the scale of uses and new structures.

CRITERIA FOR REVIEW & DECISION-MAKING

Section 20-1302(f) provides review and decision-making criteria on proposed text amendments. It states that review bodies shall consider at least the following factors:

1) Whether the proposed text amendment corrects an error or inconsistency in the Development Code or meets the challenge of a changing condition; and

The proposed amendment corrects an error in the Development Code. The intent of the MU District was to permit a mix of uses (including retail uses) throughout each of the development zones in the district but to require that medium and specialty retail establishments only be permitted in the primary development zone given the scale and intensity of such uses and the intent of the primary development zone as being the zone permitting the most intense development.

Section 20-525(4) of the existing language does not reflect this intent because this use standard discusses general retail sales, which are distinct from retail establishments. Such language in this use standard effectively prohibits all retail uses from other development zones since this section does not address retail establishments. Staff proposes deleting this section which then will allow general retail sales uses in any of the development zones in a MU District.

Section 20-526(3) discusses retail establishments, therefore this is the most appropriate location in the Development Code for use standards regarding such establishments, however the language adopted is not precise enough because it does not specify which retail establishments may be permitted and where. The Development Code identifies three types of retail establishments; Large, Medium and Specialty. The use table does not permit large retail establishments but does permit medium and specialty. The intent of this use standard is to specify where these establishments may be permitted.

During preparation of this amendment, staff discovered a word processing error in the formatting of the ordinance for the mixed use district that resulted in large retail establishments being shown as permitted in the MU District while not showing that medium retail establishments were permitted. Both the Planning Commission and City Commission approved the text amendment that permits medium retail establishments but prohibits large retail establishments. Staff recommends that the Planning Commission include with the subject text amendment an additional revision to the use table (excerpt shown below) to correct the error.

Use	As approved by PC and CC	As published in Ordinance	Recommendation
Retail Sales, General	P*	P*	P*
Retail Establishment, Large	-	P*	-
Retail Establishment, Medium	P*	-	P*
Retail Establishment, Specialty	P*	P*	P*

2) Whether the proposed text amendment is consistent with the Comprehensive Plan and the stated purpose of this Development Code (Sec. 20-104).

The amendment proposed is consistent with *Horizon 2020* and the stated purpose of the Development Code. The amendment is consistent with *Horizon 2020* because it permits a variety of uses, including large retail establishments but addresses compatibility of such uses with adjacent uses by controlling the location and scale of the use. The amendment is consistent with the stated purpose of the Development Code because it protects, enhances and promotes the health, safety and general welfare of the citizens of Lawrence.

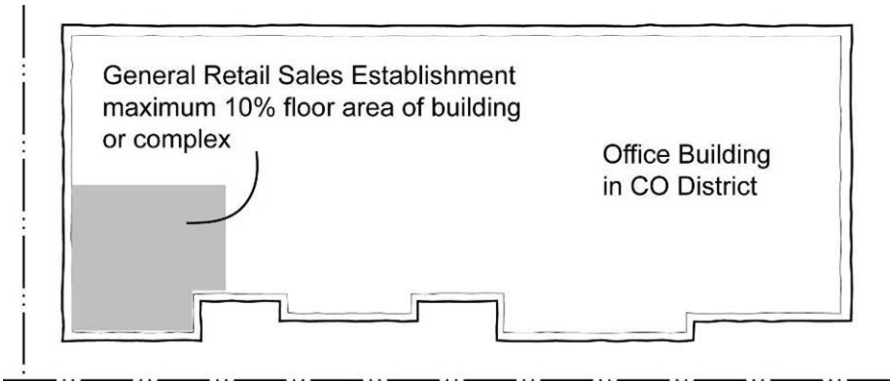
EXISTING LANGUAGE

20-525 Retail Sales, General

(1) Standards that Apply in CN1 District
A general retail sales establishment shall be permitted in the CN1 District provided that the gross Floor Area shall not exceed 3,000 square feet.

(2) Standards that Apply in CC District
A general retail sales establishment shall be permitted in the CC District provided that the gross Floor Area shall not exceed 65,000 square feet.

(3) Standards that Apply in CO District
A general retail sales establishment is permitted in the CO District provided that the total Floor Area does not exceed 10 percent (10%) of the total gross Floor Area of the office Building or of all Buildings in the office complex in which the use is located.



(4) Standards that Apply in MU District
A general retail sales establishment shall be permitted in the MU District provided that such establishments are located in a Vertical Mixed Use Structure in a designated Primary Zone.

20-526 Retail Establishments

(1) Purpose
These standards are intended to ensure that development of Retail Establishments, including large, medium, and specialty sales establishments, is compatible with its surrounding area and contributes to the unique community character of Lawrence. All development and redevelopment of Retail Establishments shall exhibit uniform design characteristics based on commercial development design standards adopted by the City Commission.

(2) Market Impact Analysis
A Commercial Center proposed for more than 50,000 gross square feet of commercial space is required to have a market impact analysis submitted at the time of application for rezoning in accordance with Sec. Error! Reference source not found..

(3) Standards that Apply in MU District
Retail establishments shall be permitted in the MU District provided that such establishments are located in a Vertical Mixed Use Structure in a designated Primary Zone.

PROPOSED LANGUAGE

Section 20-525(4) is proposed to be amended as follows:

20-525 Retail Sales, General

(1) Standards that Apply in CN1 District

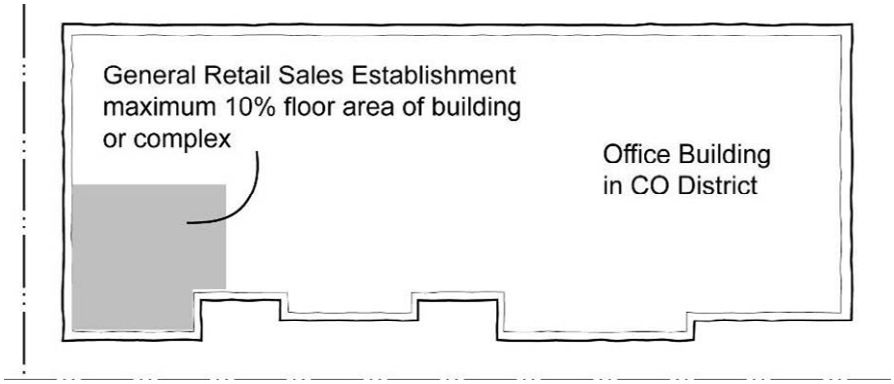
A general retail sales establishment shall be permitted in the CN1 District provided that the gross Floor Area shall not exceed 3,000 square feet.

(2) Standards that Apply in CC District

A general retail sales establishment shall be permitted in the CC District provided that the gross Floor Area shall not exceed 65,000 square feet.

(3) Standards that Apply in CO District

A general retail sales establishment is permitted in the CO District provided that the total Floor Area does not exceed 10 percent (10%) of the total gross Floor Area of the office Building or of all Buildings in the office complex in which the use is located.



(4) ~~Standards that Apply in MU District~~

~~A general retail sales establishment shall be permitted in the MU District provided that such establishments are located in a Vertical Mixed Use Structure in a designated Primary Zone.~~

20-526 Retail Establishments

(1) Purpose

These standards are intended to ensure that development of Retail Establishments, including large, medium, and specialty sales establishments, is compatible with its surrounding area and contributes to the unique community character of Lawrence. All development and redevelopment of Retail Establishments shall exhibit uniform design characteristics based on commercial development design standards adopted by the City Commission.

(2) Market Impact Analysis

A Commercial Center proposed for more than 50,000 gross square feet of commercial space is required to have a market impact analysis submitted at the time of application for rezoning in accordance with Sec. Error! Reference source not found..

(3) Standards that Apply in MU District

~~Retail establishments~~ ***Retail Establishments, Medium and Retail Establishments, Specialty*** shall be permitted in the MU District provided that such establishments are located in a Vertical Mixed Use Structure in a designated Primary Zone.

MEMO

RE: Proposed text amendment to the Mixed Use District
DATE: August 25, 2008
TO: Chairman Brad Finkeldei and Planning Commission Members:

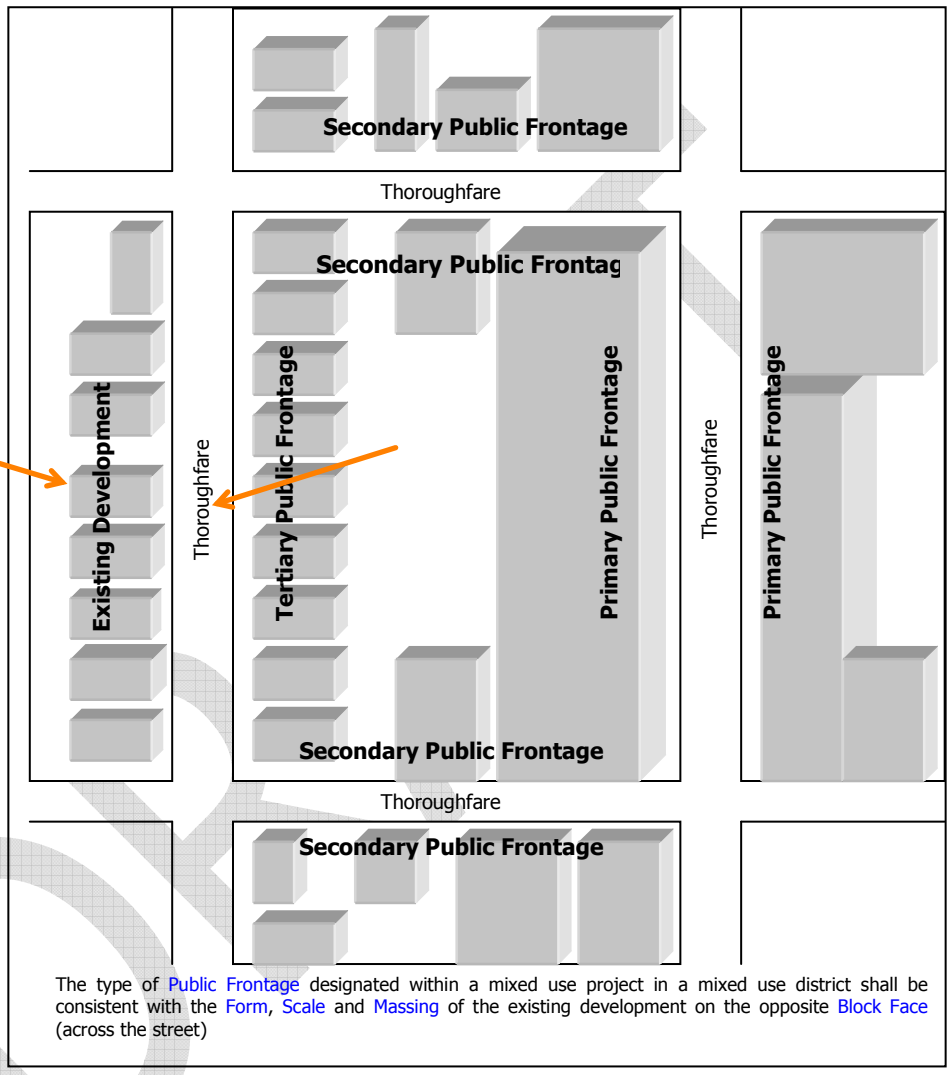
Dear Chairman Finkeldei and Planning Commissioners:

This message is in regard to the proposed change to the Mixed Use District to allow commercial uses in the Tertiary Public Frontage. (Please see attached illustration taken from the planning website.) Before making this change please carefully consider the ramifications. The Mixed Use District is allowed in a wide range of locations in existing areas. The Tertiary Frontage was designed to buffer the district from existing uses. This isn't a benign change, but rather, could have a major impact. One of the purposes of the Tertiary Frontage was to create a proper transition between the interior mixed uses and neighborhood areas. Use, as well as scale should be one of the important transitioning features and back-to-back positioning of incompatible uses has been considered in our Comprehensive Plan one of the needed transition features.

Therefore, while correcting the publication error, please do not make the mistake of eliminating the important protection of the buffering of uses provided by the Tertiary Public Frontage from the Mixed Use District by allowing commercial uses in the Tertiary Public Frontage.

Betty Lichtwardt

At the time of a request to rezone to the Mixed Use (MU) District, Public Frontage(s) shall be designated for each Street or Thoroughfare that is within or forms the boundary of the Mixed Use development or the MU zoning district. Such designation shall be provided in graphic and narrative form with the rezoning application. Any application to rezone to the MU District which does not include such information shall be deemed to be incomplete and insufficient.



The type of Public Frontage designated within a mixed use project in a mixed use district shall be consistent with the Form, Scale and Massing of the existing development on the opposite Block Face (across the street)

The Public Frontage designations approved with the rezoning shall be shown on a site plan approved by the Planning Director. Public Frontage(s) shall be designated as per Sec. 20-1108(m)(1).

(1) Primary Public Frontage

A Primary Public Frontage shall be designated along each Building Frontage of a Vertical Mixed Use Structure. Vertical Mixed Use Structures must enfront upon all designated Primary Public Frontages. A Primary Public Frontage may be designated on more than one Street or Thoroughfare within a Mixed Use development. Primary Public Frontage(s) shall be comply with dimensional and form standards as shown in Section 20-1108(m)(2).

(2) Secondary Public Frontage

A Secondary Public Frontage shall be designated in a Mixed Use development in a Mixed Use (MU) District if a Vertical Mixed Use Structure is proposed. The Secondary Public Frontage shall be designated along the Building Frontage of any Vertical Mixed Use Structure. A Secondary Public Frontage may be designated on more than one Thoroughfare within a Mixed Use development. Secondary Public Frontage(s) shall comply with the dimensional and form standards as shown in Section 20-1108(m)(3).

(3) Tertiary Public Frontage

A Tertiary Public Frontage shall be designated along any Public Frontage in which the Scale and Massing of the proposed development is of a lower intensity than the remainder of the Mixed Use development.

Tertiary Public Frontages shall also be designated along any Public Frontage which faces existing development that is of a lower intensity in Scale and Massing than the proposed Mixed Use development. Tertiary Public Frontages shall comply with the dimensional and form standards as shown in Section 20-1108(m)(4).

(f) Form & Use Standards

Mixed Use Development shall be permitted in the following forms:

(1) Vertical Mixed Use Structures

Such structures are a minimum of two stories in height above grade and are typically constructed with little to no setback from the property line and must contain a combination of nonresidential uses and residential uses. The location of the uses within a Vertical Mixed Use Structure shall be as follows.

i. **Nonresidential Uses**
Any nonresidential use permitted in the applicable zoning district shall be permitted in a Vertical Mixed Use Structure.

ii. **Residential Uses**
Non-Ground Floor Dwelling(s) shall be permitted in a Vertical Mixed Use Structure. Live/Work Unit(s) are permitted on the ground level with direct internal access between the residential and nonresidential components of the unit, however, the nonresidential component of the unit must occupy the Building Frontage with the residential component of the unit located either above or behind the nonresidential component.

(2) Horizontal Mixed Use Structures

Such structures are one story in height above grade and may be constructed with little or no setback from the property line and may contain a combination of nonresidential uses and residential uses, though they typically contain a combination of various nonresidential uses such as office, services and retail. The location of the uses within as Horizontal Mixed Use Structure shall be as follows.

i. **Nonresidential Uses**
Any nonresidential use permitted in the MU District shall be permitted in a Horizontal Mixed Use Structure.

ii. **Residential Uses**
Live/Work Unit(s) are permitted in Horizontal Mixed Use Structures with direct internal access between the residential and nonresidential components of the unit, however, the nonresidential component of the unit must occupy the Building Frontage with the residential component of the unit located behind the nonresidential component.

DRAFT

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item:

Staff Report
08/27/08

ITEM NO. 9: SPECIAL USE PERMIT FOR LAWRENCE HIGH SCHOOL FOR TRACK AND FIELD EXPANSIONS (PGP)

SUP-07-04-08: Special Use Permit and Institutional Development Plan for the construction of Athletic Fields (concessions, bleachers, lights, public address system, restrooms and parking facilities) located at 1900 Louisiana Street. Submitted by Landplan Engineering for Unified School District 497, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of SUP-07-04-08, a Special Use Permit for the expansion of athletic fields and associated parking lot improvements, based upon the findings presented in the body of the staff report and pending additional information being provided to the Planning Commission at the meeting as discussed in the conclusion of this report.

If PC recommendation is for approval, Staff recommends the action be subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Publication of an ordinance per Section 20-1306 (j).
3. Per Section 20-1307(e), recording of the Institutional Development Plan (Site Plan) at the Register of Deeds Office.
4. Prior to building permits being issued for any of the athletic field light poles, the applicant shall either revise the site plan to show conformance with the 60' height limit of such poles, gain approval of a variance to exceed the 60' height limit, or gain approval of a text amendment that provides for heights greater than 60'.
5. Provision of notice to the Kansas Department of Wildlife and Parks regarding the relocation of the tennis courts (due to original funding agreements).
6. Revision of the site plan to provide the following:
    a. Provision of a continuous, double row of columnar trees, along the entire length of the west and south property lines to provide buffering from the football field, softball field and new parking lot.
    b. Reconstruction of sidewalks along the Louisiana Street and 21st Street frontage to meet current 6' and 5' width standards.
    c. Provision of additional details related to bleacher height, light pole heights, and hours of operation for field lights.
    d. Provision of corrected parking summary regarding required and provided parking based on multiple uses on site per Development Code requirements.
    e. Expansion of parking summary to identify number of existing spaces, net proposed spaces and total spaces ultimately to be developed.
    f. Correction of Building Use summary to indicate number of students based on 08/2008 District Preliminary Enrollment Report.
    g. Provision of additional dimensions and corrections to cross sections to accurately reflect proposed improvements and existing structures.

h. Notation that litter will be monitored and picked up on a regular basis.
i. Notation that no gate is proposed along the western perimeter fence.
j. Notation regarding the height of screen fencing that will be provided at softball backstop and soccer fields to minimize 'fly balls' potential.
k. Specific location of concession/restrooms at football field prior to release of plan for permits (under bleachers or stand-alone buildings, not both).
l. Provision of additional information required by Stormwater Engineer for final approval of stormwater drainage improvements including:
   i) Grading scale at larger scale for review of existing and proposed contours.
   ii) Specify that all curb inlets will be constructed per City storm sewer standard details.
   iii) Submittal and approval of a stormwater pollution prevention plan (SWP3) prior to release of building permits.

7. Approval of a photometric plan (submitted 08/21/08).
8. Provision of manufacturer specs for bleachers (with specific size and height info).
9. Approval of a revised traffic impact study and inclusion of any recommended improvements (if determined necessary following staff review).
10. Approval of a revised downstream sanitary sewer study and inclusion of any recommended improvements (if determined necessary following staff review).

Applicant's Reason for Request: *"To enhance and expand the extra curricular activities provided on site for the school, school district and surrounding community."*

KEY POINTS

- Property is one of the two existing public high school sites in Lawrence.
- Development Code requires an Institutional Development Plan/Special Use Permit approval for the proposed improvements to the high school property.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits
- Procedural requirements of Section 20-1307; Institutional Development Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Prior Site Plans
- Publication of an ordinance per Section 20-1306 (j).

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

Communications from the surrounding residents can be found in the communication attachments.

GENERAL INFORMATION

Current Zoning and Land Use:	GPI (Government Public Institutional) District; Lawrence High School.
Surrounding Zoning and Land Use:	RS5 (Single-Dwelling Residential) District to the north and east; Existing single-family homes.
	RS7 (Single-Dwelling Residential) District to the south and west; Existing single-family homes.

Site Summary

Legal Description	Lawrence High School Addition, Block 1, Lot 1.
Location	Southwest Corner of W. 19th Street & Louisiana Street.
Property Area	34.61 Acres.
Use Group	
Existing Buildings/Improvements	Lawrence High School Building, Football practice field & track, City Indoor Swimming Pool, City Tennis Courts, Softball/T-Ball fields
Required Off Street Parking, Grades 10+	1 per 1.5 teachers and employees plus 1 per 3 students; 170 staff = 114 spaces + 1300 students = 434; total required for school = 548
Active Recreation	20-905 Schedule 'D' – permits Planning Director to determine parking requirements for use based upon information provided by applicant. Staff has requested that applicant provide historical info on attendance at various athletic competition events in order to determine reasonable requirements.
	Total required = 548 + ?? for competition events
Off-Street Parking Provided	850 spaces proposed (staff count; 846 listed on parking summary). Plan proposes reconstruction of existing parking lots along south side of property where approximately 148 spaces exist. New lots will provide a total of 470 spaces in this area; a net increase of 322 spaces.

Background:
The existing football field and track were constructed as accessory uses to the existing High School Use prior to the Development Code (which went into effect on July 1, 2006). Additional uses or intensification of the property (noise, traffic, outdoor field lighting or increased stormwater runoff) are now subject to an Institutional Development Plan/Special Use Permit.

The existing Lawrence High School site includes the Lawrence High School, football field, softball field, track and tennis courts. The city operates and maintains an indoor swimming pool and outdoor tennis courts on the school property. The existing tennis courts, which are in need of significant maintenance, are proposed to be relocated to the Virtual School site [SUP-07-06-08, Item No. 10 on this agenda] to provide additional parking on the LHS site.

Most of the existing Lawrence High School improvements predate the period when public schools were required to site plan. Lawrence High School Site Plan approvals for this property include: 2006 [SP-1-90-05] - 5,343 SF Science addition, 7,563 SF gymnasium expansion, 40' x 80' storage building, and on-site relocation of 31' x 48' green house; 2005 [SP-05-38-05] HVAC improvements; 2000 [SP-12-01-00] greenhouse; and 1993 [SP-12-64-93] parking lot reconfiguration. In July 2008, SP-06-43-08 was administratively approved to permit the relocation of the football field/track and the installation of an artificial turf surface for the football playing field. Staff is currently processing a site plan that would permit the installation of artificial turf surfaces for softball and soccer practice fields. Some of the elements that are shown as 'existing conditions' on the SUP plan take into account that staff will soon be approving this site plan.

Lawrence High School is located in the environs of the Dudley Wiggins Residence (840 W. 21st Street), which is on the Kansas Register of Historic Places, and the Double Hyperbolic Parabaloid House (934 W. 21st Street), which is on the National Register of Historic Places. The proposed request is also being considered by the Historic Resources Commission on August 21, 2008 [DR-07-77-08].

Summary of Project/Process/Identified Issues:
The school district is currently in the process of improving parts of the high school property to provide practice facilities on-site for football, softball and soccer teams. The subject request is to make improvements to support athletic competitions on site with the installation of bleachers, restrooms, concession buildings at the football, softball and soccer fields. Improvements also include installation of new field lighting at each of these fields as well as a public address system to be used at the football field. These improvements are proposed to address facility equity issues and to provide on-site practice and competition facilities so that students do not need to travel off-site to participate in these activities.

In conjunction with these improvements, existing parking lots on the south side of the site which contain approximately 148 spaces will be reconstructed and additional parking will be constructed to provide a total of 470 spaces in the lots accessed from W. 21st Street. This improvement will provide an additional 322 spaces on the high school property that will be available for use on a daily basis to serve staff and students, as well as supporting the athletic competitions scheduled in the afternoons and/or evenings.

This proposal to develop *Active Recreation* uses on this site has the potential to substantially change activity levels on this property and constitutes a significant change that triggered the requirement to submit an Institutional Development Plan (IDP) for the property. Because the site

is more than 10 acres in size, the IDP is also required to be reviewed as a Special Use Permit (SUP) with public hearing and review by the Planning Commission and City Commission.

Section 20-1307(a) states the Purpose for the Institutional Development Plan:

> *The purpose is to provide a community vision for the long-term use and development of public institutional space and lands so that they are designed to be compatible with surrounding land uses and contribute to the neighborhood and character of the area in which they are located. Providing this community vision for institutional Buildings and sites also allows adjacent and nearby property Owner to anticipate future non-residential development patterns and plan for the use and enjoyment of their property accordingly.*

This section sets out standards in which to review these types of properties. In staff's opinion, the standards were written with an expectation that property would be undeveloped and master planned with initial improvements. Many of the developed school sites present challenges in that mature neighborhoods have developed around the properties. Compliance with adopted standards needs to be evaluated on a case-by-case basis in an effort to achieve a reasonable balance between the school district's needs and the surrounding property owner's concerns. Development should be tailored to best achieve the district's goals while minimizing or mitigating impacts to the surrounding community.

The development of competition athletic facilities does not occur on a routine basis in the community. Therefore, the type of information needed to review a proposal is different than typical planning proposals. Staff has worked diligently with the applicant to identify the additional information that is needed to thoroughly evaluate the potential impacts related to the proposed changes. In staff's opinion, additional review is necessary regarding potential traffic impacts and adequacy of parking to support large-scale competition events. Additional review process/approvals will be necessary to permit the proposed field lights which will range from 65' – 90' in height. Additional information is also needed regarding the potential noise impacts from the proposed public address system.

- Lights: 20-1103(e) establishes a maximum height for outdoor recreational lights at 60 feet. The applicant has indicated that industry standards for lighting softball, baseball, soccer and football fields exceed this maximum height. The applicant will need to seek and obtain a variance from the Board of Zoning Appeals in order to vary from the code requirement or request a text amendment be initiated to modify the code requirement. Installation of the field lighting cannot be permitted until either a variance is granted or the code is revised. The applicant has proposed using a light fixture that provides more directional lighting on the fields to reduce light trespass on adjacent properties. The applicant has just recently (08/21/08) submitted a photometric plan which will allow staff to evaluate the proposed light levels.

- Traffic Impacts: Provision of practice facilities on-site will reduce the outbound trips that currently are generated as student athletes leave campus for softball and soccer practice. Staff has requested that the applicant provide attendance history for competition events to allow better evaluation of the number of 'large spectator' events that will be shifted to this location. Transportation and Public Works staff will meet next week to further discuss the submitted traffic impact study conclusions.

- Parking: As noted above, additional information is needed to evaluate the parking demand for the competition events. The proposed improvements do add 322 parking spaces to the site that will be available for daily use. Currently all sophomores and some juniors are not permitted to park on-site due to the limited number of spaces available. This results in a substantial impact on the neighborhood as those drivers must park on nearby streets each day. This daily impact will be somewhat relieved with the additional parking lots to be constructed. In staff's opinion, additional information will be needed for the Commission to weigh the impact on event days/nights in relation to the potential year round benefits that could result with the proposed improvements.

- Bufferyards: The school district has safety concerns with the installation of shrubs on school sites. The applicant has requested alternative compliance from the bufferyard requirements identified in 20-1005(f). The site plan has been revised to show a double row of columnar trees to be planted along parts of the western and southern sides of the property. Berms are proposed along the majority of W. 21st Street to screen the parking lots. In staff's opinion, the double row of trees now proposed will mitigate some of the noise and visual impacts for property owners along the east side of Alabama and the north side of W. 21st Street. However, the tree rows should be continuous along the west side of the property and along the entire southwest corner of the property to screen both the entire softball field and the new parking lot.

- Activity/Noise: The applicant has proposed to locate concessions/restroom areas either underneath the bleachers or at the north/south ends of the bleachers adjacent to the football field. The concessions/restrooms will be accessed from the field side which will minimize the activity closest to the rear yards of the homes along Alabama Street. An additional option would be to only provide concessions and restrooms on the east side of the football field so that only bleachers would be located closest to the adjacent residents.

- Sound System: The applicant has indicated that a directional public address system is contemplated. A determination as to whether a fixed system or portable system will be used has not yet been made. Information regarding the typical decibel levels for such a system has not been provided. The applicant has indicated that the system would likely be used for home football games, soccer games, sports jamborees and graduation; however, an estimated number of annual events has not been provided.

- Drainage: The proposed improvements include the installation of detention under each of the playing fields and the installation of new storm pipe to carry the runoff into the public system. Areas along the west and south sides of the property will be regraded to correct current runoff conditions and improve the situation for nearby neighbors.

Review and Decision-Making Criteria (20-1306(i))

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

Applicant's Response *– "The proposed development is for sports fields and accessory facilities for use by the school and local community, under GPI the only use requiring Special Use approval*

is entertainment sports (i.e. professional major and minor league sports) as such the use falls within the scope of permitted uses."

The proposed use of the property for school facilities and accessory athletic fields, including spectator facilities, is permitted in the GPI District. Staff has determined that the intensification of use to support competition events is substantial and triggers the requirement for an Institutional Development Plan and therefore, approval through the Special Use Permit process. Section 20-1307(c)(2) identifies the criteria for the Institutional Development Plan:

(i) *Bufferyards* – applicant has proposed alternative compliance; staff has suggested revisions to include continuous double rows along entire west and south sides adjacent to residential properties.

(ii) *Access* – site is bordered by 19th Street and Louisiana Street which are both designated minor arterials.

(iii) *Sidewalks* – applicant proposes to repair existing as necessary. Code requires sidewalks to be provided along all street frontages as part of first phase or at time of development. Sidewalks along W. 19th Street and a portion of Louisiana Street were recently upgraded with the recent street improvement project. Existing sidewalks along the majority of Louisiana and W. 21st Street do not meet current code width of 6' and 5' respectively. These upgrades would be included as a condition of approval. The proposed improvements do provide significant sidewalk connection within the site and the various activity areas.

(iv) *Bicycle lanes or recreational paths* - specific bicycle system improvements are not proposed with this project. As noted above, the project includes significant internal sidewalk improvements.

(v) *Location furthest from RS zoned areas to reduce noise and light impacts* – the entire high school site is surrounded by RS zoned property. As noted earlier, review of the IDP criteria will require balancing interests when evaluating infill projects in developed neighborhoods. The football bleachers are located 58' from the west property line, a double row of columnar trees will be planted to minimize visual and noise impacts, and concession/restroom entrances are oriented to be furthest from the adjacent residential properties. In staff's opinion, an alternative would be to eliminate concession/restrooms from the west side of the field to further limit the noise associated with this congregating activity. Staff has also requested additional information regarding number/frequency of events that will draw significant crowd sizes and decibel levels anticipated by the sound system.

(vi) *Exterior lighting* – this section of the code indicates lights should not be operated between 10PM and 7AM, however Section 20-1103 establishes 'special standards for outdoor recreational uses' and permits lighting of recreational areas until 11:30PM. In staff's opinion, the applicant needs to propose 'hours of operation' for the competition fields that identifies a limited number of events that will include later than 10PM hours.

(vii) *Parking facilities shall be designed to be shared between multiple users* – the additional parking provided will serve the athletic events and provide more on-site student parking for everyday school use. The applicant has been requested to provide historical attendance numbers for athletic events so that staff may better evaluate the potential impacts of these events.

(viii) *Bus stops shall be included in the planning and development of the site* – the recently completed 19th Street improvements included a dedicated bus pull-off lane on Louisiana Street; no additional improvements are proposed.

Staff Finding – In staff's opinion, additional information is necessary to fully evaluate the traffic, parking, lighting and noise impacts associated with the proposed improvements. Revisions to the submitted plan would be needed to address items that staff has identified as deficient.

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 – *"For the facilities proposed most use will be confined to early afternoon and limited night time use, as well as daytime weekend use limiting disruption of the surrounding residential areas."*

The development of a competition facility on-site will increase the activity level on the high school property. With the new practice facilities, more students will remain on campus after school and with the competition fields, more students and spectators will be on the school property in the afternoons, evenings and potentially weekends for a variety of events.

The SUP/IDP submission included stormwater drainage, traffic impact, and downstream sanitary sewer studies. The drainage study has been approved with conditions that are reflected in the recommended conditions of approval from the City's Stormwater Engineer. The traffic impact and sanitary sewer studies are currently under review by city staff. Approval of the SUP/IDP will need to be contingent on ultimate approval of those reports and inclusion of any recommended improvements.

The applicant has provided basic information regarding the types of light fixtures that will be installed. The fixtures include a component that redirects light onto the playing fields to minimize off-site glare and night sky concerns. The submitted information does not yet identify fixture wattage. A photometric plan, indicating expected light levels, has not yet been submitted. The applicant has indicated that the light poles will range from 65' – 90' in height dependant upon the type of sport the field is used for. Staff has noted that the Development Code limits the maximum height of outdoor recreation lights to 60'. The applicant has been advised that a request for a variance from this height limit would need to be granted by the Board of Zoning Appeals prior to installation. These components are reflected in the recommended conditions.

The applicant has provided basic information regarding the sound system to be installed for the football field. The information does not identify potential decibel levels. The district's narrative indicates the system would primarily be used for soccer and football (and may be a portable, rather than fixed system). Additional detail is necessary to adequately assess impact to surrounding properties and to clearly articulate frequency and hours that such a system is anticipated to be used.

The most significant impact to surrounding neighbors will be from the installation of permanent spectator seating on the west side of the football field and at the new softball field, where individual homes directly abut the school district property. Impacts potentially include light trespass, noise and litter, as well as the visual change resulting from the approximately 25' – 35' high football bleachers/press box and 12' - 15' high softball bleachers that will be installed near

existing rear yards. The football bleachers will be 58' east of the rear lot lines for the homes along the 1900 block of Alabama Street. The softball bleachers will be 44' east of the rear lot lines for the homes along the 2000 block of Alabama Street and 45' north of the rear lot lines of the homes in the 800 block of W. 21st Street.

The existing homes in the 1900 block of Alabama (directly west of the football field) are located on lots that are only 85' deep and placement of these homes varies from 15' to 40' from their rear property lines. The homes in the north half of the 2000 block of Alabama are adjacent to the softball field. The existing homes in the 800 block of W. 21st Street are adjacent to the softball field and the new parking lot to be constructed where the existing tennis courts are currently located. The backs of these homes range from approximately 15' to 55' from their respective rear property lines. As noted earlier in this report, the applicant has revised plans to provide a double row of trees along portions of the perimeter property lines to mitigate potential noise and light impacts. In staff's opinion, the double row of trees needs to be a continuous landscape feature that provides buffer along the entire west and south sides of the high school property and the adjacent residential properties, including screening along the west side of the proposed parking lot.

Staff Finding – In staff's opinion, the district should be afforded the opportunity to establish typical amenities associated with a high school, including competition athletic fields. As discussed, the degree of compatibility with the neighborhood needs to be clarified with regard to the hours of operation, traffic generation, lighting, and noise. The recommended conditions can mitigate certain impacts and incompatibilities with the adjacent uses.

This request comes with certain tradeoffs. For example, the proposed improvements will address recognized storm water issues and daily parking issues associated with the school operations, but will create other impacts such as lighting, activity and different parking issues that will be arguably to a lesser degree than what exists currently.

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 *– "Development of the proposed facilities should increase local property values as the facilities provided will provide enhanced recreational and sports and venues to the local community."*

Staff Finding – The subject property is an existing high school facility surrounded by single-family owner occupied and leased structures. No information has been submitted to determine if there will be any affect, positive or negative, to the other property in the neighborhood by constructing the proposed improvements.

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

Applicant's Response *– "No, the proposed fields will be constructed with a synthetic turf that will reduce storm runoff from the site and provide additional detention as well. The locations proposed for the expansions are large open grass areas that serve as activity fields presently for the school."*

Staff Finding – Public safety at events will be served by the city's existing public safety agencies and transportation networks are in place to serve the use, though staff is still discussing the traffic impact study with the applicant's consultant to verify assumptions and conclusions. Staff is also still reviewing the downstream sanitary sewer studies to determine if any improvements will need to be made to those services. No changes to the urban services are proposed for the new use.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

Applicant's Response *–*

Staff Finding –The site plan will function as the enforcement document to assure that maintenance and use of the property is consistent with the approval.

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

Applicant's Response *–*

Staff Finding – The subject property is located within a developed urban neighborhood. The improvements also include regrading of portions of the western and southern areas of the site and installation of new storm pipe to detain and collect runoff. The new storm pipe will tie into the existing public system along W. 21st Street and has been reviewed and approved by the City Stormwater Engineer. The installation will improve a known drainage problem in the area and will result in a positive change as a result of the proposed project.

7. WHETHER IT IS APPROPPRIATE 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.

Applicant's Response *–*

Staff Finding – Staff does not believe it is appropriate to place a time limit on the use.

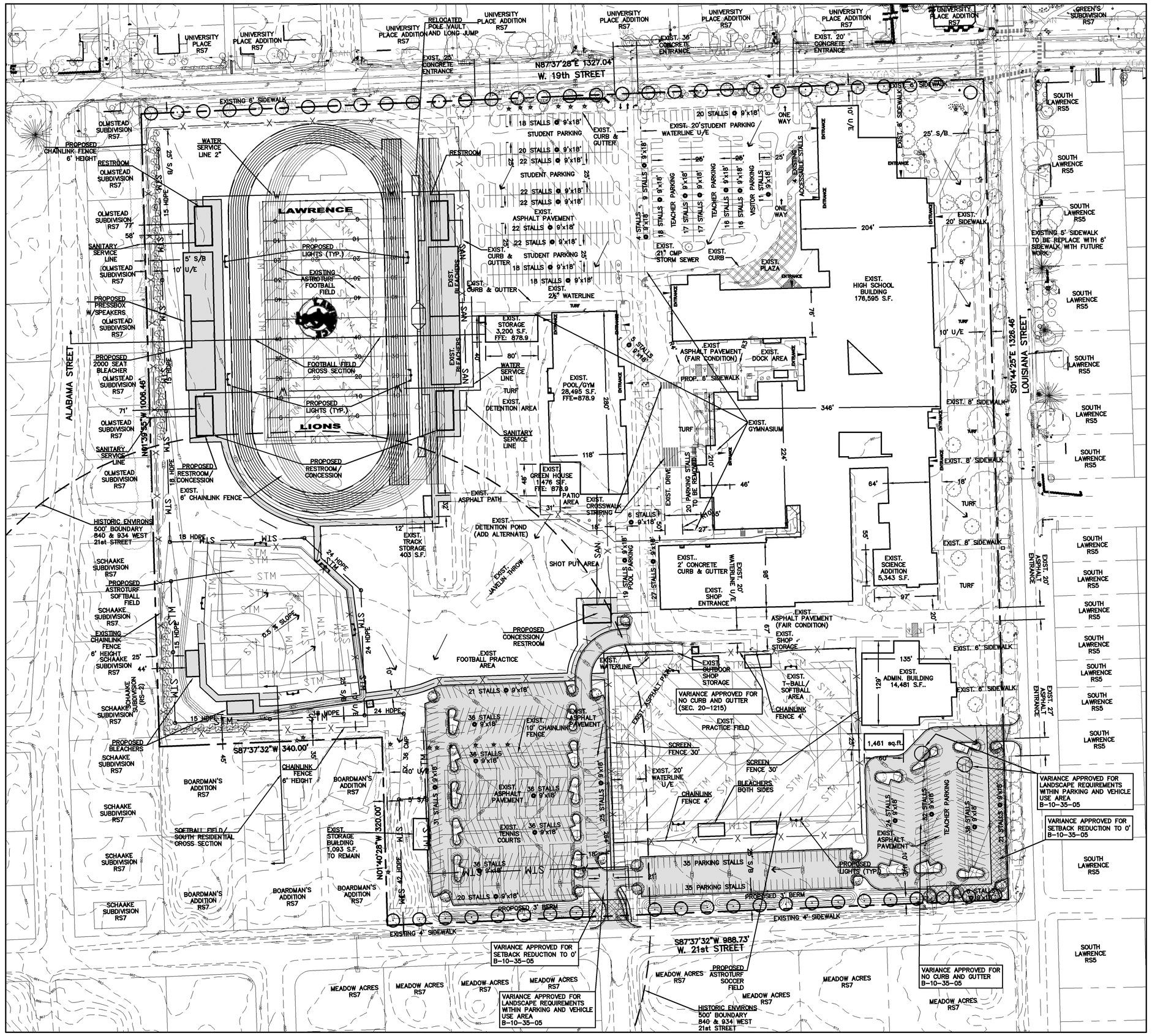
CONCLUSION: Staff generally supports the proposal, but would like the district to be prepared at the meeting to provide additional information and confirm assumptions staff has made regarding the following issues so that the Planning Commission and public have adequate information by which to base their decisions.

1. Traffic / parking:
    a. To what degree will the existing daily student parking impacts to the neighborhood be reduced with the new parking spaces?
    b. What is the anticipated number of times per year that events will be of such scale that parking will not be able to be contained onsite?
    c. How many vehicles are anticipated to be parked offsite during a large scale event?

2. Lighting:
    a. Provide a photometric plan, including fixture wattage, demonstrating where and how much light will land on adjacent properties. [Plan was submitted 08/21/08 and has not yet been reviewed by staff.]
    b. Specification of when athletic fields will be used for competition events – days of week and hours of operation.

3. Public Address system:
    a. What is the anticipated decibel level of the public address system at the property lines? What does this equate to?
    b. What is the anticipated range of the number of times per year the system will be used?

LAST SAVED BY: Brent Moses LAST SAVED DATE: 8/19/2008 3:57 PM


N87°37'28"E 1327.04'
W. 19th STREET
S87°37'32"W 340.00'
S87°37'32"W 988.73'
W. 21st STREET
N01°40'28"W 320.00'
S01°40'28"E 1326.46'
LOUISIANA STREET
ALABAMA STREET
LAWRENCE
LIONS
PROPOSED 2000 SEAT BLEACHER
PROPOSED ASTROTURF SOFTBALL FIELD
PROPOSED ASTROTURF SOCCER FIELD
EXISTING ASTROTURF FOOTBALL FIELD
EXISTING HIGH SCHOOL BUILDING 176,595 S.F.
EXISTING ADMIN. BUILDING 14,481 S.F.
EXISTING SCIENCE ADDITION 5,343 S.F.
EXISTING GYMNASIUM
EXISTING POOL/GYM 28,495 S.F. FFE=878.9
EXISTING GREEN HOUSE 1476 SF FFE 878.9
EXISTING STORAGE 3,200 S.F. FFE: 878.9
EXISTING STORAGE BUILDING 1,093 S.F. TO REMAIN
EXISTING DETENTION / AREA
EXISTING DETENTION POND (ADD ALTERNATE)
EXISTING TRACK STORAGE 403 S.F.
EXISTING 8 LANE ASPHALT TRACK
EXISTING FOOTBALL PRACTICE AREA
EXISTING 10' CHAINLINK FENCE
EXISTING 6' CHAINLINK FENCE
EXISTING 4' SIDEWALK
EXISTING 8' SIDEWALK
EXISTING 6' SIDEWALK
EXISTING 20' SIDEWALK
EXISTING 8' SIDEWALK TO BE REPLACE WITH 6' SIDEWALK WITH FUTURE WORK
EXISTING ASPHALT PAVEMENT (FAIR CONDITION)
EXISTING ASPHALT PAVEMENT (POOR CONDITION)
EXISTING ASPHALT PATH
EXISTING CONCRETE CURB & GUTTER
EXISTING CURB & GUTTER
EXISTING CONCRETE ENTRANCE
EXISTING 36" WATERLINE
EXISTING 20" WATERLINE
EXISTING 8" WATERLINE
EXISTING 21" CMP STORM SEWER
EXISTING 24" STORM SEWER
EXISTING 30" STORM SEWER
EXISTING 36" STORM SEWER
EXISTING 42" STORM SEWER
EXISTING 48" STORM SEWER
EXISTING 54" STORM SEWER
EXISTING 60" STORM SEWER
EXISTING 72" STORM SEWER
EXISTING 84" STORM SEWER
EXISTING 96" STORM SEWER
EXISTING 108" STORM SEWER
EXISTING 120" STORM SEWER
EXISTING 132" STORM SEWER
EXISTING 144" STORM SEWER
EXISTING 156" STORM SEWER
EXISTING 168" STORM SEWER
EXISTING

To: Mr. Scott McCullough – Director of Planning
From: Thomas D. Bracciano
Re: SUP's for LHS and LFSHS Outdoor Athletic Facilities
Date: August 11, 2008

Enclosed please find a brief narrative and supporting documentation regarding the application for special use permit for LFSHS and LHS outdoor athletic facilities. I hope this information will be useful to you and all those involved in this process.

Please feel free to contact me should you have any questions regarding the information contained herein or any other issues regarding these projects.

Thomas D. Bracciano
Division Director Operations and Facility Planning
Lawrence Public Schools
146 Maine Street
Lawrence, KS 66044
tbraccio@usd497.org

Upon completion of the 2005 bond issue building additions at LHS and LFSHS that addressed indoor facility equity and Title IX issues, the Lawrence Public Schools Board of Education directed the district administration to complete a needs assessment to identify concerns and issues regarding the outdoor athletic facilities of LHS and LFSHS. A needs assessment was completed and presented in report form to the Board of Education on October 22, 2007 (copy enclosed).

Key areas of concern identified in this report were:
Outdoor Facility Equity – between LHS and LFSHS and sports (boys and girls)
LFSHS football, baseball, soccer, softball and tennis have regulation fields on site for practice and/or competition.
LHS football and tennis have regulation fields on site for practice and/or competition. Baseball, soccer and softball must practice off site.
Safety – off site practices means off site travel for student athletes. Poor field conditions for off site competition venues have created serious discussions of cancellations of events by sports officials.
Quality of Facilities: extensive use of existing facilities by district and non-district entities diminishes the quality of the field turf on practice and competition fields. Lack of lighting limits schedules for practice and competition.

Referring to the city, county and district-funded P.L.A.Y. study, school district staff developed several concepts to address the high school outdoor facility needs. As noted in the P.L.A.Y. study, extensive repairs or replacement of the joint district/city tennis center located at LHS needed to be included in any proposed solution. After presenting several conceptual ideas to the Board of Education and high schools' administration, the current configuration depicted in the submitted site plans were finalized.

By using artificial turf on the proposed fields the district will be able to save expenses associated with watering, fertilization, pesticides, herbicides, mowing, seeding and many other operational areas. Installation of artificial turf will allow the district to eliminate fertilizer and pesticide runoff. In addition, the savings realized by not applying these products will be used to help pay for the installation of these fields. Artificial turf will also allow for a far more extensive use of these fields than a traditional turf grass surface with no sacrifice to the quality or safety of the venue.

The proposed improvements for the outdoor athletic facilities address the school district's areas of concern in the report of October 22, 2007. In addition, these improvements also present the opportunity for community use which maximizes taxpayer dollars and has the potential to provide additional recreational spaces for the community to use.

Representatives of Lawrence Public Schools have held three publicly-announced meetings with the Centennial Neighborhood Association to inform the neighborhood of the specifics of the proposed outdoor sports facility improvements and to obtain feedback regarding these improvements from the neighborhood. At all three meetings the major areas of concern presented by the neighborhood were; the effects of the proposed improvements on an inadequate existing storm water drainage system, an increase in noise associated with these improvements, concerns regarding new lighting versus existing and the potential for additional traffic in the neighborhood.

The neighbors concerns listed above have been noted by the district and are being addressed as follows:

Noise – School properties such as high schools typically generate noises from bands, students, sporting events and various other activities that occur on a school site. The only permanent change being proposed affecting the noise in the neighborhood is the installation of a sound system for the football field. This system is being contemplated for competition events – primarily soccer and football. Information regarding the proposed type of sound system to be used is enclosed.

Drainage – The City of Lawrence storm water engineer attended two of the public meetings with the Centennial neighborhood. District staff has had numerous discussions about this project with him. The city storm water engineer is in agreement with the district that these turf projects with their base system and drainage design actually add retention capacity and allow improved storm water drainage in this area significantly. This is especially true of the proposed changes to the Centennial site. The appropriate drainage studies have/will be completed and submitted.

Lighting – As with all other district school facilities, areas of the existing site are currently illuminated after dark. Existing parking areas, existing tennis courts and the existing softball field are several examples. As this project will eliminate lighting from certain areas and install in others the overall effect on the total lighting is difficult to assess. What we do know is that all existing lighting for fields and courts will be replaced with new technology, high efficiency lights that are designed to reduce energy consumption, focus the light and minimize infiltration to surrounding areas. The appropriate lighting plans and studies will be submitted and current city code as to time of usage will be followed. Information regarding the type of athletic field lighting to be used is enclosed. The appropriate lighting studies have/will be completed and submitted.

Traffic – The proposed plan for LHS provides more than 400 additional parking spaces (almost double the current amount) for use by students, staff and visitors at LHS. Removing this number of cars from the surrounding neighborhood every day can't help but reduce the amount of traffic congestion contiguous to LHS. The appropriate traffic studies have/will be completed and submitted.

Lawrence Public Schools is committed to providing safe, effective, efficient and equitable facilities for students. These proposed improvements for the outdoor athletic fields at LHS and LFSHS were designed to do just that.

High School Outdoor Sports Facilities Report
Fall 2007

Current status at LHS and LFSHS:

LHS Football - regulation field with minimal seating on site, no lights
Competition at Haskell - practice on site
LFSHS Football - regulation field with minimal seating on site, no lights
Competition at Haskell - practice on site

LHS Baseball - no baseball field on site
Competition at Holcom – practice at Holcom
C-Team Competition and practice YSI /Holcom (Not available this year)*
LFSHS Baseball - regulation field on site, minimal seating (needs improvements) Competition and practice on site

LHS Soccer – no soccer field on site
Competition at YSI practice at District fields LAHS site
LFSHS Soccer – regulation field on site, minimal seating no lights
Competition and practice on site – no lights

LHS Tennis – regulation courts on site – shared facility w/city (needs improvements) Competition and practice on site
LFSHS Tennis – regulation courts on site
Competition and practice on site – no lights

LHS Softball – non regulation field on site
Competition Holcom and practice at Holcom
C-Team Competition and practice YSI /Holcom (Not available this year)*
LFSHS Softball – regulation field on site, minimal seating
Competition and practice on site – no lights
C-Team Competition and practice former Sport to Sport*

* Administration is currently working on a lease to secure former Sport to Sport fields for the upcoming season.

Concerns:

Facility Equity – between schools *and* sports
Safety – off site practices means travel for students
Quality of Facilities – extensive use of existing on site facilities diminishes quality of field turf (practice and competition fields)
Lack of lighting limits schedule for practice and competition

LHS 34.9 acres and Centennial 9.23 acres
LFSHS 78 acres

High School Outdoor Athletic Facility Comparison

10/22/2007

Lawrence High School

	LHS Football	LHS Baseball	LHS Soccer	LHS Softball	LHS Tennis
Regulation field on site	[redacted]	no	no	no	[redacted]
Practice on site	[redacted]	no	no	no	[redacted]
Competition on site	no	no	no	no	[redacted]
Lights	no	no	no	no	[redacted]

Lawrence Free State High School

	LFSHS Football	LFSHS Baseball	LFSHS Soccer	LFSHS Softball	LFSHS Tennis
Regulation field on site	[redacted]				
Practice on site	[redacted]				
Competition on site	no	[redacted]			
Lights	no	[redacted]	no	no	no

Company Overview
Permanent Lighting
Temporary Lighting
Project Showcase
News & Events
Televised Events
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Request Information
Careers

Search Musco.com for:
Go

- Lightline newsletter
- Give us your feedback
- Replacement Parts & Service

We Make It Happen.

UPCOMING TELEVISED EVENTS

8/2 Reds vs. Nationals

GLIAC and Musco Lighting Announce Partnership

The Great Lakes Intercollegiate Athletic Conference (GLIAC) and Musco Lighting are pleased to announce a new partnership agreement. Musco, a leader in sports lighting, is now the Official Lighting Partner of the GLIAC.

Learn more

GLIAC
Great Lakes Intercollegiate Athletic Conference

Musco's Newest Innovation...

Light·Structure GREEN

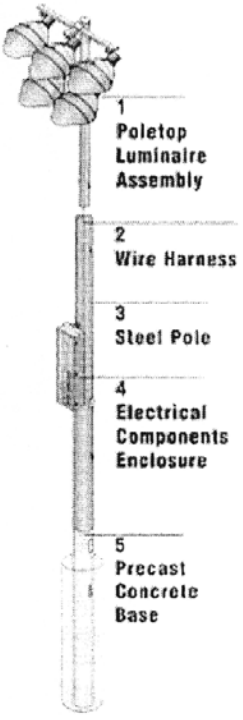
Still 5 Easy Pieces™ – from foundation to poletop – but with these major advantages:

For your budget
50% savings in operating costs

For the environment
50% reduction in offsite spill light
Protects the beauty of the night skies

Unequaled performance
Built on 30 years of listening to our customer's needs

5 Easy Pieces™
Designed and manufactured as a complete system from foundation to poletop



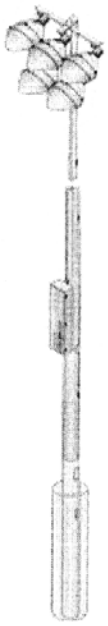
Lighting projects made simple.

Our team is committed to making your lighting project a success. Musco's system approach makes sports lighting simple and



Happy Neighbors & Players

affordable to purchase, install and operate.



Effective environmental light control technology can help you keep neighbors and players happy, while reducing costs.

Energy Savings
Innovative solutions offer three simple ways to stretch your sports lighting energy dollars.

Flexible Control, Solid Management
Musco's new Control-Link® is a reliable, cost-effective system for controlling and managing your recreational facilities.

Specializing in the design and manufacture of sports floodlighting systems.

800/825-6030
(1) 641/673-0411

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Permanent Lighting

Keep neighbors and players happy while reducing costs



Musco's light control technology increases useable light on the playing surface while decreasing off-site spill light.

Sports lighting systems can be cost-effective and environmentally sensitive

Planners and administrators of recreational facilities are often faced with the challenge of balancing the needs of their clients and the needs of their communities. This is most apparent when a lighted sports facility must meet community expectations of a good neighbor yet provide a cost-effective and superior playing experience for participants.

Lighting technology now allows both concerns to be addressed in a cost-effective manner. Learn more about how effective light control impacts:

Musco systems

- Light-Structure Green™
  A complete system from foundation to poletop that redirects wasted light onto the playing surface
- Retrofit & Indoor Applications
  The retrofit answer which redirects wasted light onto the playing surface

- Community-friendly facilities
- Playability and safety
- Cost effectiveness

You can also explore success stories regarding Musco's light control technology. Or contact us for more information.

Community-friendly facilities

Choose sports lighting systems that **redirect wasted spill light**, **satisfy neighbors**, and **protect the night sky**

Communities continue to grow and require recreational opportunities. Lighting existing fields offers additional playing time for a fraction of the cost of developing new land. You want your

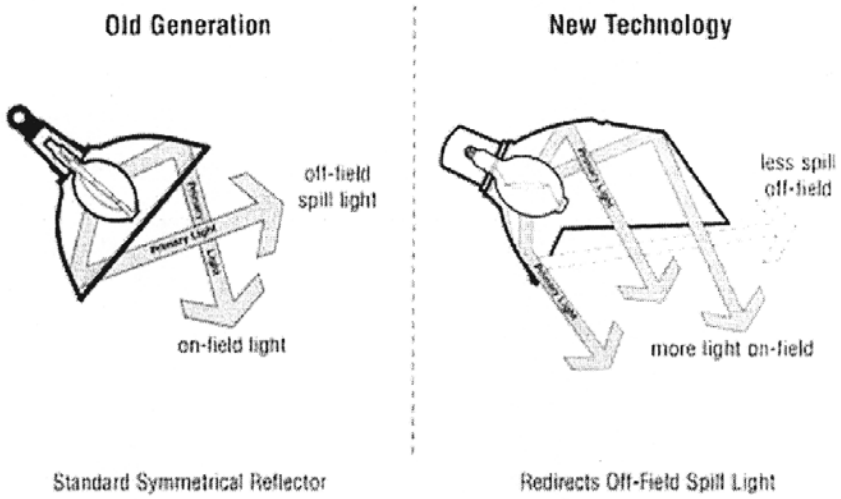
lighted facility to be a community asset, not a liability, now and for years to come.

Three keys essential to community approval of sports lighting are:

1. Keeping light on the field and away from neighboring properties (spill light)
2. Restricting light source visibility to comfortable levels (glare)
3. Maintaining the natural beauty of the night sky and stars (sky glow)

Musco provides:

- **Measurably reduced spill light** by redirecting potentially wasted light back onto the field
- **Improved neighbor and player satisfaction** by reducing glare that causes discomfort
- **Minimized sky glow**



Playability and Safety

Specify measurable performance for the control of light both on and off of the field. Seek written guarantees and on-site performance tests

You want to assure a superior playing experience for the people who use your facility. To do this, you'll need to provide the appropriate quantity (light levels) and quality (uniformity) of light on the playing surface. Both of these are important to a safe, well-lighted facility.

Lighting systems vary in their ability to control light on and off the field, with one usually sacrificed for the other. Look for a system which meets your spill and glare needs as well as provides a superior on-field experience for your players.

Musco provides:

- **More useable light on the playing surface** while decreasing off-site spill
- **Guaranteed performance** of both quantity and quality of light
- **Free lighting designs** that meet your specific participant, spectator and even television broadcast needs
- **Assistance** in developing written specifications to ensure the performance of your system

Cost Effectiveness

Purchasing, installation, operating and maintenance costs are all relevant when selecting a sports lighting system

You're going to use your sports lighting system for years to come. Decisions you make today will affect your budget and operating costs for the next 20 years.

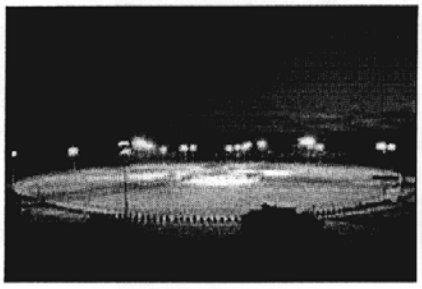
The more efficient the lighting system you choose, the fewer costs you will incur over the life of the system.

Because Musco's light control technology redirects wasted spill light onto the playing surface, Musco systems can provide up to 25 percent more light per fixture where it counts, on the field.

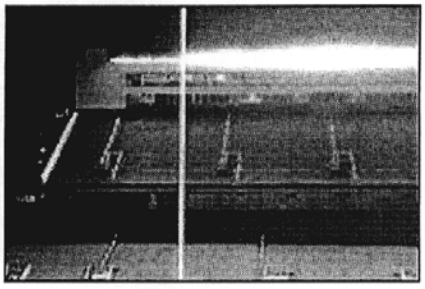
Musco provides:

- **Reduced energy costs** now and for the lifetime of your system
- **Fewer fixtures to buy and install** with no compromises in lighting quality or quantity
- **Fewer fixtures to operate and maintain** for the lifetime of your system

Success Stories



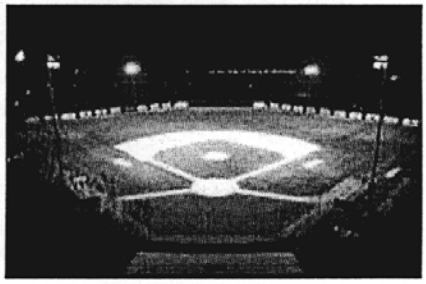
Belleville Softball Complex
South Bend, Indiana



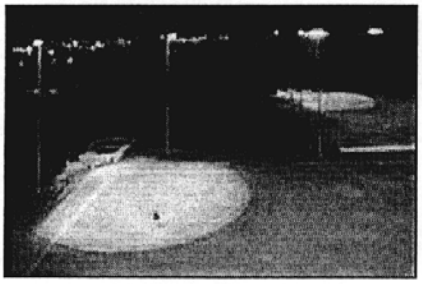
Boston College Alumni Stadium
Boston, Massachusetts



Lockhart Stadium
Home of Major League Soccer's
Miami Fusion
Ft. Lauderdale, Florida



Mankato East High School
Mankato, Minnesota



Poway Community Park
Poway, California



Rose Bowl
Pasadena, California

800/825-6030
(1) 641/673-0411

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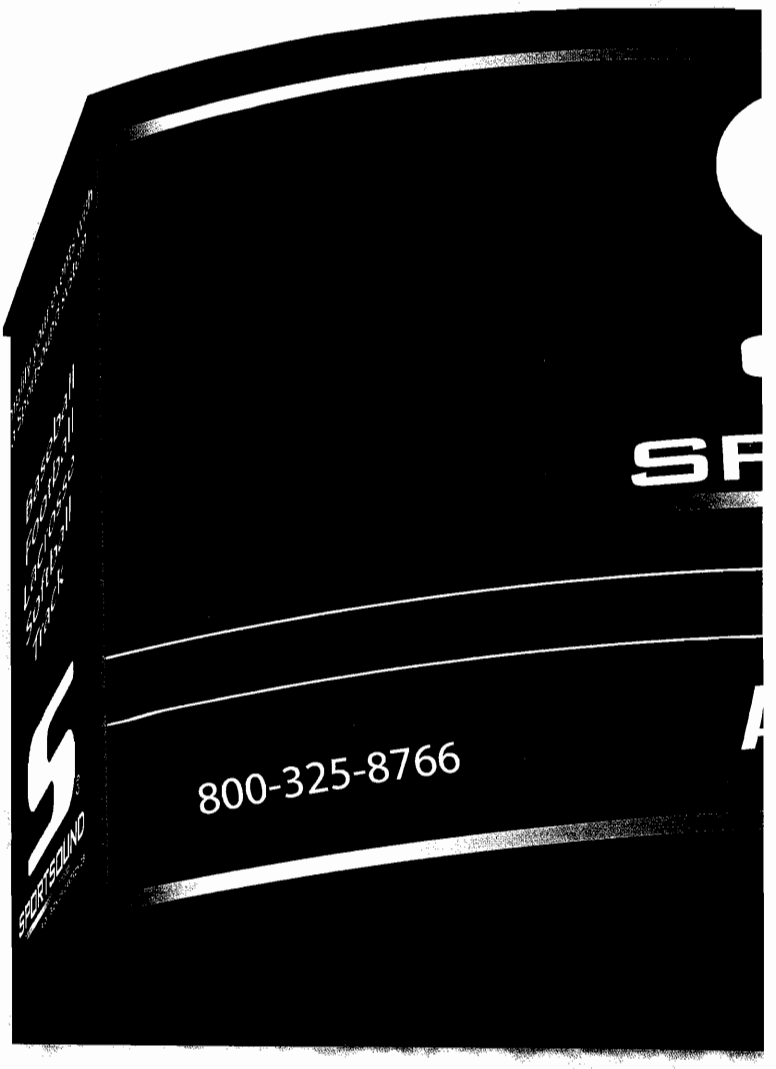


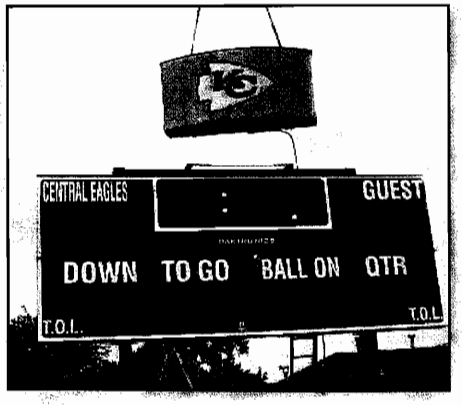


Amplify your events with the Sportsound 1000

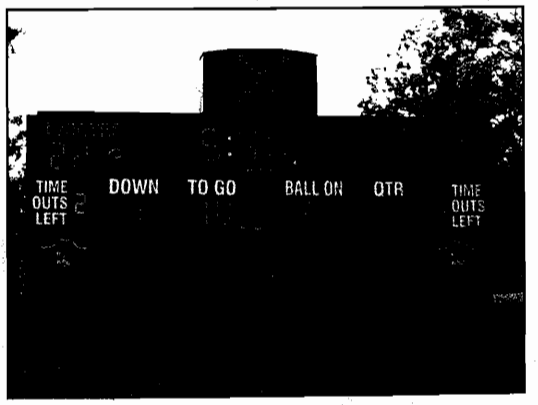


Sequoyoh High School
Canton, Georgia
Sportsound 1000





Sportsound Installation



Branson High School
Branson, Missouri
Sportsound 1000

DAKTRONICS

SPORTSOUND.COM

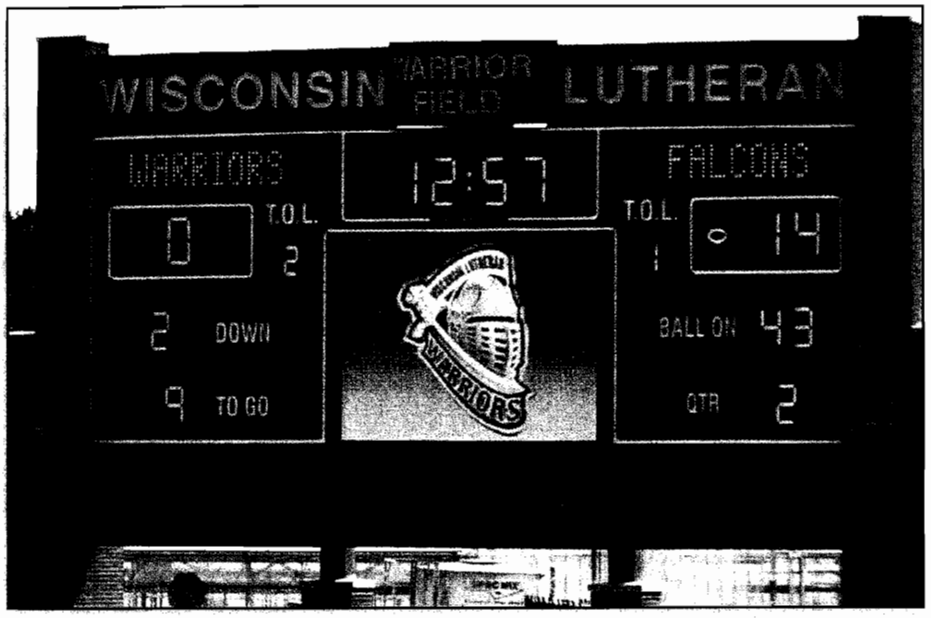
Total integration

Engineered for quality sound

As a division of Daktronics, Sportsound offers customers high-quality audio systems that can integrate with dynamic displays in indoor and outdoor sport venues. In fact, Sportsound has established itself as the finest contractor in the United States that can provide pre-manufactured, self-contained stadium sound systems. The refined engineering and unique installation convenience of the Sportsound 1000 audio system ensures high quality performance year after year.

Professional installation

Customers get their needs for dynamic displays and integrated sound systems met from one manufacturer, which results in a smooth process from design to installation. If purchasing a Sportsound 1000 alone, Daktronics engineers are available for consultation on integration with the existing display system.



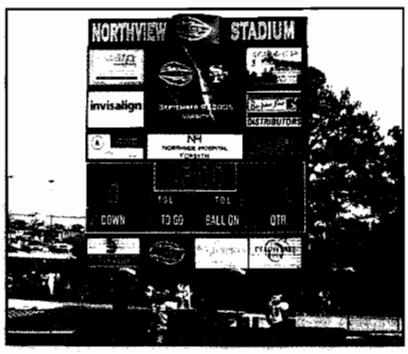
Wisconsin Lutheran College
Milwaukee, Wisconsin
Sportsound 1000

Professionally designed system

The Sportsound 1000 is a sound system designed especially for high school facilities, smaller college football stadiums and municipal sports venues with seating capabilities up to 8,000. This system also works well for soccer, lacrosse, field hockey and track facilities. The Sportsound system provides a strong impact from day one and continues through years of quality sound performance.

Training and support

From planning to training, the experienced and dedicated Sportsound team walks each customer through the entire sound system integration process. A Sportsound sales representative can assist in determining the sound system that will best suit the facility's needs. Customer support and technical assistance are available before and after installation.



Northview High School
Duluth, Georgia
Sportsound 1000



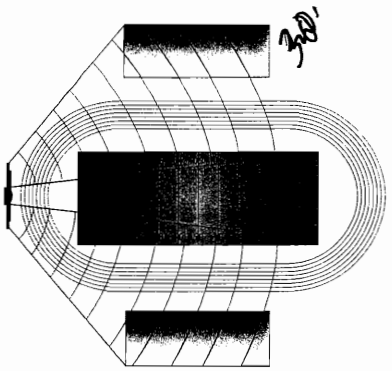
U.S. Naval Academy
Annapolis, Maryland
Sportsound 1000

DAKTRONICS

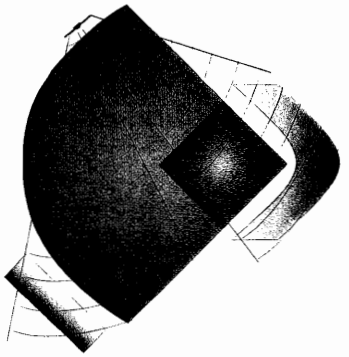
Sportsound 1000 Series models

1000 Series Standard

The Sportsound 1000 standard directs sound both left and right, off-center, making it the ideal solution for venues with split seating, such as football and track stadiums, soccer complexes and many baseball fields.



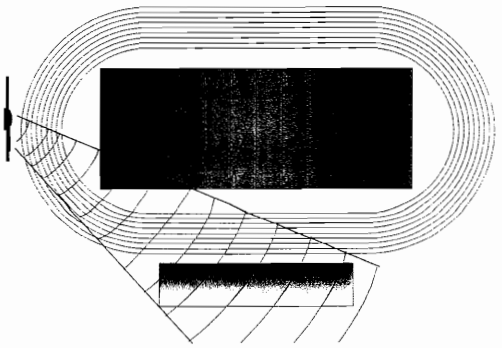
Overhead football stadium view



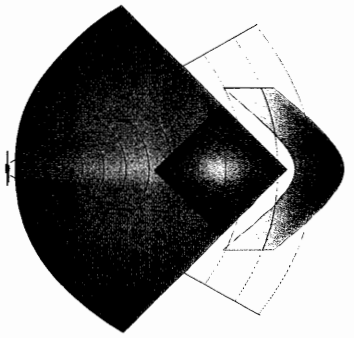
Overhead baseball field view

1000 Series 60 adjustable (single horn)

The Sportsound 1000 60 adjustable is designed to produce dynamic sound for single seating area facilities including football, baseball and track venues.



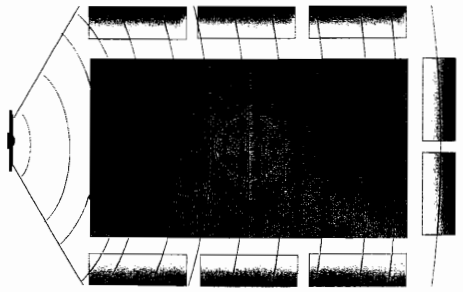
Overhead football stadium view



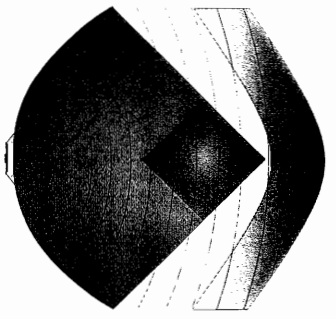
Overhead baseball field view

1000 Series 120 center (duo-horn)

The Sportsound 1000 120 center produces smooth, even coverage throughout the facility. This model brings dynamic sound to fans surrounding the entire playing area of full-time track facilities, soccer complexes and venues with one large grandstand.



Overhead soccer field view



Overhead baseball field view

Series Specifications

Power Requirements:
Two dedicated 20 amp
120 V circuits

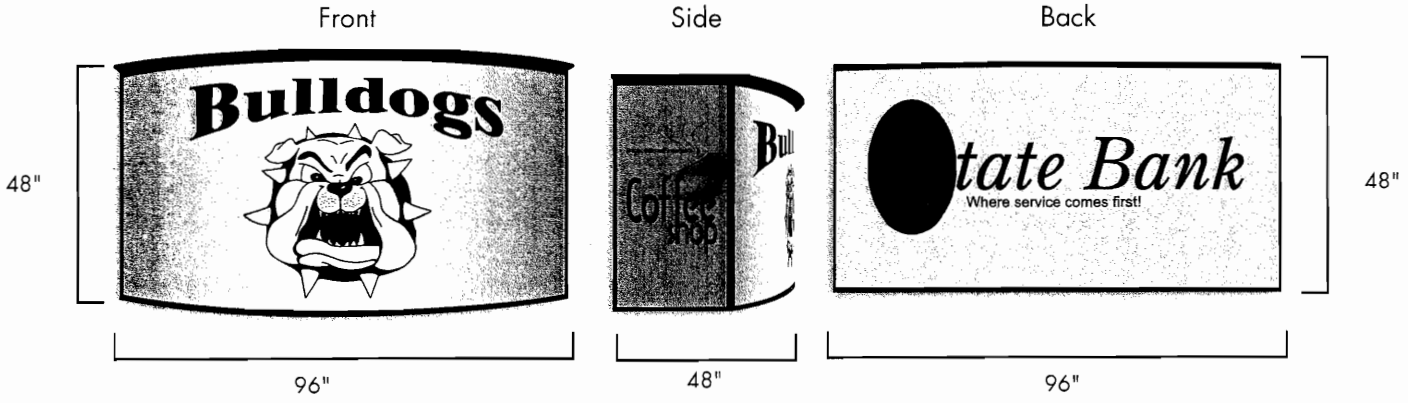
Cabinet Dimensions:
Height = 48″
Width = 96″
Depth = 48″

Approximate weight:
1100 lb (499 kg)

Custom graphics

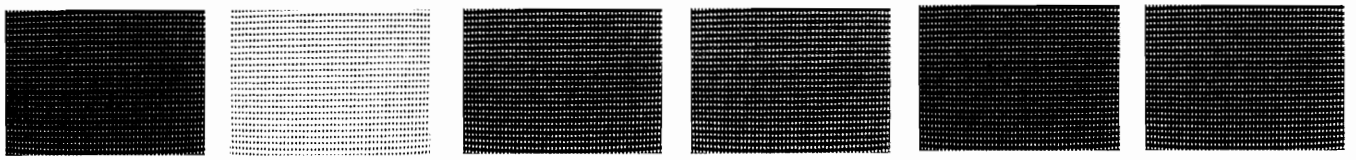
Advertising advantages

Advertisements can be placed on all four sides of the Sportsound 1000 cabinet as shown below. Sponsorship of logo panels helps organizations fund a Sportsound 1000 audio system installation and can also be a great sales tool for sponsors.



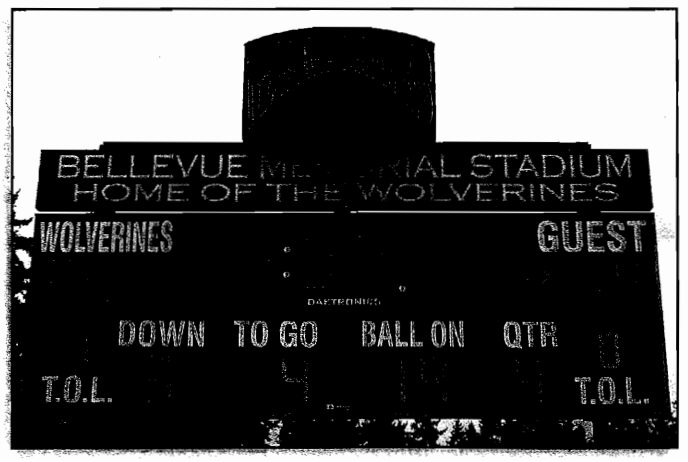
Mesh examples

While allowing sound to easily flow through the mesh front grille, rain and snow are kept away from the Sportsound 1000's high quality components. The mesh grille is available in virtually any color.





Topeka Public Schools (Hummer Sports Complex)
Topeka, Kansas
Sportsound 1000



Bellevue High School
Bellevue, Washington
Sportsound 1000

Powerful and portable

Outstanding clarity and deep bass

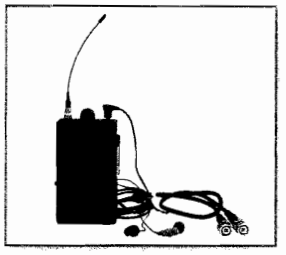
Sportsound 1000 consists of two self-contained main components; the speaker cabinet and the portable announcer's rack, each of which are fully assembled and tested before shipping. The cabinet houses weather-resistant, integrated speaker modules with premium energy efficient amplification equipment and digital sound processing. This quality ensures clear sound and intelligible speech. The Sportsound 1000 comes complete with the following:

- On-site training
- Installation supervision
- Warranty
- Speaker cabinet with:
  - A choice of more than 150 colors for the speaker cabinet
  - Applied vinyl graphics for sides and back
  - Weather resistant aluminum clad
  - Acoustically transparent printed mesh grille on front
  - Self diagnostic indicators
- Portable announcers rack complete with commercial grade components:
  - Eight channel microphone/line audio mixer
  - Professional CD playback deck and MP3 connection
- Accessories:
  - Accessory case
  - Wired low noise microphone with on/off switch
  - Desk mic stand
- Interconnection cable (up to 1000 feet)

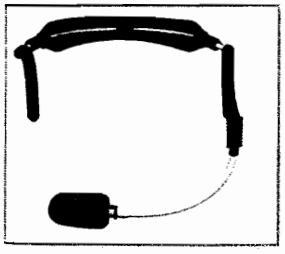
Enhancements and options

Sportsound 1000 options:

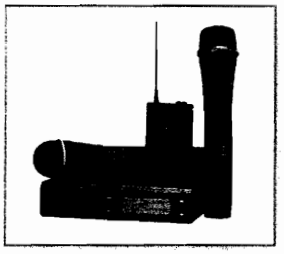
- Wireless handheld microphone system
- Wireless referee/headset microphone system
- Wireless in-ear monitor system for on-field talent
- FM Assistive Listening radio system
- Trailer mounted system powered by a low noise generator



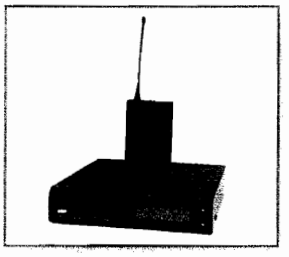
Wireless in-ear monitor system



Referee headset



Handheld wireless microphone system



FM radio system



Portable announcer's rack (front)



Portable announcer's rack (back)
Dimensions: 18" x 22" x 23"
Approximate weight: 65 lb

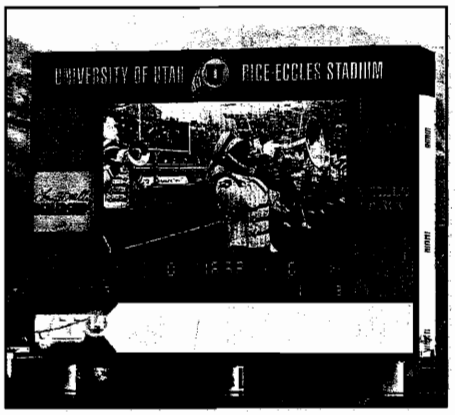
Schedule a demonstration

A powerful sound system can make a lasting impression. Contact Sportsound to schedule a complete, on-site Sportsound 1000 demonstration. An experienced and knowledgeable sales representative can help determine the proper sound solution for any facility. Call **800-325-8766** or log onto **www.sportsound.com** for more information.

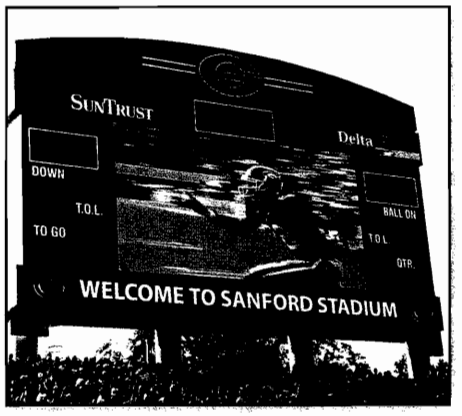


Sportsound 1000 trailer mounted option with onboard generator

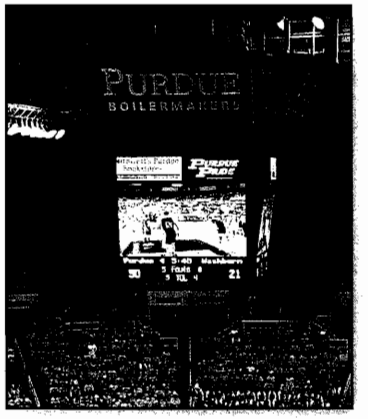
www.sportsound.com



University of Utah
Salt Lake City, Utah
Sportsound custom series



University of Georgia
Athens, Georgio
Sportsound custom series



Purdue University
West Lafayette, Indiano
Sportsound custom series

Sportsound Custom Systems

When sound needs to reach every part of a facility, Sportsound can provide a custom designed solution for use in indoor arenas, auditoriums and large outdoor stadiums. A Sportsound consultation includes a detailed site survey to determine acoustic characteristics, physical dimensions and desired operation modes of the system. The Sportsound design team then determines the best speaker selection and placement to achieve the desired coverage throughout the facility. Complete system installation and comprehensive testing by the Sportsound professional team will ensure that the system is installed and operating as expected.

Sportsound: A Division of Daktronics
331 32nd Avenue, PO Box 5128, Brookings, SD 57006-5128
tel: 800-325-8766 or 605-697-4300 fax: 605-697-4700
www.sportsound.com www.daktronics.com
e-mail: sales@sportsound.com
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SPORTSOUND
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Sportsound® 1000

Total Audio System

DAKTRONICS

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.

1310 Wakarusa Drive
Lawrence, Kansas 66049

tele 785.843.7530
fax 785.843.2410
email info@landplan-pa.com

August 18, 2008

Sheila M. Stogsdill
Assistant Planning Director
City of Lawrence, Douglas County
Planning & Development Services Department
City Hall, 6th East 6th Street
Lawrence, Kansas 66044-0708

RE: Lawrence High School
Free State High School
Virtual School

The following are responses to comments received on August 15, 2008 to the above referenced projects for the Special Use Permit.

Lawrence High School Review Comments

- Where is main entrance to each of the competition facilities? Would be helpful to see diagram that illustrates the pedestrian travel patterns anticipated on-site. Need for sidewalk connections to 19th Street and along parking areas to provide safe pedestrian travel that does not force everyone to walk through parking lots. **(See Plan for Location of Entrance to each Sport Field)**

- What is height of bleachers at softball fields **(Varies between 10' and 12' depends on Manufacture see plan)**

- What happens to storm pipe on west side of softball field – any connection to west through 20th Street r/w or does it all drain to the east **(Proposed Storm sewer system connects to existing 48" Storm sewer under 21st Street)**

- Dimension from west property line to football bleachers does not match cross section **(Both plan and section match at 58')**

- Site plan shows separate restroom/concession buildings at the north and south ends of the football bleachers, but photos provided indicated the restroom/concession area would be underneath the bleachers (integral with stands) **(Option one would provide restroom/concession building under the grandstand. Option two as shown would provide a free standing restroom/concession stand. Option two was shown because of the greatest amount of impreviuos pavement)**

- Label [Proposed Restroom/Concession] at southwest end of football field points to nothing **(Removed)**

- Label [Existing Astroturf Softball Field] should be removed – this improvement was not part of SP-06-43-08 approval (only Astroturf for football field was approved) **(Updated Noted)**

- Existing concession building for tennis courts is shown at edge of new parking lot – is it remaining? If so, for what purpose. **(Existing Use Storage Building remains)**

- What is height of all new lighting? Wattage for light fixtures not provided. Hours for outdoor lighting not provided. Needs to be noted on plan. Need photometric plan **(See Photometric Plan)**

- Decibel levels not provided for proposed sound system **(?)**

- Notes regarding previous Variances approved for southern parking lots should include case number (B-10-35-05) and do not need to reference the zoning code sections (old code). Case number should also be added to General Notes 12 – 14. **(Updated Notes)**

- Floating notes on south side of 21st and east side of Louisiana (2 locations) state that existing sidewalks will be replaced to meet current code width requirements 'with future work' --- seems like these proposed improvements warrant that improvement now **(Sidewalk repaired as needed)**

- Note [existing greenhouse to be removed] and leader line south of existing science addition should be deleted since that occurred with the science addition construction **(Updated plan)**

- Proposed concession building northwest of proposed soccer field does not include water or sanitary sewer connections **(Shown on site plan)**

- Landscape schedule does not match plan (number of trees) **(Updated)**

- Plan does not match cross section at west property line (two rows of trees not shown on plan) **(Updated to show existing trees and proposed trees)**

- Type 3 bufferyard required along perimeters; requires a mix of shrubs and trees. Plans do not indicate any shrubs; if alternative compliance is proposed, applicant must request and propose justification. **(USD to request alternative compliance)**

- Label indicates proposed 3' berms along new parking lots along 21st Street, but no grading shown – how will this work **(Plans updated)**

- Around entire perimeter of site, the adjacent property zoning districts are incorrect (old code instead of new district labels) **(Updated plans)**

- General Notes 1, 5, 11 all need revision because of old code references **(Updated notes)**

- Do not understand the required parking calculation. NSF does not match NSF cited above (General Notes 4 & 5) **(Used requested for last site plan with a breakdown of NSF. Following required previous site plan request)**

- Parking requirements in Development Code would be ratio of teachers/staff + ratio of students + outdoor sports & recreation, participant ratio in 20-902 OR proposal to use Schedule D in 20-905 for community recreation use – applicant study required to be submitted to Planning Director for review. This study should assist staff in evaluating assumptions about multiple uses on site and reference attendance records from previous seasons for anticipated spectators. [What were number of spectators at home games at Haskell?]

- What is provision for fly balls from softball field ending up in residential yards to west or south? Is backstop shown? **(Softball Fence to Property line is 75 feet, the required distance between fields is between 120 feet to 140 feet from foul line to foul line for multi-field complex. This is from Time saver Standards for Landscape Architecture.**

- What is provision for soccer balls that might end up in adjacent parking lots to the east, south and west? **(A four foot fence shall be on all sides of the fields and on the east and west side shall be a 30' screen fence provided during the regular season.)**

- It would be helpful to be able to show examples of other football stadiums that have been built within 50' of residential yards to demonstrate that what is being proposed has been developed in other communities. **(Enclosed)**

- What provisions are being made for litter control (especially along areas adjacent to the residential lots on the west and south? **(Litter shall be pick up as needed)**

- Traffic and downstream sanitary sewer reviews **(Both documents provide on the requested date July 30, 2008 to your office)**

08/14/08 -- Unresolved Issues or Additional Info needed:

Lawrence Virtual School/Centennial –

- Legal description is incomplete; three platted lots in Meadows Acres AND unplatted tracts in 1-13-19 **(Updated)**

- Existing utility easement with existing sanitary sewer along west property line not shown **(Updated)**

- Bufferyard and screening required along perimeters; landscaping along west and north sides not shown **(Retaining wall provided)**

- Label indicates proposed 3' berm along new parking lots along Greever Terrace, but no grading shown – how will this work **(Updated)**

- Height and wattage for new lights not provided; hours of operation; photometric plan **(See Photometric Plan)**

- No detail provided for tennis bleachers, height? **(Updated plans)**

- No note regarding type/height of fencing used to keep tennis balls inside courts **(Updated plans)**

- No dimension from baseball bleachers to south property line **(Updated plans)**

- What type of fencing will be installed to manage baseball field? Balls into Louisiana? **(Six foot outfield fence. The distance from home plate to back of curb is 406 feet.)**

- Off-site grading shown along south property line. Will need permission from adjacent property owner. **(Updated grading plan to stay on school property)**

- Perimeter sidewalks are not labeled. If width does not meet code, will need to be upgraded with these improvements **(Existing sidewalk repair as needed)**

- Two existing curb cuts along Louisiana Street (south of school entrance) need to be closed and aprons removed with this project **(Existing curb shall remain)**

- Relocated force main will require dedication of utility easement **(shall be dedicate by separate instrunment with approved public improvement plans)**

- What happens to the surface between the school building and the rebuilt parking lot? Plan shows trees at east end; is area between lot and building to be turf? **(Existing surface is asphalt paving shall remain asphalt pavement)**

- Need sidewalks along Virginia Street to provide safe pedestrian connection between LHS and this site **(Owner notified)**

- Note 15 indicates existing tree protection; should be illustrated on a separate landscape sheet **(Existing trees not in the construction zone. If trees are in construction zone shall be protected per city standard)**

- Landscape schedule does not match plan (number of trees) **(Updated)**

- Street trees required to fill in along Louisiana Street and along Greever Terrace in front of tennis courts **(Shown)**

- No sewer or water connection shown for new concessions stand **(Updated plan)**

- No dimensions for tennis courts to perimeter property lines provided **(Updated)**

- Vicinity map is incorrect **(Updated)**

- Parking information does not recognize school usage (JoCo classes in building) **(?)**

- Traffic and downstream sanitary sewer reviews **(Both documents provide on the requested date July 30, 2008 to your office)**

Free State High School

- Legal description is incomplete; property includes unplatted tract **(Updated)**

- Landscape schedule does not match plan (number of trees) **(Updated)**

- Label indicates proposed 3' berm along new parking lots along Overland Drive, but no grading shown – how will this work **(Updated)**

- No landscaping shown along perimeter (including street trees); bufferyard requirements **(?)**
- Parking summary does not include school requirements **(?)**
-
- Note 12 indicates existing tree protection; should be illustrated on a separate landscape sheet **(?)**
- No information regarding height or wattage of lights; hours of operation; photometric plan **(See Photometric Plan)**
- Decibel levels not provided for proposed sound system
- Plans indicate restroom/concessions below football field stands AND separate restroom/concession buildings at each end of stands? Additional building shown at north end of east side of field (not labeled, appears to be existing storage building, is it to remain) Several other existing buildings are not labeled on plan **(Option one would provide restroom/concession building under the grandstand. Option two as shown would provide a free standing restroom/concession stand. Option two was shown because of the greatest amount of impreviuos pavement)**
- Pedestrian connections to soccer fields? **(Shown)**
- Dimensions to perimeter property lines along north? **(Updated Plan)**
- Dimensions of new parking lot to west and south property lines? **(Updated Plan)**
- Pedestrian connections from new parking lot to activity areas to the north so that they are not walking in vehicular drive aisles? **(Sidewalk provided on north side of parking lot and large center area)**
- Plan shows softball and baseball fields with Astroturf as existing (not clear that this was approved with previous site plan – seemed to limit it to only football field – need to check with Paul) **(Updated Plan)**
- Traffic and downstream sanitary sewer reviews **(Both documents provide on the requested date July 30, 2008 to your office)**

If needed, please call me at 785-843-7530 to schedule an appointment to review any comments and answer any questions regarding these responses.

Sincerely,

C.L. Maurer, RLA, ASLA
Landplan Engineering, P.A.

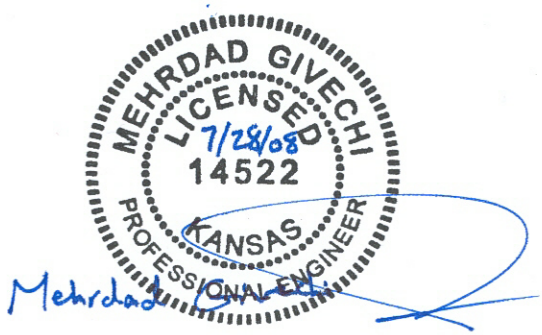
Addendum
to
Traffic Impact Data

for

Proposed
Lawrence High School Track & Field Expansion
(West of Louisiana Street, Between 19th Street & 21st Street)

City of Lawrence,
Kansas

Prepared
for
Landplan Engineering, P.A.



Mehrdad Givechi, P.E., P.T.O.E.

July 2008

Project Description

USD 497 is proposing to make improvements to the track and fields at the Lawrence High School site. The site is located west of Louisiana Street, between 19th and 21st Streets. These improvements would consist of the following components:

- The existing soccer field will be re-graded at its current location and will have new astro-turf installed. The capacity of bleachers will remain at its current number of 100 seats.
- The existing 8 tennis courts, located west of the soccer field, will be removed and relocated to a different site (one block south of its current location at the Virtual High School site). A new parking lot with 277 parking spaces will be constructed at this location having access onto 21st Street in line with Virginia Street to the south. This can be achieved by relocation of existing access drive approximately 15' to the east.
- The existing parking lot on the northwest corner of Louisiana Street & 21st Street will be expanded west to provide for 123 additional spaces. The access on 21st Street will remain at its current location, but the access on Louisiana Street will be relocated approximately 25' to the north.
- The track and football field will be moved approximately 50' to the west and will have new astro-turf and bleachers installed. The capacity of bleachers will increase from 500 to 4000 seats. It is anticipated that the frequency and type of activities for this field will remain unchanged with addition of bleachers providing accommodation for current spectators.
- A new softball field will be constructed south of the existing track, where currently used for band practices. The capacity of bleachers will remain at its current number of 200 seats. This facility will be served by newly proposed parking lots mentioned above.

Sports activities for Lawrence High School's calendar year 2008 are summarized in Appendix. As shown on this calendar, critical peak period for concurrent activities (football, soccer and tennis) will be from 3:00 to 9:00 p.m. of a typical weekday.

Proposed improvements as mentioned above will eliminate tennis activities from the site and replace them with softball activities.

Evaluation Of Existing Operating Conditions

At the time this study was conducted (summer 2008), school was not in session and both Louisiana Street and 19th Street around the site were under construction causing traffic flow around the site to be skewed and not representative of normal conditions. It is, therefore, not feasible to evaluate existing operating conditions at this time.

Trip Generation

The trip generation of a proposed land development project is typically estimated using trip generation rates from *Trip Generation Manual, 7th Edition* (Institute of Transportation Engineers, 2003). However, *Trip Generation Manual* does not provide trip generation information for a sports complex such as the proposed site having track, football and softball fields, but does provide data for "Tennis Courts" (ITE Land Use Code 490) and "Soccer Complex" (ITE Land Use Code 488). In order to estimate ***"net change"*** in number of trips generated as the result of proposed improvements to this site, available trip rates from both *Trip Generation Manual* and trip generation studies performed by Fehr & Peers Associates in October 2000 (with assumptions related to the number of players, coaches, officials, and average vehicle occupancy) were utilized with results summarized below (See Appendix for detail information on the rates by Fehr & Peers Study):

Trip Reductions (8 Tennis Courts @ 3.88 trip-ends/court)

- On average, 31 trip-ends (18 inbound and 13 outbound) during the afternoon peak-hour of a typical weekday.

Added New Trips (1 Softball Field @ 20 trip-ends/game)

(Assuming each game lasting at least one hour, the rate mentioned for this type of activity can be used for the peak-hour.)

- On average, 20 trip-ends (20 inbound and 0 outbound) during the afternoon peak-hour of a typical weekday.

Review of the results indicates that there may potentially be an insignificant reduction in number of trips generated as a result of this improvement. It is, therefore, concluded that no new trips are added to the street network as a result of the proposed improvements.

APPENDIX

- Lawrence High School Sport Events' Schedule
- Trip Generation Rates for Similar Sport Events Conducted by Fehr & Peers Associates, 2001, for City of Lodi, California

Lawrence High School - August 2008

Sun	Mon	Tue	Wed	Thur	Fri	Sat
	28 Band 7-9:30am	29 Band 9-12:00	30 Band Practice 8-3:30	31 Band 8-3:30	1 Band 8-3:30	2 Band 8-12:00
3	4 Band 8-3:30	5 Band 8-3:30	6 Band 8-3:30	7 Band 8-3:30	8 Band 8-3:30	9
10	11	12 Band 6-8pm	13	14 Band 2-3pm	15 Band 2-3pm	16
17	18 First Day Fall Practices Band 2-3pm FB - 21st St. 3-9pm Soccer - Holcom Tennis - LHS Courts	19 Band 2-3pm 6-8pm FB - 3-9pm Soccer - Holcom Tennis - 3-6pm	20 Band 9:35-11:05 FB 3-9pm	21 Band 1-2:30 FB 3-9pm	22 Band 2-3pm FB - 3-9pm	23 FB - 8-12:00
24	25 Band 2-3pm FB - 3-6	26 Band 2-3pm 6-8pm FB - 3-6	27 Band 8-9am FB - 3-5 Jamboree [redacted]	28 Band 1-2:30 FB 3-6	29 Band 2-3 FB 3-6	30 FB 8-12:00
31						

Lawrence High School - September 2008

Sun	Mon	Tue	Wed	Thur	Fri	Sat
	1 Band 2-3pm FB 3-6	2 Band 2-3pm 6-8pm FB 3-6	3 Band 2-3pm FB 3-6	4 FB-Soph-AWAY-4:15 SMHN Band 2-3pm FB 3-6	5 FB-V-AWAY-7:00 SMHS Band 2-3pm	6 FB-JV-Home-10:00 LHS
7	8 Band 2-3pm FB 3-6	9 Band 2-3pm 6-8pm FB 3-6	10 Band 9:35-11:05 FB 3-6	11 FB-Soph-Home 4:15 LHS Band 1:10-2:35 FB 3-6	12 FB-V-Home-7:30 Haskell Band 2-3pm	13 FB-JV-AWAY-10:00 SMHE
14	15 Band 2-3pm FB 3-6	16 Band 2-3pm 6-8pm FB 3-6	17 Band 9:35-11:05 FB 3-6	18 FB-Soph-Home 4:15 LHS Band 1:10-2:35 FB 3-6	19 FB-V-Home-7:30 Haskell Band 2-3pm	20 FB-JV-AWAY-10:00 SMHW
21	22 Band 2-3pm FB 3-6	23 Band 2-3pm 6-8pm FB 3-6	24 Band 8-9am FB 3-6	25 FB-Soph AWAY 4:15 SMHW Band 1:10-2:35 FB 3-6	26 FB-V-AWAY-7:00 SMHW Band 2-3pm	27 FB-JV-Home 10:00 LHS
28	29 Band 2-3pm FB 3-6	30 Band 2-3pm 6-8pm FB 3-6				

Lawrence High School - October 2008

Sun	Mon	Tue	Wed	Thur	Fri	Sat
			1 FB-Soph Home 4:15 LHS Band 9:35-11:05 FB 3-6	2 FB-V-Home-7:30-Haskell Band 1:10-2:35	3 FB-JV-AWAY 4:15 ON Band 2-3pm FB 3-6	4
5	6 Band 2-3pm FB 3-6	7 Band 2-3pm 6-8pm FB 3-6	8 Band 9:35-11:05 FB 3-6	9 FB-Soph AWAY 4:15 OS Band 1:10-2:35 Tennis-Regional LHS Host 8-6pm FB-3-6	10 FB-V-AWAY-7:00 ODAC Band 2-3pm	11 FB-JV-Home-10:00 LHS
12	13 Band 2-3pm FB 3-6	14 Band 2-3pm 6-8pm FB 3-6	15 Band 2-3pm FB 3-6	16 FB-Soph Home 4:15 LHS Band 2-3pm FB 3-6	17 FB-V-Home-7:30 Haskell Band 2-3pm	18 FB-JV-AWAY-10:00 @NW Tennis-State-AWAY
19	20 Band 2-3pm FB 3-6	21 Band 2-3pm 6-8pm FB 3-6	22 Band 2-3pm FB 3-6	23 FB-Soph Home 4:15 LHS Band 2-3pm FB 3-6	24 FB-V-Home-7:30 Haskell Band 2-3pm	25 FB-JV-AWAY 10:00 FS
26	27 Band 2-3pm FB 3-6	28 Band 2-3pm 6-8pm FB 3-6	29 Band 8-9am FB 3-6	30 FB-Soph-AWAY 4:15 Leav Band 1:10-2:35 FB 3-6	31 FB-V-AWAY-7:00 Leav Band 2-3pm	

Lawrence High School - November 2008

Sun	Mon	Tue	Wed	Thur	Fri	Sat
						1
2	3 FB 3-6	4 FB 3-6	5 Band 9:35-11:05 FB 3-6	6 Band 1:10-2:35 FB 3-6	7 FB-V- Playoff	8
9	10 FB 3-6	11 FB 3-6	12 Band 9:35-11:05 FB 3-6	13 Band 1:10-2:35 FB 3-6	14 FB-V-Playoff	15
16	17 FB 3-6	18 FB 3-6	19 Band 8-9 FB 3-6	20 Band 1:10-2:35 FB 3-6	21 FB-V-Playoff	22
23	24 FB 3-6	25 FB 3-6	26 FB 3-6	27 FB 8-12	28 FB 8-12	29 FB-V- State AWAY
30						

Trip Generation – Scenario 1 (Weekday P.M. Peak Hour)

Individual Use	Amount	Scenario 1 (Typical Weekday P.M. Peak Hour Activities)				Notes
		Trip Rate	Inbound Trips	Outbound Trips	Total Trips	
Youth Soccer Games	8 games	23 inbound trips/game [1]	184	0	184	Games begin at 5:30 p.m.
Youth Soccer Practice	10 teams	8 inbound trips/team [2]	80	40	120	15 players @ 2.5 players per vehicle
Basketball Leagues / Practices	100 players	0.40 inbound trips/player [2]	40	20	60	2.5 players per vehicle
Swimming/Water Polo Practices	Not Applicable [3]		71	65	136	See footnote (3) below
Ice Hockey	Not Applicable [4]		44	45	89	See footnote (4) below
Adult Softball	9 games	20 inbound trips/ game [5]	180	0	180	Games begin at 6:00 p.m.
Tennis Courts	9 courts	3.88 total trips/ court [6]	20	15	35	All nine courts used
Weight Room/ Training Center	50 persons	0.80 total trips/ person	20	20	40	1.25 persons per vehicle
Offices	25 employees	0.46 total trips/ employee[6]	2	10	12	--
Medical Clinic	34 ksf	3.66 total trips/ ksf [6]	33	91	124	--
Retail	48 ksf	2.59 total trips / ksf[6]	53	71	124	--
Hotel	420 occ. rooms [7]	0.61 total trips / room[6]	136	120	256	--
Gross Trips			863	497	1,360	--
Internal Trips[8]			- 50	- 50	- 100	--
External Trips			**813**	**447**	**1,260**	--

Source: Fehr & Peers Associates, 2001.

Notes:

1. Based on attendance of 68 persons per game (for 16 & under game) as observed at Blaine Minnesota Sports Complex with average of 3 persons per vehicle.
2. 50 percent of parents assumed to depart site after dropping off children for practice.
3. Based on October 24, 2000 trip generation study by Fehr & Peers at Roseville Aquatics Complex. During the count period, simultaneous swimming and water polo practices were held.
4. Based on October 24, 2000 trip generation study by Fehr & Peers at Roseville Skatetown. During the counts, one rink was used for youth hockey practice and the other rink was used for "free skating".
5. Based on attendance of 30 persons per game (players, spectators, referees) with average of 1.5 persons per vehicle.
6. Based on trip generation rates for Tennis Courts (Code 491), General Office (Code 710), Medical- Dental Office Building (Code 720), Specialty Retail Center (Code 814), and Hotel (Code 310) from *Trip Generation,* ITE, 1997.
7. 70 percent of the 600 rooms (i.e., 420 rooms) assumed to be occupied for analysis purposes consistent with occupancy rates in other hotels/motels in Lodi.
8. 10 percent of outbound trips from individual uses assumed to remain within the site (e.g., trips from the medical clinic to the hotel).

Civil Engineering
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Community Planning
Surveying

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e*mail* info@landplan-pa.com

August 12, 2008

Philip E. Ciesielski, P.E.
Utility Engineer
City of Lawrence Utility Department
P.O. Box 708
Lawrence, KS 66044

RE: Lawrence High School Sports Facility (SUP)

Mr. Ciesielski:

The letter references the proposed site improvements to the Lawrence High School site located west of Louisiana Street and south of 19th Street. The proposed improvements to the site will include construction of several artificial turf and synthetic field grass sports fields, bleachers, a concession stand, and bathroom facilities. The events at these proposed facilities will mainly occur when school in not in session and when it is not raining. This should result in no additional sanitary sewer flow to the downstream system during times of peak wastewater flow.

Please call me at (785) 843-7530 if you have any questions or comments regarding this letter.

Sincerely,

Christopher M. Storm, P.E.
Landplan Engineering, P.A.

MATCHLINE VIEW "B"

MATCHLINE VIEW "B"

MATCHLINE VIEW "C"

W. 19th ST.

LAWRENCE

LIONS

ALABAMA STREET

VIEW "A"

MATCHLINE VIEW "C"

40 20 0 40

NORTH SCALE: 1" = 40'

A Lighting Plan for

LAWRENCE HIGH SCHOOL

Lawrence, Kansas

NOTE:
1. PER SECTION 20-1103(e)(3), THE BALL FIELD LIGHTS MAY NOT BE ILLUMINATED AFTER 11:30pm

LAWRENCE HIGH SCHOOL
SPORTS COMPLEX
LIGHTING PLAN
LAWRENCE, KANSAS

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Livestock Exchange Building
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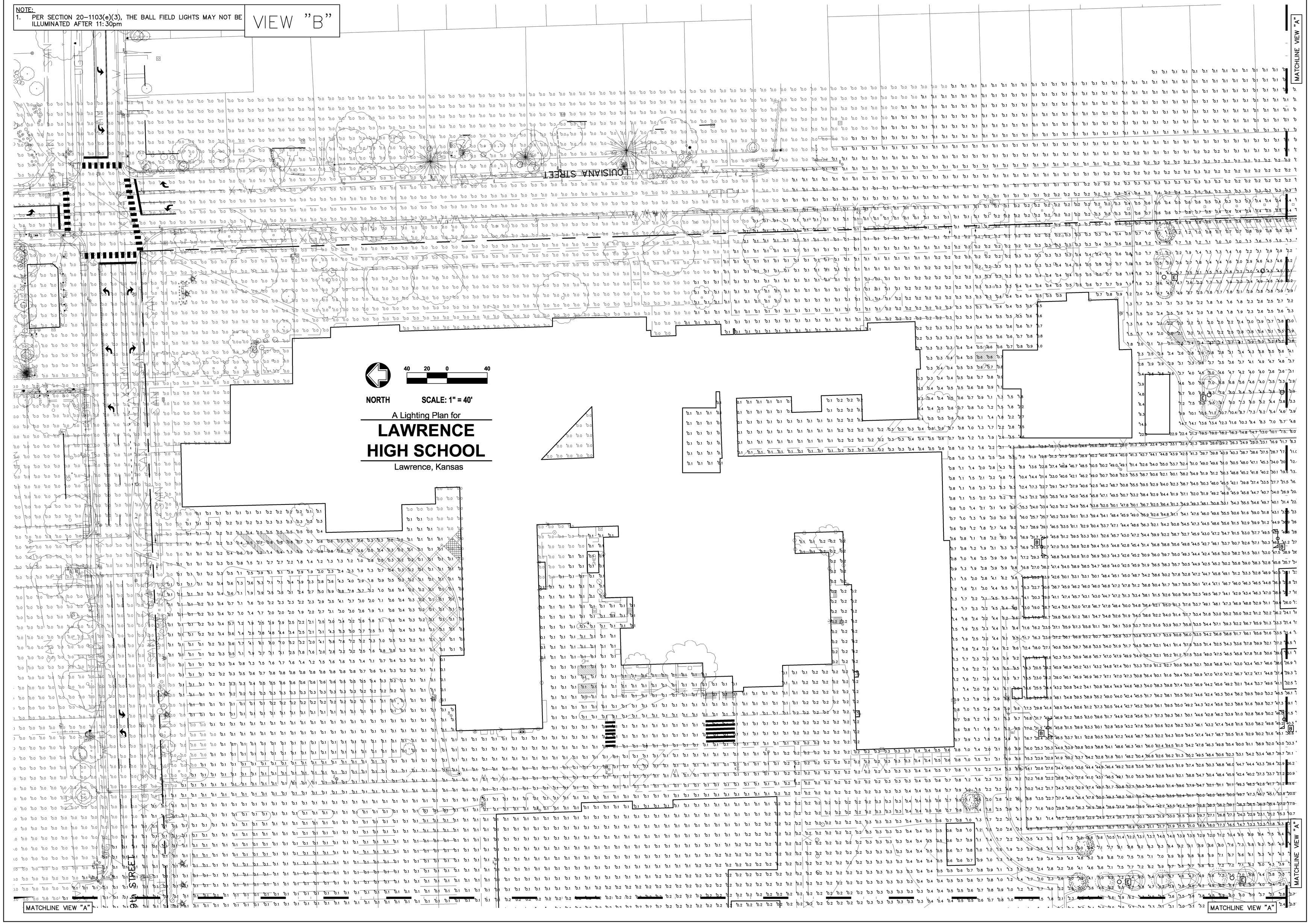
REVISIONS

DATE:	08.21.08
PROJECT NO.:	2007,650.11
DWG ID:	07650lp-lawrence high
DESIGNED BY:	LPE
DRAWN BY:	LPE
CHECKED BY:	CLM

SHEET NO.
1 OF 4 SHEETS

NOTE:
1. PER SECTION 20-1103(e)(3), THE BALL FIELD LIGHTS MAY NOT BE ILLUMINATED AFTER 11:30pm

VIEW "B"



LAWRENCE HIGH SCHOOL
SPORTS COMPLEX
LIGHTING PLAN
LAWRENCE, KANSAS

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Community Planning
Surveying

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REVISIONS

DATE:	08.21.08
PROJECT NO.:	2007.650.11
DRAWING I:\07650\p-lawrence high	
DESIGNED BY:	LPE
DRAWN BY:	LPE
CHECKED BY:	CLM

SHEET NO.
2 OF 4 SHEETS

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Sheila M. Stogsdill
Assistant Planning Director
City of Lawrence, Douglas County
Planning & Development Services Department
City Hall, 6th East 6th Street
Lawrence, Kansas 66044-0708

August 21, 2008

RE: Lawrence High School
Free State High School
Virtual School

Sheila,

At our meeting on Tuesday August 18, 2008 I provided to you copies of aerial photographs of area school for seating and parking and relationship to the property line. The following is more information on the schools with the seating of the football grandstands and the parking on site for each school.

Springhill Kansas High School
Grandstand seating 1200 Home 600 Visitors
Parking Lot – 600 Cars
Use for High School Graduation also.

Seaman High School
Grandstand Seating 3000 Home 1500 Visitors
Parking Lot – 650 – 700 Cars
Off-Site Parking Lot 250 – 300 Cars

Olathe North High School
Grandstand Seating 3000 Home 2000 Visitors
Parking Lot – 1000 Cars

Hope this helps you on the school projects.

Sincerely,

C.L. Maurer, RLA, ASLA
Landplan Engineering, P.A.


Spring Hill High School
A
E South St
S Race St
Dunstable Ct
Bronco Blvd
Main St
© 2008 Tele Atlas
Google
38°44'15.07" N 94°49'13.27" W
elev 318 m
Jun 20, 2005
Eye alt 960 m


N
NW Haven Rd
Seaman High School, Topeka, Kansas
31 ft from property line
© 2008 Acxiom
Image © 2008 DigitalGlobe
© 2008 Tele Atlas
©2008 Google
39°08'04.39" N 95°40'10.61" W
elev 971 ft
Aug 11, 2005
Eye alt 2017 ft


E Whitney St
E Whitney Ave
33' From PL to Grandstand
N Curtis St
N Nelson Rd
Olathe North High School
© 2008 Tele Atlas
Google
38°53'20.99" N 94°48'31.07" W elev 317 m Jun 20, 2005 Eye alt 720 m

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August 18, 2008

Sheila M. Stogsdill
Assistant Planning Director
City of Lawrence, Douglas County
Planning & Development Services Department
City Hall, 6th East 6th Street
Lawrence, Kansas 66044-0708

RE: Lawrence High School
Free State High School
Virtual School

The following are responses to conditions received on August 22, 2008 to the above referenced projects for the Special Use Permit.

Lawrence High School Conditions

1. Execution of a Site Plan Performance Agreement.

2. Publication of an ordinance per Section 20-1306 (j).

3. Per Section 20 – 1307(e), recording of the Institutional Development Plan (Site Plan) at the Register of Deeds Office.

4. Prior to building permits being issued for any of the athletic fields light poles, the applicant shall either revise the site plan to show conformance with 60' height limit of such poles, gain approval of a variance to exceed the 60' height limit, or gain approval of a text amendment that provides for heights greater than 60'.

5. Provision of notice to the Kansas Department of Wildlife and Parks regarding the relocation of the tennis courts (due to original funding agreement). **(Provided)**

6. Revision of the site plan to provide the following:

    a. Provision of a continuous, double row of columnar trees, along entire length of the west and south property line to provide buffering from the football field, softball field and new parking lot. **(Provided more than required bufferyard)**
    b. Reconstruction of sidewalks along the Louisana Street and 21st Street frontage to meet current 6' and 5' width standards. **(Provided addition 1' width to existing concrete sidewalk to meet City Std.)**
    c. Provision of additional details related to bleacher height, light pole heights, and hours of operation. **(Provided)**
    d. Provision of corrected parking summary regarding required and provided parking based on multiple use on site per Development Code requirements. **(Provided)**
    e. Expansion of parking summary to identify number of existing spaces, net proposed spaces and total spaces ultimately to be developed. **(Provided)**

f. Correction of Building Summary to indicate number of students based on 08/2008 District Preliminary Enrollment Report. **(Provided)**
g. Provision of additional dimensions and correction to cross sections to accurately reflect proposed improvements and existing structures. **(Provided)**
h. Notation of litter will be monitored and picked up on a regular basis. **(Note 14)**
i. Notation that no gate is proposed along the western perimeter fence. **(Added Note)**
j. Notation regarding the height of screen fencing that will be provided at softball backstop and soccer fields to minimize 'fly balls' potential. **(Provided on section of softball and soccer provided screen fence 30' ht.)**
k. Specific location of concession/restrooms at football field prior to release of plan for permits (under bleachers or stand alone buildings, not both) **(Based on current site rest stand alone)**
l. Provision of additional information required by Stormwater Engineer for final approval of storm drainage improvements including;
    i) Grading scale at large scale for review of existing and proposed contours.
    ii) Specify that all curb inlets will be constructed per City storm sewer standard details.
    iii) Submitttal and approval of a stormwater pollution prevention (SWP3) prior to release of building permit

7. Approval of a photometric plan (submitted 08/21/08).
8. Provision of manufacturer specs for bleachers (with specific size and height info.) **(Provided)**
9. Approval of a revised traffic impact study and inclusion of any recommended improvements (if determined necessary following staff review).
10. Approval of a revised downstream sanitary sewer study and inclusion of any recommended improvements (if determined necessary following staff review)

Lawrence Virtual School/Centennial –

1. Execution of a Site Plan Performance Agreement

2. Per Section 20 – 1307(e), recording of the Institutional Development Plan (Site Plan) at the Register of Deeds Office.

3. The application shall plat the property prior to the release of the site plan for issuance of a building permit. **(In Progress)**

4. Per City Code Chapter IX Article 9-903(B), a stormwater pollution prevention plan (SWP3) must be provided for this project. **(In Progress)**

5. Revision of the site plan to provide the following:

    a. Rename the title similar to "Special Use Permit for Virtual School Tennis Courts, Ballfield, and Parking Lot. **(Provided)**
    b. Update legal description to include the entire site. **(Provided)**
    c. Provide the required bicycle racks. **(Provided)**
    d. Provide sidewalk connections at the northwest corner of the parking lot to the Greever Street sidewalk and a handicap ramp from Greever Street sidewalk to Greever Street. **(Provided)**

e. Show the required accessible parking spaces. **(Provided)**
f. Provide width dimensions of the parking spaces. **(Provided)**
g. Provide the required concrete aprons from the parking lot to the street. **(Provided)**
h. Correct the spelling of the Fairgrounds Addition Plat to the east. **(Provided)**
i. Reconstruction of sidewalks along Greever Street and Louisiana Street frontages to meet current 5' and 6' width standards. **(Provided addition 1' width to existing concrete sidewalk to meet City Std.)**
j. Provision of additional details related to bleacher height, light pole heights, hours of operation for field and tennis court lights. **(Provided)**
k. Provision of corrected parking summary regarding required and provided parking based on multiple use on site per Development Code requirements. **(Provided)**
l. Expansion of parking summary to identify number of existing spaces, net proposed spaces and total spaces ultimately to be developed. **(Provided)**
m. Notation of litter will be monitored and picked up on a regular basis. **(Provided)**
n. Notation that no gate is proposed along the western perimeter fence. **(Provided)**
o. Approval of a photometric plan (submitted 08/21/08). **(In Progress)**
p. Provision of manufacturer specs for bleachers (with specific size and height info.) **(Provided)**
q. Include the landscaping on the west side of the Tennis Courts in the landscape schedule. Update quantities on landscape schedule – Marshall Seedless Ash. **(Provided)**
r. A recorded Utility Easement will need to be shown for the sanitary sewer force main. **(In Progress)**
s. Show interior parking lot and perimeter landscape calculations per Section 20-1003 and 20-1004. **(Provided)**

6. Approval of a revised traffic impact study and inclusion of any recommended improvements (if determined necessary following staff review).
7. Approval of a revised downstream sanitary sewer study and inclusion of any recommended improvements (if determined necessary following staff review)

Free State High School

1. Execution of a Site Plan Performance Agreement

2. Publication of an ordinance per Section 20-1306 (j).

3. Per Section 20 – 1307(e), recording of the Institutional Development Plan (Site Plan) at the Register of Deeds Office.

4. Prior to building permits being issued for any of the athletic fields light poles, the applicant shall either revise the site plan to show conformance with 60' height limit of such poles, gain approval of a variance to exceed the 60' height limit, or gain approval of a text amendment that provides for heights greater than 60'.

5. Platting of the unplatted western portion of the property prior to any building permits being issued on the unplatted area. **(In Progress)**

6. Revision of the site plan to provide the following:

a. Revise the acres listed in the Legal Description. **(Provided)**
b. Update the site impervious summary to include the entire 72.6 acre property. **(Provided)**
c. Provide missing sidewalk connections from the parking lots and Overland Drive to the athletic fields and from the new parking lot to the High School Building. **(Provided)**
d. Label the number of parking spaces in front of the south side of the high school entrance and along the east driveway. **(Provided)**
e. Provision of additional details related to bleacher height, light pole heights, and hours of operation. **(Provided)**
f. Provision of corrected parking summary regarding required and provided parking based on multiple use on site per Development Code requirements. **(Provided)**
g. Expansion of parking summary to identify number of existing spaces, net proposed spaces and total spaces ultimately to be developed. **(Provided)**
h. Correction of Building Summary to indicate number of students based on 08/2008 District Preliminary Enrollment Report. **(Provided)**
i. Provision of additional dimensions and correction to cross sections to accurately reflect proposed improvements and existing structures. **(Provided)**
j. Notation of litter will be monitored and picked up on a regular basis. **(Provided)**
k. Notation regarding the height of screen fencing that will be provided at softball backstop and soccer fields to minimize 'fly balls' potential. **(Provided)**
l. Specific location of concession/restrooms at football field prior to release of plan for permits (under bleachers or stand alone buildings, not both) **(Based on current site rest stand alone)**
m. Show the interior and perimeter parking lot landscape calculation per Section 20-1003 and 20-1004. **(Provided)**

7. Approval of a photometric plan (submitted 08/21/08).
8. Provision of manufacturer specs for bleachers (with specific size and height info.)
9. Approval of a revised traffic impact study and inclusion of any recommended improvements (if determined necessary following staff review).
10. Approval of a revised downstream sanitary sewer study and inclusion of any recommended improvements (if determined necessary following staff review)

If needed, please call me at 785-843-7530 to schedule an appointment to review any comments and answer any questions regarding these responses.

Sincerely,

C.L. Maurer, RLA, ASLA
Landplan Engineering, P.A.

Lawrence Public Schools
110 McDonald Drive
Lawrence, Kansas 66044-1063
Telephone: (785) 832-5000

August 26, 2008

Planning Commission
c/o Paul Patterson
6 E. 6th Street
P.O. Box 708
Lawrence, KS 66044-0708

Dear Mr. Patterson:

The attachment includes information requested by staff related to Agenda Items #9, 10, and 11: SUPs related to the High School Outdoor Athletic Facilities.

Attached is a set of materials for each High School that includes the following, provided by each of the High Schools' administration team. *Note: A representative from each High School will be present at the meeting on Wednesday to respond to questions related to this document.*

1) 2008 Competition Events (Home Games) Using Outdoor Athletic Facilities – Summary Calendar. This document identifies all the home game competition events - both varsity and subvarsity - for the following sports: Football, Tennis, Soccer, Track, Baseball, Softball. *(LHS has included calendar dates of January through December, 2008; LFS has included calendar dates of August 2008 – July, 2009)*

2) 2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities. This document provides details for each event on the Summary Calendar, including:

- the event (Sophomore, JV, Varsity, etc.),
- the time, and
- an estimate of the number of attendees.

We have also noted if lights and/or sound may be used. In many cases, you will see that although lights/sound are used, an event may end by 8:30 p.m.

NOTE: There are only five home competition events that may go past 10:00 p.m., and those are the home football games. ***(City staff requested that we identify ...events that will include later than 10:00 p.m. events – pp. 9-7 of the PC Staff Report)***

3) Anticipated Outdoor Athletic Field Usage. This document provides a list of:
   - Each sport/event that would use the HS outdoor facilities;
   - The regular length of the season (does not include playoffs);
   - The estimated number of participants;

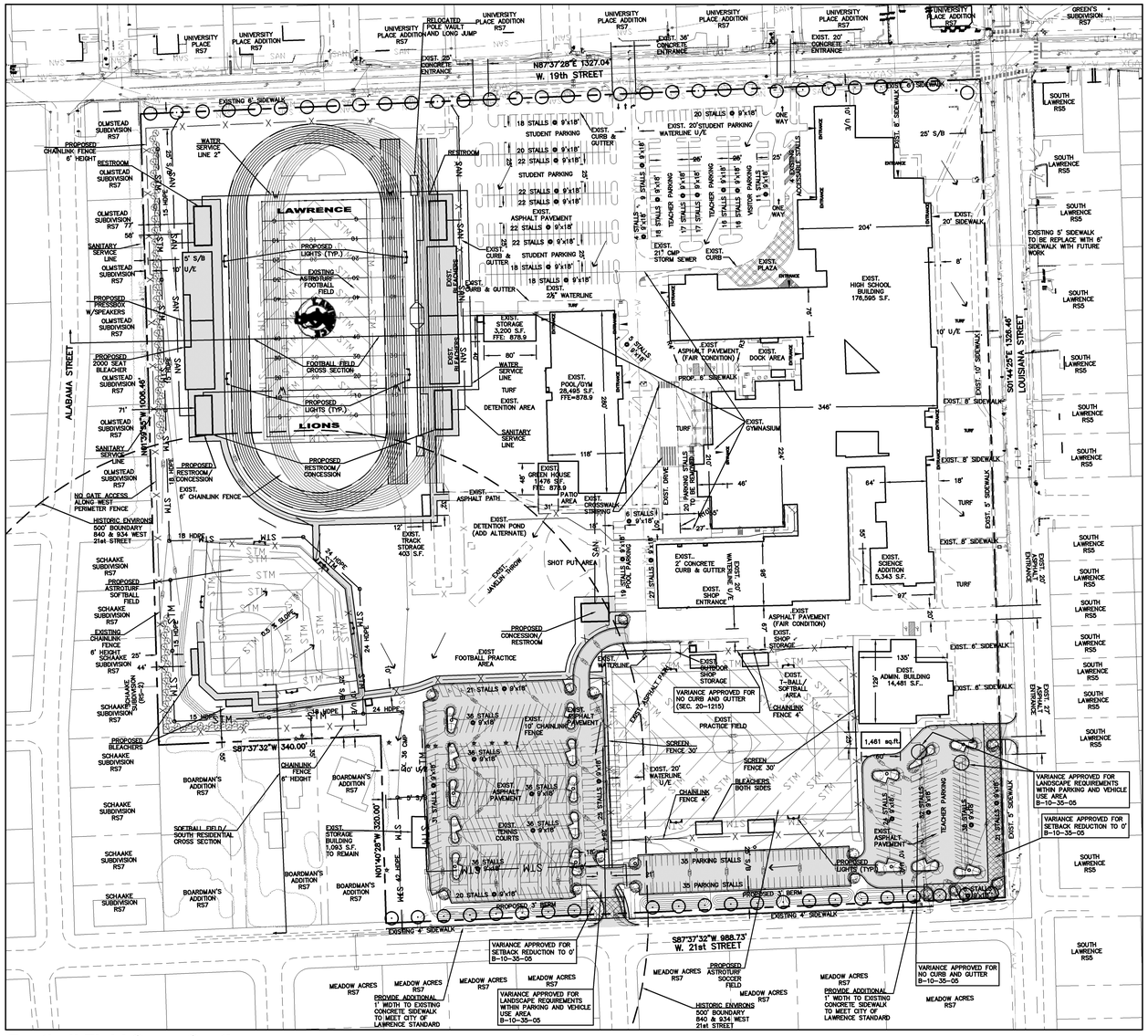
⇒ It then indicates the CURRENT facility use;
   - The ANTICIPATED facility use (with upgraded facilities);
   - The difference between the current and anticipated use, as well as notes/comments.

We hope that this information provides some of the additional facts requested by the City. Please let me know if you have questions. Thank you.

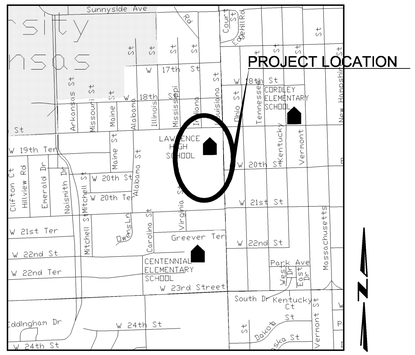
Sincerely,

Mary Rodriguez

Mary Rodriguez
Chief Operations Officer



Location Map



Legal Description

LOT 1, BLOCK ONE LAWRENCE HIGH SCHOOL ADDITION. CONTAINS 34.612 ACRES, MORE OR LESS.

Landscape Schedule

PROP.	EXIST.	KEY	PROP.	EXIST.	COMMON NAME	SCIENTIFIC NAME	SIZE	ROOT
		LL	16	0	LITTLELEAF LINDEN	TILIA CORDATA	2.5 CAL.	B&B
		MA	31	0	MARSHALL SEEDLESS ASH	FRAXINUS PENNSYLVANICA	2.5 CAL.	B&B
		MA	88	0	COLUMNAR ENGLISH OAK	QUERCUS ROBUR 'FASTIGIATA'	2.5 CAL.	B&B

Restroom/Concession Placement

RESTROOM/CONCESSION SHALL BE LOCATED PER ONE OF THE FOLLOWING OPTIONS:

OPTION 1: RESTROOMS AND CONCESSIONS WILL LOCATED AND/OR CONSTRUCTED BENEATH THE PROPOSED BLEACHERS

OPTION 2: RESTROOMS AND CONCESSIONS SHALL BE PROVIDED IN BUILDING STRUCTURES AS LOCATED ON THE FACE OF THE PLAN

General Notes

1. EXISTING ZONING: GPI
   PROPOSED ZONING: GPI
2. CURRENT USE: HIGH SCHOOL
   PROPOSED USE: 2 STORY HIGH SCHOOL FACILITY
3. TOPOGRAPHIC INFORMATION OBTAINED FROM AN TOPOGRAPHIC SURVEY PERFORMED BY LANDPLAN ENGINEERING, 2001.
4. BUILDING INFORMATION:
   EXISTING BUILDINGS:

HIGH SCHOOL BUILDING:	176,595
POOL / GYM:	28,495
CONCESSION:	1,093
ADMIN. BUILDING:	14,481
FOOTBALL STORAGE:	627
TRACK STORAGE:	403
PORTABLE CLASSROOM	1,461
GYMNASIUM EXPANSION:	7,563
SCIENCE EXPANSION:	5,343
GREENHOUSE:	1,476
STORAGE:	3,200

   PROPOSED BUILDINGS:

RESTROOM/CONCESSION	2,800
CONCESSION	720
	244,257 GSF TOTAL
	170,980 NSF

5. PROPOSED DRIVE AND PARKING AREAS TO HAVE CONCRETE CURB AND GUTTER TO MEET CITY OF LAWRENCE STANDARDS. ASPHALT PAVEMENT SHALL MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
6. PROPOSED CONCRETE PAVEMENT TO BE 4" PORTLAND CEMENT CONCRETE ON COMPACTED SUBGRADE UNLESS OTHERWISE SHOWN.
7. WALL MOUNTED LIGHTING SHALL BE LOCATED AT BUILDING ENTRANCES. ALL LIGHTING SHALL BE SHIELDED TO PREVENT GLARE OFF-SITE.
8. THE CITY OF LAWRENCE SHALL NOT BE RESPONSIBLE FOR DAMAGE TO PAVEMENT DUE TO THE WEIGHT OF REFUSE VEHICLES.
9. THIS SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES. APPENDIX A TO 28 CFR PART 36. ALL SIDEWALK RAMPS ARE TO USE ADA APPROVED DETECTABLE WARNING "BRICK PAVERS" PER KDOT STD.
10. ACCESSIBLE SPACES ARE TO BE SIGNED AND STENCILED PER ORDINANCE 20-912(a).
11. APPROVED VARIANCE FOR 0' SETBACK FOR THE EXISTING PARKING AREAS AT THE CORNER OF LOUISIANA AND W.21ST STREETS AND TO THE EAST OF THE TENNIS COURTS ON W.21ST STREET (NOVEMBER 3, 2005). CASE NO. B-10-35-05
12. APPROVED VARIANCE FOR NO CURBING FOR THE EXISTING PARKING AREAS AT THE CORNER OF LOUISIANA AND W.21ST STREETS AND TO THE EAST OF THE TENNIS COURTS ON W.21ST STREET AND FOR THE PAVED AREA TO THE SOUTH OF MAIN BUILDING (NOVEMBER 3, 2005). CASE NO. B-10-35-05
13. APPROVED VARIANCE FOR NO LANDSCAPED PARKING LOT ISLANDS IN THE EXISTING PARKING AREAS AT THE CORNER OF LOUISIANA AND W.21ST STREETS AND TO THE EAST OF TENNIS COURTS ON W.21ST STREET. CASE NO. B-10-35-05.
14. COMPETITION AND SPECTATOR AREAS WILL BE MONITORED ON A REGULAR BASIS TO REMOVE ANY LITTER AS A RESULT OF EVENTS.

Site Impervious Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE PROPOSED TOTAL QUANTITIES PER LOT/PHASE IN THE DEVELOPMENT.

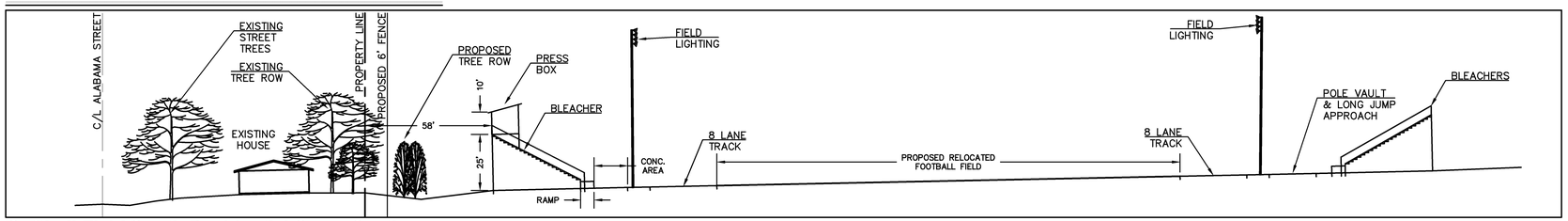
Lot 1	Area (Sq. Ft.)		Area (Sq. Ft.)	%
Existing Buildings	240,737	Proposed Buildings	244,257	16%
Existing Pavement	403,130	Proposed Pavement	509,963	34%
Existing Impervious	Subtotal: 643,867	Proposed Impervious	Subtotal: 754,220	50%
Existing Pervious	863,845	Proposed Pervious	753,492	50%
Property Area	1,507,712		1,507,712	100%
THE TOTAL PERVIOUS SURFACE AREA REPRESENTING THE PROPOSED ATHLETIC FIELDS AREA(S) PROVIDE STORMWATER DETENTION. THESE PERVIOUS AREA(S)/DETENTION AREA(S) WILL DECREASE THE SITE RUNOFF BY 60%.				
Athletic Fields			205,852	14%

Benchmark

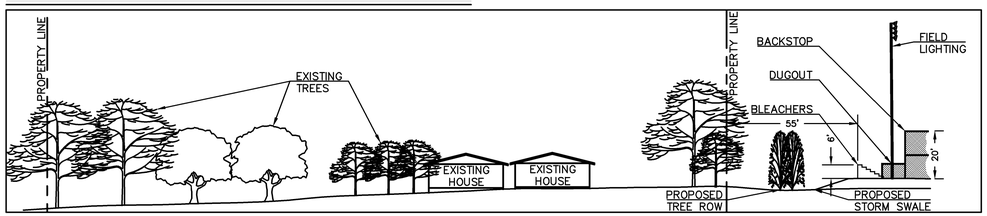
#1 "□" ON SOUTHEAST CORNER OF THE SECOND CURB INLET WEST OF THE LION STATUE ON THE SOUTH CURB LINE
ELEV. 880.68

#2 2"ALUMINUM CAP IN MONUMENT BOX AT 19TH AND LOUISIANA
ELEV. 881.84

Football Field Cross Section



Softball Field/South Residential Cross Section



Parking Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE REQUIRED PARKING, PER USE IN THE DEVELOPMENT, FOR DELTA DELTA DELTA SORORITY 1620 OXFORD ROAD.

Use: School (GPI)	1 stall per 1.5 teachers/employees.
	1 stall per 3 students.
Teachers/Employees	170/1.5=114 stalls
Students	1275/3=425 stalls
Required parking	425+114=539 required stalls
Existing Provided parking	518 existing stalls
Proposed Provided parking	846 proposed stalls
Accessible stalls required (2% of total)	846x.02=16.92 (17)
Accessible stalls provided	17 (Van/Auto)

Building Use

FACULTY:	
FULL-TIME	170
STUDENTS:	
FULL-TIME 9-12	1275
OUTDOOR SPORTS SEATING:	
SOCCER	400
SOFTBALL	300
FOOTBALL	4000
INDOOR SEATING	
PRIMARY GYM	1900
SECONDARY GYM	500
AUDITORIUM	986

SCALE: 1" = 100'

100 50 0 100 200

A Special Use Permit for

LAWRENCE HIGH SCHOOL TRACK AND FIELD EXPANSION

Lawrence, Kansas

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.
Lawrence, KS • Kansas City, MO • Junction City, KS

1310 Wakarusa Drive
Lawrence, Kansas 66049
tel: (785)843-7530
fax: (785)843-2410
email:
info@landplan-pa.com
web: www.landplan.com

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SPECIAL USE PERMIT
LAWRENCE HIGH SCHOOL
TRACK AND FIELD IMPROVEMENTS
LAWRENCE, KANSAS

REV	DATE	DESCRIPTION
1	08.06.08	rev. dept comments
2	08.19.08	rev. cross sections
		tree screening
3	08.20.08	rev. tree counts
4	08.25.08	required parking
5	08.26.08	pc revisions

THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY
-NOT FOR-
-CONSTRUCTION-

DATE: 07.16.2008
PROJECT NO.: 2007.850.11
DESIGNED BY: CLM
DRAWN BY: LPE
CHECKED BY: CLM

ISSUE A
SHEET NO. C202

LAST SAVED BY: Brent Moses LAST SAVED DATE: 8/25/2008 1:33 PM

Free State High School 2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

Summary Calendar

Aug-08

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Sep-08

S	M	T	W	T	F	S
	1	2	3	4	**5**	6
7	**8**	**9**	**10**	**11**	12	13
14	15	16	17	**18**	19	**20**
21	**22**	**23**	24	25	26	**27**
28	**29**	30				

Oct-08

S	M	T	W	T	F	S
			1	**2**	**3**	4
5	**6**	**7**	8	9	**10**	11
12	13	14	**15**	**16**	17	**18**
19	20	21	**22**	**23**	24	**25**
26	27	28	29	**30**	**31**	

Nov-08

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Dec-08

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Jan-09

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Feb-09

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

Mar-09

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	**20**	21
22	23	**24**	25	**26**	27	28
29	30	**31**				

Apr-09

S	M	T	W	T	F	S
			1	**2**	3	4
5	6	**7**	8	**9**	10	11
12	**13**	**14**	15	**16**	**17**	**18**
19	**20**	**21**	**22**	**23**	24	**25**
26	27	**28**	29	30		

May-09

S	M	T	W	T	F	S
					1	**2**
3	4	**5**	6	**7**	**8**	9
10	11	**12**	13	14	**15**	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jun-09

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Jul-09

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Bold = home competition event

Groups using outdoor athletic facilities:
-football
-tennis (boys/girls)
-soccer (boys/girls)
-track and field
-baseball
-softball
-marching band
-physical education classes

NOTE: Generally, there are only 5 home competition events that may go past 10:00 p.m. (football). See detailed calendar for more information.

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

August 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

September 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	**4** **Football** Sophomore 4:15 – 6:15 pm 100 attending **Soccer** JV/V 5:45-8:30 pm 250 attending Lights/Sound	**5** **Football** Varsity 7:00 – 10:00 pm 4,000 attending Lights/Sound	6
7	**8** **Soccer** CT 4:30 – 6:00 pm 50 attending	**9** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	**10** **Football** Sophomore 4:15 – 6:15 pm 100 attending **Soccer** CT 4:30 – 6:00 pm 50 attending	**11** **Football** Varsity 7:00 – 10:00 pm 4,000 attending Lights/Sound **Soccer** JV/V 5:45-8:30 pm 250 attending Lights/Sound	12	13
14	15	16	17	**18** **Tennis** Varsity 3:30 – 6:00 pm 50 attending	19	**20** **Football** JV 10:00 – 12:00 pm 100 attending
21	**22** **Soccer** CT 4:15 – 5:45 pm 50 attending	**23** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	24	25	26	**27** **Football** JV 10:00 – 12:00 pm 100 attending
28	**29** **Tennis** JV 3:30 – 5:30 pm 30 attending	30				

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

October 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	**2** **Football** Sophomore 4:15 – 6:15 pm 100 attending	**3** **Football** Varsity 7:00 pm – 10:00 pm 4,000 attending Lights/Sound	4
5	**6** **Soccer** CT 4:15 – 5:45 pm 50 attending	**7** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	8	9	**10** **Football** JV 4:15 – 6:15 pm 100 attending	11
12	13	14	**15** **Football** Sophomore 4:15 – 6:15 pm 100 attending	**16** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	17	**18** **Football** JV 10:00 – 12:00 pm 100 attending
19	20	21	**22** **Soccer** CT 4:15 – 5:45 50 attending	**23** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	24	**25** **Football** JV 10:00 – 12:00 pm 100 attending
26	27	28	29	**30** **Football** Sophomore 4:15 – 6:15 pm 100 attending	**31** **Football** Varsity 7:00 – 10:00 pm 4,000 attending Lights/Sound	

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

November 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

December 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

January 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

February 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

March 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	**20** **Track** JV/V 3:30 - 7:00 pm 100 attending Lights/Sound	21
22	23	**24** **Baseball** Varsity 5:30 – 8:00 pm 200 attending Sound	25	**26** **Baseball** Varsity 5:30 – 8:00 pm 200 attending Sound	27	28
29	30	**31** **Baseball** Varsity 5:30 – 8:00 pm 200 attending Sound				

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

April 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 **Softball** JV/V 4:15 – 7:15 pm 150 attending Sound	**2** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	3	4
5	6	**7** **Baseball** Varsity 5:30 – 8:00 pm 200 attending Sound **Tennis** Varsity 3:00 – 5:00 pm 50 attending	8	**9** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound **Baseball** Varsity 5:30 – 8:00 pm 200 attending	10	11
12	**13** **Baseball** Varsity 5:30 – 8:00 pm 250 attending Sound **Tennis** Varsity 3:00 – 5:00 pm 50 attending	**14** **Baseball** JV 4:15-8:15 pm 100 attend Sound **Soccer JV/V** 5:45-8:30pm 250 attend Lights/Sound **Soccer** JV/V 4:15 – 7:15 pm 150 attending	15	**16** **Softball** JV/V 4:15 – 7:15 pm 150 attending Sound **Baseball** Varsity 1:00 – 7:00 pm 200 attending Sound	**17** **Baseball** Varsity 10:00 -9:00 pm 200 attending Lights/Sound	**18** **Baseball** Varsity 10:00 – 5:00 pm 200 attending Sound
19	**20** **Tennis** Varsity 3:30 – 5:30 pm 50 attending	**21** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	**22** **Baseball** JV 4:15 – 8:15pm 100 attending	**23** **Soccer** JV/V 5:45 -8:30 pm 250 attending Lights/Sound	24	**25** **Baseball** JV 10:00 am – 2:00 pm 100 attending
26	27	**28** **Softball JV/V** 4:15 – 7:15 pm 150 attending Sound **Baseball** JV 4:15 – 8:15 pm 100 attending	29	30		

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

May 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	**2** **Baseball** JV 10:00 – 2:00 pm 100 attending
3	4	**5** **Tennis** Varsity 3:30 – 5:30 pm 50 attending **Softball** JV/V 4:15 – 7:15 pm 150 attending Sound **Baseball** Varsity 5:30 – 8:00 pm 200 attending Sound	6	**7** **Soccer** JV/V 5:45 – 8:30 pm 250 attending Lights/Sound	**8** **Baseball** JV 4:15 – 8:15 pm 100 attending	9
10	11	**12** **Softball** JV/V 4:15 – 7:15 pm 150 attending Sound	13	14	**15** **Track** JV/V 3:00 – 7:00 pm Lights/Sound	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

June 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Lawrence Free State High School
2008-09 Competition Events (Home Games) Using Outdoor Athletic Facilities

July 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Lawrence Free State High School - Anticipated Outdoor Athletic Field Usage

		Current Facilities at FSHS	Anticipated with upgraded facilities (students stay on campus)	Difference	Notes/Comments
Football **August 18 - October 31** **85 Participants**	***Practice***				
	Lights	0	2 hrs/wk	2 hrs/wk	
	Sound	0	0	0	
	Competition				
	Attendance	0	4,000	4,000	*Currently, competition is held at Haskell Stadium*
	Number of Games	9	14	5	*Totals include non-varsity teams*
	Lights	0	5	5	
	Sound	0	5	5	
Soccer **August 18 - October 23** **March 2 - May 12** **70 Participants** **(Boys/Girls)**	***Practice***				
	Lights	0	2 hrs/wk	2 hrs/wk	
	Sound	0	0	0	
	Competition				
	Attendance	250	250	0	
	Number of Games	38	38	0	*Totals include non-varsity teams*
	Lights	0	16	16	
	Sound	8	8	0	
Track **March 2 - May 31** **100 participants**	***Practice***				
	Lights	0	1 hrs/wk	1 hrs/wk	
	Sound	0	0	0	
	Competition				
	Attendance	100	800	700	*Upgrade would allow FSHS to host one major meet per year.*
	Number of Games	1	1	0	
	Lights	0	1	1	
	Sound	0	1	1	
Band **August 18- October 31** **150 Participants**	***Practice***				
	Lights		1	1	
	Sound	0	0	0	*Currently use portable system to teach students*
	Competition				
	Attendance	0	1000	1000	*New facility would allow a band festival to be held on campus*
	Number of Games	0	1	1	
	Lights	0	1	1	
	Sound	0	1	1	

Lawrence Free State High School - Anticipated Outdoor Athletic Field Usage

		Current Facilities at FSHS	Anticipated with upgraded facilities (students stay on campus)	Difference	Notes/Comments
Baseball **March 2 - May 20** **50 Participants**	***Practice***				
	Lights	2 hrs/wk	2 hrs/wk	0	
	Sound	2 hrs/wk	2 hrs/wk	0	
	Competition				
	Attendance	200	200	0	
	Number of Games	28	28	0	*Totals include sub-varsity games*
	Lights	1	1	0	
	Sound	8	8	0	
Softball **March 2 - May 20** **40 Participants**	***Practice***				
	Lights	2 hrs/wk	2 hrs/wk	0	
	Sound	0	0	0	
	Competition				
	Attendance	150	150	0	
	Number of Games	30	30	0	*Totals include sub-varsity games*
	Lights	1	1	0	
	Sound	10	10	0	
Tennis **August 18 - October 18** **March 2 - May 9** **40 participants** **(Boys/Girls)**	***Practice***				
	Lights	0	1 hr/wk	1 hrs/wk	*We anticipate minimal light usage for practice.*
	Sound	0	0	0	
	Competition				
	Attendance	50	50	0	
	Number of Games	6	6	0	
	Lights	0	0	0	
	Sound	0	0	0	
Physical Education Classes during the School Day	Number of Student Participants	6-180	6-180	0	
	Lights	0	0	0	
	Sound	0	0	0	

Lawrence High School 2008 Competition Events (Home Games) Using Outdoor Athletic Facilities

Summary Calendar

Jan-08

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Feb-08

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

Mar-08

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	**25**	26	**27**	28	**29**
30	**31**					

Apr-08

S	M	T	W	T	F	S
		1	**2**	**3**	4	**5**
6	7	**8**	**9**	**10**	**11**	12
13	**14**	15	**16**	**17**	**18**	19
20	**21**	**22**	**23**	**24**	**25**	26
27	28	**29**	**30**			

May-08

S	M	T	W	T	F	S
				1	2	**3**
4	**5**	**6**	**7**	8	**9**	10
11	**12**	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Jun-08

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Jul-08

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Aug-08

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	**29**	30
31						

Sep-08

S	M	T	W	T	F	S
	1	2	3	4	**5**	**6**
7	8	9	**10**	**11**	**12**	13
14	**15**	16	**17**	**18**	**19**	20
21	22	23	**24**	25	26	**27**
28	**29**	**30**				

Oct-08

S	M	T	W	T	F	S
			1	**2**	3	4
5	**6**	**7**	8	9	10	**11**
12	13	**14**	15	**16**	**17**	18
19	20	**21**	22	**23**	**24**	25
26	27	28	29	30	31	
31						

Nov-08

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

Dec-08

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Bold = home competition event

Groups using outdoor athletic facilities:
-football
-tennis (boys/girls)
-soccer (boys/girls)
-track and field
-baseball
-softball
-marching band
-physical education classes

NOTE: Generally, there are only 5 home competition events that may go past 10:00 pm (football). See detailed calendar for more information.

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

January 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

February 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

March 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	**25** **Track** JV/V 3:30 – 7:00 pm 100 attending Lights/Sound	26	**27** **Softball** JV/V 5:00 – 8:00 pm 150 attending Lights/Sound	28	**29** **Baseball** CT/JV 1:00 – 5:00 pm 100 attending
30	**31** **Tennis** JV 3:30 – 6:00 pm 50 attending Lights **Softball** CT 5:00 – 7:30 pm 50 attending Lights/Sound					

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

April 2008

Sunda	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 **Tennis** JV 3:30 – 6:00 pm 50 attending Lights	**2** **Tennis** Varsity 3:30 – 7:00 pm 100 attending Lights **Baseball** CT/JV 4:15- 8:15 pm 100 attending Lights/Sound	**3** **Tennis** Varsity 3:30 – 7:00 pm 100 attending Lights **Track** JV 3:30 – 7 pm 50 attending **Softball** JV/V 5:00 – 8:30 pm 150 attending Lights/Sound **Soccer** JV/V 5:00-8:30 pm 200 attending Lights/Sound	4	**5** **Tennis** Varsity 9:00 – 2:00 pm 100 attending **Baseball** CT/JV 1:00 – 5:00 pm 100 attending Sound
6	7	**8** **Tennis** Varsity 3:30 – 5:30 pm 50 attending	**9** **Baseball** CT/JV 4:15 – 8:15 pm 100 attending Lights/Sound	**10** **Tennis** V 3:30 – 5:30 pm 50 attending **Baseball** V 4:15-8:15 pm 150 attending Lights/Sound **Softball** JV/V 5:00 – 8:00 pm 150 attending Lights/Sound	**11** **Soccer** JV/V 5:00 – 8:30 pm 200 attending Lights/Sound	12
13	**14** **Softball** CT/JV/V 5:00-8:00 pm 150 attending Lights/Sound **Tennis** JV 3:30 – 6:00 pm 50 attending	15	**16** **Track** Varsity 3:30 – 7:00 pm 100 attending Lights/Sound	**17** **Tennis** JV/V 3:30-7:00 pm 100 attending Lights	**18** **Tennis** Varsity 3:30 – 6:00 pm 50 attending	19
20	**21** **Baseball** CT 4:15 – 8:15 pm 100 attending	**22** **Softball** Varsity 5:00-8:00 pm 100 attending Lights/Sound	**23** **Tennis** V. 3:30-6 pm 50 attend **Softball** CT 3:30-7 pm 50 attend	**24** **Soccer** JV/V 3:30 – 7:00 pm 150 attending Lights/Sound	25 **Baseball** Varsity 4:15 – 6:15 pm 150 attending Lights/Sound	26
27	28	**29** **Tennis** Varsity 3:30 – 6:00 pm 50 attending **Softball** JV/V 5:00-8:00 pm 100 attending Lights/Sound **Baseball** CT/JV 4:15-8:15 pm 100 attending Lights/Sound	**30** **Softball** CT 5:00 – 8:00 pm 50 attending Lights			

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

May 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 **Tennis** Varsity 8:00 – 5:00 pm 300 attending **Soccer** JV/V 5:00 – 8:30 pm 200 attending Lights/Sound	2	**3** **Baseball** CT/JV 10:00 – 2:00 pm 100 attending Sound
4	**5** **Softball** CT 4:15- 7:00 pm 50 attending **Soccer** Varsity 5:00 – 6:30 pm 200 attending Lights/Sound	**6** **Softball** JV/V 5:00 – 8:00 pm 100 attending Lights/Sound **Soccer** JV/V 5:00 – 8:30 pm 200 attending Lights/Sound	**7** **Baseball** Varsity 6:00 – 8:00 pm 400 attending Lights/Sound	8	**9** **Soccer** JV/V 5:00 – 8:30 pm 200 attending Lights/Sound	10
11	**12** **Soccer** Varsity 6:00 – 7:30 pm 300 attending Lights/Sound	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

June 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

July 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities
August 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24 31	25	26	27	28	29 **Soccer** CT/JV/V 4:30 – 8:30 pm 200 attending Lights/Sound	30

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

September 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5 **Tennis** JV 3:30 – 6:00 pm 30 attending	6 **Football** JV 10:00 – 12:00 pm 100 attending
7	8	9	10 **Tennis** Varsity 3:00 – 7:00 pm 75 attending Lights	11 **Soccer** CT 4:30 – 5:00 pm 50 attending **Football** Soph. 4:15-6:15 pm 100 attending	12 **Football** Varsity 7:30 – 10:00 pm 4,000 attending Lights/Sound	13
14	15 **Tennis** Varsity 3:30 – 6:00 pm 75 attending Lights **Soccer** CT/JV/V 4:30 – 8:30 pm 200 attending Lights/Sound	16	17 **Soccer** CT 4:30 – 6:00 pm 50 attending	18 **Football** Soph. 4:25 – 6:25 pm 100 attending	19 **Football** Varsity 7:30 – 10:00 pm 5,000 attending Lights/Sound	20
21	22	23	24 **Tennis** JV 3:30 – 5:30 pm 25 attending	25	26	27 **Football** JV 10:00 – 12:00 pm 100 attending
28	29 **Tennis** Varsity 3:30 – 5:30 pm 75 attending Lights	30 **Soccer** CT 4:30 – 6:00 pm 50 attending				

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

October 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 **Tennis** Varsity 3:30 – 6:00 pm 75 attending Lights **Football** Sophomore 4:15 – 6:15 pm 100 attending	2 **Soccer** JV/V 5:00 – 8:30 pm 200 attending Lights/Sound **Football** Varsity 7:30 – 10:00 pm 3,000 attending Lights/Sound	3	4
5	6 **Soccer** CT 4:30 – 6:00 pm 50 attending	7 **Soccer** JV/V 5:00 – 8:30 pm 200 attending Lights/Sound	8	9	10	11 **Football** JV 10:00 – 12:00 pm 100 attending
12	13	14 **Soccer** JV/V 5:00-8:30 pm 200 attending Lights/Sound	15	16 **Football** Sophomore 4:15 – 6:15 pm 100 attending	17 **Football** Varsity 7:30 – 10:00 pm 4,000 attending Lights/Sound	18
19	20	21 **Soccer** CT/JV/V 4:30 – 8:30 pm 200 attending Lights/Sound	22	23 **Football** Sophomore 4:15 – 6:15 pm 500 attending	24 **Football** Varsity 7:30 – 10:00 pm 8,000 attending Lights/Sound	25
26	27	28	29	30	31	

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

November 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Lawrence High School
2008 Competition Events (Home Games) using Outdoor Athletic Facilities

December 2008

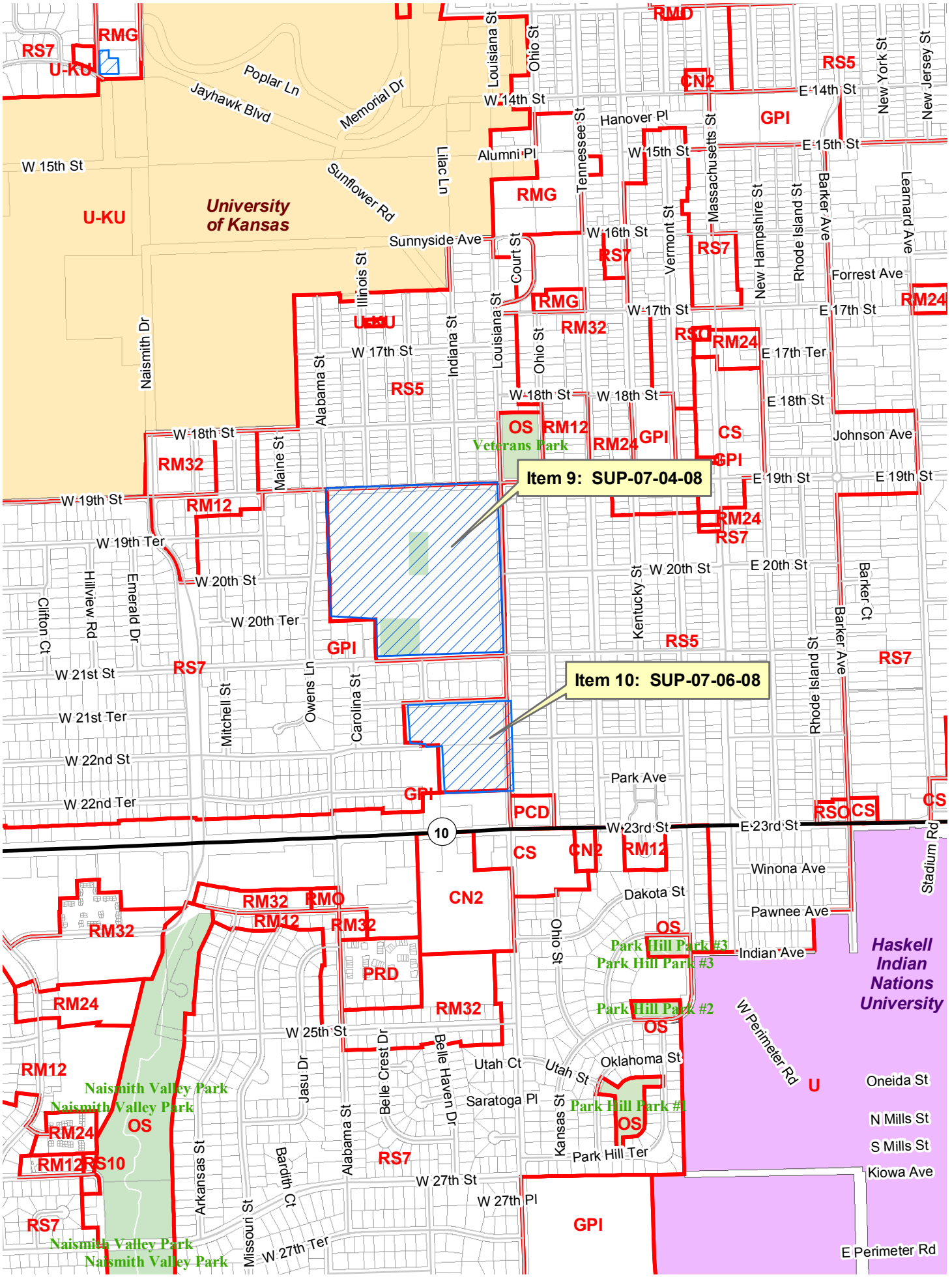
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Lawrence High School - Anticipated Outdoor Athletic Field Usage

		Current Facilities at LHS	Anticipated with upgraded facilities (students stay on campus)	Difference	Notes/Comments
Football **August 18 - October 31** **75 Participants**	***Practice***				
	Lights	0	2 hrs/wk	2 hrs/wk	
	Sound	0	0	0	
	Competition				
	Attendance	0	4,000	4,000	*Currently, competition is held at Haskell Stadium*
	Number of Games	9	13	4	*Totals include non-varsity teams*
	Lights	0	5	5	
	Sound	0	5	5	
Soccer **August 18 - October 23** **March 2 - May 12** **100 Participants** **(Boys/Girls)**	***Practice***				
	Lights	0	0	0	
	Sound	0	0	0	
	Competition				
	Attendance	0	200	200	
	Number of Games	0	33	33	*Totals include non-varsity teams*
	Lights	0	8	8	*Daylight Savings Time*
	Sound	0	8	8	*Introductions, Nat'l Anthem, Goal Scored by___*
Track **March 2 - May 31** **75 participants**	***Practice***				
	Lights	0	0	0	
	Sound	0	0	0	
	Competition				
	Attendance	75	75	0	
	Number of Games	4	4	0	
	Lights	0	2	2	*For varsity meets - use lights/sound*
	Sound	0	2	2	*Announce events, locations, winners, etc.*
Band **August 18- October 31** **140 Participants**	***Practice***				
	Lights	0	0	0	
	Sound	0	0	0	*Currently use portable system to teach students*
	Competition				
	Attendance	0	0	0	
	Number of Games	0	0	0	
	Lights	0	0	0	
	Sound	0	0	0	

Lawrence High School - Anticipated Outdoor Athletic Field Usage

		Current Facilities at LHS	Anticipated with upgraded facilities (students stay on campus)	Difference	Notes/Comments
Baseball **March 2 - May 20** **50 Participants**	***Practice***				
	Lights	0	2 hrs/wk	2 hrs/wk	
	Sound	0	0	0	
	Competition				
	Attendance	0	100	100	
	Number of Games	0	26	26	*Totals include sub-varsity games*
	Lights	0	8	8	
	Sound	0	0	0	*Use a portable system*
Softball **March 2 - May 20** **40 Participants**	***Practice***				
	Lights	0	2 hrs/wk	2 hrs/wk	
	Sound	0	0	0	
	Competition				
	Attendance	0	50	50	
	Number of Games	0	30	30	*Totals include sub-varsity games*
	Lights	0	5	5	*Only need lights for second game*
	Sound	0	5	5	*Only varsity games?*
Tennis **August 18 - October 18** **March 2 - May 9** **70 participants** **(Boys/Girls)**	***Practice***				
	Lights	0	0	0	
	Sound	0	0	0	
	Competition				
	Attendance	50	50	0	
	Number of Games	20	20	0	
	Lights	0	0	0	
	Sound	0	0	0	
Physical Education Classes during the School Day	Number of Student Participants	210	210	0	
	Lights	0	0	0	
	Sound	0	0	0	


Item 9: SUP-07-04-08
Item 10: SUP-07-06-08
University of Kansas
U-KU
Haskell Indian Nations University
Veterans Park
Naismith Valley Park
Park Hill Park #1
Park Hill Park #2
Park Hill Park #3
Jayhawk Blvd
Poplar Ln
Memorial Dr
Sunflower Rd
Lilac Ln
Alumni Pl
Hanover Pl
Sunnyside Ave
Forrest Ave
Johnson Ave
Park Ave
Winona Ave
Pawnee Ave
Indian Ave
Dakota St
Oklahoma St
Utah Ct
Utah St
Saratoga Pl
Park Hill Ter
Oneida St
N Mills St
S Mills St
Kiowa Ave
E Perimeter Rd
W Perimeter Rd
Stadium Rd
Louisiana St
Ohio St
Tennessee St
Massachusetts St
New Hampshire St
Rhode Island St
Vermont St
Barker Ave
New York St
New Jersey St
Learnard Ave
Court St
Illinois St
Indiana St
Alabama St
Naismith Dr
Maine St
Hillview Rd
Emerald Dr
Clifton Ct
Owens Ln
Mitchell St
Carolina St
Kentucky St
Barker Ct
Belle Crest Dr
Belle Haven Dr
Jasu Dr
Arkansas St
Baldwin Ct
Missouri St
Kansas St
W 14th St
E 14th St
W 15th St
E 15th St
W 16th St
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W 25th St
W 27th St
W 27th Pl
W 27th Ter
RS7
RMG
U-KU
RMD
CN2
RS5
GPI
RM24
RM32
RS10
OS
RM12
RMO
PRD
PCD
CS
RSO
10

Northwestern Mutual
FINANCIAL NETWORK®

The Jayhawk Financial Group

RECEIVED
AUG 22 2008
City County Planning Office
Lawrence, Kansas

Nancy A. Jones
Financial Representative

627 Monterey Way
Lawrence, KS 66049
785 856 2136 office
785 838 9833 fax
913 908 7284 cell
nancy.jones@nmfn.com
www.nmfn.com/nancyjones

August 18, 2008

Planning Commission
c/o Paul Patterson
6 E. 6th Street
PO Box 708
Lawrence, KS 66044-0708

Dear Paul,

I am writing on behalf of Lawrence High School and the proposed athletic fields and improvements. My husband and I are both LHS graduates and we have had two children graduate one in 2005 and the other in 2007. We also have a son that is currently a junior at LHS.

We were shown the proposed improvements at the fall sport parent meeting and I thought it sounded great. There have been very little if no improvements made to the outdoor facilities in a long time and it is very much overdue and needed. Not only does Lawrence High need the improvements to the playing fields but the increased parking would be a much needed addition. I never thought it made since to send kids that are just starting to drive to have to try to parallel park along residential streets, plus they are competing for the same parking spots as many KU students.

I know these enhancements will probably be too late for my children to enjoy but I still feel it is very much needed and would make the two high schools a little more even as far as parking spaces and playing fields.

Thank you,

Nancy A. Jones

Northwestern Mutual Financial Network is the marketing name for the sales and distribution arm of The Northwestern Mutual Life Insurance Company, Milwaukee, WI (NM) and its subsidiaries and affiliates. Nancy A. Jones is an Insurance Agent of NM (life insurance, annuities and disability income insurance) and Northwestern Long Term Care Insurance Company, Milwaukee, WI, a subsidiary of NM (long-term care insurance). There may be instances when this agent represents insurance companies in addition to NM or its affiliates.

Boys Soccer

Petition For Improvement to the Lawrence High School Athletic Facilities

We the below signed are in support of the proposed improvements to the Lawrence High School athletics and activities facilities. We believe the proposal is fiscally responsible and will not require a tax increase or bond issue from the citizens of Lawrence. We also believe that the proposal is environmentally responsible eliminating use of fertilizers, pesticides, fuels and minimizes water usage. Improved facilities at Lawrence High School will improve gender equality among facilities for boys and girls sports, and improve equity between the Lawrence High School and Free State facilities.

By providing appropriate venues and keeping practices and activities on campus, it will improve safety for our students by minimizing student drive time, provide state-of-the-art playing surfaces promoting a reduction in frequency and severity of injury, and give our students a facility to be proud of. The proposal will add 400-500 additional parking spaces to the campus reducing parking congestion in the areas surrounding the school and eliminate the need for students to cross the busy 19th and Louisiana Streets before and after school.

We feel the proposed improvements will benefit more than just athletics. Every student in our school will benefit from these improvements whether they are an athlete, band member, a student in a Physical Education course, or just attend an event at the facility. The proposed improvements will also benefit the community. Community members will be able access our high-quality facilities for personal health, wellness and recreation. Improvements will also be a benefit in the future and can be a key factor in the economic development of our community.

	Name	Activities My Family Participates In	Date:
1	Matthew B. Anderson	Soccer Boys/Girl	8/12/08
2	[illegible]	Soccer-Boys	8/12/08
3	[illegible]	" "	"
4	[illegible]	soccer/boys	8/12/08
5	[illegible]	Soccer/Gymnastics	8-13/08
6	[illegible]	Soccer/Gymnastics	8/13/08
7	[illegible]	Soccer	8/13/08
8	[illegible]	Soccer	8/13/08
9	[illegible]	Soccer	8/13/08
10	[illegible]	Boys Soccer	8/13/08
11	[illegible]	" "	8-13-08
12	[illegible]	Boys Soccer	8/13/08
13	[illegible]	" "	8-13-08
14	LARS WYCOFF	BOYS SOCCER/TENNIS	8-13-08
15	[illegible]	BOYS/GIRLS SOCCER	8/13/08
16	[illegible]	Boys/Girls Soccer	8.13.08
17	[illegible]	Boy Soccer	8.13.08
18	[illegible]	Boys Soccer	8-13-08
19	[illegible]	Boys Soccer	8-13-08
20	J. Scott Nissen	Boys Soccer	8-13-08
21	Susan Bell	Boys Soccer	8-13-08

Petition For Improvement to the Lawrence High School Athletic Facilities

We the below signed are in support of the proposed improvements to the Lawrence High School athletics and activities facilities. We believe the proposal is fiscally responsible and will not require a tax increase or bond issue from the citizens of Lawrence. We also believe that the proposal is environmentally responsible eliminating use of fertilizers, pesticides, fuels and minimizes water usage. Improved facilities at Lawrence High School will improve gender equality among facilities for boys and girls sports, and improve equity between the Lawrence High School and Free State facilities.

By providing appropriate venues and keeping practices and activities on campus, it will improve safety for our students by minimizing student drive time, provide state-of-the-art playing surfaces promoting a reduction in frequency and severity of injury, and give our students a facility to be proud of. The proposal will add 400-500 additional parking spaces to the campus reducing parking congestion in the areas surrounding the school and eliminate the need for students to cross the busy 19th and Louisiana Streets before and after school.

We feel the proposed improvements will benefit more than just athletics. Every student in our school will benefit from these improvements whether they are an athlete, band member, a student in a Physical Education course, or just attend an event at the facility. The proposed improvements will also benefit the community. Community members will be able access our high-quality facilities for personal health, wellness and recreation. Improvements will also be a benefit in the future and can be a key factor in the economic development of our community.

	Name	Activities My Family Participates In	Date:
22	Lucy Harris	Girls tennis / Boys Soccer	8/13/08
23	Patrick Dorley	Boys Soccer	8-13-08
24	Cheri Thompson	Boys soccer	8-13-08
25	Mike Thompson	Boys soccer	8-13-08
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Volleyball

Petition For Improvement to the Lawrence High School Athletic Facilities

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	Name	Activities My Family Participates In	Date:
1	Steph Magn		8/14/08
2	Lori Stussi		8/14/08
3	Angela May		8/14/08
4	Davi rinks		8·14·08
5	Tracy Goldsmith		8/14/08
6	Tim Goldsmith		8/14/08
7	Lance Jones		8/13/08
8			8/13/08
9			8/13/08
10	Ellen Vogel		8/13/08
11	Cindy Bliss		8/13/08
12	Sarah Waite		8/13/08
13	Carolyn P. Johnson		8/13/08
14	Sandy Wagner		8/13/08
15	Mike Broadwell		8/13/08
16	Terri Broadwell		8/13/08
17	Suzanne McAlister		8/13/08
18	Allison Ramos		8/13/08
19			8/13/08
20	Cathy Hildebrand		8-13-08
21	Scott Dow		8-13-08

Petition For Improvement to the Lawrence High School Athletic Facilities

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	Name	Activities My Family Participates In	Date:
22	Kim Barring-Bohmann	volleyball, basketball, softball	8/13/08
23	[illegible]	volleyball, basketball, Track	8/13/08
24	Jennifer Kelly	volleyball, basketball, band	8/13/08
25	Becky Orth	volleyball, football, soccer	8/13/08
26	[illegible]	volleyball	8-13-08
27	Kathleen Herrera	volleyball, soccer	8/13/08
28	Megan Rasmussen	Soccer, basketball, gymnastics	8/13/08
29	Laura Pope	Football	8/13/08
30	Jim Vinnik	Football, Baseball	08/13/08
31	Martin F. Williams, Sr.	Football	08/13/2008
32	Rosie Roberts	Soccer	8/13/08
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Football

Petition For Improvement to the Lawrence High School Athletic Facilities

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	Name	Activities My Family Participates In	Date:
1	MARK & GRETCHEN EDWARDS	Football, Track	8/13/08
2	BILL + MAGGIE WAGNER	FOOTBALL, BSKTBALL	8/13/09
3	Cecil & Wilma Reeves	Football, Track, Basketball	8/13/08
4	Sissy & Rocky Weber	Football, Track	8/13/08
5	Doug & Brenda Billings	Football, soccer,	8/13/08
6	Kevin + Brenda Gobin	Football	8/13/08
7	Neil & Deb Wangler	football, tennis	8/13/08
8	Russ & Angela Seybert	football, band, Wrestling	8/13/08
9	Anita Todd	football, track, baseball	8/13/08
10	Kathy Baker	football track, baseball	8/13/08
11	Yolanda Vann	football, basketball	8/13/08
12	Doug Horton	Football Track Basketball	8/13/08
13	Sheila Orth	Football / Track	8/13/08
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Cross Country

Petition For Improvement to the Lawrence High School Athletic Facilities

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	Name	Activities My Family Participates In	Date:
1	Kelly Ballard	track & field / cross country	8/13/08
2	Greg Hildebrand	Cross Country / track & field	8/13/08
3	Mona Thomann	cross country & track	8/13/08
4	Joel Holmes	cross country	8/13/08
5	Scott Morgan	Cross Country / track	8/13/08
6	Andrea Balagia	cross country	8/13/08
7	Steve Ramirez	Cross Country	8/13/08
8	Carla Ramirez	Cross Country / Track: Field	8/13/08
9	Christine Herd	Cross Country / Track Field	8/13/08
10	Elizabeth Edmonds	Cross country / swimming	8-13-08
11	Lane Gabler	Cross Country, Swimming, track	8-13-08
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Paul Patterson

From: Julie Branstrom [dcdcdirector@sunflower.com]
Sent: Monday, August 18, 2008 4:16 PM
To: Paul Patterson
Subject: support forLHS facility enhancements
Importance: High

Dear Planning Commission,

I am writing to lend support for facility enhancements for Lawrence High School. I am the parent of a student at LHS and will have another child there in 2 more years. I believe that there are many benefits in this project, for not only LHS staff and students, but our community as a whole. Some of these include:

- Equitable facilities at both our High Schools.
- Will eliminate the need for students and staff to drive off campus to participate in sporting activities at other venues, improving safety.
- Will accommodate fans with proper seating, concessions and restrooms and will encourage better attendance with the improved flexibility in scheduling events to occur in the evenings after many parents are done with work.
- The proposal is fiscally responsible. This is a multi-million dollar enhancement that will not require a bond issue or a tax increase from Lawrence residents.
- The project is environmentally responsible
- And finally, the proposal will benefit our community as a whole. Improvements to our public schools and facilities is a key factor in the economic development of our community.

I strongly encourage the Commission to approve enhancements to LHS for all the reasons listed, and for many others that I haven't. Thank you for taking the time to consider the input from members of our community.

Respectfully,

Julie M. Branstrom
Executive Director
Douglas County Dental Clinic
316 Maine Street
Lawrence, KS 66044
(785) 312-7770 ext. 207
www.dcdclinic.org

Paul Patterson

From: Bill Wagner [BWagner@kiwi-tek.com]
Sent: Monday, August 18, 2008 5:55 PM
To: Paul Patterson
Subject: High school facilities

To Scott McCullough,

It was bought to my attention at a recent fall sports meeting that there is an initiative that will be considered by the Planning Commission to approve the construction of additional outdoor sports facilities and parking at Lawrence High School and Free State High School. I would like to add my family's overwhelming support for this project. As the father of a recent LHS graduate, it was very worrisome to me to see so many students forced to park in the streets surrounding the school. In addition, there is an increased safety risk with the students driving to various sports facilities around town to participate with or to support their school teams. Improved outdoor sports facilities for the city's high school teams, on the school grounds, are long over due and should be brought up to the standards of other nearby districts.

My youngest son is now a sophomore at LHS and we are thrilled to know that he may have access to improved ON CAMPUS facilities before he graduates.

I urge you and the rest of the Planning Commission to approve this plan and to make every effort to have it implemented quickly.

Regards,

Bill Wagner
SVP Chief Operations Officer
KIWI-TEK
office 785-841-8796
corp 317-571-3440
cell 785-760-1017
bwagner@kiwi-tek.com

Paul Patterson

From: Kara Perry [kpyacker@sunflower.com]
Sent: Monday, August 18, 2008 6:12 PM
To: Paul Patterson
Subject: High School facilities

Paul,
Know our family supports this effort! We currently have a Sophomore athlete at FState.

Thank you!
Dwight and Kara Perry

Paul Patterson

From: Marci Toalson [marci.toalson@gmail.com]
Sent: Monday, August 18, 2008 6:56 PM
To: Paul Patterson
Subject: Sports facilities at the high schools

We want you to know that we would support a city decision to allow each high school to have their own football, soccer, softball and baseball facilities.

Thank you, Marci & Steve Toalson

Paul Patterson

From: Mike & Sue Willoughby [willy2835@sunflower.com]
Sent: Tuesday, August 19, 2008 7:50 AM
To: Paul Patterson
Subject: FYI

We are very much in favor of both high schools having their own sports facilities.
THANKS,
Mike and Sue Willoughby

Paul Patterson

From: VALERIE WALTHALL [VALERIE.WALTHALL@usafunds.org]
Sent: Tuesday, August 19, 2008 8:26 AM
To: Paul Patterson
Cc: bwalthall@jonesdevco.com
Subject: Support for new HS facilities

Dear Scott McCullough and Paul Patterson:

I received an email from a fellow Free State HS parent asking me to write to you to voice my support of current plans to enhance and/or build new high school football, soccer, softball and baseball facilities.

My son was a member of the FS baseball team this year and we were able to see, first hand, how superior the fields, stands, concessions, and restrooms areas are at surrounding school districts. Although we are also able to host tournaments and such in Lawrence, their facilities are better equipped to for tournament activities. I believe that we could attract more teams to the Lawrence tournaments (thus producing more revenue for the area) if the facilities were better equipped, not just for the players, but for the spectators as well.

The proposed facilities for both high schools are much needed and long over-due. Please accept this letter as our support to move forward with planning of the HS facilities.

Valerie and Brad Walthall
409 Nancy Court
Lawrence 66049

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Paul Patterson

From: Doug Gaston [dgaston@douglascountybank.com]
Sent: Tuesday, August 19, 2008 8:27 AM
To: Paul Patterson
Subject: High School Improvements

Please know that I am in favor of the improvements to the sports facilities on campus for each high school, as has been discussed lately. It's unfortunate that Haskell has ended the long-standing relationship that existed between them and USD 497 (particularly LHS) but this creates an opportunity for USD 497 to make some much needed improvements to our own facilities. I would hope that the City of Lawrence will support these changes as well, by granting whatever zoning/permit approvals that might be needed.

Thank you.
Douglas V. Gaston
Vice President

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Paul Patterson

From: John Novotny [jnovotny@travellersinc.com]
Sent: Tuesday, August 19, 2008 10:21 AM
To: Paul Patterson
Cc: 'Brad Stoll'
Subject: LHS & FSHS

To Whom It May Concern:

I would like to express my support for the improvements at LHS and FSHS. This project seems to be in much more proportion with available funds vs. some type of district complex. I like the idea of LHS continuing to play home Football games at Haskell. But it seems an agreement just can't be worked out to put an all surface field there between all the parties involved. Haskell with its current field just can't support 3 Football Teams if I was another Sunflower League School I wouldn't play in Lawrence past the first of October. If the two Coaches are on board I support this.

Everyone was in such a hurry to get the second High School built they didn't properly access the Athletic needs at both schools. There is no reason not to have lights at the FSHS Softball Field and no excuse for the lack of water at both the baseball and softball venues. They both need to be friendlier for the fans.

There is no reason for a 6A High School Softball Program to playing on a field at Holcom with a "Temporary outfield fence." I like Ice Field but no doubt it would be better for him to have his on venue including batting cages etc. which isn't shared with various other Teams and groups.

Between the City of Lawrence and the School District I know the Tennis Courts at LHS need some attention and the Soccer situation last I knew needs to be addressed at both schools.

I'm sure I've missed something, in general the ideas I've heard Randy outlining seem to make the most economic sense and bringing the events back to the School Campus I think this will help each program raise money for their individual programs because it makes it more personal than attending events off Campus.

I'm an old LHS guy (class of 78) and had three kids go through there in the last 5 years. It is now time for the School System, City of Lawrence and the Community at large to make as big of a commitment to the kids who participate in these programs as the Coaches and Administrators have with all their time and effort, overcoming all sorts of things and all the while earning less money than they can make at Wal-Mart working part time.

Let me know if I can help in any way!

John Novotny
2757 Grand Circle Drive
Lawrence, KS 66046
785-691-5606

John Novotny
Vice President

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Paul Patterson

From: Angie McClure [Angie@tuckawaymgmt.com]
Sent: Tuesday, August 19, 2008 1:04 PM
To: Paul Patterson
Subject: FW: Support of Outdoor Acitivity/Athletic Facilities

---

From: Angie McClure
Sent: Tuesday, August 19, 2008 12:57 PM
To: 'smccullough@ci.lawrence.ks.us'; "ppatterson@ci.lawrence.ks.us'
Subject: Support of Outdoor Acitivity/Athletic Facilities

Scott and Paul – We are writing you on behalf of the facility enhancement proposal at Free State High School and Lawrence High Schools.
We are in favor of this proposal that is being considered. We think this proposal is fiscally responsible since it will not require a tax increase or bond issue from the citizens of Lawrence; it provides equity among both genders that allows for both boys and girls to have equitable facilities; it is fan friendly by providing proper seating, restrooms, concessions and enables the addition of evening games; EVERY STUDENT IN OUR SCHOOL WILL BENEFIT FROM THESE IMPROVEMENTS (band, physical education, etc.); it improves safety for students. These are just a few of the benefits. Not only will students benefit, but the City of Lawrence as a whole (more people eating at our restaurants, buying our gas, shopping locally, etc) will benefit.

Please, please show this e-mail in support of the consideration of facility enhancement proposal.

Thank you very much for your time.

Angie and Darren McClure
785-691-5425
angie@tuckawaymgmt.com
amcclure@sunflower.com

Paul Patterson

From: Palmer, Vicki [vpalmer@ku.edu]

Sent: Tuesday, August 19, 2008 2:51 PM

To: Paul Patterson

Subject: support for sports facilities

Paul,

I would be in support of the creation of a sports facility at each high school and the addition of parking spaces for Lawrence High.

VICKI PALMER
~~~~~~~~~~~
REGISTRAR
UNIVERSITY OF KANSAS SCHOOL OF LAW
1535 W. 15TH ST.
LAWRENCE, KS 66045
785-864-9211
785-864-5054 FAX
~~~~~~~~~~~

Paul Patterson

From: Larry Chance [LChance@emprisebank.com]
Sent: Wednesday, August 20, 2008 9:42 AM
To: Paul Patterson
Cc: smcculough@ci.lawrence.ks.us
Subject: HS Outdoor Athletic Facilities

Paul,

I would like to express my support for the improvements to the outdoor athletic facilities proposed at Lawrence High and Free State. The upgrade to turf fields along with improvements to the bleachers, restrooms & concessions will go a long way toward "leveling the playing field" for our high school athletes and fans. The addition of lights will permit greater flexibility in scheduling activities to permit more parents and other fans to attend. The conversion to turf fields will obviously save escalating maintenance costs for water, fertilizers, pesticides and labor involved in maintain the existing grass fields while providing a safer surface for our athletes. The poor existing field conditions with clumps of grass and weeds have contributed to numerous turned ankles and knee strains. We owe it to our students for the community to get behind this effort.

Larry S. Chance
Commercial Lender
Emprise Bank Lawrence
1121 Wakarusa Drive
Lawrence, KS 66049
Phone: (785) 749-0800
Fax: (785) 749-0387
E-Mail: lchance@emprisebank.com
Visit us at www.emprisebank.com
All of us, for each of you

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Paul Patterson

From: Trichshep@aol.com
Sent: Tuesday, August 19, 2008 4:45 PM
To: Paul Patterson
Subject: (no subject)

MR. PATTERSON-

THIS PAST SCHOOL YEAR WE HAD A SON PARTICIPATING IN HIGH SCHOOL BASEBALL. WHILE THE FACILITIES IN LAWRENCE ARE AT THE VERY LEAST ACCEPTABLE, I CAN SAY WITHOUT A DOUBT THAT EVERY FACILITY WE VISITED OUT OF TOWN WAS BETTER. IN FACT THE FIELD IN EMPORIA WAS PROBABLY THE NICEST SINGLE FACILTY AND WE WENT TO SIOUX FALLS, S.D WHERE THEY HAD SEVERAL NICE FIELDS AND WERE ALREADY EXPANDING THE COMPLEX!! I'M SURE I DON'T HAVE TO TALK ABOUT OLATHE AND BLUE VALLEY!!!

THE FOOTBALL ISSUE IS PROBABLY THE SAME OR WORSE. THE TRADITION OF USING HASKELL IS FINE BUT THIS IS THE YEAR 2008. OUR KIDS DESERVE BETTER. THIS TOWN IS QUITE FRANKLY EMBARASSING WHEN IT COMES TO FACILITIES FOR SPORTS. I THINK BOTH SCHOOLS HAVING THERE OWN FILEDS IS A NO BRAINER AND IF THE FUNDS WERE AVAILABLE THEY SHOULD BE USED TO EXPEDITE THE PROCESS!!!

SINCERLY,

DICK AND SHIRLEY SHEPPARD

Paul Patterson

From: Greg Pavlyak [pav@traderpav.com]
Sent: Wednesday, August 20, 2008 2:41 PM
To: Paul Patterson
Subject: Facility improvements

Paul.

I have children who are extensively involved in Lawrence youth sports and will attend high school in this town. We are in favor of the proposed improvements. The ability to do so without increased taxes is also attractive.

Thank you for your service

Greg Pavlyak
785.764.6263

Paul Patterson

From: dogster2@aol.com
Sent: Wednesday, August 20, 2008 5:02 PM
To: Paul Patterson
Subject: Letters of Support for Facility Enhancements

Hello, my name is Ross Johnson and I am writing as a student athlete. First off, from what i have heard, it seems as if every single student in Lawrence High is so excited for this new plan to add the fields and the extra parking spaces. The fields would be so helpful and very exciting to have on campus so more students can support their school. Being a sophomore living 18 miles out of town, the fields on campus are also VERY convenient. It would be a lot easier than driving to holcom or sport 2 sport. Also, driving to school and not being able to find a parking spot before school is very frustrating. There are always way too many cars on surrounding streets. So i hope that sometime very soon, these fields and parking spaces are added. Thank you.

Get the MapQuest Toolbar. Directions, Traffic, Gas Prices & More!

Paul Patterson

From: Greg & Lisa Johnson [greglisa@sunflower.com]

Sent: Wednesday, August 20, 2008 8:17 PM

To: Paul Patterson

Subject: Outdoor Athletic Field Improvements" for USD 497

We support the proposed Outdoor Athletic Field Improvements for USD 497. Both our son and daughter are involved with sports and we hope these improvements will encourage them and others to continue to participate in athletics throughout their high school years.

Greg and Lisa Johnson

Paul Patterson

From: PAT [pat@customspecialties.net]
Sent: Thursday, August 21, 2008 8:27 AM
To: Paul Patterson
Subject: outdoor field improvements

Paul,

I definitely support improving the outdoor athletic fields for the school district.

The fields are far behind other communities (Topeka, Olathe, Lenexa, even Gardner).

Weekend tournaments generate a considerable amount of revenue to the community and as well as bringing new kids and families to Lawrence.

We all know what negative "opportunities" are available to kids if they turn from sports and these field play a big part in our support of the community.

Thanks Paul,

Pat Hughes
Custom Specialties

The real contest is always between what you've done and what you are capable of doing. You measure yourself against yourself and nobody else.
Geoffrey Gaberino
Olympic swimmer

Paul Patterson

From: Pamela Pine [ppine@usd497.org]
Sent: Thursday, August 21, 2008 9:08 AM
To: Paul Patterson
Subject: Outdoor Facility upgrades
Attachments: Letter On Facilities.doc

Hello,
I am the Free State softball coach and am sending you this letter to support the outdoor facilties for the High Schools. Thank you for time, Pam Pine

Paul Patterson

From: joe.jones@nmfn.com
Sent: Thursday, August 21, 2008 9:19 AM
To: Paul Patterson
Subject: LHS Fields

Paul,

As a volunteer coach for youth baseball the last ten years, I have had experience with a number of facilities for play. My team has played at SCABA and Washburn over the years and those facilities are tremendous. They would allow our kids a place to practice and play regardless of the unpredictable Kansas weather. Please consider this email as an overwhelming support vote from a number of kids in town.

Thanks in advance.

Joe B. Jones
Managing Director
Jayhawk Financial Group
627 Monterey Way
Lawrence, KS 66049
Phone: 785.856.2136
Fax: 785.838.9833
email:joe.jones@nmfn.com
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Northwestern Mutual

720 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4797.

Paul Patterson

From: Lori Vinoverski [loriv3@sunflower.com]
Sent: Thursday, August 21, 2008 5:18 PM
To: Paul Patterson
Subject: schools enhancements

Please add my email to what I hope has been considerable support of the proposed enhancements to Lawrence High School. I've had 2 children graduate from LHS and believe it's past time that we provide athletic facilities on par with others in the league as well as a solution to the severe lack of parking available at the school.

The amount of money paid for the use of Haskell has been obscene.

Having students drive all over town to fields, stadiums, and parks that don't belong to their school is shameful.

Forcing the majority of students to seek street parking away from the school is both dangerous and inexcusable.

Please construct a plan with foresight and that provides top-rate facilities.
The only thing worse than doing nothing is doing something half-way.

It's past time.
Our students deserve better.
Our town deserves better.
Please don't let this opportunity pass.

Lori Carson

Paul Patterson

From: Marilyn Hull [mhull@sunflower.com]
Sent: Thursday, August 21, 2008 5:19 PM
To: Paul Patterson
Subject: Letter in support of district facility upgrades
Attachments: Why improve our athletic facilities.doc

August 20, 2008

Members of the Planning Commission:

I am writing in support of the school district's plan for athletic facilities upgrades because I believe we need to use all means available to support kids' efforts to be physically active.

My twin daughters are in their fourth year of playing softball for Free State. For most of this time, their home field has been sub-par compared to Sunflower league opponents' facilities and compared to Free State's facilities for boys. But at least they had a home field on campus. Lawrence High girls don't even have softball facilities within walking distance of the school. This inequity needs to be corrected.

I have heard that Lawrence High's neighbors are concerned about increased traffic and bright field lights. I would argue that people who buy homes bordering school property should be prepared for the occasional minor inconvenience. Along with the perceived negatives, these neighbors will have the advantage of easy access to quality sporting events and facilities for their own recreational use. They will also have the good feeling that comes from making small sacrifices for the good of our community's children.

The proposed upgrades will not increase taxes. They are environmentally responsible, increase safety, and enhance our community's marketability. In other words, the net gain is strongly positive.

At a time when sedentary lifestyles are threatening our children's health, our community must do everything it can to make kids proud to be fit and active. I encourage you to do your part by approving these facility upgrades.

Sincerely,

Marilyn Hull

1621 Oxford, Lawrence

August 20, 2008

Members of the Planning Commission:

I am writing in support of the school district's plan for athletic facilities upgrades because I believe we need to use all means available to support kids' efforts to be physically active.

My twin daughters are in their fourth year of playing softball for Free State. For most of this time, their home field has been sub-par compared to Sunflower league opponents' facilities and compared to Free State's facilities for boys. But at least they had a home field on campus. Lawrence High girls don't even have softball facilities within walking distance of the school. This inequity needs to be corrected.

I have heard that Lawrence High's neighbors are concerned about increased traffic and bright field lights. I would argue that people who buy homes bordering school property should be prepared for the occasional minor inconvenience. Along with the perceived negatives, these neighbors will have the advantage of easy access to quality sporting events and facilities for their own recreational use. They will also have the good feeling that comes from making small sacrifices for the good of our community's children.

The proposed upgrades will not increase taxes. They are environmentally responsible, increase safety, and enhance our community's marketability. In other words, the net gain is strongly positive.

At a time when sedentary lifestyles are threatening our children's health, our community must do everything it can to make kids proud to be fit and active. I encourage you to do your part by approving these facility upgrades.

Sincerely,

Marilyn Hull

1621 Oxford, Lawrence

Paul Patterson

From: Bryan Wyatt [wyattac@sbcglobal.net]
Sent: Friday, August 22, 2008 7:24 AM
To: Paul Patterson
Subject: Support for facility enhancement proposal

To Whom it may concern,

I am writing in support of the facility enhancement proposal by USD #497. I have one daughter who graduated from LHS in 08' and a son who is a junior this year. We have seen for years the inequity between schools by Free State High having fields located on site, near the school; while LHS kids have to travel over to Holcom fields to play on the city owned baseball/softball fields. There definitely is an advantage to having fields located near the high school. For safety reasons in traveling but also if some player were to get hurt while practicing, could immediately get help in having access to trainers room; possibly calling parents in case of emergency.

We also have been fortunate to play on the proposed artificial turf, while playing in Topeka at SCABA fields. The fields are safer for far less bad hops and rainouts are few and far between, with this turf. Very low maintenance is needed and just a win-win situation for the kids and the taxpayers!

In closing, our kids are losing out on opportunities by staying in Lawrence and playing sports. Other area towns have more and far better facilities than Lawrence kids! Even small towns like Eudora and Spring Hill have nice new facilities at their schools. Please help the Lawrence kids by supporting this proposal.

Thank you very much,

Bryan Wyatt

CONFIDENTIALITY:
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Paul Patterson

From: Joan Stevenson [js70@sunflower.com]
Sent: Wednesday, August 20, 2008 3:03 PM
To: Paul Patterson
Cc: betty
Subject: LHS/Alabama st.

Mr. Patterson: Where will the sewers that are planning to be put in for the restrooms under the bleachers at the football field be attached to the city sewer line? WE know they have to go someplace. If on Alabama, has this been checked out? Will our old lines carry that big an overload on game nights? Or will we have another big problem. Prior to the larger storm sewers being installed some houses with basements in our areas had raw sewage come into their basement, even those close to my house. (I dont have a basement)
Years ago, people were assured that the lines would carry the load when those apartments between 19 and 21st facing Iowa, all would be just ok. ONLY later they found it didnt and people were really mad because it was sewer overload. That had to be corrected. Now this---if it has to be changed that will be another expense for the city to pay, not the school of course!

Date: August 8, 2008
(for Planning Commission meeting of August 27, 2008)

From: Terry L. Smith
2142 Owens Lane
Lawrence, KS 66046

To: City of Lawrence Planning Commission

Subject: Comments on Special Use Permit submitted by Landplan Engineering for Lawrence High School, 1901 Louisiana

My husband and I are fairly new residents of Lawrence and the Centennial neighborhood. Lawrence's reputation for thoughtful city planning to maintain a good quality of life for all its residents figured prominently in our relocation choice. We are proud of the accomplishments of Lawrence High School students, teachers, and graduates. We think the school should have excellent facilities, including the best science labs, library, performing arts resources, and athletic facilities. However, after consideration of the proposal before the Planning Commission, I do have some concerns as a member of the Lawrence community.

1) Drainage issues: According to statements made at a public meeting, run-off from the site will be less with the proposed changes than currently and will not cause neighborhood flooding (presumably including streets) following a 100-year rain event. I am certain the engineers have made their calculations correctly, and that their statements are true according to their models. It does stretch credibility that so much non-porous parking and gravel-underlaid athletic fields can retain more water on the site than current installation. I am concerned that the plans do not provide sufficient lee-way for possible violations of the assumptions made during the modeling process, for example: meteorologists state that weather events (including rain events) will become more extreme; whether grading and construction of the various fields and parking lots will work together to control run-off exactly as specified in plans; manufacturer claims regarding water flow through the artificial turf fields.
2) Provision for spectators: For several dozen Centennial residents, this will have a huge impact on the neighborhood beyond the impact of having practice fields. Commissioners can imagine having several thousand enthusiastic fans in one's back or front yard with resultant disturbance from lighting, noise, and loss of privacy. I have already encountered neighbors seeking to move from their homes, while faced with difficulty of selling them. The neighborhood already struggles with the issue of absentee owners, and the attendant deterioration of properties and concern for the neighborhood. Surrounding streets for many blocks in all directions are essentially designed for neighborhood use, and currently residents struggle with the issues of streets narrowed by excessive use of street parking, plus KU and LHS traffic, and traffic from drivers cutting through neighborhoods to avoid the over-busy 23rd Street. (For example, the 2000 block of Alabama is currently an almost constant chicken game of two-way traffic sharing a single lane.) The school district's goal of safety for their young athletes (bussing to alternate fields) can be met by improved practice fields on-site without the addition of spectator facilities. A school district official acknowledges that the spectator facilities as planned will still be insufficient for many games, leaving a need to use spectator facilities elsewhere.

3) Environmental issues related to artificial turf: Perhaps some of these are beyond the purview of the Planning Commission, but will impact the community. Artificial turf fields are composed of a complex mix of materials, perhaps including heavy metals and organics. Questions have been raised about water quality draining from these types of installations. Further, there are issues of hotter temperatures than grass fields, field sanitation, replacement costs on a regular basis, and disposal of a large amount of waste material when a field is replaced.

Signed,

From: Scott McCullough
Sent: Saturday, July 19, 2008 10:51 PM
To: Jeanne Klein; Lisa Harris Email; greg@moorevaluation.com; cblaser@sunflower.com; bradfink@stevensbrand.com; hughcarter@dgcounty.com; rhird@pihhlawyers.com; therenewgroup@sbcglobal.net; jeff@chaney-inc.com; MontanaStan62@gmail.com; ksingleton@sloanlawfirm.com; Paul Patterson
Cc: David L. Corliss; Cynthia Boecker; Diane Stoddard; Sheila Stogsdill; Matt Bond
Subject: RE: LHS and Centennial School plans

Jeanne,

I hope this email addresses your question. If it doesn't, please call me at 832-3154 on Monday to discuss.

A little context is in order to address the question. The school district has proposed several improvements to the LHS, Free State, and Centennial sites. Some of those improvements can be made administratively and, as staff understands it, the district desires to process such in a timely manner due to construction time frames. Other improvements do not qualify for the administrative process and will be processed as a Special Use Permit with opportunity for full public comment. The improvements requiring the SUP include the proposed lights, additional parking, and those elements necessary to convert the football field from a practice field into a competition field for LHS. All of the improvements related to the Centennial site will also be processed with a Special Use Permit since none of the improvements currently exist. The SUP process will include a public hearing (with public comment) at the Planning Commission on August 27th and notice to property owners within 200 feet of the school properties. The Planning Commission will make a recommendation to the City Commission and the City Commission will hear the requests some time in September.

To date the district has applied for two administrative site plans each for LHS and Free State to replace grass fields with turf and relocate the softball field at LHS. They have also applied for the above-mentioned Special Use Permits, which include the elements you note in your email. All of these files are open to public view and I encourage you and others in the neighborhood to visit the Planning Office and review them. They are reflective of the plans shown at several neighborhood meetings that the district has held in coordination with the neighborhood. Staff has attended at least two such meetings and remains sensitive to the neighbors' concerns of storm water runoff, traffic, lights, and noise and will actively work with the school to mitigate any impact to the area as the Special Use Permit requests work their way to the Planning Commission in August.

The letter that was mailed to adjacent property owners was related to the site plan on file for the administrative improvements and is actually required by the Land Development Code. It is intended to inform adjacent owners of the pending site plan request. No hearing in front of the Planning Commission or City Commission is required of this process. While the language in the code and in the letter states that there is no legal right to challenge the request, the code does provide a process by which any adjacent owner can appeal the administrative decision to the City Commission within 9 days of the decision being made. The code requires that persons interested in learning of the decision provide the Planning Office with contact information and their request to be notified so that Planning staff can notify them of when the decision is made.
Additionally, the request for the LHS improvements is scheduled to be reviewed by the Historic Resources Commission on August 21st. This is a public meeting.
Again, I hope this answers your question, though I know the neighborhood may be getting confused with all of the different notices being mailed for these projects. Staff is available to meet with you to review the files if you like, so please do not hesitate to call to set that appointment.

Scott McCullough
Planning and Development Services Director
785-832-3154

From: Jeanne Klein [mailto:kleinj@ku.edu]
Sent: Sat 7/19/2008 5:39 PM
To: Lisa Harris Email; greg@moorevaluation.com; cblaser@sunflower.com; bradfink@stevensbrand.com; hughcarter@dgcounty.com; rhird@pihhlawyers.com; therenewgroup@sbcglobal.net; jeff@chaney-inc.com; MontanaStan62@gmail.com; ksingleton@sloanlawfirm.com
Cc: Scott McCullough; David L. Corliss
Subject: LHS and Centennial School plans
To Planning Commissioners:

Please explain to me why homeowners have no "legal rights to challenge" proposed developments in single-family neighborhoods that directly affect their quality of life and the economic values of their homes (according to letters sent by Landplan Engineering regarding LHS and Centennial proposals for five athletic fields and expanded parking lots).

Jeanne Klein
824 Greever Terrace
Centennial Neighborhood Association

Paul Patterson

From: Scott McCullough
Sent: Monday, June 30, 2008 8:20 AM
To: 'Joan Stevenson'
Cc: Lisa Harris Email; Paul Patterson
Subject: RE: LHS Athletic field

Ms. Stevenson,

Thank you for your comments regarding the proposed development at Lawrence High School. Per City code, the improvements being proposed will be reviewed administratively with notice being sent to adjoining property owners and to all registered neighborhood associations. There has already been one neighborhood meeting where the school district explained the project and there is another one scheduled for tomorrow night, July 1 at 6:30 p.m. at the cafeteria of the school. City staff attended the first one and we are now very aware of the neighborhood's concerns. The application(s) will be thoroughly reviewed and considered prior to a decision being rendered. Per code, there is an appeal process for any one with standing to appeal if there is disagreement with staff's decision on the matter. You may make a request to receive notification of the decision and you are always welcome to visit City Hall to review the plans yourself. Paul Patterson is the Planner processing the applications.

Again, thank you for your comments and please let me know if I can answer anymore questions.

Scott McCullough, *Director* - smccullough@ci.lawrence.ks.us
Planning and Development Services | www.lawrenceks.org
City Hall, 6 E. 6th Street
P.O. Box 708, Lawrence, KS 66044-0708
office (785) 832-3154 | fax (785) 832-3160

From: Joan Stevenson [mailto:js70@sunflower.com]
Sent: Sunday, June 29, 2008 4:31 PM
To: Undisclosed-Recipient:;
Subject: Fw: LHS Athletic field

I reside at 2014 Alabama and have for over fifty years and feel that this sudden change planned in my backyard, is moving much too fast, and should be considered carefully. Since many of us are on vacation and cannot repond until later in summer could this agenda be placed at a later date? This is going to have a great impact in my neighborhood and on property value. Its a huge addition to be "rushed!"

Thank you,
J Stevenson

Paul Patterson

From: Joan Stevenson [js70@sunflower.com]
Sent: Monday, July 07, 2008 12:37 PM
To: Undisclosed-Recipient:;
Subject: Fw: LHS Athletic field

To the board of USD 497:

I reside on Alabama,2014, and am very concerned with the new additions that will be immediately behind my house. Of course am very aware that its youre property to do with, and that you are also trying to keep the high schools equal, however its certainly making a problem when Free State has 2x the space that LHS has.

AS now planned a softball field will be behind me with bright lights, loud speakers, and bleachers directly in back. That is NOT exciting to think of when in the evening a game goes on. Then you should definitely feel even more distress for my neighbors to the north in the 1900 block who if you proceed to install bleachers on the west side of the football field, all they will have when they look out their windows or doors is a huge bleacher right outside, now does that sound like something any of you would want behind youre homes? No I doubt it!

The noise and again the lights, the crowds that will be in the area should further be distressing. New people that have moved here and purchased houses are VERY upset and they deserve to be.

It would probably be ok to improve the track area for a "practice field" but not a field for competition. We are sorry that you feel this need, but for the property owners this is 50 years to late. Would any of you purchase a house with this in the back yard? Too much is being squeezed into the space that you already have. Yes, we are sorry too, that the board years ago did not have the foresight to purchase more land, and yes we have always been aware that its the schools, and yes thought perhaps sometime you would make improvements, but this is really just too much.

Many of my neighbors are now stating: why dont they just buy us out! Of course that wont happen since we are just a narrow strip along the west perimeter and act as a buffer!

Think again if any of you consider this popular in the area anywhere near the LHS, not just adjoining.

Question: why in all the meetings with Tom Bracciano, city officials etc.regarding this field, not ONE board member has come to listen to all our complaints? Wouldnt it be advisable to hear what other taxpayers/voters have to say?

Thanks,

J Stevenson

Arly Allen
1101 West 21st
Lawrence, Kansas 66046
huested@aol.com

RECEIVED
JUL 01 2008
City County Planning Office
Lawrence, Kansas

June 27, 2008

City Planning Department
City Hall
Lawrence, Kansas 66044

Dear Sirs:

I am writing to you about the proposed site plan for the new athletic facilities at Lawrence High School.

As a resident of the Centennial Neighborhood, my neighbors and I are deeply concerned about this proposal.

We have several concerns:

1) The neighborhood was developed at the same time the schools (Lawrence High School and Centennial Elementary School) were built. Many of our houses predate the schools and most are contemporary with the schools. Radical change of the type proposed was never contemplated in the past and will radically affect the real estate values of our properties.

2) The haste with which this extraordinary proposal is being pushed is frightening to us. Since it is summer, many of us are out of town on vacation and cannot devote our attention to an issue of great importance to your homes and neighborhood.

3) We do not understand why the School Board wants to place all of these large athletic facilities in an established neighborhood which lacks the space and the street pattern to handle the crowds that might be generated.

4) We think that such facilities should be placed in remote locations where the noise and traffic and crowds will not disturb local residents.

These are but a few of the many concerns we have about this project. We hope that you will see fit to slow this process down so that we and others might have a chance to further examine the impact this project will have on our neighborhood.

Thank you for your help and your concern.



Arly Allen

Paul Patterson

From: Scott McCullough

Sent: Monday, June 30, 2008 10:34 AM

To: 'Huested@aol.com'

Cc: js70@sunflower.com; adkab@ku.edu; Tom@Tom-Harper.com; jschultz@ku.edu; bblank@sunflower.com; alstrom@sbcglobal.net; Paul Patterson

Subject: RE: Proposed Athletic Facilities at Centennial and Lawrence High School

The Land Development Code outlines the process for such improvements. This type of request is not considered by the Planning Commission, but there is opportunity for the public to review the plans prior to a determination being made on them. We encourage the public and the neighborhood association(s) to review the plan(s) with the school district and the City once you receive notice of the application(s). As mentioned in the previous email, the school district and City have been willing to meet with the public on the requests and much public input has already occurred. Thank you for the comments and we look forward to working with the public on these requests.

Scott McCullough, *Director* - smccullough@ci.lawrence.ks.us
Planning and Development Services | www.lawrenceks.org
City Hall, 6 E. 6th Street
P.O. Box 708, Lawrence, KS 66044-0708
office (785) 832-3154 | fax (785) 832-3160

From: Huested@aol.com [mailto:Huested@aol.com]
Sent: Monday, June 30, 2008 9:43 AM
To: Scott McCullough
Cc: js70@sunflower.com; adkab@ku.edu; Tom@Tom-Harper.com; jschultz@ku.edu; bblank@sunflower.com; alstrom@sbcglobal.net
Subject: Proposed Athletic Facilities at Centennial and Lawrence High School

Dear Mr. McCullough:

Mrs. Joanne Stevenson sent me a copy of your email to her. It appears from this email that you plan to deal with this as an administrative matter and not bring it to the attention of the full Planning Commission.

I hope I have misunderstood this.

If ever there was a subject which needed the attention of the Planning Commission this is it.

These changes will create a major change in a neighborhood that is more than 50 years old.
These changes will increase traffic and parking problems for the residents living in the area, as well as those going to and from the games.

These proposals require the most through citizen review. Yet they are being proposed at a time when many people who will be affected are out of town.

We would hope that you will bring this before the Planning Commission this Fall when residents can give it their full attention.

Cordially,

Arly Allen
Centennial Neighborhood Association

July 1, 2008

Petition of the Centennial Neighborhood concerning the School Board's Proposal to build a variety of new athletic facilities at Lawrence High School and Centennial School.

We the undersigned members of the Centennial Neighborhood are concerned about the plans of the Lawrence School Board to build a series of new athletic fields on the school grounds in our neighborhood.

We object to this on the following grounds:

1) Our neighborhood was built in the 1950s, at the same time as the school buildings. We have supported the schools since that time.

2) Suddenly within this year, 2008, the School Board has decided to radically redesign the school grounds. This redesign will have a marked effect upon the neighborhood.

3) **We are especially concerned about**

a) the sudden nature of these changes

b) the size of the changes,

c) increased traffic and congestion,

d) increased noise pollution,

f) increased trash pollution,

g) light pollution from field lighting,

h) increased parking problems,

i) increased water run-off in an area that is well-known for flooding,

j) building bleachers next to our houses,

k) unruly crowd behavior,

l) loss of property values due to these changes.

5) All of these problems that need discussion and consideration.

Petition of the Centennial Neighborhood concerning the School Board's Proposal to build a variety of new athletic facilities at Lawrence High School and Centennial School.

We the undersigned members of the Centennial Neighborhood are concerned about the plans of the Lawrence School Board to build a series of new athletic fields on the school grounds in our neighborhood.

We object to this on the following grounds:

1) Our neighborhood was built in the 1950s, at the same time as the school buildings. Since then we have supported the schools and enjoyed the open space and proximity to the neighborhood schools with relatively little conflict.

2) Suddenly within this year, 2008, the School Board has decided to radically redesign the school grounds. This redesign will have a marked effect upon the neighborhood.

3) This comes at a difficult time for the neighborhood since many people are on vacation and cannot devote their time to this important issue.

4) Nonetheless, we have a number of issues with the proposed redesign.

a) We are concerned about the large scale of the changes,
b) We are concerned about the increased traffic and congestion these changes will bring
c) We are concerned about the increased noise that will attend the athletic events,
d) We are concerned about the increased trash and damage to our lawns that crowds might bring,
f) We are concerned about increased parking problems for the neighborhood
g) We are concerned about the possibility of increased drainage and water run-off in an area that is well-known for flooding,
h) We are concerned about the effect of building bleachers next to our houses which might block our views and turn our houses into unsuitable habitations for families.
i) We are concerned about the increased heat that might be generated by cars, traffic and Astroturf fields in our neighborhood.

5) All of these things represent problems that need discussion and consideration as they may radically alter the nature of our neighborhood and affect adversely our retail values.

We the undersigned oppose the installation of these athletic facilities in our established neighborhood and suggest that they be placed in an area where there are no houses and homes, where there can be easy access by cars, where noise and excitement engendered by athletic contests to not disturb the neighbors.

Name	Address
Sven Alstrom	842 W 21st
SVEN ALSTROM	840 W 21st
Family Leeden	840 W 21st St.
Wanda J. Leeden	

We the undersigned urge the School Board and the City to delay the development of these athletic facilities in our established neighborhood until our neighborhood has time to analyze this.

Name	Address
[illegible]	825 West 21st Street Lawrence, KS 66046
[illegible]	825 West 21st St. Lawrence, KS 66046
Rosalene Killby	815 W 21st Lawrence, KS.
[illegible]	801 W 21st [illegible] KS
[illegible]	812 Greeve Ter. " "
[illegible]	815 Greever Ter Lawrence Ks
Scott Finkebrock	825 Greever Ter Lawrence, KS
Beth Atkley	813 Greever Ter Lawrence, KS
Roy E Gridley	610 Greever Terr Lawrence 66046
Marilyn Gridley	610 Greever Ter Lawrence
Marilyn Gridley	616 Greever Ter.
Fi Fi McClure	628 greever Ter.
Carolyn Jones	819 Greever Ter.
Kenneth Snyder	819 Greever Ter.
Katrina Clark	833 GREEVER TER.
Janet Mody	2100 Carolina
Winifred H. Gallup	848 West 21st
Alfred F. Gallup	" "

We the undersigned urge the School Board and the City to delay the development of these athletic facilities in our established neighborhood until our neighborhood has time to analyze this.

Name	Address
Joan Thomson	2014 Alabama
Alita York Cooper	909 W 20th St Terrace
Ray Petty	2009 Alabama
Cheri Lee	1945 Alabama (owner)
Vernon Blakis	(1 ~~2365 Ridge~~) 1917 Alabama
Margaret Barlow	1920 Alabama
Marilyn Bailey	1925 Alabama
Wynona McKibben	1014 W. 20th St
Conrad M. Henderson	2008 Alabama St.
Judith M. Henderson	2008 Alabama St.
Grace Foutz	2032 Alabama St
Jay Foutz	2032 Alabama
Lee Flanders	2026 Alabama
Betty J Alexander	1940 ~~Ohio~~ Alabama (owner)
	928 E 1279 Rd
	Lawrence KS 66047
Jeanne Klein	824 Grey Oak Terrace
Mary Lou Wright	1734 Illinois (U. Place Neighborhd)
Helmut Huelsbergen	1908 Alabama

Louis Zook 629 W 21st

[illegible] 623 W 21st

Edgar E. "Gene" [illegible] 637 West 21st

[illegible] 1021 W. 20th St.

William V. Fisbell 2512 Harper (church)

Warren Moline 876 E 1289 Rd. (church)

We the undersigned urge the School Board and the City to delay the development of these athletic facilities in our established neighborhood until our neighborhood has time to analyze this.

Name	Address
Mary Ann Traiger	803 W 22nd Terrace
Scott Curtis	828 W 22nd Ter
Barry D. Stallman	822 W. 22nd Ter
Dennis K. Hoffman	822 W 22 Ter
Alan Witt	816 W 22 Terr
[illegible]	815 W. 22 Terr.
Melba J. Edwards	832 W. 22nd Terrace
Kenneth D. Guthrey	838 W 22nd Terrace
Jean Affolter	2543 Cedarwood Ave.

We the undersigned urge the School Board and the City to delay the development of these athletic facilities in our established neighborhood until our neighborhood has time to analyze this.

Name	Address
Gloria Jacob	843 W. 22nd St
Craig Jacob	837 W. 22nd St
Kellie Schmid	900 W. 22nd Street
Mary T. Pratt	900 W. 22nd Street
Diane Stiles	812 W. 22nd St.
Florence Swanson	818 W. 22nd St
Cecilia Ochoa Mary	830 W. 22nd St
Phyllis Blaylock	815 W. 22nd St.
	2131 CAROLINA ST.
Shana Good	2105 Carolina St.
	2105 CAROLINA ST.

We the undersigned urge the School Board and the City to delay the development of these athletic facilities in our established neighborhood until our neighborhood has time to analyze this.

Name	Address
[illegible]	1101 W. 21st
Robert A. Blank	2133 Owens Lane
Elaine Blank	2133 Owens Lane
George Smith	2142 Owens Ln
Jerry L. Smith	2142 Owens
Mark L. Halmberg	2136 Owens Lane
Sue Simons	2145 Owens Ln.
Mary Winston	2130 Owens Ln.
John Dorton	2130 Owens Lane

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

From: Sven Alstrom [mailto:alstrom@sbcglobal.net]

Sent: Sunday, August 17, 2008 12:06 PM

To: maf@sunflower.com; adkab@ku.edu; AL Gallup; Anne Marvin; asa@blueskywindandsolar.com; bacjb@ku.edu; bblank@sunflower.com; captainkgood@yahoo.com; conrad henderson; Daniel Poull; derek.helms@freeplanetinc.com; gdiepenbrock@ljworld.com; geoterrysmith@sunflower.com; glklingenberg@sunflower.com; hueslber@ku.edu; huested@aol.com; janinejoslin@gmail.com; jantle@jccc.net; jmeyer@sunflower.com; Joan Stevenson; jschultz@ku.edu; Lynne Zollner; Mark Kaplan; michael.sizemore@gsa.gov; mveatch@sunflower.com; Paul Davis; randy.masten@us.army.mil; rich_givens@yahoo.com; richardk@ku.edu; Sean Williams; shanagood@sunflower.com; spadget@ku.edu; sven alstrom User; Tom Harper; wiechert@ku.edu

Subject: SPECIAL USE PERMIT for LHS

In doing a little follow-up research on the high school planning issues, I looked up the GIS map for Lawrence (on the Lawrence web site).
It seems that sometime between Landplan's submittal of their site design and now, the property has been changed from RS-2 (as shown on Landplan's
map) to GPI (General Public Institutional). As a consequence, the kinds of buffers between them and the surrounding RS neighborhoods (esp.
Centennial) is even more stringent than if they still had an RS designation. Also, the proposed location of the stadium will definitely fall within one or more of the historic resource environs shown on the map.
Also, according to the current planning ordinances, an "Entertainment and Spectator Sports" use such as is being proposed (4000
spectators) requires 1,334 off-street parking spaces. The plan only shows approx. 900 spots (new + existing) with about 150 of these being next to the virtual school. So, technically, they're only proposing about 750 spots on the same site as the football stadium (57% of what is required for the football stadium alone).



August 22, 2008

Sports

High Temps On Turf Fields Spark Safety Concerns

by Allison Aubrey

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Morning Edition, August 7, 2008 · Lots of coaches and players love the benefits of artificial fields. There's no practice time or games lost to muddy conditions, and the fields are easy to maintain. They require no pesticides or water. But increasingly, municipalities are raising questions about extremely high temperatures on the playing fields when the weather is hot and sunny.

The first evidence of a "heat island" effect came a few years ago, when Columbia University climate researcher Stuart Gaffin analyzed thermal images generated from NASA satellite maps of New York City. He wanted to figure out how urban trees may help cool down neighborhoods. When Gaffin noticed a bunch of hot spots on the maps, he assumed they were rooftops. But he wanted to know for certain.

"So we picked five or six really hot locations in the Bronx and went to visit them, and two turned out to be turf fields" says Gaffin. In retrospect, he says he should have realized that, because they're a perfect sunlight-absorbing system.

Temperature Check

To understand just how hot the synthetic fields can get, we visited Riverside Park in Manhattan with Geoffrey Croft, founder of NYC Park Advocates.

Carrying a thermometer, Croft stood at the periphery of one of the turf fields that's used for a soccer camp.

In the shade it's 86 degrees. But out in the center of the soccer field where kids are playing soccer, the sun is directly overhead. Holding his thermometer waist-high, he gets a reading of 160.6 degrees Fahrenheit.

Croft is surprised. "It's way higher than I thought it would be," he says.

As the coaches call a water break, which they do every 15 minutes or so, a group of 8- and 9-year-olds stands dripping in sweat.

"It's hot," says 8-year-old Michael-Luca Natt. "Very hot." Nearby, two more day-campers, Max Rana and Billy Hurwitz, say it can be hard to keep playing when it's so hot on the field.

Heat-Trapping Recycled Tires

Part of what's trapping the heat are bits of ground-up recycled tires used by the manufacturers to cushion the turf. When Croft bounces a ball on the field, bits of the black rubber bounce back up with it.

"It's getting all over my leg," Croft points out as the ball bounces. The kids attending the camps show me how the crumb rubber gets in their hair and in their shoes.

The Synthetic Turf Council is an industry group that represents manufacturers of the products. The group says using recycled tire rubber is a cost-effective way of making the surfaces more resilient. The group is aware of reports of 160-degree temperatures on the fields.

"I don't think anyone in our industry would suggest it's a good idea to play on a surface that's that hot," says Rick

Doyle, president of the council.

Doyle says he knows of no documented cases of people being injured. It's more of a management issue, he says.

"Just as coaches have to reschedule games due to rain when they play on grass fields," he says, so too they need to reschedule or consider an alternative surface to play on when it's hot and sunny.

Concerns Over Chemicals

A number of cities and municipalities, including New York City, have many days of very warm and sunny weather.

Coach Mike Handell has permits to run baseball camps in Riverside Park. He says there are only so many green spaces in New York, and increasingly they're being converted to synthetic turf.

Handell says he likes the fact that the fields don't get dry and dusty. But he knows they're hotter, and he's heard concerns about the chemicals found in the recycled tires.

"If they're unsafe. I want to know. I'm mean I'm personally interested because I have permits for these fields," he says, and kids are playing on them.

Heat Is Primary Concern

The New York City Health Department hired consultants to assess potential health risks associated with crumb-rubber turf fields. The report concludes that the risk of harm from exposure to hazardous chemicals such as lead in the rubber appears to be very low unless the chemicals are basically eaten.

According to the report, another possibility is that players may inhale chemicals that vaporize to form a gas. Health assessments suggest that the exposure levels are likely below a level of concern to human health. But these assessments use conservative estimates of exposure. The report says additional studies measuring chemical exposures of players on turf fields should be conducted "to give more representative data on exposures related to urban field use."

Since crumb-rubber turf absorbs and retains heat, the NYC Health Department report says heat is the primary health concern associated with playing on the fields. It says people can suffer dehydration, heatstroke and thermal burns at field temperatures above 115 degrees.

Based on these concerns, the New York City Parks Department has now decided to move away from using recycled-tire rubber in new turf fields. Commissioner Liam Kavanaugh says decisions have already been made regarding a couple of installations.

"We have two fields in construction where we've actually canceled the black crumb rubber and are actively looking for an alternative," Kavanaugh says.

The state of Connecticut has committed $200,000 to conducting exposure studies, with testing scheduled to begin this fall.

The industry has offered up a couple of options, including a sand-based fill. The Synthetic Turf Council says one company, Mondo, advertises that its Ecofill is "up to 50 percent cooler." And another company that markets a product called "Cool Grass" synthetic yarn says it can reduce surface temperatures on synthetic turf by up to 35 percent.

"Technology is evolving all of the time," says the council's Doyle. Yet many of these new products can be quite a bit more expensive.

Kavanaugh says he's hopeful one will work since, overall, the city likes the low-maintenance artificial turf.

But Columbia University researcher Gaffin says he's skeptical. He says even without any black rubber added, the plastic blades of grass in synthetic turf trap a lot of heat.

"They're spongy and lightweight — and that means the solar energy that's absorbed quickly gets converted to high temperatures," he says.

Without the natural system of evaporation that living grasses have, everything's working in one direction to turn sunlit turf fields into heat islands, he says.

Related NPR Stories

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What is this?

From: conrad henderson [mailto:conandjudy@sbcglobal.net]
Sent: Friday, August 22, 2008 3:10 PM
To: Sheila Stogsdill
Subject: SUP for Lawrence High

2008 Alabama St.
Lawrence, KS 66046
Aug. 22, 2008

Dear Members of the Lawrence Planning Commission:

As residents of the neighborhood that will be affected by the expansion of sports facilities around Lawrence High School, we would like to express some of our concerns about this project. My wife and I live at 2008 Alabama St., directly in front of the proposed softball field just south of the projected new football stadium. We have lived at this location since 1976 and are very familiar with the history of the Centennial neighborhood. For example, we have experienced the increasing fragility of our area as more and more houses have become rental property. We realize we live in a mixed-population neighborborhood where the needs of various groups, from senior citizens, to families with young children, to college-age renters, must be accommodated. We must also get along with our big neighbor to the east, Lawrence High School. There have been shocks in the past, such as the closing of Centennial School; however, for the most part, things have worked out.

Now, though, many of us are faced with major changes adjacent or very close to our properties. This has led to several concerns. First and foremost, the shoehorning of a major venue like a football stadium with all its required facilities, i.e. bleachers, concession stands, restrooms, lighting, sound-systems, etc., into an established neighborhood is unprecedented in the city of Lawrence and is a site-overwhelming, disruptive change. The planned increase in parking area also does not seem adequate for the anticipated crowds and can only be achieved by circumventing the green-space offsets required by city codes.

Another possible problem has recently come to our attention. It is our understanding that the restroom facilities planned for the new stadium would be hooked up to the sewer line serving Alabama St. between 19th and 21st Streets. In the past there have been capacity problems with this system at the lower end of the sewer near 21st Street. It is our concern that tying in a major outflow from the expected restroom facilities at the sports complex may overwhelm an already heavily taxed and probably outdated sewer system. The danger of backup into basements certainly merits further study of this plan.

Basically, we feel the stadium is not a good and justifiable solution to Lawrence's long-term need for a district-wide, centralized high-school sports complex. Wouldn't public money be better spent on such a facility?

We recognize Lawrence High School's needs for modern, serviceable practice facilities. With regard to the planned softball field behind our house, we think it would be a better solution to flip the design around and put the homeplate area in the northeast quadrant of the field. In this way, the bleachers and the backstop and much of the commotion of games would be away from pre-existing houses and much closer to the school and parking. When I brought this matter up at one of the information meetings, I was told by the Landplan designer that the optimal direction for a softball field is looking northeast, so that the sun would not be in the eye of the catcher. It should be pointed out, however, that there are some fields in town, for example, ones at Holcomb and Clinton, that face southwest.

Thank you for taking these matters into consideration before issuing a special use permit for this addition to Lawrence High School.

Sincerely,
Conrad M. Henderson
Judith M. Henderson

ttfn Judy

From: Larry Chance [mailto:LChance@emprisebank.com]
Sent: Friday, August 22, 2008 4:12 PM
To: jeff@chaney-inc.com; hughcarter@dgcounty.com; rick@hirdlaw.com; lharris@ku.edu; greg@moorevaluation.com; thenewgroup@sbcglobal.net; ksingleton@sloanlwafirm.com; Bradley R. Finkeldei; cblaser@sunflower.com; stanley.rassmussen@us.army.mil
Subject: Proposed High School Improvements

Planning Commissioners:

I would like to add my unconditional support to the proposed improvements to the athletic facilities at Lawrence High and Free State. The upgraded facilities will provided much-needed improvements for the students and fans, as well as for the athletes finally able to compete on decent fields. The existing facilities are embarrassing, to say the least, and the uneven grass & weeds have contributed to numerous ankle & knee injuries. Our community finally has an opportunity to bring our facilities up to date with eco-friendly improvements without expending tax dollars and I think we owe it to our students to support this proposal.

Larry S. Chance
Commercial Lender
Emprise Bank Lawrence
1121 Wakarusa Drive
Lawrence, KS 66049
Phone: (785) 749-0800
Fax: (785) 749-0387
E-Mail: lchance@emprisebank.com
Visit us at www.emprisebank.com

-----Original Message-----
From: Stacy Riggins [mailto:bstnnriggins@sunflower.com]
Sent: Sunday, August 24, 2008 9:38 PM
To: bradfink@stevensbrand.com; hughcarter@dgcounty.com; Greg@moorevaluation.com; Iharris@ku.edu; ksingleton@sloanlawfirm.com; jeff@chaney-inc.com; rick@hirdlaw.com; therenewgroup@sbcglobal.net; Rasmussen, Stanley L NWK
Subject:

Lawrence Public Schools are putting together a wonderful proposal for outdoor athletic facilities for our two high schools. The proposal benefits the future of our community. The quality of public schools and school facilities is a key factor in the ecomomic development of our community. I hope you will show your support in improving our community with these facilities.

We live near Free State High School and love to sit in our screened in porch in the evenings and listen to the band and baseball games. It is a great combination of the Lawrence Public Schools and the community. What a wonderful place to live! I am sure you will support facility improvements for our high schools. Thanks!

Bill & Stacy Riggins
240 Earhart Circle
Lawrence, KS

-----Original Message-----
From: Kent & Brenda Hatesohl [mailto:hatesohl4@sunflower.com]
Sent: Sunday, August 24, 2008 8:00 PM
To: bradfink@stevensbrand.com; hughcarter@dgcounty.com; cblaser@sunflower.com; greg@moorevaluation.com; lharris@ku.edu; ksingleton@sloanlawfirm.com; jeff@chaney-inc.com; rick@hirdlaw.com; therenewgroup@sbcglobal.net; Rasmussen, Stanley L NWK
Subject: support facilities enhancement proposal

August 24, 2008

To: Lawrence City Planning Commission

Re: Proposal for outdoor athletic facilities enhancement for our local high schools

We strongly support the proposed outdoor athletic facility enhancement at both Free State High School and Lawrence High School. We believe that this proposal is both fiscally and environmentally responsible and is something this community is vastly in need of.

Having two active boys progress through Lawrence Public Schools and being involved in a number of extra curricular activities, we have experienced over and over the unsafe and inadequate facilities (soccer and baseball fields in
particular) they have had to play on. The Free State soccer coaching staff and grounds crew have attempted to maintain an adequate playing field, but the Kansas climate makes it difficult to keep natural turf at the level that our kids deserve for an entire season. In addition, because there are no lights on the soccer field, all Free State home games must be played in the afternoon to avoid darkness. This significantly reduces the number of fans (parents included) to support the team, especially during regional playoffs.
JV games are often cut short because of lack of light. The only "home field advantage" is an unsafe field, rough playing surface and dark. Our students deserve better.

Fans also deserve better game venues. The soccer and baseball "stadiums" are certainly not fan friendly. In addition to no restroom or concession
facilities, reasonable seating is very limited. Too often, Free State
coaches and fans must listen to ridicule and negative comments about our facilities. In our family's six years of playing in the Sunflower League, Lawrence's facilities have been without a doubt the worst in the league.
Again, our student athletes and fans deserve better.

In this time of tight budgets, we believe the proposed plan to be fiscally responsible. This is a multi-million dollar enhancement that will not require a tax increase or bond issue but will significantly improve the facilities in our town. It is also environmentally responsible as it eliminates the use of fertilizers, pesticides and fuels, and minimizes water usage required for the upkeep of current playing fields.

The proposed plan will have a positive effect on the entire community. The quality of our public schools, including all facilities, certainly contributes to the economic development of Lawrence. Our educational system is strong; our athletic system has the potential to be as well.

Our youngest son is a senior this year; he won't benefit from this proposal.
However, we hope that the next generation of students will have a home to be proud of.

In closing, we strongly encourage you to do the right thing for the Lawrence community, Lawrence Public Schools and all current and future students - support the facilities enhancement proposal.

Thank you,
Kent & Brenda Hatesohl

-----Original Message-----
From: Steve Burk [mailto:ssmkburk@sunflower.com]
Sent: Sunday, August 24, 2008 6:35 PM
To: Rasmussen, Stanley L NWK
Cc: ppatterson@ci.lawrence.ks.us
Subject: Lawrence Public Schools outdoor athletic facilities

Dear Mr. Rasmussen:

I am writing to request your support for the outdoor facilities enhancement proposal for the Lawrence High School and Free State High School campuses.
My husband and I are the parents of two Free State senior girls who are deeply involved in academic, arts and athletic programs. We believe that the significant merits of the proposal - such as quality of facilities, safety improvements, equity in facilities across schools and sports, community access, scheduling consistency and flexibility, and fan-friendliness - will deliver tremendous benefits to the students and supporters of the Lawrence Public Schools.

Our daughters have experienced the need for new or upgraded facilities as members of the Free State marching band, as student supporters of several outdoor sports, and as 4-year participants in cross country and track programs. The dedicated student athletes, coaches and fans of Lawrence deserve facilities that are at least equivalent to those of our peer schools.

As taxpayers and as a family unit, we strongly believe that Lawrence Public Schools have proposed a fiscally- and environmentally-responsible plan that will provide our students some of the best facilities in the area. Thank you for your support in helping this plan become a reality.

Sincerely,

Sally Burk
4208 Wheat State Street
Lawrence, KS 66049
(785) 841-7780
ssmkburk@sunflower.com

-----Original Message-----
From: tiffany francis [mailto:momabirdfrancis@yahoo.com]
Sent: Saturday, August 23, 2008 9:11 PM
To: Rasmussen, Stanley L NWK
Subject: LHS FSHS Facilities

Stan, Mark and I unfortunately will not be able to make the meetings concerning the FSHS and LHS facilities agenda but would like to share our support for the improvements to both of the Lawrence High School Athletic facilities. If there is something we can do, please let us know. Thanks,
Tiffany Francis

-----Original Message-----
From: Julie Jasperson [mailto:juliejasperson@hotmail.com]
Sent: Saturday, August 23, 2008 6:30 PM
To: ppatterson@ci.lawrence.ks.us; bradfink@stevensbrand.com; hughcarter@dgcounty.com; cblaser@sunflower.com; greg@moorevaluation.com; lharris@ku.edu; ksingleton@sloanlawfirm.com; jeff@chaney-inc.com; rick@hirdlaw.com; therenewgroup@sbcglobal.net; Rasmussen, Stanley L NWK
Subject: Improvements to High School Athletic Fields

August 23, 2008

Dear Planning Commission Members,

I am writing to voice our support for the improvement of the athletic fields at both Lawrence public senior high schools. This year I am the President of the Free State High School Marching Band Boosters, a parent group that works to provide fund raising and support to the marching band at Free State.

These improvements would provide a big benefit for the Marching Band.
Currently, there are costs associated with using many school buses to transport the students to Haskell University for football games. In addition, the band rents a truck or a trailer to transport some of the percussion equipment to Haskell. This causes wear and tear on the percussion equipment, requiring equipment to be replaced, and requires extra volunteers to manage the transfer.

Imagine how much easier it would be to walk out the band door and right into the football stadium. Percussion equipment could be easily wheeled into the stadium. If rain were to threaten, it would be easy to simply move back into the school building. Currently, if it rains at Haskell, there is a real scramble to try to keep everything dry and back into the truck, trailer and
buses.

For these reasons, we support the improvement to all of the athletic fields at both high schools. In particular, we would like to see the football stadiums built/improved first, if it could be accomplished in time to hold some of the games at home this year. If that is not possible, then we would support the improvements in whatever order makes the most sense

Thank you for your time, and we look forward to your support of all the athletic improvements.

Julie Jasperson, President
LFSHS Marching Band Boosters

129 Sharon Drive
Lawrence, KS 66049
843-7863

From: Schultz, Jerry A [mailto:jschultz@ku.edu]
Sent: Sunday, August 24, 2008 9:29 PM
To: Bradley R. Finkeldei
Subject: Oppose LHS Athletic Developments

Dear Commissioners,

I live in the Centennial Neighborhood and I am writing to let you know that I strongly oppose the development of a competitive football field at the LHS. I was unable to sign a petition that was sent to you earlier by residents of the Centennial Neighborhood asking the District administration to stop this ill-advised plan. This email is my signature.

First, I am truly surprised that the School Board is willing to accept changing from grass to artificial turf. This is an unhealthy idea. My background is community and public health and the CDC has advised that there are several dangers involved with these types of turf. Lead, dust, and extreme heat make their use inadvisable. As you know New York city has decided to stop using artificial turf and national sports leagues are returning to real grass. The health department should provide an opinion on the use of this turf.

I suggest you use Google Earth and review the footprint of the various school properties in town, especially the differences between LHS and FHS. In all cases, except LHS, there are substantial barriers or distance between playing fields and neighbors' homes. The plan will put a 4,000 seat spectator facility with lights and loudspeakers within 75 ft of many homes in our neighborhood. It also seems to me that the plan doesn't meet several zoning requirements related to parking, drainage, and a buffer zone.

We are not opposed to facility equity between the schools, but not when it will cause serious problems for neighbors. There are other ways of solving for equity and state of the art competitive fields. Our neighborhood supports LHS and our schools. The District would not have the open property near Centennial School, if not for the efforts of neighborhood residents several years ago. We hoped that the school district would implement reasonable projects there. What has been proposed seems to be some kind of geometry and design challenge. How much can a designer fit into designated open spaces? Clearly, no thought was given to the potential impact this development might have on nearby residents. The impact on residents is so obvious. Please walk the area I am talking about (west of the LHS football field) to get a feel for how close this is and how it will really disrupt residents' lives. Let me know which of you will be willing to move in to any of those houses.

Please reconsider this decision and join the community in a discussion of how to solve for competitive football at our high schools in a more appropriate manner. I will be lending my time and resources to prevent this development by protesting to the Planning Commission, City Commission, the community and through any other legal means available to the neighborhood.

Jerry Schultz, Ph.D.
1945 Tennessee St.,

PS. Please share this message with all Commissioners?

Sven Erik Alstrom AIA
E C O L O G I C A L A R C H I T E C T U R E P. A.
842 West 21ST Street
Lawrence, Kansas 66046
email: alstrom@sbcglobal.net
tel: 785 749 1018

14 August, 2008

REQUEST TO DENY SPECIAL USE PERMIT
Lawrence High School – Athletic Field Facility expansion

Dear Scott,

First let me say that there are several inaccuracate statements in Mr. Bracciano's letter of August 11, 2008 which I would like to address. The Centennial Homeowner's Association Steering Committee met on August 13 and closely reviewed this letter as a starting point to our opposition to the Special Use Permit.

Introduction

Facts

1, The existing LHS property zoning does not support expansion of these facilities without adequate traffic & parkinig being provided for the increased usage.

2. There have been no traffic studies of the impact of the proposed increased facilities on 19th & Louisiana, 23rd & Lousisiana or 21st street vehicular traffic, whether under existing code or new code requirements for vehicular traffic control.

3. There have been no parking studies of the amount of code required traffic, open space, and required landscape improvements for the expansion of the athletic facilites under the current city code requirements.

Analysis

Conclusion

Regards,
Sincerely,

Sven Erik Alstrom AIA / NCARB

for Willa M. Alstrom Trust, property owner of record

2000 Alabama Street
Lawrence, KS 66046
August 19, 2008

Lawrence-Douglas County Metropolitan Planning Office
c/o Sheila Stogsdill, Assistant Planning Director
City Hall
6 East 6th Street
PO Box 708
Lawrence, Kansas 66044-0708

Dear Members of the Planning Commission:

We are writing to share our concerns about the proposed building and construction projects at Lawrence High School, and we greatly appreciate the opportunity to provide input. Our home is located at 2000 Alabama where we have lived happily for three years. We bought this home because of the benefits of location and the prospect of having a stable neighborhood anchored in part by Lawrence High School. We are educators ourselves. Our decision to make our home in the Centennial neighborhood was motivated by our desire to live near an educational center. We are keenly aware of some of the implications of living near the high school, including the daily band practices and noise from the tennis courts and softball fields. In short, we have been happy to be part of this community and support a place for young people to grow and succeed, but we did not anticipate anything of the scale or magnitude of the proposed expansion of the athletic facilities, given that this is a high school surrounded by residential properties.

We have several concerns about the proposed changes in the existing Lawrence High School property. We strongly believe that Lawrence High School should have outstanding *practice fields* for both the women and men's sports and that the major inequalities between Lawrence High School and Free State High School should be addressed. However, it also seems that these issues must be addressed in the context of the considerable differences between the two sites and the best interests of the surrounding neighborhoods and the community as a whole. In that regard, the proposal to add two separate large-scale football stadiums, with seating to accommodate more than 4,000 spectators at each site, seems to be both a poor use of financial resources and a decision that is insensitive to the best interests of the surrounding community. Is it necessary to have two facilities of this scale to host an average of six games per year at each site? Wouldn't it make more sense to find a permanent solution to the inequality that currently exists between the two high schools? At the present time, neither site has a football stadium, so there is no inequity with respect to competition space for football games or band competitions. The other hard reality is that one site is half the size of the other and sits right in the heart of a residential neighborhood. The prospect of introducing crowds of more than 4,000 spectators to a site that presently cannot even adequately

accommodate parking for the 1500 students and staff that attend Lawrence High School on a daily basis should raise serious concerns. While the present proposal would add an additional 400 parking spaces at LHS, the total number of parking spaces is woefully inadequate to accommodate the types of crowds proposed. Traffic, security, and crowd noise also present more significant intrusions at the Lawrence High School site. If the desire is to have true parity, why not build a district-wide competition facility on neutral territory for all the schools that exist now and may exist in the future? This space could be used by the high schools and middle schools. A unified, district-wide competition facility would ensure equity across all the schools and would allow for future growth if we should ever add a third high school.

We are particularly concerned about the speed with which decisions are being made as well as the compatibility of the proposal for the surrounding residential community. If the decision is made to proceed with the plans for competition fields, we have several considerations for the planning commission.

- We recognize the need to have adequate sports facilities for students, but we ask that there be clear provisions that the use of these facilities be limited to school competitions and that the proposed complex does not become a city-wide facility or adult-league playing fields.
- With the proposed increased use of the high school facilities, we are concerned about increased litter and trash throughout the surrounding neighborhoods. We ask that the high school commit to ensuring that the surrounding neighborhoods where people will invariably park will also be cleaned of trash following games and events.
- At 2000 Alabama, our property is attached to an easement that provides a current pathway to the school. We currently experience a notable amount of student foot traffic past our office and bedroom windows. Students park in front of our house and walk to school through our yard. We are responsible for maintaining the easement property and clearing the litter left by pedestrians. While we have grown accustomed to this level of foot traffic, we are very concerned that there will be a dramatic increase in foot traffic for the proposed sporting events. While there is not a proposed gate currently, we ask that it be a clearly stated that there will not be a gate in the proposed fence behind our property at 2000 Alabama.
- Our home is located behind the proposed softball field. We ask the planning commission to make clear provisions about the usage of this field and take specific steps to ensure that the surrounding properties are not dramatically affected by foot traffic, noise, light pollution, litter, and stray balls.
- We ask that there be clear restrictions to hours of operation and that all events and clean-up activities be completed by 10 p.m.
- We are unclear on the type of landscaping and grading that will be added between our property line and the proposed fields. There has been discussion of some planting and grading in order to minimize the visual impact of these fields, but we do not understand the specific proposals and their impact on our property, especially in terms of drainage.

- With the proposed increased parking, we ask the planning commission ensure there is adequate green space provided for each new parking space.
- There are numerous concerns over the proposed football stadium.
    - We would propose that there be additional studies completed to see the impact of placing a sports complex like this one in such a highly residential neighborhood. We would be reassured to see lessons and ideas from those studies to ensure success and to minimize the detrimental impact on the surrounding area.
    - The noise from the events at the football stadium will have a dramatic impact on the quality of life in the surrounding neighborhoods. This area has many older, long time residents of Lawrence, and this will have a dramatic impact on their lives especially. There is special concern about both the loud speakers as well as the crowds.
    - There is not adequate parking for the proposed stadium. This will mean that parking will spill over into the surrounding neighborhoods, and this will again decrease the livability of the areas. The roads in place currently have difficulty sustaining the traffic and parking for high school events and even the regular school day.

We also ask that you seriously consider the composition of the neighborhood. In some ways, this is a fragile neighborhood. We have a mix of rental property, long-time residents, families with small children, and elderly residents. There are mutual benefits between the school and its neighbors, and we are worried that the proposed changes will negatively affect the neighborhood and that this will permanently alter the area and change it to primarily rental properties. While there is nothing wrong with rental property, there are significant benefits to having permanent residents in the area to ensure long-term property value, to guarantee maintenance of the area, and to ensure security. Our neighbors have interrupted vandalism at the high school, and we constantly watch to make sure the property does not become a loitering area or a center for mischievous behavior or illegal activity. We do this because this is our home too, and we are proud of our school. If there is a decrease in permanent residents around the school, this type of community ownership might be lessened.

We assume that there has been a full assessment of the environmental impact of artificial turf and its long-term financial implications. We understand there may be some yearly cost benefits from moving away from soil and grass surfaces, and there are some benefits for ensuring playability of the fields. We also know there may be some benefits from moving away from using such high quantities of dangerous pesticides and fertilizers, although using organic grass and maintenance techniques could avoid those problems as well and save costs. However, we hope you and the school board also consider the following issues:

- What is the environmental impact of disposing of the waste from the artificial turf when it is replaced in a decade? This could be the equivalent of 120 tons of crumb rubber, and we ask that the impact on waste management in the county be considered.

- What are the provisions for replacing the surfaces in a decade? While the school district apparently has the funds to install these surfaces, where will money for new surfaces and installation come from in the future?
- There are several long-term problems with artificial surfaces. One is the heat from the surface. Second is the increased chance of injury, specifically to football players, although the surfaces seem to better for soccer players. Third is the on-going maintenance demands for cleaning, disinfecting, and maintaining the surface. Fourth is the waste from the replacement of the surfaces. Several stadiums across the country and in the state of Kansas have replaced artificial surfaces with natural turf because of the maintenance issues, the dramatic increase in surface heat, and the waste problems. Perhaps we should learn more about the limitations of this type of surface before acting too quickly. While we may in the end decide these are better, safer surfaces, we ask that these concerns be investigated to see if we are moving in the right direction.

Flooding is a major concern for our neighborhood, and we have a unique problem living at 2000 Alabama. The run off from the current playing fields goes through our property, and the water that collects on sidewalks and freezes in the winter. This affects our neighbors as well. We also have had regular water problems in our basement. It is our understanding that the flooding has been addressed in the current proposal, and we ask that the planning commission be vigilant in ensuring that this long-term problem is addressed throughout the entire neighborhood.

We have chosen to make our home in the Centennial neighborhood, and we feel great pride in Lawrence High School and the accomplishments of our students. We want to encourage them to grow intellectually and physically, and we know this is also the goal of the planning commission. What we are asking for is caution in this decision-making process. This is a massive proposal for dramatic changes to a primarily residential area. We urge careful thought and consideration before construction begins and before structures are built that become permanent. We see the mutual benefits between the neighborhood and school, and we ask that you have a plan in place that both supports students and their neighbors.

Sincerely,

Hannah Britton and Bob Tryanski
2000 Alabama Street

What is artificial turf?

A modern artificial field surface has three layers — shock absorbing, drainage, and surface. The surface has silicone-coated polyethylene/polypropylene plastic blades that simulate grass and a several-inch layer of "infill" that keeps the blades upright. The infill varies by manufacturer and may include ground-up recycled tires, ground-up soles of athletic shoes, silica sand, and/or new thermoplastic or rubber material. This infill is known as "crumb rubber."

References

Synthetic Turf: Health Debate Takes Root, 2008

Environmental Health Perspectives, published by the National Institute of Environmental Health Sciences.

www.ehponline.org/docs/2008/116-3/toc.html

Artificial Turf: Exposures to Ground-Up Rubber Tires, 2007 Environment and Human Health, Inc.,

www.ehhi.org/reports/turf/

Toxicants in Artificial Turf, 2007

Rachel's Democracy & Health News #937 Environmental Research Foundation

www.rachel.org/bulletin/index.cfm?St=4

Facts about Artificial Turf & Natural Grass

Turfgrass Producers International – *www.turfgrasssod.org*

Commonly Asked Questions about Synthetic Turf

Synthetic Turf Council

www.syntheticturfcouncil.org/

DHSS Calls for Federal Action on Potential Lead Hazard Posed by Artificial Turf

www.state.nj.us/health/artificial-turf/index.shtml

Locations of Artificial Turf Fields

The most comprehensive listing is available at the website of FieldTurf Tarkett, *www.fieldturftarkett.com,* which has about 55 percent of the market in the U.S. For other turf manufacturers and systems builders go to *www.syntheticturfcouncil.org* and click on the link to members.



Grass playing fields vs. synthetic turf

How will your district decide?

In school districts across the nation, the question being asked is "grass or plastic?" Figures from the Synthetic Turf Council, a trade organization based in Atlanta, show that 10 years ago there were seven new-generation fields installed in the United States. Today there are 3,500. Many school districts covet synthetic turf because it always looks good and can be played on year-round.

The debate, sometimes fierce, is over whether synthetic turf is safe for human and environmental health, and whether its advantages outweigh those of natural grass.

Local associations can encourage a rational comparison of artificial turf and natural grass on the basis of the considerations that follow.

Costs

School districts should be encouraged to request comprehensive bid proposals from both artificial turf and natural grass producers. The bids should include "cradle-to-grave" costs, including field preparation, installation, maintenance and repair for an extended period of time (at least five years), and disposal.

Natural grass with onsite native soil is usually the least expensive to install. The more prepared the soil is, the more expensive natural grass installations become. Synthetic turf is usually the most expensive to install.

Maintenance

Artificial turf fields require personnel and equipment for dragging, infill additions, redistribution, cleaning, and carpet repair. Specialized equipment includes a sweeper, groomer, field magnet, and roller.

Natural grass fields require personnel and equipment for mowing, watering, fertilizing, and pesticide application. Specialized equipment includes a mower, fertilizer applicator, aerator, and vacuum.

Both types of fields require a line painter, cart for towing equipment, and a top dresser. Both also require irrigation and perhaps boom spraying. In the case of artificial turf these are for cooling as opposed to grass growth.

Local associations should be alert to the need to retrain grounds staff if they will be required to maintain artificial turf. Some maintenance tasks may require specialized equipment and skills that could be outsourced.

Disposal

One artificial field contains approximately 120 tons of crumb rubber or 26,000 recycled tires. Costs for removal and disposal could be significant. Many fields now in service will soon be reaching the end of their life spans and many questions about disposal remain to be answered.

Rick Doyle, president of the Synthetic Turf Council, says the infill could be cleaned and reused; put to another purpose, such as for rubber asphalt; incinerated; used in place of soil to separate landfill layers; or otherwise recycled. Typically, however, it is sent to a landfill.

There are no real disposal issues with grass fields.

Wear and durability

Wear and durability information should be obtained and compared. With regular maintenance, synthetic turf fields usually last up to 10 years and are typically warranted for seven to eight years. Properly installed and maintained natural grass fields remain viable for about 15 years.

Hazardous Materials

School districts should ask for a *Material Safety Data Sheet* (MSDS) on each turf component and anticipated maintenance product. If any are of unknown composition or have no available MSDS, that should raise a serious warning.

Hazardous materials associated with natural grass fields include pesticides and fertilizers, unless the grass is being grown organically.

Hazardous materials associated with artificial turf include ingredients in the polyethylene/polypropylene blades, the crumb rubber infill, and ingredients in maintenance products like disinfectants, anti-static cling treatments, and solvents for seam repair.

Recycled crumb rubber contains a number of chemicals that are known or suspected to cause adverse health effects. The most common types of synthetic rubber used in tires are composed of ethylene-propylene and styrene-butadiene combined with vulcanizing agents, fillers, plasticizers, and antioxidants in different quantities, depending on the manufacturer. Tire rubber contains metals (zinc, selenium, lead, and cadmium), phthalates, polyaromatic hydrocarbons (PAHs), and volatile organic compounds (VOCs). One company produces "Ecofill" infill, asserting that it contains fewer toxins.

An MSDS will give some information on the health hazards of the product. An MSDS is written by a product's manufacturer and should contain a list of hazardous ingredients and may contain the percent of each ingredient in the product. Ingredients may be missing if they are considered a trade secret.

Heat Stress

Artificial surfaces are dramatically hotter than natural grass fields, reaching temperatures up to 150 F, possibly contributing to burns, dehydration, and heat exhaustion. They may be too hot to play on at times. Watering cools them down, but they reheat quickly.

Sanitation

Soils in grass fields contain bacteria which decompose body fluids, algae, and dog, goose, and other droppings. These do not decompose on artificial turf.

Proper maintenance of synthetic turf requires that the fields be sanitized to remove body fluids and droppings. Manufacturers market sanitizing products for this purpose. According to *Synthetic Turf Sports Fields: A Construction and Maintenance Manual*, published by the American Sports Builders Association in 2006, some synthetic turf owners disinfect their fields as often as twice a month, with more frequent cleanings for sideline areas, where contaminants concentrate.

Sports injuries

Several studies reported no differences in the incidence, severity, nature, or cause of injuries in soccer teams who played on grass versus new-generation synthetic turf. However, injuries may depend on the type of sport being played.

A five-year prospective study of football injuries among high school teams showed that there were about 10 percent more injuries when games were played on synthetic turf than when played on grass surfaces.

Conversely, the risk of serious head and knee injuries was greater on grass fields.

Environmental Health

Crumb rubber can move around on the field and it sticks to the skin, shoes, and clothing. It can end up inside schools, vehicles, and homes and in the land and water around the field. Some metals in the rubber leach into water.

Artificial turf creates environmental hot spots, while natural turf creates cool spots. A natural grass field supports birds, animals, and insects. It generates oxygen, reduces greenhouse gases, and filters and purifies rainwater. Artificial turf does not.

Paul Patterson

From: glatzfam@sunflower.com
Sent: Monday, August 25, 2008 9:46 AM
To: Paul Patterson
Cc: glatzfam@sunflower.com
Subject: Proposed School Improvements

To All Committees:

The following letter is in support of the proposed improvements to both LHS and LFSHS. Our family moved to Lawrence in 1990 and we have raised our three children here. Our oldest child graduated from LHS and the younger two from Free State. They had wonderful opportunites in many activities from music, band, drama, and sports. The girls are graduates of KU and our son has just begun his college education.

The proposed improvements to the high schools would be a wonderful addition to the sports arena. The lights and turf would allow games to be played in the evenings and during wet weather. This would also allow us to proudly host others teams and tournaments which we are limited in doing at this time. Currently students and parents must re-arrange their school/work schedules to accomodate the early game times in Lawrence. Often the JV (soccer) games must be cut short because of daylight savings time.

For years we have been able to enjoy the complete facilities in KC and Topeka and it would be wonderful to be able to provide restrooms, concessions and ample seating for our visiting teams and their families.

Lawrence is a very proud city and we have so much to be proud of. Our University, the Lied Center, our high schools and the programs that they have to offer, our thriving downtown, the many businesses and so much more. The school proposals would only add to that pride and continued opportunties for students and faculty.

We ask your serious consideration in approving these improvements.

Sincerely,
Sue and Jay Glatz

Free State High School Athletic Department
4700 Overland Dr.
Lawrence, KS 66049
Telephone: (785) 832-6050
Fax: (785) 832-6097
Mike Hill, Athletic Director
Deb Carpenter, Athletic Secretary
Ben Mugridge, Events Coordinator

August 22, 2008

Dear City Planning Commission Members,

Please consider a favorable response to the request of USD #497 for approval of facility enhancements on the campuses of Lawrence and Free State High School. The proposal before you on Wednesday, August 27 promotes the safety, equity, wellness, education and entertainment of every current and future high school student in Lawrence, their families and other members of our community.

This proposal enhances our school communities in that it provides for increased safety and security. Students can now remain on campus for many activities as opposed to driving to other Lawrence venues. Equity amongst genders and schools will be achieved under the proposal, a laudable goal for any community. The plan considers the taxpayers as it is done in a fiscally responsible manner that is too environmentally conscious.

Upon completion of this proposal, students will compete, perform and learn in some of the best facilities in the entire region. Our athletes, performing arts groups, and students will utilize facilities that are fitting for a community such as Lawrence.

I urge you to vote in favor of this proposal for the benefit of our community. Your hard work on behalf our city is greatly appreciated.

With regards,

Mike Hill
Assistant Principal/Athletics Director
Lawrence Free State High School
785-832-6050
mhill@usd497.org

Paul Patterson

From: David Childers [childers@sunflower.com]
Sent: Saturday, August 23, 2008 8:37 AM
To: Paul Patterson
Subject: Outdoor Activity/ Athletic Facilities Comments

Dear Mr. Patterson and Planning Commission Members,

I believe that the creation of site specific facilities for both high schools is a step in the right direction towards supporting increased participation and safety for all community members.

However, there are two thoughts that I believe should be kept in mind.

1) Haskell has been so kind and generous in providing Haskell Stadium at such reduced costs over the decades. Surely there must be something we could do to provide them a benefit in kind. Could these plans in some way be designed to provide a benefit to Haskell as means of thanking them for their generosity?

2) Consider Topeka. As they have grown into a city with many, many high schools, each with their own facilities, maintaining those separate facilities became a large burden on the USD 501 Public Schools. Now they have Hummer Sports Park - which is a single site, state-of-the-art facility for all the schools to use. Would improvements to Haskell Stadium be less expensive and actually oriented to the inevitable outcome that Topeka has found?

Thank you for your consideration.

/David C.

James David Childers
3109 Trail Road
Lawrence, Kansas 66049
785-842-1172

Paul Patterson

From: Margaret Townsend [mtown@ku.edu]

Sent: Saturday, August 23, 2008 9:05 AM

To: Paul Patterson

Subject: proposed improvements for the LHS and FSHS athletic facilities with artificial turf

Dear Planning Commission members:

I am writing in support of the proposed facility enhancements at Free State and Lawrence High Schools. The proposed improvements are not only environmentally responsible in the elimination of fertilizers, and pesticides, lower water use and fuel expenditures, but it is overall fiscally responsible in that the program does not require a tax increase or bond issue to the community at large.

The proposal provides equity between schools, among sports, and provided gender equity for boys and girls athletics. Safety should be improved in that students will not have to drive to off-site venues to participate in sports and band activities. The new turf surface will also provide improved safety for the players. School spirit will be increased because of provision of facilities the kids and families can be proud of.

The new field surface will provide additional high-quality facilities for community wide personal health and wellness recreational use. Students involved in sports, fine-arts (band), and physical education will benefit from the improved facilities. The proposal benefits the future of our community. Continual improvement of the quality of public schools, and school facilities, is a key factor in the economic development of a community.

Thank you for your consideration of the proposed school improvements. I hope you will approve them.

Best regards,

Margaret Townsend
Parent of an upcoming Free State Band student

Paul Patterson

From: flygal725@sunflower.com
Sent: Saturday, August 23, 2008 4:03 PM
To: Paul Patterson
Subject: HS sports facilities

Dear Mr. Patterson,

I am one of, I hope, many Lawrence parents that are rallying behind the sports improvement facilities for both High Schools. These improvements are desparately needed in this town for many reasons. Most importantly they will provide a safe and efficient area of competiton for our athletes and those athletes visiting our city.

I graduated from SMSouth in 1979. We had a fabulous football stadium that we did and they still do continue to share with 2 other SM schools. The entire SMSouth campus was set up for a winning program. That was 100 years ago! This city is so far behind and our kids deserve better. Better facilities, better practice fields and esp. a place to be proud of when visiting schools come to compete with our athletes.

A multisports complex in this town shared by the 2 schools is something that really needs to happen in the near future. The spirit of the kids, community and pride of this community would be enhanced. It is emabarrassing to play at Haskell...no bathrooms or concessions for our guests!!! My son played football last year for FSHS. I am sorry but it was really embarrassing when we left the Olathe team/parents in the rain with no shelter on the South side of the field!!!!!! The money we are paying out to rent this stadium is certainly not a good investment. It is like an adult renting a home vs buying a home. We are not making a good investment. Where are we getting the thousands of dollars we spend during the season to RENT Haskell?

I continue to hope that a multisports facilty is going to happen someday soon. For the present time the enhancements are crucial to maintain a well run High School athletic program in this town. I believe it will excite the kids to plays sports, be proud of their city and when kids are busy, involved and healthy..through sport esp. everyone wins. You recruit better coaches, better players, nuture community involvement. There are so many smaller towns out there with better sports facilities than Lawrence. We dont even have restrooms at FSHS. My son actually played 3 sports last year. It was so emabarrassing to NOT have somewhere decent for our guests to go to the BATHROOM at the baseball field..too.

Thank you for listening. From what I understand these improvements will cost the city little or nothing. There is a fund set up for it. Please make this happen and share our thoughts with your committee members! Good Luck. I hope to see you at one of the meetings.

Stacey Hassig FSHS parent

August 19, 2008

Dear Scott McCullough and the City Planning Commission,

It is with great excitement and anticipation that I write to you in support of U.S.D. 497's efforts to upgrade its outdoor facilities at Free State High School and Lawrence High School. Providing high-quality facilities and resources for students in a fiscally and environmentally responsible fashion is something for which all districts should strive, and I am glad to join a school system that is committed to doing just that.

As a new administrator in the Lawrence Public Schools (I began my tenure as the Principal of Free State High School on July 1st), I became quickly impressed with the amount of proactive thinking that has been conducted as part of the planning process. Much of the planning can be broken down into the issues related to finances, the environment, safety, and efficiency.

Despite the high cost of today's construction, a plan of this magnitude will not require a tax increase of a bond issue for the citizens of our district. I am not employed in a position that allows me the expertise to explain the financial roadmap to fund the project, but I did hear over and over again the commitment to paying for the project without asking the public for more money during tough economic times.

This plan also earns my support because of the environmental aspects of the upgrade. Because the playing surfaces on all of the competition fields will be artificial, the need for fertilizers, pesticides, fuel, and water is either eliminated or greatly reduced. Going "green" is a worthwhile and notable trend in today's society.

I believe this project should be supported based on the improvement in the area of student safety alone. While student travel will not be completely eliminated, every teenage driver we can take off the road by providing on-site facilities is a victory. This fact hits home for me, as I have had to deal with the death of one student and a severe injury of another student just two years apart during my time as principal in another district. Both students were headed to practice at the time of their respective accidents.

Finally, providing both Free State High School and Lawrence High School with quality outdoor facilities improves community pride and efficiency in managing the resources. Every student will benefit from these improvements including those in band, physical education classes, and on athletic teams. Scheduling events in the Lawrence community becomes less burdensome for the district, the Lawrence community, and for venues sponsored outside of the community.

On behalf of the Lawrence Free State community, I thank you for your consideration of this proposal.

Sincerely,

Ed West
Principal
Free State High School

Paul Patterson

From: GreerLang@aol.com

Sent: Sunday, August 24, 2008 12:44 PM

To: Paul Patterson; bradfink@stevensbrand.com; hughcarter@dgcounty.com; cblaser@sunflower.com; greg@moorevaluation.com; Lisa Harris Email; ksingleton@sloanlawfirm.com; jeff@chaney-inc.com; rick@hirdlaw.com; therenewgroup@sbcglobal.net; stanley.rasmussen@us.army.mi

Subject: Athletic Facilities for Free State & Lawrence High High Schools

Dear Members of the City of Lawrence Planning Commission:

I am writing this letter to strongly support the current proposal to enhance the athletic facilities at Free State and Lawrence High School campuses. It is my understanding that some of neighbors located near LHS have expressed concerns with the plan. It is my further understanding that the school board is actively working to mitigate the concerns expressed by these neighbors. However, despite the expressed concerns, I believe that it is important that the planning commission, in considering this proposal, understand the benefits of the proposed plan, not only for the current and future students of Free State and Lawrence High, but for the Lawrence community, as a whole.

These benefits include the following:

- The proposal is fiscally responsible. This is a multi-million dollar enhancement that will not require a tax increase or bond issue from the citizens of Lawrence.
- The proposal is environmentally responsible. It eliminates the use of fertilizers, pesticides and fuels, and minimizes water usage, required for the upkeep of current playing fields.
- The proposal improves gender equity among facilities. Boys' and girls' athletics will have equitable facilities.
- The proposal provides equity between schools and among sports: Each high school and every sport will benefit from equitable facilities.
- The proposal improves safety for students. The ability to participate on campus minimizes students driving to and from off-site venues.
- The proposal provides safe playing surfaces for students. Playing surfaces will be state-of-the-art, promoting a reduction in the frequency and severity of injuries.
- The proposal provides appropriate venues for our kids. Our kids deserve high-quality facilities in keeping with peer schools in our conference. Our kids should feel proud of their facilities.
- The proposal provides greater scheduling certainty and flexibility. With the addition of lights and turf, rainouts will be reduced and practices and events can be held in the evenings - increasing the attendance of fellow students, fans and parents, thereby increasing ticket sales and revenues from sporting events.
- The proposal is fan friendly. It will provide proper seating, restrooms and concessions and enable the addition of evening games, which may be more suitable to parent/fan attendance.
- The proposal benefits more than athletics. EVERY student in our high schools will benefit from these improvements! Fine Arts (Band) students benefit from this proposal as well as students enrolled in our high school courses (physical education). Any member of our school family who participates or attends events will benefit.
- The proposal benefits the community. Community members and groups will have greater access to high-quality facilities for personal health and wellness and recreational uses.
- The proposal benefits the future of our community. The quality of public schools, and school facilities, is a key factor in the economic development of a community.

Having resided in the Lawrence community for 20 years - the one thing this community has lacked is adequate

athletic facilities for both of our high schools. Although our community takes pride in the accomplishments of our young athletes, the Lawrence community has woefully failed our children by not providing them with quality athletic facilities on campus where they can (i) safely attend practices after school, (ii) play games in the evenings and (iii) have pride in their facilities when they serve as host to other high schools. As the parent of a child that plays soccer for Free State, I have been appalled to see the disparity between the athletic facilities provided by our high schools versus those provided even in smaller surrounding communities. Athletics provides so many opportunities for our children and their futures and provides the means by which many of them will be able to secure a higher education. This is a plan that is long over due and it is time that this community steps forward, as one, and makes the interests of our children and their futures its highest priority.

Sincerely,

Greer S. Lang

Greer S. Lang
4521 Cedar Ridge Court
Lawrence, Kansas 66049
Phone (785)842-4800
Fax (785)841-6155
Mobile (785) 691-6155
e-mail greerlang@aol.com

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Paul Patterson

From: Wayne Ideus [wlideus@sunflower.com]

Sent: Monday, August 25, 2008 9:58 AM

To: Paul Patterson

Subject: Support for Lawrence High Schools facility upgrades

Dear City Planning Commission,

I wanted to voice my strong support for the planned facility upgrades for the Lawrence high schools. The facility upgrades including new tennis courts, addition of lighting and turf to multiple outdoor playing fields, the addition of seating areas for fans and the addition of concession and restroom facilities.

These plans are beneficial to the students, to the school community and to Lawrence for the following reasons:

- The proposal is fiscally responsible. This is a multi-million dollar enhancement that will not require a tax increase or bond issue from the citizens of Lawrence.
- The proposal benefits the future of our community. The quality of public schools, and school facilities, is a key factor in the economic development of a community.
- The proposal improves safety for students. The ability to participate on campus minimizes students driving to and from off-site venues.
- The proposal is environmentally responsible. It eliminates the use of fertilizers, pesticides and fuels, and minimizes water usage, required for the upkeep of current playing fields.
- The proposal benefits the community. Community members and groups will have greater access to high-quality facilities for personal health and wellness and recreational uses.
- The proposal provides appropriate venues for our kids. Our kids deserve high-quality facilities in keeping with peer schools in our conference. Our kids should feel proud of their facilities.
- The proposal improves gender equity among facilities. Boys' and girls' athletics will have equitable facilities.
- The proposal provides equity between schools and among sports: Each high school and every sport will benefit from equitable facilities.
- The proposal provides safe playing surfaces for students. Playing surfaces will be state-of-the-art, promoting a reduction in the frequency and severity of injuries.
- The proposal provides greater scheduling certainty and flexibility. With the addition of lights and turf, rainouts will be reduced and practices and events can be held in the evenings.
- The proposal is fan friendly. It will provide proper seating, restrooms and concessions and enable the addition of evening games, which may be more suitable to parent/fan attendance.
- The proposal benefits more than athletics. EVERY student in our school will benefit from these improvements! Fine Arts (Band) students benefit from this proposal as well as students enrolled in our high school courses (physical education). Any member of our school family who participates or attends events will benefit.

As with any project of this size, there will those individuals or groups that may feel this is a negative. I believe there are ways to minimize any negative effects of these changes and that the school board and facility planners are working to resolve any of these issues.

I would like the City Commission to support and approve this action as there are many benefits to all of the Lawrence community.

8/25/2008

Thank you,

Wayne Ideus
5209 Thorn Tree Ct.
785 550 3142

Paul Patterson

From: Judy Gilman [judyg@sunflower.com]

Sent: Sunday, August 24, 2008 3:14 PM

To: Paul Patterson

Subject: Athletic Facilities Enhancement Proposal

I would just like to add my comments to support the proposal for facilities enhancements. In travelling to our competitors fields last year, I realized how far behind our Lawrence teams are. The soccer field that the girls at Free State use causes cancellations that wouldn't happen with an artificial turf. I suspect it also causes more injuries due to the turf issues. We need to provide a competitive environment for the Lawrence school kids. Even the private schools (Bishop Miege) are finding ways to create this sort of facility.

In today's environment where we are looking at the effects on our environment, I understand that the current enhancement proposals would be environment friendly by requiring less maintenance as well as eliminating the need for fertilizing and watering. That, in addition to reducing potential injuries, seem to mean that this proposal needs to be seriously considered.

Judy Gilman

Paul Patterson

From: Kevin Hooper [khooper7@cox.net]
Sent: Sunday, August 24, 2008 4:28 PM
To: Paul Patterson
Subject: New facilities!

Planning Commission,

My name is Kevin Hooper and I'm writing this letter in support of the requested facility enhancements to Lawrence High School. As a 1995 graduate of LHS I know how important these enhancements would be not only for the LHS students and athletes, but also the entire Lawrence community.

I played baseball at LHS from my freshman year on and played college baseball at Wichita State University after leaving LHS. This year was my 10th in professional baseball having spent parts of two years in the major leagues with the Detroit Tigers. Having played the game so long I know how important good facilities can be in improving ones skills. I have hoped since leaving Lawrence High that this process was going to happen and I think time is due to make it happen.

One of the biggest reasons I feel this is a serious need is the safety of the student athletes. This process would keep them from having to drive to off-site venues. I remember that always being a pain when I was there and I always seemed rushed after school to get to my car and then drive to practice or a game.

Some other benefits would be that it will not require a tax increase or bond issue from the citizens of Lawrence. Also, it will be environmentally responsible, eliminating the use of fertilizers and saving on water usage. Both boys and girls and both high schools would have equitable facilities for each sport. The kids should feel proud of their facilities and not be upset after playing at a state of the art facility in their conference and then have to come home and play at their own. Rain outs would be reduced because of the turf that would be put in. Plain and simple any member of the LHS family who participates or attends events will benefit from these improvements.

Thanks for your time and I hope this proposal goes through for the great city of Lawrence, Kansas.

Kevin Hooper

Paul Patterson

From: Frank, Tammy S [tsfrank@cmh.edu]
Sent: Monday, August 25, 2008 12:49 AM
To: Paul Patterson
Subject: support for the outdoor athletic facilities

Dear City Planning Commission-
We are writing in support of the LPS outdoor athletic facilities for both LHS and LFSHS. We agree wholeheartedly with all the reasons stated in the proposal.
Thank you!
Sincerely,
Tammy & Barry Frank

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item:

Staff Report
08/27/08

ITEM NO. 10 SPECIAL USE PERMIT FOR CENTENNIAL BASEBALL AND TENNIS COMPLEX (PGP)

SUP-07-06-08: Special Use Permit and Institutional Development Plan for the construction of additional parking and installation of bleachers/restrooms/concessions/lighting system to accommodate baseball and tennis competition on-site at 2145 Louisiana Street. Submitted by Landplan Engineering, for City of Lawrence Public Schools USD 497, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of SUP-07-06-08, a Special Use Permit for the creation of baseball and tennis complex at Centennial School, based upon the findings presented in the body of the staff report and pending additional information being provided to the Planning Commission at the meeting as discussed in the conclusion of this report.

If the Planning Commission's recommendation is for approval, Staff recommends the action be subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Per Section 20-1307(e), recording of the Institutional Development Plan (Site Plan) at the Register of Deeds Office.
3. The applicant shall plat the property prior to the release of the site plan for issuance of a building permit.
4. Per City Code Chapter IX Article 9-903(B), a stormwater pollution prevention plan (SWP3) must be provided for this project. This project will not be released for building permits until an approved SWP3 has been obtained. Construction activity, including soil disturbance or removal of vegetation shall not commence until an approved SWP3 has been obtained.
5. Revisions of the site plan to provide the following:
    a. Rename the title similar to "Special Use Permit for Virtual School tennis courts, ball field, and parking lot."
    b. Update the legal description to include the entire site.
    c. Provide the required number of bicycle racks.
    d. Provide sidewalk connections at the northwest corner of the parking lot to the Greever Street sidewalk and a handicap ramp from the Greever Street sidewalk to Greever Street.
    e. Show the required accessible parking spaces.
    f. Provide width dimensions of the parking lot aisles.
    g. Provide the required concrete aprons from the parking lot to the street.
    h. Correct the spelling of the 'Fairgrounds' Addition Plat to the east.
    i. Reconstruction of sidewalks along the Greever Street and Louisiana Street frontages to meet current 5' and 6' width standards.
    j. Provision of additional details related to bleacher height, light pole heights, hours of operation for field and tennis court lights.
    k. Provision of corrected parking summary regarding required and provided parking based on multiple uses on site per Development Code requirements.
    l. Expansion of parking summary to identify number of existing spaces, net proposed spaces

and total spaces ultimately to be developed.

m. Notation that litter will be monitored and picked up on a regular basis.
n. Notation that no gate is proposed along the western perimeter fence (W. 22nd Street/W. 22nd Terrace).
o. Approval of a photometric plan (submitted -8/21/08).
p. Provision of manufacturer specs for bleachers (with specific size and height information).
q. Include the landscaping on the west side of the Tennis Courts in the landscape schedule. Update quantities on landscape schedule – Marshall Seedless Ash.
r. A recorded Utility Easement will need to be shown for the sanitary sewer force main.
s. Remove condition no. 12 as it just states, "This site plan has been".
t. Show the interior parking lot and perimeter landscape calculations per Sections 20-1003 and 20-1004.

6. Approval of a revised traffic impact study and inclusion of any recommended improvements (if determined necessary following staff review).
7. Approval of a revised downstream sanitary sewer study and including of any recommended improvements (if determined necessary following staff review).

Applicant's Reason for Request: *"To enhance and expand the extra curricular activities provided on site for the school, school district and surrounding community."*

KEY POINTS

- Proposed use will operate from an existing facility with previous history as community related activity.
- Development Code requires an Institutional Development Plan/Site Plan Review for the proposed improvements to the school property.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permit.
- Procedural requirements of Section 20-1307; Institutional Development Plan

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Publication of an ordinance per Section 20-1306 (j).

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

Communications from surrounding residents can be found in the communication attachments.

GENERAL INFORMATION

Current Zoning and Land Use:	On April 15, 2008 the City Commission approved the rezoning of the property to GPI (Government, Public, Institution) District; Existing use of USD 497's Virtual School.
Surrounding Zoning and Land Use:	To the north and west: RS7 (Single-dwelling Residential) District; single-dwelling residences and a church. To the east: RS5 (Single-dwelling Residential) District; established single-family neighborhood. To the south: CS (Commercial Strip) Louisiana Purchase Shopping Center.

Site Summary

Legal Description	Lots 3, 4 and 5, Block Four Meadow Acres and the north 5 acres of the south 15 acres of the east half of the southeast quarter of the southeast quarter of Section1, Township 13, Range 19, Douglas County, Kansas.
Location	2145 Louisiana Street
Property Area	10.3 Gross Acres 9.3 Net Acres
Use Group	School and accessory use (Active Recreation and Parking Lot).
Existing Buildings	Centennial/Virtual School Building
Required Off Street Parking, Grades 10+	1 per 1.5 teachers and employees plus 1 per 3 students.
Active Recreation	20-905 Schedule 'D' – permits Planning Director to determine parking requirements for use based upon information provided by applicant. Staff has requested that applicant provide historical information on attendance at various athletic competition events in order to determine reasonable requirements.
Bicycle Parking Required	5 or 1 per 10 auto spaces, whichever is greater (147 spaces/10 = 15 bicycle spaces required).
Off-Street Parking Provided	147 total parking spaces proposed

BACKGROUND

This project is for the construction of a baseball field, 8 tennis courts, concession stand/restroom and expansion/improvements of a parking lot for the USD 497's Virtual School located at the former Centennial Elementary School Building at 2145 Louisiana Street.

The existing 8 tennis courts located 1 block north at Lawrence High School are being removed to make room for additional parking for the Lawrence High School.

Summary of Project/Process/Identified Issues:

This proposal to develop Active Recreation uses has the potential to substantially change activity levels on this site and constitutes a significant change that triggered the requirement to submit an Institutional Development Plan (IDP) for the property. The IDP/Site Plan review of this project is being considered in conjunction with the IDP/SUP active recreation/parking lot improvements for Lawrence High School and Free State High School. It is expected that some of the Lawrence High School students will park in this parking lot during weekdays when Lawrence High School is in session.

Section 20-1307(a) states the Purpose for the Institutional Development Plan:

> *The purpose is to provide a community vision for the long-term use and development of public institutional spaces and lands so that they are designed to be compatible with surrounding land uses and contribute to the neighborhood and character of the area in which they are located. Providing this community vision for institutional Building and sites also allows adjacent and nearby property Owners to anticipate future non-residential development patterns and plan for the use and enjoyment of their property accordingly.*

This section sets out standards in which to review these types of properties. In staff's opinion, the standards were written with an expectation that property would be undeveloped and master planned with initial improvements. Many of the developed school sites present challenges in that mature neighborhoods have developed around the properties. Compliance with adopted standards needs to be evaluated on a case-by case basis in an effort to achieve a reasonable balance between the school district's needs and the surrounding property owner's concerns. Development should be tailored to best achieve the district's goals while minimizing or mitigating impacts to the surrounding community.

The development of competition athletic facilities does not occur on a routine basis in the community. Therefore, the type of information needed to review a proposal is different than typical planning proposals. Staff has worked diligently with the applicant to identify the additional information that is needed to thoroughly evaluate the potential impacts related to the proposed changes. In staff's opinion, additional review is necessary regarding potential traffic impacts and adequacy of parking to support large-scale competition events. Additional review process/approval will be necessary to permit the proposed tennis court lights in close proximity to the residential homes and for the baseball field lights which will range from 65' - 90' in height. Additional information is also needed regarding the potential noise impacts from Active Recreation.

- Lights: 20-1103(e) establishes a maximum height for outdoor recreational lights at 60 feet. The applicant has indicated that industry standards for lighting baseball fields exceed this maximum height. The applicant will need to seek and obtain a variance from the Board of Zoning Appeals in order to vary from the code requirement or request a text amendment be initiated to modify the code requirement. Installation of the field lighting cannot be permitted until either a variance is granted or the code is revised. The applicant has proposed using a light fixture that provides more directional lighting on the fields to reduce light trespass on adjacent properties. The applicant has just recently (08/21/08) submitted a photometric plan which will allow staff to evaluate the proposed light levels.

- Traffic Impacts: provision of practice facilities on-site will reduce the outbound trips that currently are generated as Lawrence High Student Athletes leave campus for practice. Staff has requested that the applicant provide attendance history for competition events to allow better evaluation of the number of 'large spectator' events that will be shifted to this location. Transportation and Public Works staff will meet next week to further discuss the submitted traffic impact study conclusions.

- Parking: As noted above, additional information is needed to evaluate the parking demand for the competition events and the use of the Virtual School Building. Currently all Lawrence High School sophomores and some juniors are not permitted to park on-site at Lawrence High (1 block to the north of this project). This results in a substantial impact on the neighborhood as those drivers must park on nearby streets each day. This daily impact will be somewhat relieved with the additional parking lot improvements to be constructed on the Virtual School and Lawrence High School sites. In staff's opinion, additional information will be needed for the Commission to weigh the impact on event days/nights in relation to the potential year round benefits that could result with the proposed improvements.

- Bufferyards: The school district has safety concerns with the installation of shrubs and bushes on school sites. The applicant has requested alternative compliance from the bufferyard requirements identified in 20-1005(f). The site plan has been revised to show Littleleaf Linden, Marshall Seedless Ash, and Columnar English Oak along the west side of the baseball field area. There is a 6' high retaining wall on the west side of the tennis court area. The tennis courts are located above the grade of the retaining wall. Staff has a concern with a need for additional buffering between the tennis courts and the adjacent residential homes.

- Activity Noise/Sound System: Information concerning any sound system for the ball field games needs to be provided. The applicant has provided some information on a directional sound system which could be portable and proposed for the High School football fields. Staff is also concerned with the possible noise and light generation from the tennis courts to the adjacent residential homes, which are located immediately adjacent to the west of the 8 tennis courts.

- Drainage: The proposed improvements include the installation of storm water drainage detention under the ball field and a detention basin located under the tennis courts. The proposed drainage system has been reviewed by the City's Stormwater Engineer and will improve the existing stormwater drainage in the area.

Review and Decision-Making Criteria (20-1306(i))

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

Applicant's Response *– "The proposed development is for sports fields and accessory facilities for use by the school and local community, under GPI the only use requiring Special Use approval is entertainment sports (i.e. professional major and minor league sports) as such the use falls within the scope of permitted uses."*

The proposed use of the property for school facilities and accessory athletic fields, including spectator facilities, is permitted in the GPI District. Staff has determined that the intensification of use to support competition events is substantial and triggers the requirement for an Institutional Development Plan. Section 20-1307(c)(2) identifies the criteria for an Institutional Development Plan:

(i) *Bufferyards* – applicant has proposed alternative compliance; staff has suggested revisions to include continuous double rows along entire west and south sides adjacent to residential properties.

(ii) *Access* – site is bordered by Louisiana Street which is designated as a minor arterial and Greever Street which is a local residential Street.

(iii) *Sidewalks* – applicant proposes to repair existing as necessary. Code requires sidewalks to be provided along all street frontages as part of first phase or at time of development. Existing sidewalks along the majority of Louisiana and Greever Streets do not meet current code width of 6' and 5' respectively. These upgrades would be included as a condition of approval. The proposed improvements appear to need a short connecting sidewalk to provide a pedestrian connection with the Greever Street sidewalk at the northwest corner of the parking lot.

(iv) *Bicycle lanes or recreational paths* - specific bicycle system improvements are not proposed with this project. As noted above, the project includes internal sidewalk improvements.

(v) *Location furthest from RS zoned areas to reduce noise and light impacts* – the Virtual School site is surrounded by RS zoned property to the north, east and west. As noted earlier, review of the IDP criteria will require balancing interests when evaluating infill projects in developed neighborhoods. The tennis courts are located on top of a 6' high retaining wall and are approximately 14' from the west property line. Some landscaping will be provided between the top of the retaining wall and the tennis courts. Staff has requested additional information regarding number/frequency of events that will draw significant crowd sizes and decibel levels anticipated by any sound system on this site.

(vi) *Exterior lighting* – this section of the code indicates lights should not be operated between 10PM and 7AM; however Section 20-1103 establishes 'special standards for outdoor recreational uses' and permits lighting of recreational areas until 11:30PM. In staff's opinion, the applicant needs to propose 'hours of operation' for the competition field that identifies a limited number of events that may go later than 10PM.

(vii) *Parking facilities shall be designed to be shared between multiple users* – the additional parking provided will serve the athletic events and provide more on-site student parking for everyday school use. The applicant has been requested to provide historical attendance numbers for athletic events so that staff may better evaluate the potential impacts of these events.

(viii) *Bus stops shall be included in the planning and development of the site* – there is an existing area available for a bus pull out in front of the Virtual School on Louisiana Street, no additional improvements are proposed.

Staff Finding – In staff's opinion, additional information is necessary to fully evaluate the traffic, parking, lighting and noise impacts associated with the proposed improvements. Revisions to the submitted plan would be needed to address items that staff has identified as deficient.

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 *– "For the facilities proposed most use will be confined to early afternoon and limited night time use, as well as daytime weekend use limiting disruption of the surrounding residential areas."*

The development of a competition facility on-site will increase the activity level on the Virtual School property. The property is also used for Johnson Community College day and evening classes. With the new practice facilities, more students will remain on campus after school and with the competition fields, more students and spectators will be on the school property in the afternoons, evenings and potentially weekends for a variety of events.

The SUP/IDP submission included stormwater drainage, traffic impact, and downstream sanitary sewer studies. The drainage study has been approved with conditions that are reflected in the recommended conditions of approval from the City's Stormwater Engineer. The traffic impact and sanitary sewer studies are currently under review by city staff. Approval of the SUP/IDP will need to be contingent on ultimate approval of those reports and inclusion of any recommended improvements.

The applicant has provided basic information regarding the types of light fixtures that will be installed. The fixtures include a component that redirects light onto the playing fields to minimize off-site glare and night sky concerns. The submitted information does not yet identify fixture wattage. A photometric plan, indicating expected light levels, has not yet been submitted. The applicant has indicated that the light poles will range from 65' – 90' in height dependant upon the type of sport the field is used for. Staff has noted that the Development Code limits the maximum height of outdoor recreation lights to 60'. The applicant has been advised that a request for a variance from this height limit would need to be granted by the Board of Zoning Appeals prior to installation. These components are reflected in the recommended conditions.

The applicant has provided basic information regarding the sound system to be installed for the football field. The information does not identify potential decibel levels. The district's narrative indicates the system would primarily be used for soccer and football (and may be a portable, rather than fixed system). Additional detail is necessary to adequately assess impact to surrounding properties from the tennis courts and baseball field and to clearly articulate frequency and hours of any sound system anticipated to be used on this site.

The most significant impact to surrounding neighbors will be from the installation of the 8 tennis courts 14 feet from the west property line and the parking lot expansion on Greever Street. Impacts potentially include light trespass, noise and litter, as well as the visual change resulting from tennis court and parking lot improvements.

Staff Finding – In staff's opinion, the district should be afforded the opportunity to establish typical amenities associated with a school, including competition athletic fields and tennis courts. As discussed, the degree of compatibility with the neighborhood needs to be clarified with regard to the

hours of operation, traffic generation, lighting, and noise. The recommended conditions can mitigate certain impacts and incompatibilities with the adjacent uses.

This request comes with certain tradeoffs. For example, the proposed improvements will address recognized storm water issues and daily parking issues associated with the school operations, but will create other impacts such as lighting, activity and different parking issues that will be arguably to a lesser degree than what exists currently.

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 *– "Development of the proposed facilities should increase local property values as the facilities provided will provide enhanced recreational and sports and venues to the local community."*

Staff Finding – The subject property is an existing school facility located near single-family residences, a church lot, and the back side of a commercial retail strip. No information has been submitted to determine if there will be any affect, positive or negative, to the other property in the neighborhood by constructing the proposed improvements.

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

Applicant's Response *– "No, the proposed fields will be constructed with a synthetic turf that will reduce storm runoff from the site and provide additional detention as well. The locations proposed for the expansions are large open grass areas that serve as activity fields presently for the school."*

Staff Finding – Public safety at events will be served by the city's existing public safety agencies and transportation networks are in place to serve the use, though staff is still discussing the traffic impact study with the applicant's consultant to verify assumptions and conclusions. Staff is also still reviewing the downstream sanitary sewer studies to determine if any improvements will need to be made to those services. No changes to the urban services are proposed for the new use.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

Staff Finding –The site plan will function as the enforcement document to assure that maintenance and use of the property is consistent with the approval.

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

Staff Finding – The subject property is located within a developed urban neighborhood. The improvements also include regrading of portions of the western and southern areas of the site and installation of new storm pipe and stormwater detention pipes under the tennis courts to collect runoff. The new storm pipe will tie into the existing public system along and has been reviewed and approved by the City Stormwater Engineer. The installation will improve a known drainage problem in the area and will result in a positive change as a result of the proposed project.

7. WHETHER IT IS APPROPPRIATE 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.

Staff Finding – Staff does not believe it is appropriate to place a time limit on the use.

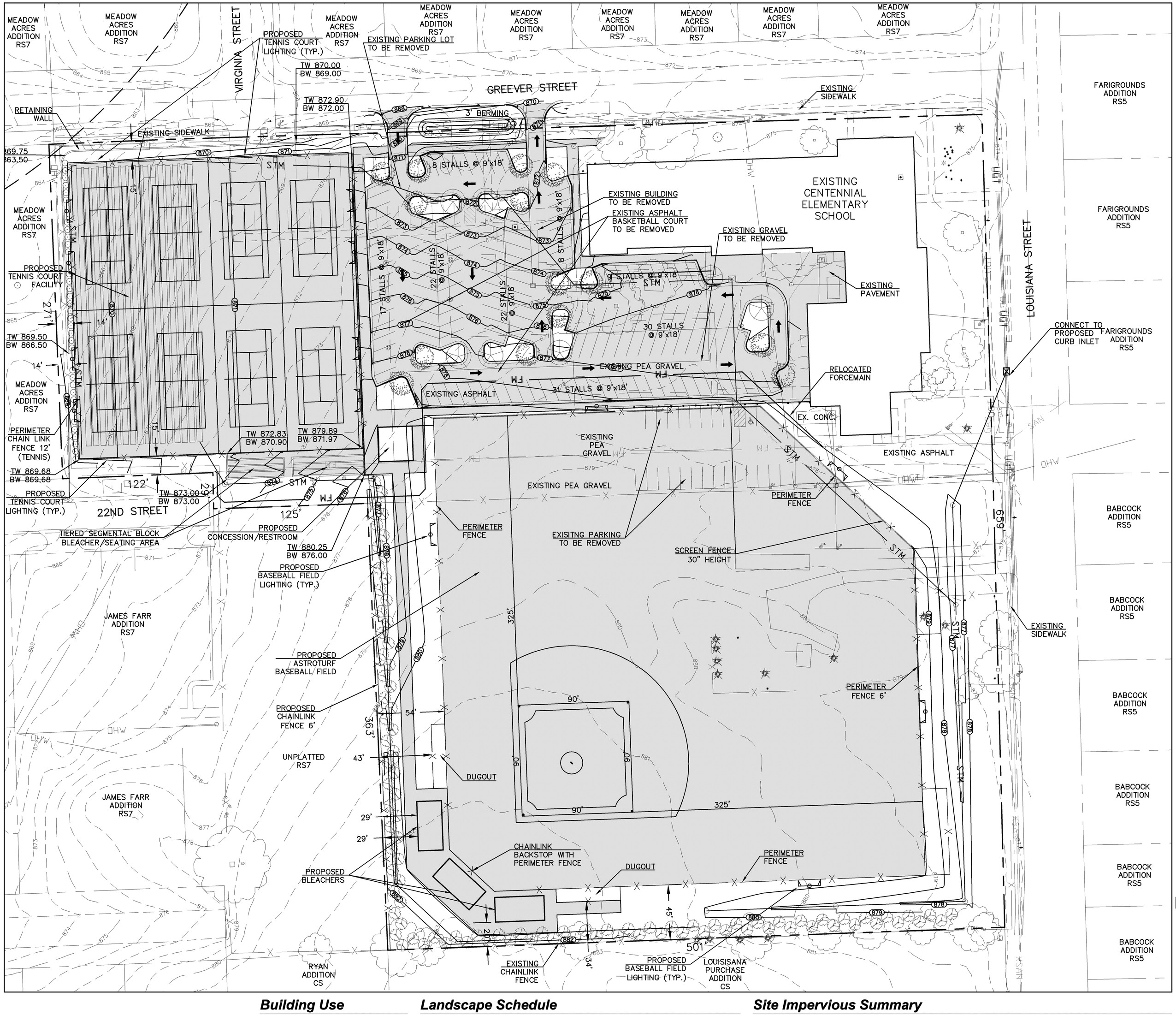
CONCLUSION: Staff generally supports the proposal, but would like the district to be prepared at the meeting to provide additional information and confirm assumptions staff has made regarding the following issues so that the Planning Commission and public have adequate information by which to base their decisions.

1. Traffic / parking:
    a. Will Lawrence High School students use this parking when LHS is in session?
    b. To what degree will the existing daily student parking impacts to the neighborhood be reduced with the new parking spaces?
    c. What is the anticipated number of times per year that events will be of such scale that parking will not be able to be contained onsite?
    d. How many vehicles are anticipated to be parked offsite during a large scale event?

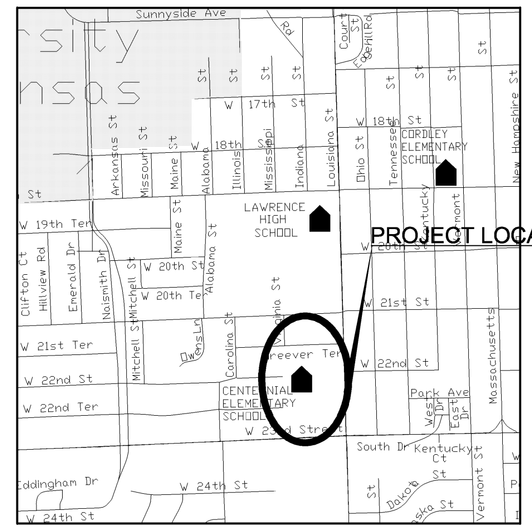
2. Lighting:
    a. Provide a photometric plan, including fixture wattage, demonstrating where and how much light will land on adjacent properties. [Plan was submitted 08/21/08 and has not yet been reviewed by staff.]
    b. Specifications on when athletic field and tennis courts will be used for competition events – days of week and hours of operation.

3. Public Address system:
    a. What is the anticipated decibel level of the public address system at the property lines? What does this equate to?
    b. What is the anticipated range of the number of times per year the system will be used?

4. As staff assumes that this expanded parking lot will be used by Lawrence High School students for additional High School Parking during school hours, there should be some consideration for off-site sidewalks to be installed for the one-block distance along Virginia Street (from Greever Street to W. 21st Street) as currently there are no sidewalks on either side.



LOCATION MAP



Legal Description

LOTS 4,5 AND 6, BLOCK FOUR MEADOW ACRES ANDTHE NORTH 5 ACRES OF THE SOUTH 15 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13, RANGE 19, DOUGLAS COUNTY, KANSAS.

LOTS 4, 5 AND 6 IN BLOCK 4 IS MEADOW ACRES, AN ADDITION TO THE CITY OF LAWRENCE.

General Notes

1. EXISTING ZONING: GPI
   PROPOSED ZONING: GPI
2. CURRENT USE: VIRTUAL SCHOOL/SPORTS FACILITIES
   PROPOSED USE: VIRTUAL SCHOOL/SPORTS FACILITIES
3. TOPOGRAPHIC INFORMATION OBTAINED FROM A TOPOGRAPHIC SURVEY PERFORMED BY M.J. HARDEN, 2006.
4. PARKING INFORMATION:
   PARKING REQUIRED:
   1 STALLS PER 500 SF=PARKING REQUIREMENT
   31,980 SF/500=64 STALLS
   1 STALL PER 3 BLEACHER SEATING
   240 BLEACHER SEATS/3=80 STALLS
   144 STALLS REQUIRED TOTAL
   ACCESSIBLE PARKING REQUIRED:
   4 AUTO/1 VAN ACCESSIBLE PARKING STALLS FOR 101–150 PARKING STALLS
   PARKING PROVIDED:
   PARKING STALLS PROVIDED=147
   ACCESSIBLE PARKING STALLS=5
5. PROPOSED DRIVE AND PARKING AREAS TO HAVE CURB AND GUTTER TO MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
6. ASPHALT PAVEMENT SHALL MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
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9. WALL MOUNTED LIGHTING SHALL BE LOCATED AT BUILDING ENTRANCES. ALL LIGHTING SHALL BE SHIELDED TO PREVENT GLARE OFF–SITE.
10. THE CITY OF LAWRENCE SHALL NOT BE RESPONSIBLE FOR DAMAGE TO PAVEMENT DUE TO THE WEIGHT OF REFUSE VEHICLES.
11. THIS SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES, APPENDIX A TO 28 CFR PART 36.
12. THIS SITE PLAN HAS BEEN
13. ACCESSIBLE SPACES ARE TO BE SIGNED AND STENCILED PER ORDINANCE 20–912(g).
14. PARKING LOT ISLANDS WILL BE PLANTED WITH SHRUBS OR GROUNDCOVER WHERE NO TREES ARE PLANTED.
15. PER SECTION 20–1006(b):
    EXTERIOR GROUND–MOUNTED OR BUILDING–MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITIES BOXES AND METERS, SHALL BE FULLY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND FROM STREET RIGHTS–OF–WAY (AS MEASURED 6 FEET ABOVE GROUND LEVEL). SCREENING SHALL BE IN THE FORM OF LANDSCAPE PLANTINGS OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE ARCHITECTURE OF THE PRINCIPAL BUILDING

BENCHMARKS:

#1 "□" ON SOUTHEAST CORNER OF THE SECOND CURB INLET WEST OF THE LION STATUE ON THE SOUTH CURB LINE
ELEV. 880.68

#2 2"ALUMINUM CAP IN MONUMENT BOX AT 19TH AND LOUISIANA
ELEV. 881.84

SCALE: 1" = 40'
40 20 0 40 80

Building Use

FACULTY:	
FULL–TIME	15
PART–TIME	50
STUDENTS:	
PART–TIME	
K–8	961
9–12	107
DAY & EVENING CLASS	
JCCC	200
SPORTS SEATING:	
BASEBALL	300
TENNIS	150

Landscape Schedule

PROP.	EXIST.	KEY	PROP.	EXIST.	COMMON NAME	SCIENTIFIC NAME	SIZE	ROOT
		LL	16	0	LITTLELEAF LINDEN	TILIA CORDATA	2.5 CAL.	B&B
		MA	31	0	MARSHALL SEEDLESS ASH	FRAXINUS PENNSYLVANICA	2.5 CAL.	B&B
		CO	96	0	COLUMNAR ENGLISH OAK	QUERCUS ROBUR 'FASTIGIATA'	2.5 CAL.	B&B

Site Impervious Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE PROPOSED TOTAL QUANTITIES PER LOT/PHASE IN THE DEVELOPMENT.

Lot 1	Area (Sq. Ft.)		Area (Sq. Ft.)		%
Existing Buildings	32,882		Proposed Buildings	33,602	8%
Existing Pavement	68,055		Proposed Pavement	134,727	34%
Existing Impervious	Subtotal:	100,937	Proposed Impervious	Subtotal: 168,329	42%
Existing Pervious		304,361	Proposed Pervious	236,969	58%
Property Area		405,298		405,298	100%

A Special Use Permit for

VIRTUAL SCHOOL TRACK AND FIELD EXPANSION

Lawrence, Kansas

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.
Lawrence, KS • Kansas City, MO • Junction City, KS

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Lawrence, Kansas 66049
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SPECIAL USE PERMIT
VIRTUAL SCHOOL
TRACK AND FIELD IMPROVEMENTS
LAWRENCE, KANSAS

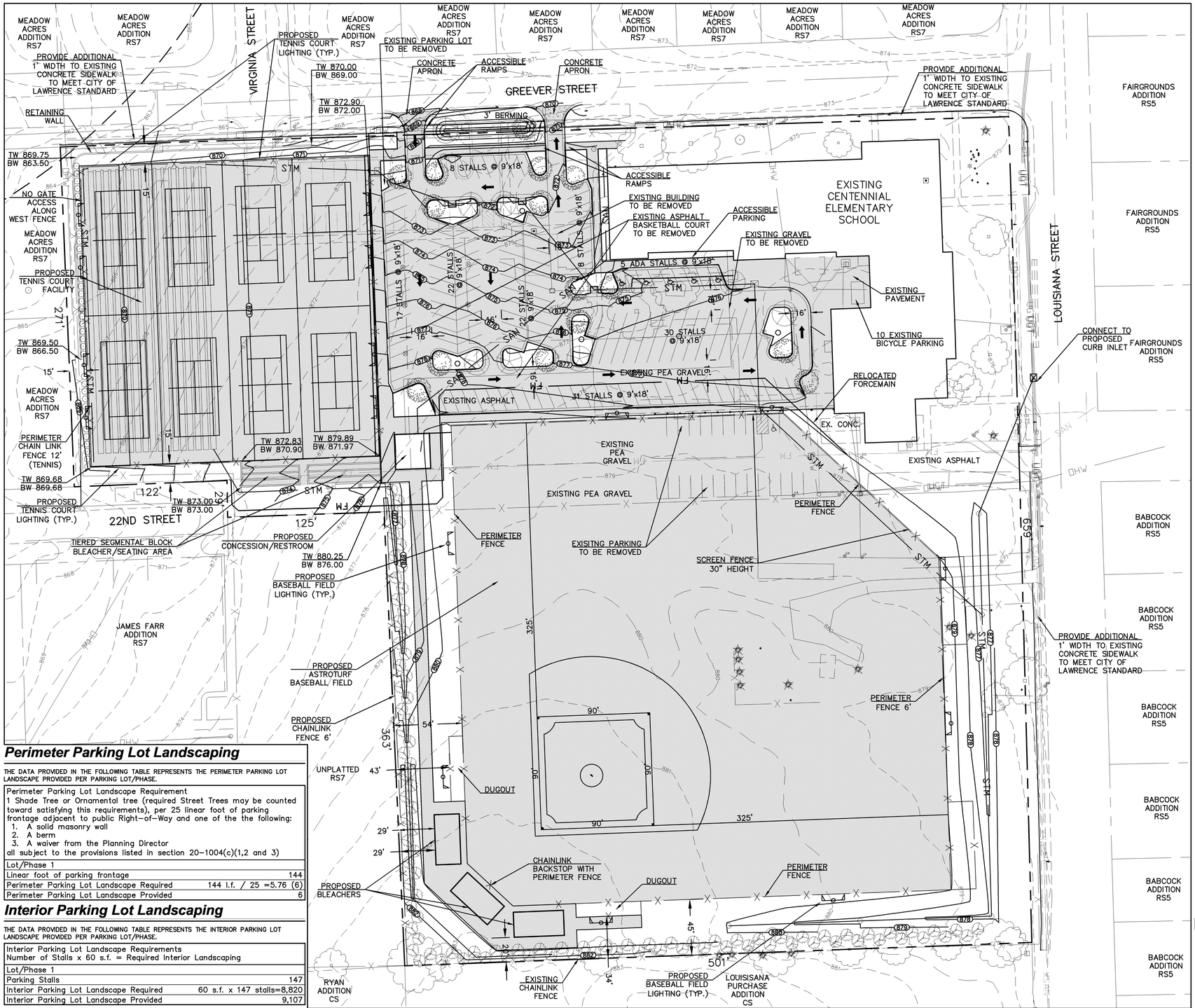
REV	DATE	DESCRIPTION
1	08.06.08	rev. dept comments
2	08.19.08	rev. plan notes tree screening
3	08.20.08	rev. tree counts

THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY -NOT FOR- -CONSTRUCTION-

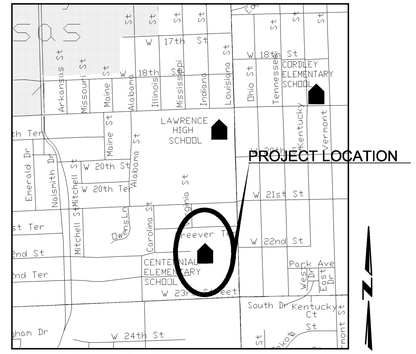
DATE: 07.16.2008
PROJECT NO.: 2007.650.11
DESIGNED BY: CLM
DRAWN BY: LPE
CHECKED BY: CLM

ISSUE A
SHEET NO. C202
OF 1 SHEETS

LAST SAVED BY: Brent Moses LAST SAVED DATE: 8/20/2008 9:50 AM



LOCATION MAP



Legal Description

LOTS 4,5 AND 6, BLOCK FOUR MEADOW ACRES ANDTHE NORTH 5 ACRES OF THE SOUTH 15 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13, RANGE 19, DOUGLAS COUNTY, KANSAS.

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15. COMPETITION AND SPECTATOR AREAS WILL BE MONITORED ON A REGULAR BASIS TO REMOVE ANY LITTER AS A RESULT OF EVENTS.

Perimeter Parking Lot Landscaping

THE DATA PROVIDED IN THE FOLLOWING TABLE REPRESENTS THE PERIMETER PARKING LOT LANDSCAPE PROVIDED PER PARKING LOT/PHASE.

Perimeter Parking Lot Landscape Requirement
1 Shade Tree or Ornamental tree (required Street Trees may be counted toward satisfying this requirements), per 25 linear foot of parking frontage adjacent to public Right–of–Way and one of the the following:
1. A solid masonry wall
2. A berm
3. A waiver from the Planning Director

all subject to the provisions listed in section 20–1004(c)(1,2 and 3)

Lot/Phase 1	
Linear foot of parking frontage	144
Perimeter Parking Lot Landscape Required	144 l.f. / 25 =5.76 (6)
Perimeter Parking Lot Landscape Provided	6

Interior Parking Lot Landscaping

THE DATA PROVIDED IN THE FOLLOWING TABLE REPRESENTS THE INTERIOR PARKING LOT LANDSCAPE PROVIDED PER PARKING LOT/PHASE.

Interior Parking Lot Landscape Requirements
Number of Stalls x 60 s.f. = Required Interior Landscaping

Lot/Phase 1	
Parking Stalls	147
Interior Parking Lot Landscape Required	60 s.f. x 147 stalls=8,820
Interior Parking Lot Landscape Provided	9,107

Parking Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE REQUIRED PARKING, PER USE IN THE DEVELOPMENT, FOR DELTA DELTA DELTA SORORITY 1620 OXFORD ROAD.

Use: School (GPI)	1 stall per 1.5 teachers/employees.
(K–9)1 stall per 5 students, (10–12) 1 stall per 3 students.	
Teachers/Employees	65/1.5=44 stalls
Students (K–8)	952/5=191 stalls
Students (9–12)	117/3=39 stalls
Required parking	44+191+39=274 required stalls
Existing Provided parking	0 existing stalls
Proposed Provided parking	147 proposed stalls
Accessible stalls required (1 Van, 1 Auto)	5
Accessible stalls provided	5 (Van/Auto)

Building Use

FACULTY:	
FULL–TIME	15
PART–TIME	50
STUDENTS:	
PART–TIME	
K–8	952
9–12	117
DAY & EVENING CLASS	
JCCC	200
SPORTS SEATING:	
BASEBALL	300
TENNIS	150

Landscape Schedule

PROP.	EXIST.	KEY	PROP.	EXIST.	COMMON NAME	SCIENTIFIC NAME	SIZE	ROOT
		LL	17	0	LITTLELEAF LINDEN	TILIA CORDATA	2.5 CAL.	B&B
		MA	32	0	MARSHALL SEEDLESS ASH	FRAXINUS PENNSYLVANICA	2.5 CAL.	B&B
		CO	96	0	COLUMNAR ENGLISH OAK	QUERCUS ROBUR 'FASTIGIATA'	2.5 CAL.	B&B

Site Impervious Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE PROPOSED TOTAL QUANTITIES PER LOT/PHASE IN THE DEVELOPMENT.

Lot 1	Area (Sq. Ft.)			Area (Sq. Ft.)		%
Existing Buildings	32,882		Proposed Buildings	33,602		8%
Existing Pavement	68,055		Proposed Pavement	134,727		34%
Existing Impervious	Subtotal:	100,937	Proposed Impervious	Subtotal:	168,329	42%
Existing Pervious		304,361	Proposed Pervious		236,969	58%
Property Area		405,298			405,298	100%

BENCHMARKS:

#1 "□" ON SOUTHEAST CORNER OF THE SECOND CURB INLET WEST OF THE LION STATUE ON THE SOUTH CURB LINE
ELEV. 880.68

#2 2"ALUMINUM CAP IN MONUMENT BOX AT 19TH AND LOUISIANA
ELEV. 881.84

SCALE: 1" = 40'
40 20 0 40 80

A Special Use Permit for

VIRTUAL SCHOOL TENNIS COURTS, BALL FIELD AND PARKING LOT

Lawrence, Kansas

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.
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SPECIAL USE PERMIT
VIRTUAL SCHOOL
TENNIS COURTS, BALL FIELD AND PARKING LOT
LAWRENCE, KANSAS

REV	DATE	DESCRIPTION
1	08.06.08	rev. dept. comments
2	08.19.08	rev. plan notes
		tree screening
3	08.20.08	rev. tree counts
4	08.25.08	revised parking
5	08.26.08	pc revisions

THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY -NOT FOR- -CONSTRUCTION-

DATE:	07.16.2008
PROJECT NO.:	2007.650.11
DESIGNED BY:	CLM
DRAWN BY:	LPE
CHECKED BY:	CLM

ISSUE A | SHEET NO. C202 | OF 1 SHEETS

LAST SAVED BY: Brent Moses LAST SAVED DATE: 8/26/2008 2:31 PM

PRICE T. BANKS
ATTORNEY AT LAW
P.O. BOX 442341
901 KENTUCKY STREET
SUITE 206
LAWRENCE, KANSAS 66044
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RECEIVED
AUG 25 2008
City County Planning Office
Lawrence, Kansas

August 25, 2008

Lawrence-Douglas County Planning Commission
PO Box 708
Lawrence, Kansas 66047

Re: SUP-07-04-08 and SUP-07-06-08, agenda items 9 and 10.

Dear Commissioners:

I represent the Centennial Neighborhood Association.

The purpose of this communication is to respectfully request that you defer these agenda items for one month so that we can assess the potential impact of the proposed expansion of the athletic facilities on the Centennial Neighborhood and especially on nearby residential properties.

Neighbors were notified of the SUP on August 1, and there has been little time to review the plans.

At first glance it appears that the projects will have a major negative impact on the quality of life of nearby residents. We are concerned about noise levels, light intensity, traffic generation, drainage and litter spilling over into the neighboring properties. The neighborhood already has drainage issues that need to be addressed before a major project is begun.

It is imperative that the neighborhood have an opportunity to address the issues and work with the school district to seek mitigation measures before the SUPs are approved.

We respectfully request that agenda items 9 and 10 be deferred until the September Planning Commission meeting.

Sincerely,

Price T. Banks
Cc: Client

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item:

Staff Report
08/27/08

ITEM NO. 11 SPECIAL USE PERMIT FOR FREE STATE HIGH SCHOOL; 4700 OVERLAND DRIVE (PGP)

SUP-07-05-08: Special Use Permit and Institutional Development Plan for the construction of additional parking and installation of bleachers/restrooms/concessions/lighting/sound systems to accommodate football/softball/soccer/tennis competition on-site at 4700 Overland Drive. Submitted by Landplan Engineering, for City of Lawrence Public Schools USD 497, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of SUP-07-05-08, a Special Use Permit for the expansion of athletic fields and associated parking lot improvements, based upon the findings presented in the body of the staff report and pending additional information being provided to the Planning Commission at the meeting as discussed in the conclusion of this report.

If the Planning Commission's recommendation is for approval, Staff recommends the action be subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Publication of an ordinance per Section 20-1306 (j).
3. Per Section 20-1307(e), recording of the Institutional Development Plan (Site Plan) at the Register of Deeds Office.
4. Prior to building permits being issued for any of the athletic field light poles, the applicant shall either revise the site plan to show conformance with the 60' height limit of such poles, gain approval of a variance to exceed the 60' height limit, or gain approval of a text amendment that provides for heights greater than 60'.
5. Platting of the unplatted western portion of the property prior to any building permits being issued on the unplatted area.
6. Revision of the site plan to provide the following:
    a. Revise the acres listed in the Legal Description.
    b. Update the site impervious summary to include the entire 72.6 acre property.
    c. Provide missing sidewalk connections from the parking lots and Overland Drive to the athletic fields and from the new parking lot to the High School Building.
    d. Label the number of parking spaces in front of the south side of the high school entrance and along the east driveway.
    e. Provision of additional details related to bleacher height, light pole heights, and hours of operation for field lights.
    f. Provision of corrected parking summary regarding required and provided parking based on multiple uses on site per Development Code requirements.
    g. Expansion of parking summary to identify number of existing spaces, net proposed spaces and total spaces ultimately to be developed.
    h. Correction of Building Use summary to indicate number of students based on 08/2008 District Preliminary Enrollment Report.
    i. Provision of additional dimensions and corrections to cross sections to accurately reflect proposed improvements and existing structures.

j. Notation that litter will be monitored and picked up on a regular basis.
k. Notation regarding the height of screen fencing that will be provided at softball backstop and soccer fields to minimize 'fly balls' potential.
l. Specific location of concession/restrooms at football field prior to release of plan for permits (under bleachers or stand-alone buildings, not both).
m. Show the interior and perimeter parking lot landscape calculations per Sections 20-1003 and 20-1004.

7. Approval of a photometric plan (submitted on 08/21/08).
8. Provision of manufacturer specs for bleachers (with specific size and height info).
9. Approval of a revised traffic impact study and inclusion of any recommended improvements (if determined necessary following staff review).
10. Approval of a revised downstream sanitary sewer study and inclusion of any recommended improvements (if determined necessary following staff review).

Applicant's Reason for Request: *"To enhance and expand the extra curricular activities provided on site for the school, school district and surrounding community."*

KEY POINTS

- Proposed use will operate from an existing facility with previous history as community related activity.
- Property is located at one of the two existing public high school sites in Lawrence.
- Development Code requires an Institutional Development Plan/Special Use Permit approval for the proposed improvements to high school property.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits
- Procedural requirements of Section 20-1307; Institutional Development Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Prior Site Plans
- Publication of an ordinance per Section 20-1306 (j).

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

Communications from the public can be found in the communication attachments.

GENERAL INFORMATION

Current Zoning and Land Use:	GPI (government Public Institutional) District; Free State High School.
Surrounding Zoning and Land Use:	RS7 (Single-Dwelling Residential), RM12 (Multi-Dwelling Residential) and RSO (Single-Dwelling Office) Districts to the east; existing single and multi-dwelling homes.
	Bauer Farm PUD (Planned Unit Development) District to the south; approved but undeveloped planned development.
	UR (Urban Reserve) and OS (Open Space) District to the west; undeveloped Urban Reserve and across Wakarusa Drive undeveloped future City Park.
	RS7 (Single-Dwelling Residential) and RS40 (Single- Dwelling Residential) Districts to the north; undeveloped platted residential lots and tract.

Site Summary

Legal Description	Free State Addition, Block 1, Lot 1 (55 Acres) and an unplatted described 17.6 acres along the east side of Wakarusa Drive.
Location	4700 Overland Drive
Property Area	72.6 Acres
Use Group	High School and Accessory Use (Active Recreation).
Existing Buildings	Free State High School Building, Football practice field & track, Soccer Field, Tennis Courts, Softball and Baseball Fields, and parking lots.
Required Off Street Parking, Grades 10+	1 per 1.5 teachers and employees plus 1 per 3 students.
Active Recreation	20-905 Schedule 'D' – permits Planning Director to determine parking requirements for use based upon information provided by applicant. Staff has requested that applicant provide historical information on attendance at various athletic competition events in order to determine reasonable requirements.
Bicycle Parking	5 or 1 per 10 auto spaces, whichever is greater.
Off-Street Parking Provided	906 existing spaces, plus an additional 304 parking spaces proposed = 1,210 total parking spaces.

Background:

The proposed request is for the construction of an additional parking lot at the southwest corner of the property accessed from an internal driveway from Overland Drive. The proposed improvements also include construction of new bleachers, restrooms and concession buildings at the football, soccer, softball and baseball fields. Improvements also include installation of new field lighting as well as a public address system to be used at the football field and potentially other fields. These improvements are proposed to address facility equity issues and to provide on-site practice and competition facilities so that students do not need to travel off-site to participate in these activities.

This proposal to develop the Active Recreation uses on this site has the potential to substantially change activity levels on this site and constitutes a significant change that triggered the requirement to submit an Institutional Development Plan (IDP) for the property. Because the site is more than 10 acres in size, the IDP is also required to be reviewed as a Special Use Permit (SUP) with public hearing and review by the Planning Commission and City Commission.

Section 20-1307(a) states the Purpose for the Institutional Development Plan:

> *The purpose is to provide a community vision for the long-term use and development of public institutional space and lands so that they are designed to be compatible with surrounding land uses and contribute to the neighborhood and character of the area in which they are located. Providing this community vision for institutional Buildings and sites also allows adjacent and nearby property Owner to anticipate future non-residential development patterns and plan for the use and enjoyment of their property accordingly.*

This section sets out standards in which to review these types of properties. In staff's opinion, the standards were written with an expectation that property would be undeveloped and master planned with initial improvements. Many of the developed school sites present challenges in that mature neighborhoods have developed around or near the properties. Compliance with adopted standards needs to be evaluated on a case-by-case basis in an effort to achieve a reasonable balance between the school district's needs and the surrounding property owner's concerns. Development should be tailored to best achieve the district's goals while minimizing or mitigating impacts to the surrounding community.

The development of competition athletic facilities does not occur on a routine basis in the community. Therefore, the type of information needed to review a proposal is different than typical planning proposals. Staff has worked diligently with the applicant to identify the additional information that is needed to thoroughly evaluate the potential impacts related to the proposed changes. In staff's opinion, additional review is necessary regarding potential traffic impacts and adequacy of parking to support large-scale competition events. Additional review process/approvals will be necessary to permit the proposed field lights which will range from 65' – 90' in height. Additional information is also needed regarding the potential noise impacts from the proposed public address system.

- Lights: 20-1103(e) establishes a maximum height for outdoor recreational lights at 60 feet. The applicant has indicated that industry standards for lighting softball, baseball, soccer and football fields exceed this maximum height. The applicant will need to seek and obtain a variance from the Board of Zoning Appeals in order to vary from the code requirement or request a text amendment be initiated to modify the code requirement. Installation of the

field lighting cannot be permitted until either a variance is granted or the code is revised. The applicant has proposed using a light fixture that provides more directional lighting on the fields to reduce light trespass on adjacent properties. The applicant has just recently (08/21/08) submitted a photometric plan which will allow staff to evaluate the proposed light levels.

- Traffic Impacts: Staff has requested that the applicant provide attendance history for competition events to allow better evaluation of the number of 'large spectator' events that will be shifted to this location. Transportation and Public Works staff will meet next week to further discuss the submitted traffic impact study conclusions.

- Parking: As noted above, additional information may be needed to fully evaluate the parking demand for the competition events. The proposed improvements do add 304 proposed parking spaces to the site that will be available for daily use. In staff's opinion, additional information may be needed for the Commission to weigh the impact on event days/nights in relation to the potential year round benefits that could result with the proposed improvements.

- Bufferyards: The school district has safety concerns with the installation of shrubs on school sites. The applicant has requested alternative compliance from the bufferyard requirements identified in 20-1005(f).

- Activity/Noise: The applicant has proposed to locate concessions/restroom areas either underneath the bleachers or adjacent to the rear of the bleachers.

- Sound System: The applicant has indicated that a directional public address system is contemplated. A determination as to whether a fixed system or portable system will be used has not yet been made. Information regarding the typical decibel levels for such a system has not been provided. The applicant has indicated that the system would likely be used for home football games, soccer games, sports jamborees and graduation; however, an estimated number of annual events has not been provided.

- Drainage: The proposed improvements include the installation of detention under each of the playing fields and the installation of new storm pipe to carry the runoff into the public system.

Review and Decision-Making Criteria (20-1306(i))

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

Applicant's Response *– "The proposed development is for sports fields and accessory facilities for use by the school and local community, under GPI the only use requiring Special Use approval is entertainment sports (i.e. professional major and minor league sports) as such the use falls within the scope of permitted uses."*

Staff Finding – The proposed use is for the development of competition fields and the construction/installation of accessory components to support these uses on the Free State High School property. Proposed improvements include permanent spectator bleachers with restroom &

concession facilities as well as installation of field lighting, use of a public address system and construction of an additional parking lot.

The existing football field/track, tennis courts, softball/baseball fields were constructed as accessory uses to the existing High School Use prior to the Development Code (which went into effect on July 1, 2006). Additional uses or intensification of the property (noise, traffic, outdoor field lighting or increased stormwater runoff) are now subject to an Institutional Development Plan/Special Use Permit.

The city operates and maintains an indoor swimming pool which is on a separate 5 acre lot located in the middle of the school property.

Most of the existing Free State High School improvements predate the period when public schools were required to site plan. Free State School Site Plan approvals for this property include: the high school building in 1995 [SP-06-39-95], a greenhouse addition in 2000 [SP-01-01-00], a cellular tower in 2004 [SP-11-79-04], a 7,441 square foot building addition to the west side of the high school in 2005 [SP-11-93-05] and the lighting of the softball field in 2007 [SP-12-83-07]. A Use Permit upon Review for the City's Aquatic Center was approved in 1999 [UPR-03-04-99]. In July 2008, SP-06-44-08 was administratively approved to permit the installation of an artificial turf surface for the football playing field.

The proposed use, as conditioned complies with the provisions of the development code.

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

Applicant's Response *– "For the facilities proposed most use will be confined to early afternoon and limited night time use, as well as daytime weekend use limiting disruption of the surrounding residential areas."*

The development of a competition facility on-site will increase the activity level on the high school property. With the new practice facilities, more students will remain on campus after school and with the competition fields, more students and spectators will be on the school property in the afternoons, evenings and potentially weekends for a variety of events.

The SUP/IDP submission included stormwater drainage, traffic impact, and downstream sanitary sewer studies. The drainage study has been approved. The traffic impact and sanitary sewer studies are currently under review by city staff. Approval of the SUP/IDP will need to be contingent on ultimate approval of those reports and inclusion of any recommended improvements.

The applicant has provided basic information regarding the types of light fixtures that will be installed. The fixtures include a component that redirects light onto the playing fields to minimize off-site glare and night sky concerns. The submitted information does not yet identify fixture wattage. A photometric plan, indicating expected light levels, has not yet been submitted. The applicant has indicated that the light poles will range from 65' – 90' in height dependant upon the type of sport the field is used for. Staff has noted that the Development Code limits the maximum height of outdoor recreation lights to 60'. The applicant has been advised that a request for a

variance from this height limit would need to be granted by the Board of Zoning Appeals prior to installation. These components are reflected in the recommended conditions.

The applicant has provided basic information regarding the sound system to be installed for the football field. The information does not identify potential decibel levels. The district's narrative indicates the system would primarily be used for soccer and football (and may be a portable, rather than fixed system). Additional detail is necessary to adequately assess impact to surrounding properties.

Staff Finding – In staff's opinion, the district should be afforded the opportunity to establish typical amenities associated with a high school, including competition athletic fields. As discussed, the degree of compatibility with the neighborhood needs to be clarified with regard to the hours of operation, traffic generation, lighting, and noise. The recommended conditions can mitigate certain impacts and incompatibilities with the adjacent uses.

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

Applicant's Response *– "Development of the proposed facilities should increase local property values as the facilities provided will provide enhanced recreational and sports and venues to the local community."*

Staff Finding – The subject property is an existing high school facility close to single-family residential, multi-family residential, the undeveloped Bauer Farm Planned Development and undeveloped City park land. No information has been submitted to determine if there will be any affect, positive or negative, to the other property in the neighborhood by constructing the proposed improvements.

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

Applicant's Response *– "No, the proposed fields will be constructed with a synthetic turf that will reduce storm runoff from the site and provide additional detention as well. The locations proposed for the expansions are large open grass areas that serve as activity fields presently for the school."*

Staff Finding – Public safety at events will be served by the city's existing public safety agencies and transportation networks are in place to serve the use, though staff is still discussing the traffic impact study with the applicant's consultant to verify assumptions and conclusions. Staff is also still reviewing the downstream sanitary sewer studies to determine if any improvements will need to be made to those services. No changes to the urban services are proposed for the new use.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

Staff Finding –The site plan will function as the enforcement document to assure that maintenance and use of the property is consistent with the approval.

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

Staff Finding – The subject property is located within a developing urban neighborhood. The improvements also include installation of new storm pipe to collect runoff. The new storm pipe will tie into the existing public system and has been reviewed and approved by the City Stormwater Engineer. The installation will result in a positive change as a result of the proposed project.

7. WHETHER IT IS APPROPPRIATE 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.

Staff Finding – The installation of Active Recreation facilities for the High School is a major capital program investment of public funds. It would not be appropriate to place a time limit on the period of time for the proposed uses of the High School property.

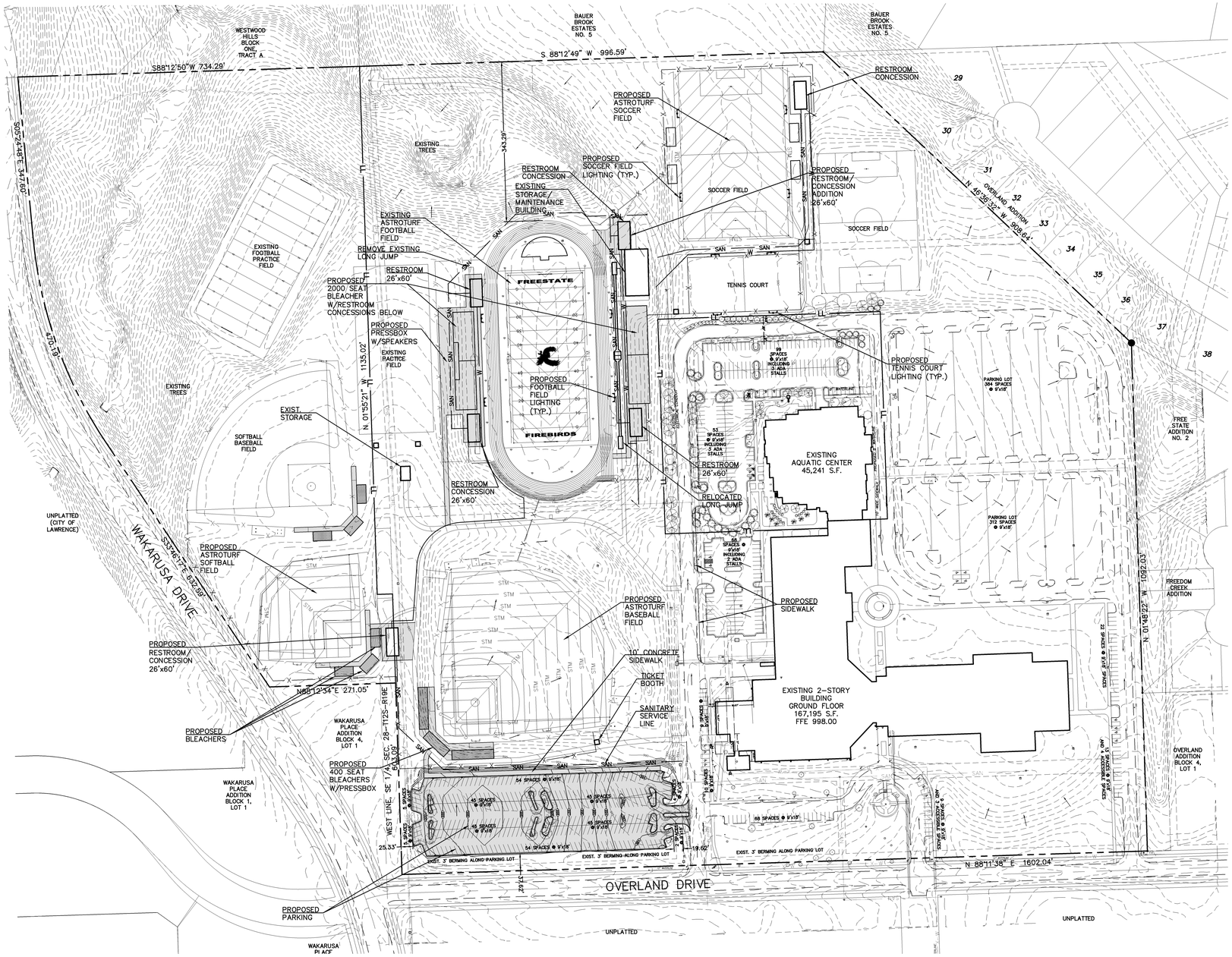
CONCLUSION: Staff generally supports the proposal, but would like the district to be prepared at the meeting to provide additional information and confirm assumptions staff has made regarding the following issues so that the Planning Commission and public have adequate information by which to base their decisions.

1. Traffic / parking:
    a. What is the anticipated number of times per year that events will be of such scale that parking will not be able to be contained onsite?
    b. How many vehicles, if any, are anticipated to be parked offsite during a large scale event?

2. Lighting:
    a. Provide a photometric plan, including fixture wattage, demonstrating where and how much light will land on adjacent properties. [Plan was submitted on 08/21/08 and has not yet been reviewed by staff.]
    b. Specification of when athletic fields will be used for competition events – days of week and hours of operation.

3. Public Address system:
    a. What is the anticipated decibel level of the public address system at the property lines? What does this equate to?
    b. What is the anticipated range of the number of times per year the system will be used?

LAST SAVED BY: Brent Masses LAST SAVED DATE: 8/26/2008 1:45 PM



General Notes

1. EXISTING ZONING: GPI
2. CURRENT USE: HIGH SCHOOL
3. TOPOGRAPHIC INFORMATION OBTAINED FROM A AERIAL SURVEY PERFORMED BY M.J. HARDEN, 2006.
4. PROPOSED DRIVE AND PARKING AREAS TO HAVE CURB AND GUTTER TO MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
5. ASPHALT PAVEMENT SHALL MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
6. PROPOSED CONCRETE PAVEMENT TO BE 4" PORTLAND CEMENT CONCRETE ON COMPACTED SUBGRADE UNLESS OTHERWISE NOTED.
7. PROPOSED STORM STRUCTURES SHALL MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
8. WALL MOUNTED LIGHTING SHALL BE LOCATED AT BUILDING ENTRANCES. ALL LIGHTING SHALL BE SHIELDED TO PREVENT GLARE OFF-SITE.
9. THE CITY OF LAWRENCE SHALL NOT BE RESPONSIBLE FOR DAMAGE TO PAVEMENT DUE TO THE WEIGHT OF REFUSE VEHICLES.
10. THIS SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES, APPENDIX A TO 28 CFR PART 36.
11. ACCESSIBLE SPACES ARE TO BE SIGNED AND STENCILED PER ORDINANCE 20-912(g).
12. PARKING LOT ISLANDS WILL BE PLANTED WITH SHRUBS OR GROUNDCOVER WHERE NO TREES ARE PLANTED.
13. PER SECTION 20-1006(b): EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITIES BOXES AND METERS, SHALL BE FULLY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND FROM STREET RIGHTS-OF-WAY (AS MEASURED 6 FEET ABOVE GROUND LEVEL). SCREENING SHALL BE IN THE FORM OF LANDSCAPE PLANTINGS OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE ARCHITECTURE OF THE PRINCIPAL BUILDING.
14. COMPETITION AND SPECTATOR AREAS WILL BE MONITORED ON A REGULAR BASIS TO REMOVE ANY LITTER AS A RESULT OF EVENTS.

Legal Description

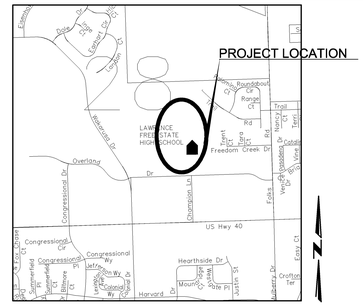
28-12-19 BEG AT NE COR SW 1/4 TH S01DEG55'21"E 1135.02 FT ALONG E LINE SD SW 1/4 TH N88DEG11'38"E 33 FT TH S01DEG55'21"E191.55 FT TH S88DEG12'34"W 330FT TH N33DEG46'17"W 601.37 FT TH ON A 1000 FOOT RADIUS CURVETO THE RIGHT ARC DISTANCE 494.94 FT WITH CHORD BEARING N19DEG35'32"W 489.91 FT TH N05DEG24'48"W 350.77 FT TO N LINE SD SW 1/4 TH N88DEG12'50"E 784.39 FT ALONG SD N LINE TO PT BEG 19.07A (ANNEXED TO CITY OF LAWRENCE ORD NO 7242 ADOPTED 08/08/2000 BK 683/168 REPLACES 800194B)

AND

FREE STATE ADDITION, BLOCK 1, LOTS 1 AND 2.

ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS. THE ABOVE DESCRIBED PROPERTIES CONTAIN 79.156 ACRES MORE OR LESS.

Location Map



Site Impervious Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE PROPOSED TOTAL QUANTITIES PER LOT/PHASE IN THE DEVELOPMENT.

Free State H.S.	Area (Sq. Ft.)		Area (Sq. Ft.)	%
Existing Buildings	348,452	Proposed Buildings	350,752	15%
Existing Pavement	520,377	Proposed Pavement	671,272	28%
Existing Impervious	Subtotal: 868,829	Proposed Impervious	Subtotal: 1,022,024	43%
Existing Pervious	1,530,154	Proposed Pervious	1,376,869	57%
Property Area	2,398,893		2,398,893	100%
Aquatic Center	**Area (Sq. Ft.)**		**Area (Sq. Ft.)**	**%**
Existing Buildings	45,300	Proposed Buildings	45,300	21%
Existing Pavement	122,946	Proposed Pavement	122,946	56%
Existing Impervious	Subtotal: 168,246	Proposed Impervious	Subtotal: 168,246	77%
Existing Pervious	50,250	Proposed Pervious	50,250	23%
Property Area	218,497		218,497	100%
West Parcel	**Area (Sq. Ft.)**		**Area (Sq. Ft.)**	**%**
Existing Buildings	0	Proposed Buildings	1,017	0.1%
Existing Pavement	0	Proposed Pavement	1,139	0.1%
Existing Impervious	Subtotal: 0	Proposed Impervious	Subtotal: 2,156	0.2%
Existing Pervious	830,689	Proposed Pervious	828,533	99.8%
Property Area	830,689		830,689	100%

THE TOTAL PERVIOUS SURFACE AREA REPRESENTING THE PROPOSED ATHLETIC FIELDS AREA(S) PROVIDE STORMWATER DETENTION. THESE PERVIOUS AREA(S)/DETENTION AREA(S) WILL DECREASE THE SITE RUNOFF BY 60%.

Athletic Fields	333,448	14%

Benchmarks

BENCHMARK #1 "□" ON NORTH BACK OF CURB +/- 50' EAST OF CL/CL N-S AND E-W OF SCHOOL ENTRANCES, SW OF BLDG. +/- 15' WEST OF OF WESTERN LIGHT POLE. *ELEV. 1020.95*

BENCHMARK #2 "□" CTR. OF 2ND CURB INLET WEST SIDE OF SIXTH STREET & FOLKS ROAD 175+, NORTH SIDE OF SIXTH STR. *ELEV. 1016.93*

Parking Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE REQUIRED PARKING, PER USE IN THE DEVELOPMENT, FOR DELTA DELTA DELTA SORORITY 1620 OXFORD ROAD.	
Use: School (GPI)	1 stall per 1.5 teachers/employees.
	1 stall per 3 students.
Teachers/Employees	187/1.5=125 stalls
Students	1106/3=369 stalls
Required parking	369+125=494 required stalls
Existing Provided parking	906 existing stalls
Proposed Provided parking	1210 proposed stalls
Accessible stalls required (1 Van, 1 Auto)	22
Accessible stalls provided	23 (Van/Auto)

Building Use

FACULTY:	
FULL-TIME	186
STUDENTS:	
FULL-TIME	
10-12	1106
OUTDOOR SPORTS SEATING:	
BASEBALL	300
SOFTBALL	300
SOCCER	400
FOOTBALL	4000
INDOOR SEATING	
PRIMARY GYM	1700
SECONDARY GYM	325
AUDITORIUM	925

Landscape Schedule

PROP.	EXIST.	KEY	PROP.	EXIST.	COMMON NAME	SCIENTIFIC NAME	SIZE	ROOT
		LL	12	0	LITTLELEAF LINDEN	TILIA CORDATA	2.5 CAL.	B&B
		MA	13	0	MARSHALL SEEDLESS ASH	FRAXINUS PENNSYLVANICA	2.5 CAL.	B&B

Restroom/Concession Placement

RESTROOM/CONCESSION SHALL BE LOCATED PER ONE OF THE FOLLOWING OPTIONS:

OPTION 1: RESTROOMS AND CONCESSIONS WILL LOCATED AND/OR CONSTRUCTED BENEATH THE PROPOSED BLEACHERS

OPTION 2: RESTROOMS AND CONCESSIONS SHALL BE PROVIDED IN BUILDING STRUCTURES AS LOCATED ON THE FACE OF THE PLAN

Interior Parking Lot Landscaping

THE DATA PROVIDED IN THE FOLLOWING TABLE REPRESENTS THE INTERIOR PARKING LOT LANDSCAPE PROVIDED PER PARKING LOT/PHASE.

Interior Parking Lot Landscape Requirements Number of Stalls x 60 s.f. = Required Interior Landscaping	
Free State	
Parking Stalls	1,210
Interior Parking Lot Landscape Required	60 s.f. x 1,210 stalls=72,600
Interior Parking Lot Landscape Provided	94,154

Perimeter Parking Lot Landscaping

THE DATA PROVIDED IN THE FOLLOWING TABLE REPRESENTS THE PERIMETER PARKING LOT LANDSCAPE PROVIDED PER PARKING LOT/PHASE.

Perimeter Parking Lot Landscape Requirement 1 Shade Tree or Ornamental tree (required Street Trees may be counted toward satisfying this requirements), per 25 linear foot of parking frontage adjacent to public Right-of-Way and one of the the following: 1. A solid masonry wall 2. A berm 3. A waiver from the Planning Director all subject to the provisions listed in section 20-1004(c)(1,2 and 3)	
Lot/Phase 1	
Linear foot of parking frontage	854
Perimeter Parking Lot Landscape Required	854 l.f. / 25 =34
Perimeter Parking Lot Landscape Provided	existing berming

SCALE: 1" = 100'

100 50 0 100 200

A Special Use Permit for

FREE STATE HIGH SCHOOL TRACK AND FIELD EXPANSION

Lawrence, Kansas

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.
Lawrence, KS • Kansas City, MO • Junction City, KS

1310 Wakarusa Drive
Lawrence, Kansas 66049
tel (785)843-7530
fax (785)843-0851
email@landplankansas.com
Web www.landplankansas.com

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SPECIAL USE PERMIT
LAWRENCE FREE STATE HIGH SCHOOL
TRACK AND FIELD IMPROVEMENTS
LAWRENCE, KANSAS

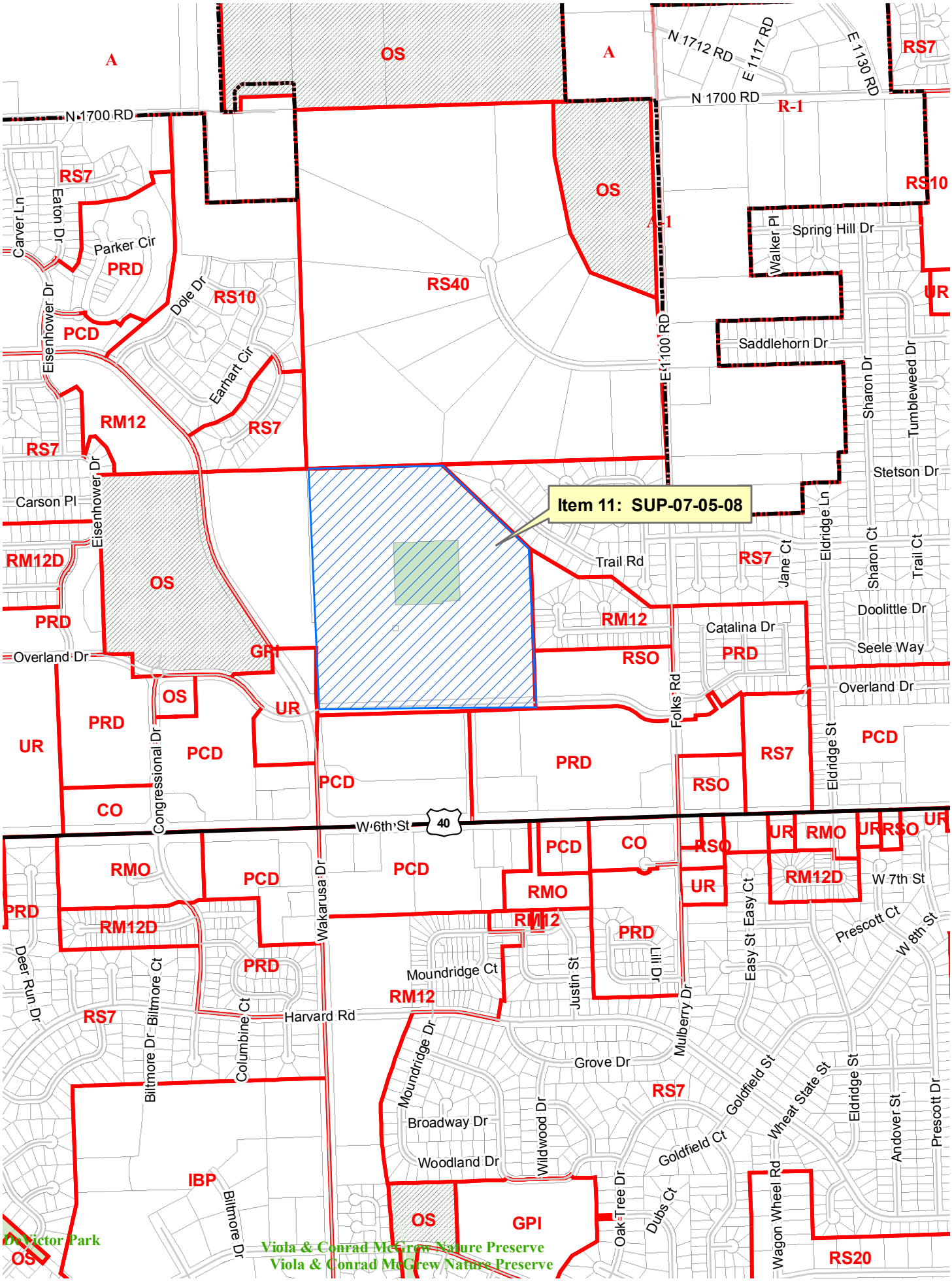
REV	DATE	DESCRIPTION
1	08.06.08	psp dept comments
2	08.19.08	rev. dept comments
3	08.25.08	required parking
4	08.26.08	pc revisions

THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY -NOT FOR- -CONSTRUCTION-

DATE:	07.16.2008
PROJECT NO.:	2007.650.11
DESIGNED BY:	CLM
DRAWN BY:	LPE
CHECKED BY:	CLM

ISSUE A

SHEET NO. C202


Item 11: SUP-07-05-08
N 1700 RD
N 1712 RD
E 1117 RD
E 1130 RD
E 1100 RD
Carver Ln
Eaton Dr
Parker Cir
Dole Dr
Eisenhower Dr
Earhart Cir
Carson Pl
Spring Hill Dr
Walker Pl
Saddlehorn Dr
Sharon Dr
Tumbleweed Dr
Stetson Dr
Eldridge Ln
Jane Ct
Sharon Ct
Trail Ct
Trail Rd
Doolittle Dr
Catalina Dr
Seele Way
Overland Dr
Folks Rd
Eldridge St
Congressional Dr
W 6th St
40
Wakarusa Dr
W 7th St
Prescott Ct
W 8th St
Easy St
Easy Ct
Lill Dr
Mulberry Dr
Justin St
Moundridge Ct
Moundridge Dr
Harvard Rd
Deer Run Dr
Biltmore Dr
Biltmore Ct
Columbine Ct
Grove Dr
Broadway Dr
Woodland Dr
Wildwood Dr
Goldfield St
Goldfield Ct
Wheat State St
Eldridge St
Andover St
Prescott Dr
Oak Tree Dr
Dubs Ct
Wagon Wheel Rd
Biltmore Dr
DeVictor Park
Viola & Conrad McGrew Nature Preserve
Viola & Conrad McGrew Nature Preserve
A
A-1
R-1
OS
RS7
RS10
RS40
RS20
RM12
RM12D
RMO
PRD
PCD
RSO
UR
CO
GPI
IBP

From: Bill Newsome [mailto:bnewsome@southwindcapital.com]
Sent: Monday, August 25, 2008 9:44 AM
To: Paul Patterson; Denny Brown
Subject: High School Facility improvements

To: Planning Commissioners

Attached are signatures from parents and supporters of Free State High School soccer, endorsing a statement of support for the proposed facility improvements.

The upgrades are not only badly needed simply to stay on par with peer schools, but have broader-reaching impacts. We need quality facilities to have quality schools, and this is vitally important to the Lawrence community as a whole. If we are going to achieve expansion from existing and new businesses, this type of investment in our schools is mandatory.

I urge you to move these items through Wednesday night with positive recommendations for approval. These applications have had the benefit of the professional expertise of School District staff, City staff and outside consultants. The items are ready to be approved, and doing so in a timely manner is very important.

Bill Newsome

To: City Staff, Planning Commissioners, City Commissioners:

The undersigned are parents and supporters of Free State High School soccer. We endorse the School District's athletic facilities plan, and strongly urge the City to approve the plan.

Free State Soccer is just one of many programs at both Free State and Lawrence High which will benefit from the plan. Free State has built a top-flight soccer program since the opening of the school. The school's soccer facilities, however, are significantly substandard to the schools we compete with. We are the *only* school in our league without a lighted playing field. Passage of the plan will put the facilities on par with the quality of the program.

1. Laurie Martin-Snyaman
2. Jim M. Smith
3. Angie Mills
4. Kelly Lombabee
5.
6.
7. Robert V Smith
8. Tom Lombabee
9. Jason Pantle
10.
11.
12.
13.
14. Monica Cabrera
15.
16.
17.
18.
19.
20. Pat Kaufman
21. Gail Shadeed
22.
23. Joe Arneson
24. Jamie Arneson
25. Andrea E Thompson
26. Mysha R. Thompson
27.
28.
29.
30.
31.
32.
33. Carla Portmiller
34.
35. Janet Adams
36. John Adams
37.
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41.
42.
43. Lynne Baker
44.
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50.

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1. [signature]
2. [signature]
3. [signature]
4. [signature]
5. [signature]
6. Steve & Brody
7. [signature]
8. [signature]
9. Lauren Fleming
10. [signature]
11. Megan D. Richardson
12. [signature]
13. [signature]
14. [signature]
15. [signature]
16. Robert Clinton
17. Jane Clinton
18. Leslie Ross
19. Trisha R. Cobb
20. Tiane Simpson
21. _____
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1. Evan Williams
2. Roger Walter
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E-mail (bnewsome@southwindcapital.com) or fax (331-4611) by 8:00 a.m., Monday, August 25th

Memorandum
Lawrence - Douglas County
Metropolitan Planning Organization

TO: **Lawrence-Douglas County Metropolitan Planning Organization (MPO) Members**

FROM: **Todd Girdler, Senior Transportation Planner**

CC: **Scott McCullough, Planning Director**

Sheila Stogsdill, Assistant Planning Director

Date: **July 30, 2008**

RE: **Item No. 12; FY 2008-2012 Transportation Improvement Program (TIP) – Amendment #1 and Program of Projects (POP) for the Lawrence Transit System**

The MPO Staff initiated this TIP amendment after receiving notification from the Lawrence Transit Manager that the Lawrence Transit System had been awarded Job Access – Reverse Commute funding from the Federal Transit Administration. Likewise, the MPO Staff was informed by the City Engineer that Lawrence had been awarded Federal Highway Administration - Transportation Enhancement funding from the Kansas Department of Transportation. Both of these federal funding awards are discretionary funds that need to be programmed through their addition into the Transportation Improvement Program.

The MPO Staff then reviewed the entire TIP document and found that several small text corrections and revisions were needed and that the map showing the locations of TIP projects was missing. These things were added to the revised document.

The Lawrence Transit System was also undergoing a federal audit by the FTA at this time. FTA auditors made a note that the TIP did not clearly indicate that it was also the Program of Projects called for by FTA regulations. The MPO Staff discussed this with the Lawrence Transit Manager and then made changes to the TIP to make it clear that this was the case. The approval of the TIP was revised to include language stating that the approval of the TIP was also approval of the Program of Projects for the Lawrence Transit System.

This TIP amendment was discussed and reviewed by the MPO Technical Advisory Committee during June and July 2008. During that review period the Douglas County Public Works Staff noted that some of its project entries had changed. The MPO Staff worked with the County Staff to revise those TIP project entries.

This TIP Amendment #1 combines several TIP document changes into this single amendment. The changes range from minor typographical corrections to the addition of new projects. The changes contained in this TIP amendment are listed below.

- TIP Project Location Map is added to the TIP text
- Transportation Enhancement (TE) Funding and local match funding for the Burroughs Creek Rail Trail Project is added to the TIP tables
- Job Access Reverse Commute (JARC) Funding and local match funding for vehicle replacements for the Lawrence Transit System is added to the TIP tables
- Douglas County and Eudora sponsored reconstruction project for Church Street between 12th Street and K-10 Highway is deleted from the TIP tables
- Douglas County and Eudora sponsored reconstruction project for Church Street between K-10 Highway and 28th Street is moved from 2008 to 2011 in the TIP tables
- Douglas County and Eudora sponsored interchange project for Church Street at K-10 Highway is deleted from the TIP tables
- Douglas County requested project using High Risk Rural Roads funds for improvements to Route 442 between N 1700 and E 050 Roads is deleted from the TIP tables
- Douglas County requested project using High Risk Rural Roads funds for improvements to Route 442 between N 1600 and E 050 Roads is deleted from the TIP tables
- TIP text is modified to clarify that the Lawrence Transit projects in the TIP document constitute the Program Of Projects (POP) for this transit system and that the POP included in the TIP has been made available for public review and approved by the L-DC MPO as part of the TIP
- Various other minor corrections and revisions to the TIP text were made

The MPO Technical Advisory Committee (TAC) reviewed this amendment on July 8, 2008 and asked the MPO Staff to make a few more needed changes to the fiscal constraint section and then send it back to the TAC for an approval vote by email. This email vote of approval took place between July 18th when staff finished the changes and sent it to the TAC for approval and July 22nd when a majority of the voting TAC members returned their approval votes. The MPO Staff then produced the final hearing draft of this amendment and scheduled it for MPO approval. The document included with this MPO agenda packet is the TAC-approved document that is recommended for approval by the MPO.

Action Requested: The staff requests that the Lawrence-Douglas County MPO approve this 2008-2012 TIP Amendment #1 and instruct the staff to forward this approved TIP amendment to KDOT. The staff will then post this revised TIP on the web for public access.

City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

TRANSPORTATION IMPROVEMENT PROGRAM FOR THE LAWRENCE URBANIZED AREA

(Includes the Program of Projects for the Lawrence Transit System)

FISCAL YEARS 2008 - 2012

Lawrence-Douglas County
Metropolitan Planning Organization

Adopted: April 23, 2008
Amended: August 27, 2008

The preparation of this report was financed through a planning studies grant from the Federal Transit Administration and PL funds from the Federal Highway Administration, administered by the Kansas Department of Transportation.

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  - **I. Definitions of Abbreviations**
  - **II. FY 2006 and 2007 Annual Listing of Obligated Projects**
  - **III. TIP Policy**
  - **IV. MPO Self-Certification**
  - **V. FY 2008-2012 Project Listing/FY 2008-2012 Transit Program of Projects**

INTRODUCTION

All urbanized areas of more than 50,000 in population are required to designate a Metropolitan Planning Organization (MPO) to carry out the continuing, cooperative and comprehensive (3C) transportation planning process. The Lawrence-Douglas County Planning Commission (LDCPC) was designated by the Governor as the MPO for the Lawrence Urbanized Area and Douglas County on July 22, 1982.

Among the MPO's responsibilities is the development and maintenance of a Transportation Improvement Program (TIP). The TIP is essentially a listing of the transportation programs and projects proposed to be implemented by the various agencies during the TIP period. Projects included in the TIP are typically drawn from the City and County Capital Improvements Programs (CIP) and KDOT's Comprehensive Transportation Program. The TIP consists of a chronological plan for engineering, acquisition, construction, and financing of transportation projects within Douglas County.

WHAT IS THE TIP?

The FY 2008-2012 Transportation Improvement Program (TIP) is a multi-year listing of federally funded and regionally significant non-federally funded improvements to the region's transportation system. The Lawrence-Douglas County Planning Commission (LDCPC), in its role as the MPO, reviews and adopts the TIP. Anyone from the public is welcomed to comment on the transportation plans and programs that receive federal funds.

Planning staff has developed the TIP with the assistance of the Technical Advisory Committee (TAC). The primary purpose of the TAC is to provide practical and specialized assistance in the MPO transportation planning process. The Lawrence/Douglas County Metropolitan Planning Department, the Douglas County Public Works Department, the City of Lawrence Department of Public Works, the City of Lawrence Public Transit Division, the Kansas Department of Transportation (KDOT), the Federal Highway Administration (FWHA), and the Federal Transit Administration (FTA) all have representative members on the TAC and have provided technical review of this TIP.

SELECTION & PRIORITIZATION OF THE TIP

The projects included in the FY 2008-2012 TIP are drawn from *Transportation 2030*; the *Douglas County Capital Improvement Plan, the Douglas County Five-Year Plan, the Lawrence Capital Improvement Plan, and the Lawrence Five-Year Plan*. Other documents such as the

Airport Master Plan are also consulted to facilitate continuing, cooperative and comprehensive efforts. Some TIP items are a higher priority than others and due to budgetary constraints are not let in the year they are planned for. For this reason the totals for federal, state and local dollars programmed does not necessarily reflect the actual dollars spent. The amounts allocated to each TIP item are based upon estimates that come from the sources listed above. Public participation, project selection, and prioritization of projects listed in the TIP are the result of the City CIP and County CIP development processes, the City Five-Year Plan and County Five-Year Plan development processes and the TIP development process as identified in the adopted *Public Participation Process for Transportation Planning* document for the MPO. The goal of the MPO as identified in the adopted public participation document is to ensure early and continuous public notification about and participation in all major actions and decisions made by the MPO.

For transit planning purposes this TIP document also contains projects for the Lawrence Transit System (the T) that collectively constitutes the Program of Projects (POP) for the T. This list of transit items is a prioritized list of projects used by the T and reviewed by FTA officials. The transit section of the TIP project tables are the POP for Lawrence, and approval of the TIP includes the approval of the POP for Lawrence Transit. The public involvement procedures used for TIP development and amendment are used to satisfy the POP requirements of Section 5307.

PROJECT FUNDING

Overview

The funding of highway and transportation improvements depends on the availability of funds, on criteria established by State and Federal laws, and policies established by the local governments on the use of those funds. Street and highway projects can be financed entirely by State or local funds or by a combination of Federal-aid or State funds and matching local funds. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provides Federal-aid to state and local units of government. The use of Federal Transit Administration (FTA) funds from the 5307 “Urbanized Area Formula Program” and the State Comprehensive Transportation Plan (CTP) funds for public transportation have increased over previous years. Those funds are utilized for the operations of the City of Lawrence public transportation system. Local sources of funding for transportation projects are generally funded through the General Funds of the City of Lawrence and Douglas County, general obligation bonds, or other various sources of funds available to the City of Lawrence and Douglas County. Funding for all projects listed in the TIP can reasonably be expected to be available for all construction and operating costs unless noted on specific projects.

FISCAL CONSTRAINT

Federal law also requires that the first four years of the Transportation Improvement Program be financially constrained. The definition of financially constrained is having enough financial resources to fund projects listed in the TIP.

Fiscal constraint, as applicable to this TIP, will apply to these types of federal-aid funding: suballocated Surface Transportation Program (STP) and Bridge (BR) and FTA Section 5307 and Section 5309 Transit Funds. All other funding categories identified in SAFETEA-LU are the purview of the Kansas Department of Transportation and are assumed to be constrained in the state's Statewide Transportation Improvement Program (STIP), as are various KDOT-administered statewide discretionary programs. The assumption of fiscal constraint also includes projects funded with State, Transportation Enhancement (TE), Safe Routes to School (SRTS), High Risk Rural Roads (HRRR), Federal Earmarks, Local, and FTA 5310 & 5311 funds.

Funds from the FAA are monies directly related to the Lawrence Airport. These projects are listed in the TIP for illustrative purposes only and to do not impact the fiscal constraint of the TIP. Therefore, FAA funds are not included in the fiscal constraint analysis.

The following categories are lumped together under “Other Federal Funds”: Transportation Enhancement (TE), Safe Routes to School (SRTS), High Risk Rural Roads (HRRR), and Federal Earmarks. These projects are a part of the fiscal constraint analysis.

Below are the Surface Transportation Program (STP) + Bridge (BR) funds and Section 5307 (Formula Operating and Capital Assistance) + Section 5309 (Discretionary Capital) Transit funds for Federal Fiscal Years (FFY) 2008-2012 estimated allocations to Lawrence and Douglas County. For practical purposes 5307 and 5309 fund allocations for FY 2009-2012 are projections based on current funding requests with a 3% increase and the assumption that these requests will remain constant; the information will be updated as it becomes available.

Combined STP and BR Allocations

	Lawrence	Douglas County
FFY 2008:	$1,070,000	$435,837
FFY 2009:	$1,070,000	$435,837
FFY 2010:	$1,070,000	$435,837
FFY 2011:	$1,070,000	$435,837
FFY 2012:	$1,070,000	$435,837

Lawrence Section 5307 and 5309 Allocations

	Sec. 5307	Sec. 5309
FFY 2008:	$1,496,307	$250,000
FFY 2009:	$1,495,000	$2,109,000
FFY 2010:	$1,540,000	$2,727,000
FFY 2011:	$1,586,000	$2,237,000
FFY 2012:	$1,634,000	$2,305,000

In order to present a more realistic picture of future project costs and to comply with federal regulations, this fiscal analysis uses an annual inflation factor of 4% to determine the estimated cost of each project in the year of expenditure. This inflation factor used for project costs was developed cooperatively by the KDOT, L-DC MPO, and the Lawrence Transit System.

The table below displays the fiscal breakdown of the TIP by comparing the funds programmed in the FY 2008-2012 TIP to the anticipated funds. Comparing the two sets of information is how fiscal constraint is determined and maintained. The fiscal constraint analysis focuses on STP, BR, Transit, State, and Local funds. The “Other Federal Funds” category is also included in the analysis.

TIP 2008-2012 Total Funds Programmed
(X $1,000)

Programmed Dollars

FY	Federal (STP & BR)	KDOT Funds	*Local Funds	**Federal Transit Funds	***Other Federal Funds	Total
2008	$ 3,040	$ 0	$ 5,866	$3,499	$1,686	$ 14,091
2009	$64,272	$25,758	$ 9,328	$3,354	$1,858	$104,570
2010	$39,457	$10,194	$ 1,058	$ 0	$ 0	$ 50,709
2011	$ 1,725****	$ 0	$ 3,927	$ 0	$ 0	$ 5,652
2012	$ 777	$ 1,676	$ 0	$ 0	$ 0	$ 2,453
5-year total	**$109,271**	**$37,628**	**$20,179**	**$6,853**	**$3,544**	**$177,475**

Anticipated Dollars

FY	Federal (STP+BR)	KDOT Funds	Local Funds	Federal Transit Funds	Other Federal Funds	Total
2008	$ 3,441	$ 0	$ 5,866	$3,499	$1,686	$ 14,492
2009	$ 65,288	$25,758	$ 9,328	$3,354	$1,858	$ 105,586
2010	$ 39,963	$10,194	$ 1,058	$ 0	$ 0	$ 51,215
2011	$ 1,506	$ 0	$ 3,927	$ 0	$ 0	$ 5,433
2012	$ 2,282	$ 1,676	$ 0	$ 0	$ 0	$ 3,958
5-year Total	**$112,480**	**$37,628**	**$20,179**	**$6,853**	**$3,544**	**$ 180,684**
End Balance Remaining	**$3,209**	**$0**	**$0**	**$0**	**$0**	**$3,209**

*Includes regionally significant locally funded projects, match funding for federal aid road and bridge projects, and local match for federal transit funds.

** Includes Sections 5307, 5309, 5310, 5311, 5316-JARC, and 115 funds. Due to the uncertainty of federal and state transit funding after 2009 this TIP does not currently program any transit funds for 2010-2012.

*** Includes Transportation Enhancement-TE, Safe Routes To School-SRTS, High Risk Rural Roads-HRRR, and Federal Earmark funds.

**** Not over programmed; total amount of project shown; funds will be divided over the life of the TIP.

The FFY 2008-2012 portion of the Transportation Improvement Program is fiscally constrained by funding source. Funding sources include federal, state, and local financial resources. The Lawrence-Douglas County MPO recognizes that, in the event federal, state and local funding changes, the TIP will be revised to reflect the change in project funds.

This document presents projects funded with federal funds provided under the authority of the SAFETEA-LU and other federal funding sources, as well as state and locally-funded projects. Projects programmed by the Kansas Department of Transportation that are contained in this document will be financially constrained at the state level through the statewide TIP.

The Transportation Improvement Program provides realistic cost estimates for improvement projects being programmed for Fiscal Years 2008-2012. Predicting the revenues that will be available over the programming period is a more speculative exercise. However, even rough estimates of available funds are helpful in giving an insight into the feasibility of implementing projects over the five-year period. These estimates are also of value in assessing the local financial ability to meet grant matching requirements and supplementing this match to meet the total cost of the project. Projects that are under the jurisdiction of KDOT are subject to statewide financial constraints that are beyond the purview of the MPO, and therefore are not considered for the fiscal constraint of the TIP.

FY 2008-2012 available Federal funding: the estimate of revenues for all projects is reasonable with respect to such funds anticipated to be available for the listed projects during the programmed TIP period. If any source of funding becomes unavailable, the Lawrence-Douglas County MPO and its member jurisdictions will amend the TIP to reflect these changes and maintain financial constraint as outlined in the TIP Policy.

In the development of the TIP, forecasts for Section 5307 and 5309 funds have been incorporated. These forecasts are based upon estimated funding levels that the Federal Transit Administration (FTA) will provide under SAFETEA-LU to Lawrence Transit. These forecasts will be utilized as a good faith effort to keep the TIP fiscally constrained. Actual amounts will be updated when information becomes available.

Public Participation

In addition, according to the MPO Public Involvement Plan, the TIP must undergo a 30 day comment period for the citizens and other public entities to review and respond. The TIP is made available on the Lawrence Planning Department's website (www.lawrenceplanning.org); hard copies are made available at Lawrence City Hall and the Lawrence Public Library. All comments are reviewed by staff and MPO decision making bodies and incorporated into the document if found applicable.

Appendix I

DEFINITIONS OF ABBREVIATIONS

Explanation of TIP Funding Categories

AIP	FAA Airport Improvement Program Funds
BR	FHWA Bridge Rehabilitation or Replacement
ED	State Economic Development Program
FDEMRK	Federal Earmark
FTA: 5309	Federal Transit Administration Section 5309 Funds - Capital Earmark
FTA: 5307	Federal Transit Administration Section 5307 Funds - Urban Formula – Capital and Operating Assistance
FTA: 5311	Federal Transit Administration Section 5311 Funds - Rural Formula
FTA: 5310	Federal Transit Administration Section 5310 Funds - Elderly w/ Disability Assistance
FTA: 5316	JARC-Job Access and Reverse Commute
FTA: 5317	New Freedom
HRRR	High Risk Rural Roads
K	State Funded by KDOT
KLINK	State Connecting Links
LOC/LO	Locally Funded
RRX	Rail Grade Crossing Program
SRTS	Safe Routes to School
STP	Surface Transportation Program
STP-S	STP-Safety Program
TE	Transportation Enhancement Program

Project Listing Work Types

BRRPL	BRIDGE REPLACEMENT
FRBRIC	FABRICATION
GEO	GEOMETRIC IMPROVEMENT
GR	GRADING
INTCH	INTERCHANGE
MILL	PAVEMENT MILLING
OL	OVERLAY
PEDBI	PEDESTRIAN & BICYCLE PATHS
PVMK	PAVEMENT MARKINGS
R/W	RIGHT OF WAY
SG	SIGNING
SGNL	SIGNAL
SPECL	SPECIAL
SU	SURFACING

Appendix I

Project Phase Abbreviations

PE	Preliminary Engineering
R/W	Right of Way
CONST	Construction
CAP-80	Capital 80%
CAP-83	Capital 83%
CAP-100	Capital 100%
OPRT-50	Operating 50%
PLN/PRG	Planning and Programming
PREVMN	Preventative Maintenance
SEC	Security and Safety
TRAIN	Training

Jurisdiction Abbreviations

BAL	BALDWIN
KTA	KANSAS TURNPIKE AUTHORITY
KDOT	KANSAS DEPARTMENT OF TRANSPORTATION
DGCO	DOUGLAS COUNTY
EUD	EUDORA
LAW	LAWRENCE
LEC	LECOMPTON

Federal Fiscal Years 2006 and 2007 – TIP Projects with Obligated Federal Funds

The table below describes projects listed in the FY 2006-2009 Transportation Improvement Program (TIP) that were obligated in federal fiscal years 2006 and 2007. The list currently shows two years because it had not been required in the past TIP documents. This listing will be presented to the MPO Policy Board every year regardless of the TIP update cycle. The purpose of this listing is to illustrate the progress of transportation projects in the region. The projects are listed based on the year the federal funds were obligated. The federal amount represents the federal funds spent on the project; the total amount includes the federal and local amount.

This listing does not require MPO, state, or federal action. The listing will be made available on the Lawrence planning website and mailed to the Kansas Department of Transportation who will then distribute the listing to the Federal Highway Administration and the Federal Transit Administration for informational purposes.

Summary:

Fiscal year 2006: Federal-$8,849,939 Total-$12,792,494

Fiscal Year 2007: Federal-$1,403,699 Total-$2,009,324

Grand Total: Federal-$10,253,368 Total-$14,802,118

PROJECTS WITH ORIGINAL AUTHORIZATIONS IN FFY 2006-2007

PROJECT SPONSOR	PROJECT NUMBER	FUND TYPE	FHWA/KDOT PROJECT #	PROJECT LOCATION	IMPROVEMENT TYPE	PROJECT DESC.	FEDERAL OBLIGATED	TOTAL AMOUNT
Obligation Year -2006								
Douglas County	TIP#221	BR	C-4121-01	Route 442- Over Captain Creek	Bridge	Bridge Replacement	$644,000	$908,000
Douglas County	TIP#200	STP	C-3890-01	Route 1055- 3/4 mi s/o Co. Route 438	Bridge	Bridge Replacement	$877,000	$1,479,000
Lawrence	TIP# 202	BR	U-1956-01	Kasold Bridge (over I-70)	Bridge	Bridge Replacement	$2,268,000	$3,626,000
Lawrence	TIP# 17	STP	U-2040-01	Kasold Drive- Peterson to I-70)	Street & Highway	Grading and Surfacing	$2,760,000	$3,670,000
KDOT/ Baldwin City	TIP# 14	TE	TE-0271-01	High St: 9-6th & 1-1/2 blocks on 8th	Street & Highway	Streetscape Improvements	$1,286,000	$1,730,000
KDOT/ Baldwin City	TIP #16	TE	TE-0259-01	High St: over Tauy Creek	Street & Highway	Historic Bridge Rehab	$928,000	$1,271,000
Cottonwood	NA	5310	NA	Capital	Transit	One Replacement Ramp Mini-Van	$21,203	$26,504
Independence Inc.	TIP# 329	5311	NA	Capital	Transit	One Replacement Ramp Accessible Minivan	$24,336	$30,420
Independence Inc.	NA	5311	NA	Operating	Transit	Operating Expense Reimburse ment	$41,400	$51,570
						2006 Total:	$8,849,939	$12,792,494
Obligation Year-2007								
Lawrence	TIP# 58	STP	U-2041-01	2ND and Locust	Intersection Improvement	Geometric Improvement/ Signals	$1,380,000	$1,980,000
Independenc e Inc.	TIP# 353	5311	NA	None	Capital	One Replacement Ramp Accessible Minivan	$23,699	$29,624
						2007 Total:	$1,403,699	$2,009,324
						GRAND TOTAL:	**$10,253,638**	**$14,802,118**

Transportation Improvement Program (TIP) Policy

The Transportation Improvement Program (TIP) Policy describes the TIP development process, methods in amending the TIP, and defining what a "regionally significant" project shall consist of. This policy provides an overview of the guidelines to be used in the development and maintenance of the TIP along with the activities involved in these processes.

TIP Defined

The Transportation Improvement Program is a multi-year listing of federally funded and/or regionally significant projects selected to improve the transportation network for the Lawrence-Douglas County area. The TIP discusses multimodal development which focuses not only on motor vehicles but also transit, bicycle, pedestrian, and airport improvements.

By virtue of federal law, the TIP document must outline at least a four-year program of: 1) all federally funded priority transportation projects, and 2) all regionally significant priority projects, regardless of funding source. The TIP must be updated at least every four years, on a schedule compatible with that of the State Transportation Improvement Program (STIP), and projects included in the TIP must be consistent with the Lawrence-Douglas County Metropolitan Planning Organization's (MPO) Metropolitan Transportation Plan. Additionally, the TIP must be financially constrained and include only those projects for which funding has been identified, using current or reasonably available revenue sources. The Lawrence-Douglas County MPO is responsible for developing the TIP in cooperation with the state and the local transit operators, each of whom cooperatively determine their responsibilities in the planning process.

TIP Development

Project Funding

Projects in the TIP are funded through Federal funds called STP (Surface Transportation Program and BR (Bridge) funds. These funds are allocated to the City of Lawrence and Douglas County by KDOT. The City of Lawrence and Douglas County then identify projects for federal funding in their respective Capital Improvement Programs (CIP). Coordination from the city and county with the MPO occurs to ensure the projects identified for funding are consistent with the MPO's Long-Range Transportation Plan (LRTP). Assistance with determining project consistency is conducted with the help of the MPO decision making bodies: the Technical Advisory Committee and the MPO Policy Board. The Lawrence-Douglas County MPO requires a project to be sponsored by a governmental jurisdiction to assure that the matching funds will be available.

Project Evaluation and Selection

Once the approved list of projects are incorporated into the TIP, project sponsors are allowed to request federal funding for project costs. Using federal share often requires a minimum match by the sponsoring agency/jurisdiction. Project sponsors are financially responsible for any change orders after obligation of federal funds. However, *unless* the federal share is capped, any change orders or cost overruns are eligible for federal funding.

Local governments are responsible for submitting projects in the Surface Transportation Program (STP), Transportation Enhancements (TE), and other funding categories in consultation with the MPO and KDOT. The MPO staff, along with the MPO decision making bodies (the Technical Advisory Committee and MPO Policy Board), will evaluate local projects submitted for inclusion in the TIP with respect to how well they meet with the current federal surface transportation act, SAFETEA-LU *(Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users)* planning factors. These planning factors act as an inclusive and strategic framework to ensure that the needs of transportation system and its users are represented. These planning factors are:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
- Increase the safety of the transportation system for motorized and non-motorized users
- Increase the security of the transportation system for motorized and non-motorized users
- Increase the accessibility and mobility of people and for freight
- Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
- Promote efficient system management and operation
- Emphasize the preservation of the existing transportation system

In addition to these planning factors, projects included in the TIP should be consistent with the Goals and Objectives outlined in the MPO's Long-Range Transportation Plan.

TIP Approval

Once reviewed by the Technical Advisory Committee and the MPO Policy Board, the TIP will be released for public review for 30 days as required the MPO's Public Participation Plan. Comments received from the public will be reported to the MPO bodies where decisions pertaining to revising the document will be made before the final approval of the document. Final approval comes from the MPO Policy Board and the Governor who delegates this responsibility to KDOT.

Amendment Process

The TIP amendment process described below details procedures that are to be used to update an existing approved TIP. A key element of the amendment process is to assure that funding balances are maintained in order to keep the TIP fiscally constrained.

TIP (Transportation Improvement Program) *Administrative Revisions*

The following actions are eligible as Administrative Amendments to the TIP:

- Obvious minor data entry errors.
- Splitting or combining projects.
- Minor adjustments in expenditure for transit or roadway projects
- Changes or clarifying elements of a project description (with no change in funding). This would generally be less than 20% change in project scope. This change would not alter the original project intent.
- Roadway project phase cost estimate changes less than 20%

The Administrative Revisions process consists of a letter of notification from the MPO (Metropolitan Planning Organization) to all other involved parties: KDOT, FTA and FHWA. No public notification is required for Administrative Revisions. The MPO must verify with KDOT that funds are available for the cost estimate changes.

TIP (Transportation Improvement Program) *Major Amendments*

Major Amendments to the TIP involves a change in scope that alters the original intent of the project by adding or deleting a phase for projects, and adding or deleting a new project to the TIP. Typically, these types of projects present the following:

- Add or delete a project
- Shift projects within the TIP period
- Increase capacity of the transportation network
- Determined to be regionally significant projects
- Major ITS projects
- Increase in funding by more than 20% of original cost.

The Major Amendment process consists of first putting the amendment on the agenda for discussion at the TAC and MPO. Next, the amendment must be publicly advertised and/or posted on the MPO web site. Following the 15-day required comment period, all comments will receive a response, either individually or in a summary form. There is no requirement for a public hearing. The Major Amendment follows the MPO approval process for action.

The MPO must verify from KDOT/local jurisdiction that funds are available for the cost estimate changes if these changes are not offset by cost reductions or shifting of other projects. The MPO is responsible for notification to KDOT and FHWA/FTA of action taken

and assuring that the Major Amendment process and public notification procedures have been followed.

Regionally Significant Projects

The TIP shall include all federally funded projects and regionally significant projects proposed to be funded with non-Federal funds. Regionally significant projects are defined as projects whose impacts will affect travel patterns outside the MPO boundary area. Regionally significant project means a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region; major activity centers in the region, major planned developments such as new retails malls, sports complexes, etc., or transportation terminals) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all arterial roadways and all fixed guideway transit facilities that offer an alternative to regional highway travel.

Roadways

All projects designed to add capacity to roadway segments that are designated as "regionally significant" must be listed in the Transportation Improvement Program (TIP). At a minimum these roadways are defined as roads with a functional classification of minor arterial or higher. The functional classification of roadways in the region is determined by the designation of roadway classifications shown in the MPO approved Long Range Transportation Plan, and on the Functional Classification Map approved by the MPO and the Federal Highway Administration (FHWA) in conjunction with the Kansas Department of Transportation (KDOT).

Determining whether projects located on roads classified as collectors are "regionally significant" will be determined by factors that define the importance of the road. Additional roadway segments classified as urban collectors or rural major collectors may also be added by MPO approval to the list of roads defined as "regionally significant" if one or more of the following criteria are met:

- Road segment is part of a State Highway route and/or part of the State maintained highway system
- Road segment serves a major activity center in the region and is expected to have high peak hour traffic counts
- Road segment serves to connect a major activity site to a higher classification road
- Road segment serves to connect two higher classification roads
- Road segment serves a "regionally significant" transportation facility
- Road segment is located more than a mile away from a higher classification road
- Road segment is on a section line
- Road segment is the highest classification road in a township or city.

All roadway segments designated as "regionally significant" and located in the urbanized

area of the region will be included in the regional traffic demand model used by the MPO.

Roadway segments designated as “regionally significant” and located outside of the region’s urbanized area may be included in the regional traffic demand model if they are located in the area covered by the model network approved by the MPO.

Transit

Regionally Significant transit projects, at a minimum, are defined as projects that will connect to other transit services in communities within the MPO Boundary, such as the K-10 Connecter which connects Lawrence to Johnson County. Other regionally significant transit projects can include maintenance and operations facilities such as a dispatch office, garage, stations, etc…that serve transit and/or paratransit operations that operate throughout the Lawrence Urbanized Area and typically operate for at least ten hours per day. Major transfer points with transit amenities (bus shelters, posted schedules, etc.) may also be “regionally significant” locations.

Non-motorized Modes

Bikeways, including multi-use paths, bike lanes, and bike routes should be considered to be regionally significant if the roadway in the same right-of-way or the nearest parallel roadway is designated as “regionally significant.” In addition, trails that connect the communities within the MPO Boundary as well as outside the boundary shall be considered regionally significant.

Sidewalks and other pedestrian facilities should be considered to be regionally significant if the roadway in the same right-of-way or the nearest parallel roadway is designated as “regionally significant.”

Appendix V

MPO Self Certification

The Kansas Department of Transportation and the Lawrence-Douglas County MPO certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;

2. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;

3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;

4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

5. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;

8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and

10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

_____ _____

(Grant Eichhorn, MPO Chair) Date

_____ _____

(Thomas Dow, State Transportation Planner) Date

Appendix V

FY 2008-2012
TRANSPORTATION IMPROVEMENT PROGRAM PROJECT LISTING

(Includes the Program of Projects for the Lawrence Transit System)

FY 2008-2012
Transportation Improvement Program
Lawrence-Douglas County MPO

Airport Improvements

TIP#: **APORT – 400** **KDOT#:** 74

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: Airport

Length: 0

Location: Runway 1-19

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	CONST	$1,620
LOC	CONST	$180
FED	PE	$180
LOC	PE	$20
		$2,000

Comment

Runway Safety Area Grading and Utility Relocation

Funding:

FAA	FED	FAA Airport Improvement Funds
LO	LOC	Locally Funded

TIP#: **APORT – 405** **KDOT#:** 76

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: Airport

Length:

Location: Runway 1-19

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	R/W	$81
LOC	R/W	$4
		$85

Comment

Land acquisition-tract will allow for standard runway object free area and full building restriction line for RW 1-19

Funding:

FAA	FED	FAA Airport Improvement Funds
LO	LOC	Locally Funded

TIP#: APORT – 403 **KDOT#:**

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: Airport

Length:

Location: Runway 15-33

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	CONST	$50
LOC	CONST	$3
FED	PE	$11
LOC	PE	$1
		$65

Comment

Install REILs for Runway 15 and Wind Cones for Runway 15-33

Funding:

FAA	FED	FAA Airport Improvement Funds
LO	LOC	Locally Funded

TIP#: APORT – 409 **KDOT#:**

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: Airport

Length: 0

Location: Airport Master Plan

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	OTHER	$143
LOC	OTHER	$8
		$150

Comment

Install REILs for Runway 15 and Wind Cones for Runway 15-33

Update of the AMP

Funding:

LO	LOC	Locally Funded
FAA	FED	FAA Airport Improvement Funds

TIP#: APORT – 411 **KDOT#:**

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: Airport

Length: 0

Location: Signage

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	OTHER	$128
LOC	OTHER	$7
		$135

Comment

Install Airport Signage for Part 139 and Jet Operations

Funding:

LO	LOC	Locally Funded
FAA	FED	FAA Airport Improvement Funds

TIP#: APORT – 408 **KDOT#:**

Jurisdiction: LAW Lawrence

Project Year: 2010

Route: Airport

Length:

Location:

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	CONST	$456
LOC	CONST	$24
FED	PE	$114
LOC	PE	$6
		$600

Comment

Install perimeter security fencing to control access to restricted areas and to promote higher level of security.

Funding:

FAA	FED	FAA Airport Improvement Funds
LO	LOC	Locally Funded

TIP#: APORT – 407 **KDOT#:** 77

Jurisdiction: LAW Lawrence

Project Year: 2011

Route: Airport

Length:

Location: East Apron

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	CONST	$1,646
LOC	CONST	$86
LOC	OTHER	$29
FED	PE	$549
		$2,310

Comment

Expand to meet demand for operations, both based and itinerate aircraft.
East Apron Expansion Phase 1

Funding:

FAA	FED	FAA Airport Improvement Funds
LO	LOC	Locally Funded

TIP#: APORT – 410 **KDOT#:**

Jurisdiction: LAW Lawrence

Project Year: 2012

Route: Airport

Length: 0

Location: Equipment Storage Bldg

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	OTHER	$572
LOC	OTHER	$143
		$715

Comment

New storage bulding to store SRE and ARFF equipment

Funding:

LO	LOC	Locally Funded
FAA	FED	FAA Airport Improvement Funds

TIP#: **APORT – 406** **KDOT#:** 75

Jurisdiction: LAW Lawrence

Project Year: 2014

Route: Airport

Length:

Location: Runway 15-33

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	CONST	$1,819	Extend by 400 feet.
LOC	CONST	$202	
FED	OTHER	$454	
LOC	PE	$50	
		$2,525	

Funding:

FAA	FED	FAA Airport Improvement Funds
LO	LOC	Locally Funded

Bridge Improvements

TIP#: **BRDGE – 204** **KDOT#:** C-4122-01

Jurisdiction: DGCO Douglas County

Project Year: 2008

Route: Route 1023

Length: 0.1

Location: 0697 E 100 Rd

Work Type

BRRPL Bridge Replacement

Funding:

LO	LOC	Locally Funded
BR	FED	Bridge Rehabilitation or Replacement

Source	Phase	Cost x 1,000's
FED	CONST	$508
LOC	CONST	$127
LOC	PE	$37
LOC	R/W	$12
		$684

Comment: On 5-Year Plan

TIP#: **BRDGE – 207** **KDOT#:** C-3974-01

Jurisdiction: DGCO Douglas County

Project Year: 2008

Route: E 2400 Rd

Length: 0.1

Location: 0583 E 2400 Rd

Work Type

BRRPL Bridge Replacement

Funding:

LO	LOC	Locally Funded
BR	FED	Bridge Rehabilitation or Replacement

Source	Phase	Cost x 1,000's
FED	CONST	$303
LOC	CONST	$76
LOC	PE	$50
LOC	R/W	$20
		$449

Comment: Share costs w/ JOCO. On JOCO 5-Year Plan.

TIP#: **BRDGE – 223** **KDOT#:** C-???-01

Jurisdiction: DGCO Douglas County

Project Year: 2009

Route: E 1000 Road

Length: 0.1

Location: Washington Creek

Work Type

BRRPL Bridge Replacement

Source	Phase	Cost x 1,000's
FED	CONST	$490
LOC	CONST	$123
LOC	PE	$60
LOC	R/W	$25
		$698

Comment

Added to DGCO 5 Year Plan (2008-2012)

Funding:

LO	LOC	Locally Funded
BR	FED	Bridge Rehabilitation or Replacement

TIP#: **BRDGE – 217** **KDOT#:** KA-0389-01

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2010

Route: Mud Creek

Length: 0.008

Location: BR 001, 2.32 mi E of S Jct US-59

Work Type

BRRPL Bridge Replacement

Source	Phase	Cost x 1,000's
FED	CONST	$1,511
FED	PE	$172
FED	R/W	$34
		$1,717

Comment

Addition of PE only (Plan dvlpmt) due to deteriorating bridge condition. Project is authorized for PE only-add'l phases for planning purposes only. 34K for ROW (FFY 2008) 1,511 for CONST (FFY2010)

Funding:

BR	FED	Bridge Rehabilitation or Replacement

TIP#: BRDGE – 218 **KDOT#:** C-4123-01

Jurisdiction: DGCO Douglas County

Project Year: 2011

Route: Route 1057

Length: 0.1

Location: 1300 E 1900 Road

Work Type

BRRPL Bridge Replacement

Source	Phase	Cost x 1,000's
FED	CONST	$1,725
LOC	CONST	$348
LOC	PE	$217
LOC	R/W	$60
		$2,350

Comment

Total bridge replacement. On DGCO 5-Year Plan. Federal Funding at a max of $1,725,000. Federal funds to be spent over the life of the TIP

Funding:

BR	FED	Bridge Rehabilitation or Replacement
LO	LOC	Locally Funded

TIP#: BRDGE – 222 **KDOT#:** K-6813-01

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2012

Route: US-59

Length: 0.008

Location: BR 017, Wakarusa Rv. 9.8 KM n/o US 59

Work Type

BRRPL Bridge Replacement

Source	Phase	Cost x 1,000's
FED	CONST	$670
ST	CONST	$168
FED	PE	$100
ST	PE	$25
FED	R/W	$6
ST	R/W	$2
		$971

Comment

Bridge Replacement based on .008 mile roadway

Funding:

ST	KDOT	KDOT
BR	FED	Bridge Rehabilitation or Replacement

TIP#: **BRDGE – 224** **KDOT#:** K-7888-04

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2012

Route: US 59

Length: 0

Location: Franklin-Douglas county Line, North to 2L/4L Divided

Work Type

SU	Surfacing
OL	Overlay
MILL	Pavement Milling

Funding:

KDOT ST Kansas Dept of Transportation Funded

Source	Phase	Cost x 1,000's	Comment
ST	CONST	$1,462	Turnback workd for prj #K-7888-01 surface recycle, overal
ST	PE	$20	
		$1,482	

Miscellaneous

TIP#: **MISC – 504** **KDOT#:** TE-0303-01

Jurisdiction: LAW Lawrence
KDOT Kansas Department of Transportation

Project Year: 2008

Route: Ohio Street

Length: 0.3

Location: 6th (US-40) to 8th St.

Work Type
SU Surfacing

Funding:

TE	FED	Transportation Enhancement Program
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's
FED	CONST	$713
LOC	CONST	$178
LOC	PE	$90
		$981

Comment
Brick Street Restoration

TIP#: **MISC – 505** **KDOT#:** TE-0307-01

Jurisdiction: KDOT Kansas Department of Transportation
EUD Eudora

Project Year: 2008

Route: Main Street

Length: 0.2

Location: 7th St. & 9th St. (downtown)

Work Type
SPECL Special Work

Funding:

TE	FED	Transportation Enhancement Program
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's
FED	CONST	$752
LOC	CONST	$1,228
LOC	PE	$107
		$2,087

Comment
Enhancement of downtown Eudora streetscape w/ new sidewalks, curb & gutter, lighting, and other.

TIP#: MISC – 506 **KDOT#:**

Jurisdiction: BAL Baldwin

Project Year: 2008

Route: SRTS-Phase I

Length: 0

Location: Baldwin City Elementary

Work Type

PEDBI Pedestrian & Bicycle Paths

Funding:

SRTS FED Safe Routes To School

Source	Phase	Cost x 1,000's	Comment
FED	OTHER	$15	Develop SRTS Plan
		$15	

TIP#: MISC – 507 **KDOT#:** C-4397-02

Jurisdiction: BAL Baldwin

Project Year: 2008

Route: SRTS-Phase II

Length: 0

Location: Baldwin City Elementary

Work Type

PEDBI Pedestrian & Bicycle Paths

Funding:

SRTS FED Safe Routes To School

Source	Phase	Cost x 1,000's	Comment
FED	CONST	$206	Includes 6 project throughout Baldwin City Second Phase-includes sidewalk improvements
		$206	

TIP#: **MISC – 502** **KDOT#:** TE-0191-01

Jurisdiction: KDOT Kansas Department of Transportation
BAL Baldwin

Project Year: 2009

Route: Old Santa Fe Depot

Length: 0

Location: Baldwin City

Work Type
SPECL Special Work

Source	Phase	Cost x 1,000's
FED	CONST	$168
LOC	CONST	$47
LOC	PE	$1
		$216

Comment
Rehab Old Santa Fe Depot & RR yrads. Costs shown per KDOT 883

Funding:

TE	FED	Transportation Enhancement Program
LO	LOC	Locally Funded

TIP#: **MISC – 508** **KDOT#:** TE-

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: Burrough Creek Rail Trail

Length: 1.65

Location: Lawrence

Work Type
PEDBI Pedestrian & Bicycle Paths

Source	Phase	Cost x 1,000's
FED	CONST	$500
LOC	CONST	$346
		$846

Comment
This rail-trail project runs between 11th & 23rd Streets along an abandoned railroad corridor and is part of the Burroughs Creek Trail and Linear Park

Funding:

TE	FED	Transportation Enhancement Program
LO	LOC	Locally Funded

TIP#: STHWY – 23 **KDOT#:** U-2125-01

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: 19th St.

Length: 0.5

Location: Ohio - Alabama, LA intersection

Work Type

GEO Geometric/Intersection Improvement

Funding:

STP	FED	Surface Transportation Program
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's
FED	CONST	$294
LOC	CONST	$685
LOC	PE	$40
LOC	R/W	$75
		$1,094

Comment: Roadway reconstruction, intersection improvements at 19th & Louisiana

TIP#: STHWY – 33 **KDOT#:** not assigned

Jurisdiction: KDOT Kansas Department of Transportation
DGCO Douglas County

Project Year: 2008

Route: Route 1055

Length: 0.2

Location: 0.5 mi W, 1.75 mi N of Vinland

Work Type

SPECL Special Work

Funding:

STP-S	FED	STP-Safety Program
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's
FED	CONST	$450
LOC	CONST	$50
LOC	PE	$50
LOC	R/W	$125
		$675

Comment: Safety Improvement to horizontal curve

Not on current 5-Year Plan. Per DGCO CIP

TIP#: STHWY– 60 **KDOT#:** K-8392-01

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2008

Route: South Lawrence TRWY

Length: 5.5

Location: So Junct US 59/K-10E to K-10

Work Type

SPECL	Special Work
ROW	Right of Way

Funding:

STP	FED	Surface Transportation Program

Source	Phase	Cost x 1,000's
FED	PE	$485
FED	R/W	$1,000
		$1,485

Comment

Total State funds of $7,849,776 have been expended to date.

Includes a portion of Env. Mitigation as outlined in Phase 1 of the 3 party Agreement between KS, Baker U., and DGCO. Includes R/W costs.

Current funds of $1,485,000 for this project are available from a 2006 Federal Earmark that was converted to STP.

TIP#: STHWY– 50 **KDOT#:** U-2117-01

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: 31st Street

Length: 1

Location: Haskell Ave to O'Connell Rd.

Work Type

GR	Grading
SU	Surfacing

Funding:

LO	LOC	Locally Funded
FDEMRK	FED	Federal Earmark

Source	Phase	Cost x 1,000's
LOC	CONST	$6,900
FED	PE	$542
FED	R/W	$250
		$7,692

Comment

Engineering for 2006,Construction tentative for 2009,Congressional earmark for PE & ROW $792,000

TIP#: **STHWY – 57** **KDOT#:**

Jurisdiction: KDOT Kansas Department of Transportation
DGCO Douglas County

Project Year: 2009

Route: Route 6

Length: 0.9

Location: N 1150 to E 550

Work Type

GR Grading

SFTY Safety

Funding:

HRRR FED High Risk Rural Roads

LO LOC Locally Funded

Source	Phase	Cost x 1,000's	Comment
FED	CONST	$398	Work to reconstruct curve in the road
LOC	CONST	$44	
LOC	PE	$42	
LOC	R/W	$15	
		$499	

TIP#: **STHWY – 61** **KDOT#:** K-7888-01

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2009

Route: US-59

Length:

Location: FR-DG Co Line, N to 2L/4L Div

Work Type

BRRPL Bridge Replacement

GR Grading

Funding:

STP FED Surface Transportation Program

ST KDOT KDOT

Source	Phase	Cost x 1,000's	Comment
FED	CONST	$59,168	
ST	CONST	$14,792	
FED	PE	$3,440	
ST	PE	$860	
FED	R/W	$1,174	
ST	R/W	$9,856	
		$89,290	

TIP#: **STHWY – 45** **KDOT#:** K-9667-01

Jurisdiction: LAW Lawrence
KDOT Kansas Department of Transportation

Project Year: 2010

Route: K-10 (23rd St.)

Length: 1

Location: US 59 (Iowa St.) to Louisiana

Work Type

ACMNGT Access Management

Funding:

LO	LOC	Locally Funded
K(ED)	ST	Eco Devo

Source	Phase	Cost x 1,000's
LOC	CONST	$230
ST	CONST	$689
LOC	PE	$80
LOC	R/W	$148
		$1,147

Comment

Lawrence ED project
Max KDOT funds of $500K

TIP#: **STHWY – 49** **KDOT#:** K-7888-03

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2010

Route: US-59

Length: 0.34

Location: E 1326 Road from County Rds N 1000 to N 1031

Work Type

GR Grading

SU Surfacing

Funding:

ST	KDOT	KDOT

Source	Phase	Cost x 1,000's
ST	CONST	$264
ST	PE	$16
ST	R/W	$40
		$320

Comment

New access pt to replace 2 old access pts

Provide funds to Douglas County to extend county road E 1326 for access to US-59 due to loss of existing access points to US-59. Max K= 210,000

TIP#: **STHWY – 62** **KDOT#:** K-7888-02

Jurisdiction: KDOT Kansas Department of Transportation

Project Year: 2010

Route: US-59

Length:

Location: FR-DG Co Line, N to 2L/4L Div

Work Type

SU Surfacing

Funding:

STP	FED	Surface Transportation Program
ST	KDOT	KDOT

Source	Phase	Cost x 1,000's
FED	CONST	$35,140
ST	CONST	$8,785
FED	PE	$1,600
ST	PE	$400
		$45,925

Comment

Surfacing 4L Freeway constricution in accordance with Prj#K-6318-01

TIP#: **STHWY – 32** **KDOT#:** not assigned

Jurisdiction: EUD Eudora

DGCO Douglas County

Project Year: 2011

Route: Route 1061 (Church St)

Length: 1

Location: K-10 to 28th St (N 1200)

Work Type

SPECL Special Work

Funding:

LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's
LOC	CONST	$2,689
LOC	PE	$538
LOC	R/W	$75
		$3,302

Comment

Reconstruction

Traffic Signal/Intersection Improvements

TIP#: TRFSG – 119 **KDOT#:** KA-1186-01

Jurisdiction: LAW Lawrence
KDOT Kansas Department of Transportation

Source	Phase	Cost x 1,000's
LOC	CONST	$250
ST	CONST	$250
		$500

Comment
ITS Project
Signal Sychronization
Funded 50% by state

Project Year: 2009

Route: US HWY 40 (6th St)

Length: 1.3

Location: Massachusetts to Iowa

Work Type

SGNL Signal

Funding:

ST	KDOT	KDOT
LO	LOC	Locally Funded

TIP#: TRFSG – 118 **KDOT#:** U-2041-01

Jurisdiction: LAW Lawrence

Source	Phase	Cost x 1,000's
FED	CONST	$1,000
LOC	CONST	$300
LOC	PE	$200
LOC	R/W	$100
		$1,600

Comment
Project unable to find bidder.

Project Year: 2010

Route: N. 2nd Street (US 40/59)

Length: 0.2

Location: at Locust Street

Work Type

GR Grading

SU Surfacing

Funding:

STP	FED	Surface Transportation Program
LO	LOC	Locally Funded

Transit Improvements/Program of Projects

TIP#: TRNST – 351 **KDOT#:** KS-03-0043

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Funding:

5309	FED	Earmark Capital
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's	Comment
FED	CAP-83	$881	Capital-83% Fixed Route Bus Replacement
LOC	CAP-83	$639	
		$1,520	

TIP#: TRNST – 352 **KDOT#:** KS-15-X002

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Funding:

115	FED	FTA 115

Source	Phase	Cost x 1,000's	Comment
FED	CAP-10	$400	Capital-100% Fixed Route Bus Replacement
		$400	

TIP#: TRNST – 354 **KDOT#:** KS-90-X119

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	OPRT-5	$960	Operating Assistance- 50%. FY08 SAFETEA-LU Actual Apportionment
LOC	OPRT-5	$960	
		$1,920	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: TRNST – 355 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	PREVM	$348	Preventive Maintenance - 80%. FY08 SAFETEA-LU Actual Apportionment
LOC	PREVM	$87	
		$435	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: TRNST – 356 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	PLN/PR	$165	Planning- Program Support Admin- 80%. FY08 SAFETEA-LU Actual Apportionment
LOC	PLN/PR	$41	
		$206	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: TRNST – 357 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	TRAIN	$7	Training - 80%. FY08 SAFETEA-LU Actual Apportionment
LOC	TRAIN	$2	
		$9	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: TRNST – 358 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	SEC	$15	Security & Security 80% - FY08 SAFETEA LU Actual Amount
LOC	SEC	$4	
		$19	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: TRNST – 359 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	CAP-83	$147	Capital- Bus & Bus Facilities-- Fleet Replacement - 83%
LOC	CAP-83	$30	
		$177	

Funding:

5309	FED	Earmark Capital
LO	LOC	Locally Funded

TIP#: **TRNST – 360** **KDOT#:** not assigned

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Funding:

LO LOC Locally Funded

Source	Phase	Cost x 1,000's	Comment
LOC	OTHER	$990	Capital-Bus Acquisition KU Parking & Transit
		$990	

TIP#: **TRNST – 368** **KDOT#:** KS-03-X???

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: Cottonwood

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Funding:

5310C FED Paratransit - Capital

LO LOC Locally Funded

Source	Phase	Cost x 1,000's	Comment
FED	CAP-80	$36	Capital Assistance Vehicle Replacement 80% FY09 Estimated Amount
LOC	CAP-80	$9	
		$45	

TIP#: TRNST – 370 **KDOT#:** not assigned

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: Independence Inc

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's
FED	CAP-80	$43
LOC	CAP-80	$11
		$54

Comment

Capital Assitance Replacement Van

Funding:

LO	LOC	Locally Funded
5311	FED	Rural Formula

TIP#: TRNST – 373 **KDOT#:** KS-37-009

Jurisdiction: LAW Lawrence

Project Year: 2008

Route: City Wide

Length:

Location: City Wide

Work Type

VEHICLE Vehicle Replacement

Source	Phase	Cost x 1,000's
FED	CAP-83	$497
LOC	CAP-83	$143
		$640

Comment

Capital -83% Fixed Route bus replacement. Minimum Local match is 17% with overmatch for this project.

Funding:

LO	LOC	Locally Funded
5316	FED	JARC

TIP#: **TRNST – 361** **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	OPRT-5	$960	Operating Assistance- 50%. FY09 Estimated Apportionment
LOC	OPRT-5	$960	
		$1,920	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: **TRNST – 362** **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	PREVM	$348	Preventive Maintenance - 80%. FY09 Estimated Apportionment
LOC	PREVM	$87	
		$435	

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

TIP#: **TRNST – 363** **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's	Comment
FED	PLN/PR	$165	Planning- Program Support Admin- 80%. FY09 Estimated Apportionment
LOC	PLN/PR	$41	
		$206	

TIP#: **TRNST – 364** **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Funding:

5307	FED	Urban Formula
LO	LOC	Locally Funded

Source	Phase	Cost x 1,000's	Comment
FED	TRAIN	$7	Training - 80%. FY09 Estimated Apportionment
LOC	TRAIN	$2	
		$9	

TIP#: TRNST – 365 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: City-wide

Length: 0

Location: City-wide

Work Type

SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	SEC	$15	Security and Safety80% FY09 Estimated Amount
LOC	SEC	$4	
		$19	

Funding:

LO	LOC	Locally Funded
5307	FED	Urban Formula

TIP#: TRNST – 366 **KDOT#:** KS-90-X???

Jurisdiction: LAW Lawrence

Project Year: 2009

Route: City-wide

Length: 0

Location: City-wide

Work Type

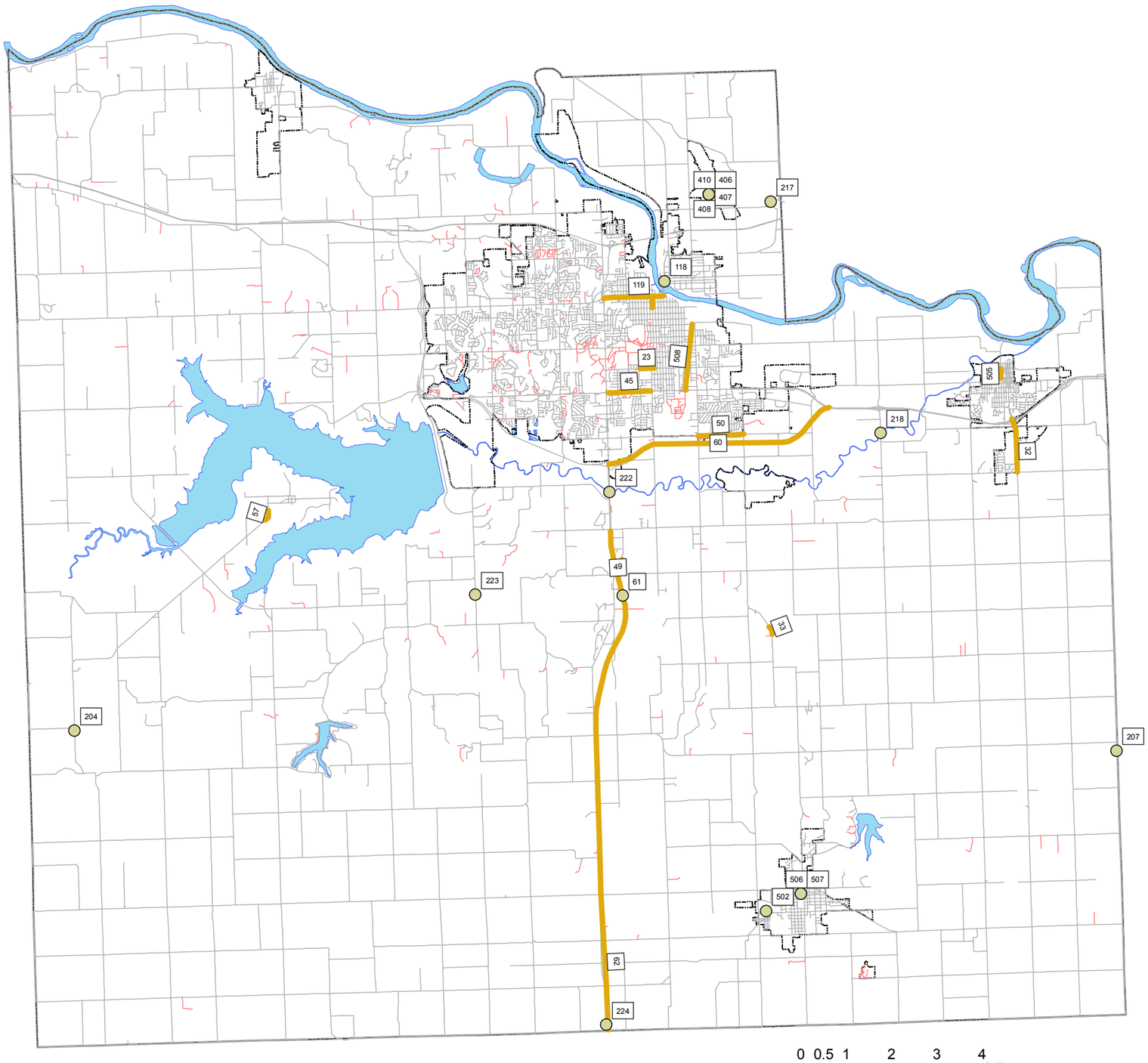
SPECL Special Work

Source	Phase	Cost x 1,000's	Comment
FED	CAP-83	$1,859	Capital -83% Fixed Route Bus Replacement FY09 Requested Amount
LOC	CAP-83	$381	
		$2,240	

Funding:

LO	LOC	Locally Funded
5309	FED	Earmark Capital

TIP Projects for Lawrence-Douglas County, Kansas
Fiscal Years 2008 - 2012



N

Bridge and Airport TIP Projects

Street, Highway, Pedestrian and Bicycle TIP Projects

Map prepared by Lawrence-Douglas County
Metropolitan Planning Office
July 17, 2008

RESOLUTION

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) is designated as the Metropolitan Planning Organization (MPO) to carry out the Continuing, Cooperative and Comprehensive planning program, including transportation planning; and,

WHEREAS, the Transportation Improvement Program (TIP) of a MPO identifies the projects to use Federal Highway Administration, Federal Transit Administration and certain other State and local funds for the advancement of projects that implement the regional transportation plan approved by the MPO; and

WHEREAS, a Transportation Improvement Program for each MPO is customarily adopted on a regular basis, and must be amended and/or revised when necessary, in accordance with 23 USC 134, 49 USC 5303-5306 and associated regulations and laws; and

WHEREAS, the local government sponsors of the projects described in this amendment have placed the necessary funds for those projects into their Capital Improvement Plans and conferred with the Kansas Department of Transportation to ensure that any needed federal and/or state funding for those projects is also available, and that this amendment maintains a fiscally constrained TIP; and

WHEREAS, the projects listed in this TIP that are sponsored by the Lawrence Transit System constitute the Program Of Projects (POP) for Lawrence Transit and by approving this TIP amendment the L-DC MPO is also reviewing and approving the POP for transit to bring the Lawrence Transit System into compliance with current FTA regulations regarding their POP.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of 23 CFR Part 450.210, the Kansas Department of Transportation and the Lawrence-Douglas County Metropolitan Planning Organization hereby agree that the public involvement activities carried out in response to 23 CFR 450.324 (b) satisfy the public involvement requirements to add this TIP amendment into the Statewide Transportation Improvement Program (STIP); and that the 2008-2012 Transportation Improvement Program for the Lawrence-Douglas County Area be amended to make the changes noted below and shown on the attached pages.

- TIP Project Location Map is added to the TIP text
- Transportation Enhancement (TE) Funding and local match funding for the Burroughs Creek Rail Trail Project is added to the TIP tables
- Job Access Reverse Commute (JARC) Funding and local match funding for vehicle replacements for the Lawrence Transit System is added to the TIP tables

- Douglas County and Eudora sponsored reconstruction project for Church Street between 12th Street and K-10 Highway is deleted from the TIP tables
- Douglas County and Eudora sponsored reconstruction project for Church Street between K-10 Highway and 28th Street is moved from 2008 to 2011 in the TIP tables
- Douglas County and Eudora sponsored interchange project for Church Street at K-10 Highway is deleted from the TIP tables
- Douglas County requested project using High Risk Rural Roads funds for improvements to Route 442 between N 1700 and E 050 Roads is deleted from the TIP tables
- Douglas County requested project using High Risk Rural Roads funds for improvements to Route 442 between N 1600 and E 050 Roads is deleted from the TIP tables
- TIP text is modified to clarify that the Lawrence Transit projects in the TIP document constitute the Program Of Projects (POP) for this transit system and that the POP included in the TIP has been made available for public review and approved by the L-DC MPO as part of the TIP
- Various other corrections, updates and revisions to the TIP are made as noted on the attached revised TIP

The Lawrence-Douglas County Metropolitan Planning Organization hereby approves this TIP amendment on this 27th day of August 2008.

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Brad Finkeldei, L-DC MPO Chairperson

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Scott McCullough, L-DC MPO Secretary