

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
4/23/2014

ITEM NO. 9A: RSO TO CN2; 10.97 ACRES; 4300 W 24th Place (SLD/TLH)

Z-13-00483: Consider a request to rezone approximately 10.97 acres from Single-Dwelling Residential-Office (RSO) to Neighborhood Shopping Center (CN2), located at 4300 W 24th Place in Lawrence. This request has been submitted by Paul Werner Architects for Corporate Holdings II LLC, the property owner of record. *Deferred by Planning Commission on 2/24/14*

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 10.97 acres from Single-Dwelling Residential-Office (RSO) to Neighborhood Shopping Center (CN2) and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following conditions:

1. Uses subject to site plan approval shall be approved by the CC prior to approval
2. Uses shall be prohibited in this CN2 (Neighborhood Shopping Center) District:
 - a. Household living (all residential uses)
3. Buffer along Inverness Drive shall be limited to open space, landscape, and park-type amenities.

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

ATTACHMENTS

- A. Inverness Park Plan Map
- B. Table of Restricted Uses- 20-403
- C. Revised map of zoning
- D. Applicant's Project Summary
- E. January correspondence**
- F. Inverness Park Area Development History.**

PROPERTY OWNER'S REASON FOR REQUEST

The property owner intends to develop an outdoor 'Family Fun Center' with clubhouse.

KEY POINTS

- This is a request to accommodate the proposed Family Fun Center on the east half of the property located south of Clinton Parkway at the intersection of W. 24th Place and Inverness Drive.
- Proposed request will create a Neighborhood Commercial Center in the Inverness Park District.
- Request is consistent with land use recommendations for this area noted in the *Inverness Park District Plan*.

ASSOCIATED CASES/OTHER ACTION REQUIRED

ASSOCIATED ITEMS BEING CONSIDERED AT THE FEBRUARY PLANNING COMMISSION MEETING:

- TA-13-00488; Special Use in CN2 District
- **Z-13-00483; RSO to CN2**

- SUP-13-00486; Family Fun Center
- SUP-14-00026; Inverness Corner Retail Development (with drive-thru)

OTHER ACTION REQUIRED:

- City Commission approval of rezoning and adoption of ordinance.
- Publication of rezoning ordinance.

OTHER ACTIONS REQUIRED PRIOR TO DEVELOPMENT

- Platting of the property through the Major Subdivision process.
- Special Use Permit approved prior to release of building permits, for Participant Sports and Recreation, Outdoor.

PLANS AND STUDIES REQUIRED

(None required for this rezoning)

PUBLIC COMMENT

- Letter: Gary Olson, Clinton Parkway Animal Hospital
- Letter: Wimbledon Townhome Association

Project Summary

This property is located on the south side of Clinton Parkway; east of Inverness Drive and north of W. 24th Place. This application is submitted concurrently with TA-13-00488, SUP-13-00486, and SUP-14-00026 with the intent to develop an outdoor "Family Fun Center" with a Clubhouse on site. This use will use the eastern 2/3 of the property. The western 1/3 will contain pad sites with drive-thru uses and are covered in SUP-14-00026. This request allows for neighborhood-oriented commercial development along Clinton Parkway in the Inverness Park neighborhood. This application was submitted concurrently with the text amendment and special use applications.

The applicant has submitted a concept plan for the Family Fun Center that details the new complex, and additional commercial uses on the parcel closest to Inverness Drive. Two separate Special Use Permit applications have been submitted for the Family Fun Center and the pad sites, Inverness Corner Retail Development.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Property Owner's Response:

"Page 18 of the Inverness Park District Plan states, "Multi-Family uses are not appropriate for this area." The Future Land Use Map 4-1, on page 21, shows this area as 'neighborhood commercial.'"

The CN2 (Neighborhood Shopping Center District) is primarily intended to implement the Comprehensive Plan's "Neighborhood Commercial Centers" policy of providing for the sale of goods and services at the neighborhood level. Neighborhood Commercial Centers are generally located at least one mile from another Commercial Center. Developments in CN2 Districts are intended for Collector/Arterial Street intersections or at Arterial/Arterial Street intersections. Development is intended on only one corner of the intersection.

Horizon 2020 identifies commercial development goals in Chapter 6. Goals for established commercial areas include the retention, redevelopment and expansion of established commercial areas in the community. (Page 6-24)

Other comprehensive plan goals include appropriate land use transition between commercial and residential neighborhood areas. These goals are applicable to the proposed request.

Staff Finding – The request for CN2 zoning in this location is consistent with recently approved changes to *Horizon 2020* goals and policies and specific land use recommendations included in the *Inverness Park District Plan*.

2. ZONING AND LAND USES OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use: RSO (Single-Dwelling Residential-Office District), undeveloped

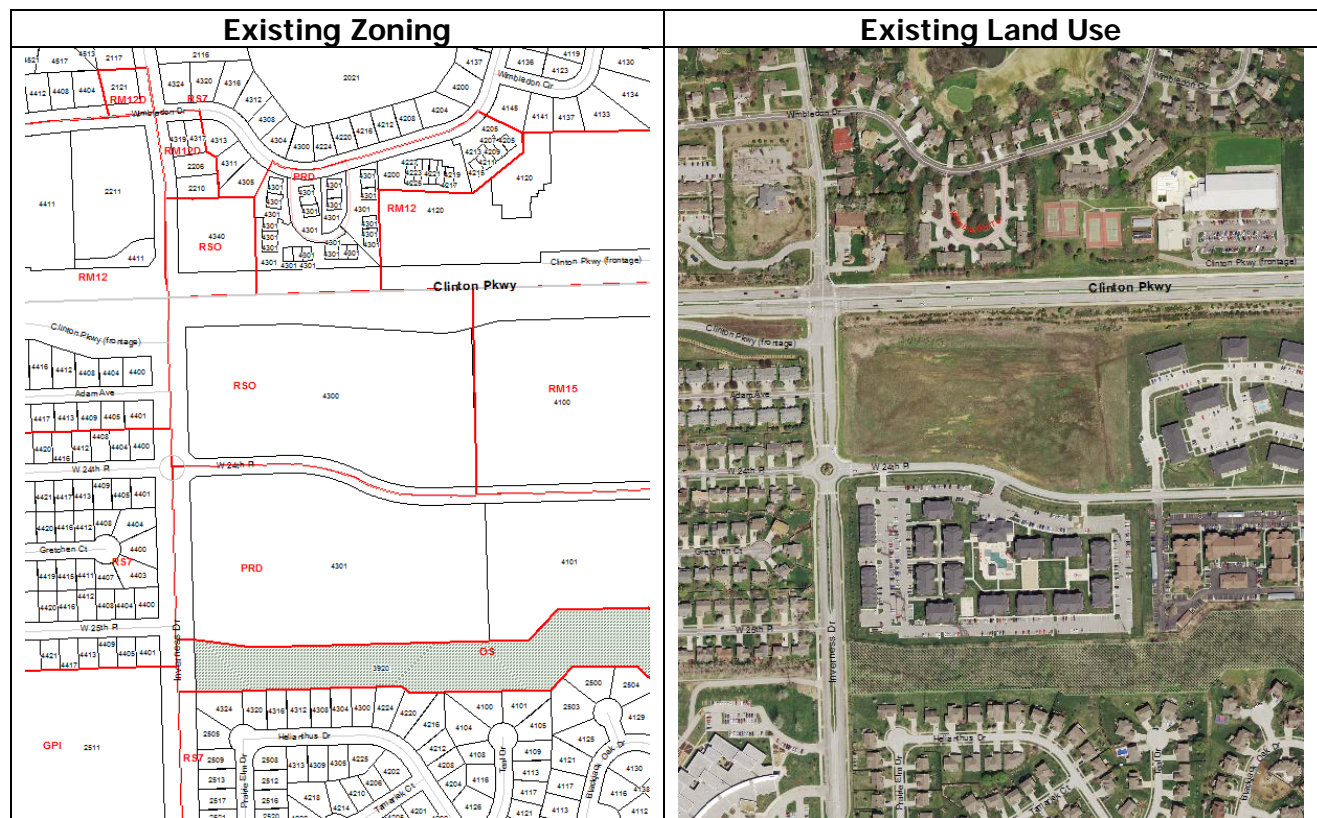
Surrounding Zoning and Land Use: To the southwest:
RS7 (Single-Dwelling Residential District) single family residences located west of Inverness Drive.
GPI (Southwest Middle School and Sunflower Elementary School); Elementary and middle schools located farther southwest along Inverness Drive.

To the south:
PRD-[The Grove] and PRD-[Legends at KU]; multi-dwelling residences.

To the north:
RM12 (Multi-Dwelling Residential District); Bishop Seabury Academy.
PRD-[Wimbledon Terraces]; multi-dwelling residences
RSO (Single-Dwelling Residential-Office) District; Clinton Parkway Animal Hospital.

To the northwest/west
RM12 (Multi-Dwelling Residential District); a church and duplexes

To the east:
RM12 (Multi-Dwelling Residential District); multi-dwelling residences



The predominate use of nearby properties are multi-dwelling residential, with single family residences located to the west and further south, east of Inverness. All adjacent properties are developed; the current property is the only undeveloped parcel in the immediate vicinity. Southwest Middle School and Sunflower Elementary School are located roughly one block south along Inverness Drive. Raintree Montessori School is located roughly one block west of the property along Clinton Parkway.

Staff Finding – The existing zoning and land use in this immediate area includes both single-family and multi-family zoning. The area is developed with both residential and non-residential uses. Public and private schools are located in the vicinity. The Hy-Vee convenience store and fuel station is located at the east end of W 24th Place.

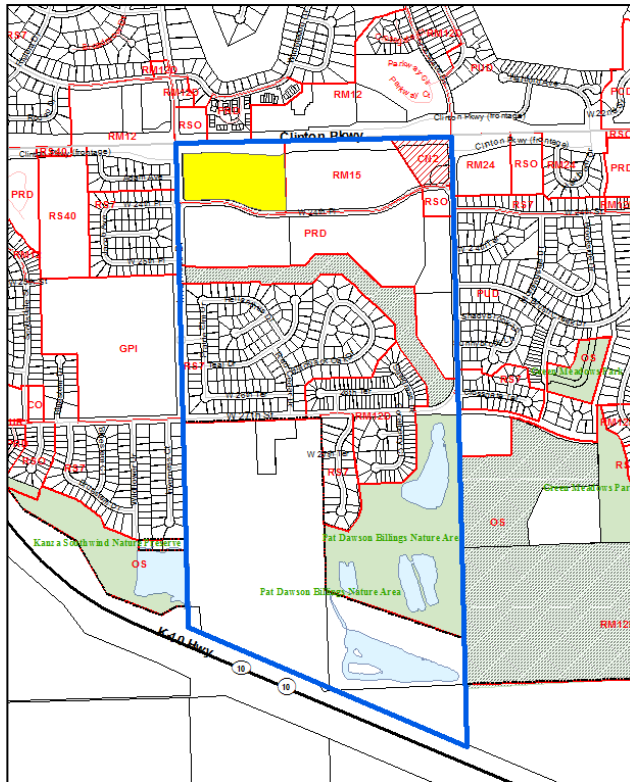
3. CHARACTER OF THE AREA

Property Owner's Response:

"The neighborhood is characterized by a large group of apartment complexes along 24th Street, single family homes/duplexes in other areas, and four schools in close proximity to the site. The population already present in the area, the proposed change to zoning would serve the surrounding neighborhoods well."

This property is located within the Inverness Park Neighborhood. The property is adjacent to Inverness Drive, directly to the west, which provides access to Clinton Parkway, a major arterial. The property is also serviced via Bus Route 29 (27th & Wakarusa to KU) along W 24th

Place, which provides transit access from the University of Kansas to areas in the southwestern part of Lawrence.



The Inverness Park neighborhood is defined in the *Inverness Park District Plan* as an area located south of Clinton Parkway between Inverness and Crossgate Drives, north of K-10 Highway. The Inverness Park neighborhood is primarily urban in nature and is located mostly within the City of Lawrence, except for two residences located south near K-10 Highway. Multi-dwelling (higher density) residential properties are located in the northern portion of the district, and are located in the direct vicinity of the proposed Family Fun Center, along W 24th Place. Raintree Montessori School is located west of the neighborhood along Clinton Parkway, and Southwest Middle School and Sunflower Elementary School are located roughly one block south of the property along Inverness Drive.

The subject property is one of the few undeveloped parcels within the plan boundary.

Staff Finding – The vicinity surrounding the subject property includes a variety of residential and non-residential uses. The neighborhood is used predominately developed with few remaining vacant parcels.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

This property is included within the plan boundary of the *Inverness Park District Plan* adopted in 2012. The plan recommends this particular parcel to be used for neighborhood commercial development. This plan includes specific policies to address buffers and screening on this particular parcel of land in order to maintain the single-family neighborhood characteristics of homes to the west.

Staff Finding – The proposed CN2 zoning request conforms to the land use recommendation in the *Inverness Park District Plan*. Buffers laid out in the Inverness Park District Plan should be designed to mitigate any nuisances related to commercial development.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Property Owner's Response:

"The current zoning restricts the site to residential/office uses which would not serve the area well due to the large amount of apartments already present on 24th Street."

Numerous concerns were raised before and during the creation of the *Inverness Park District Plan* adoption in 2012 regarding additional multi-dwelling residential development. The current RSO district is no longer suitable for this property, being inconsistent with the recommended commercial land use. The plan states this property is best suited for a neighborhood commercial use.

Staff Finding – The current RSO zoning is no longer suitable for this property given the adoption of the *Inverness Park District Plan*. Approval of the request facilitates development of the site consistent with adopted land use policies for this property. The CN2 district allows multi-dwelling uses identified as unsuitable for this area. If approved, this specific use should be prohibited as a condition.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Property Owner's Response:

"The site has never been developed."

A brief history of the land use and development proposals of property south of Clinton Parkway between Crossgate Drive and Inverness Drive is provided as an attachment to this report.

Staff Finding – This property has been zoned since adoption of the Land Development Code in 2006. Prior to 2006, the property was zoned "RO" as part of the subdivision development plans.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Property Owner's response:

"Nearby properties will benefit from neighborhood commercial uses in the area due to the close proximity of services that they can walk to. Although some additional traffic would be generated by the use, it will likely be serving those already in the area for school drop-off and pick-up."

Staff concurs that traffic in the area will increase as currently vacant properties are developed. No additional street or intersection improvements are necessary as a result of rezoning. As specific uses and development plans are submitted, traffic is evaluated and any additional improvements are identified at that time.

Some uses allowed in the CN2 district are not appropriate or suitable for this location and were found to be detrimental to the neighborhood, prior to the creation of the *Inverness Park District Plan*, specifically multi-dwelling uses.

Any nuisances arising from rezoning will be addressed conditionally as stated in the *Inverness Park District Plan*, most notably, proper buffering for light and noise issues closest to adjacent residential structures. In addition, site plans require public notice and city commission approval.

Staff Finding – The proposed change facilitates development of this site consistent with planned land use of this property. The proposed change alters the land use expectations from residential to neighborhood commercial. This change is expected by staff to be beneficial to surrounding proposal owners by implementing a land use plan. Staff recommends that approval of the zoning prohibit residential uses on this property.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Property Owner's Response:

"The gain if this site were developed would be the benefit of a commercial area that would allow nearby residents to walk to the services provided."

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare.

If the rezoning request were denied, the property could remain vacant as an RSO property, which is not the recommended use determined in the *Inverness Park District Plan*.

If the rezoning were approved, the uses allowed change from residential to commercial with a wide variety of commercial uses permitted. Prohibiting specific uses creates a compatible development with the existing neighborhood, as suggested by concerns raised by residents, and stated in the *Inverness Park District Plan*.

Approval of the request will facilitate development and investment in existing property. Denial of the request would prohibit the ability to develop the property as a neighborhood commercial center.

Staff Finding – Benefits to the community include the investment in property within existing utility, transportation and service corridors. Denial of the request prohibits the applicant from developing the property as a commercial use. If approved, staff recommends the zoning should prohibit residential uses as a condition of the zoning ordinance.

PROFESSIONAL STAFF RECOMMENDATION

The focus of this report is the specific land use request for CN2 zoning. This application was made concurrently with a concept plan for a specific development plan for the site. Approval of the request is intended to apply to the entire property. Some land uses allowed in the CN2 district are not appropriate for this location and would not be consistent with the adopted neighborhood plan. Specific uses that should be prohibited include: household living (multi-dwelling).

The CN2 District allows the following eating and drinking establishments: Bar or Lounge; Brew Pub; Fast Order Food; Fast Order Food, Drive Thru (with SUP); Private Dining Establishment; Restaurant, Quality. Other uses that can include a drive thru or order/pick up window require a SUP to evaluate the appropriateness of the use in a Neighborhood Commercial Center. This requirement provides adequate assurance that public interests are protected. This requirement does not guarantee that drive-thru uses will be allowed. Peak-hour traffic would also be consistent with neighborhood oriented commercial development. High volume, multiple peak-hour traffic generators such as a chain "fast order food" use would not be consistent with neighborhood oriented commercial development. Prohibiting the use of "Fast Order Food, Drive Thru" also prohibits a "coffee shop" type use, which could easily serve neighborhood residents. Due to this inclusion, staff does not recommend prohibition of this use from the proposed CN2

district. Furthermore, per code, this use requires a Special Use Permit that ensures adequate notice, and review to ensure neighborhood compatibility is preserved within the Inverness Park District.

This rezoning has been submitted concurrently with a text amendment (TA-13-00488) which will permit *Participant Sports and Recreation, Outdoor* uses. In addition, two Special Use Permit applications have been submitted with this Zoning request: SUP-13-0046- Family Fun Center; SUP-14-00026- Inverness Corner Retail Development.

Any development plans on the site are subject to site planning and City Commission approval, therefore this requirement is included as a condition for approval.

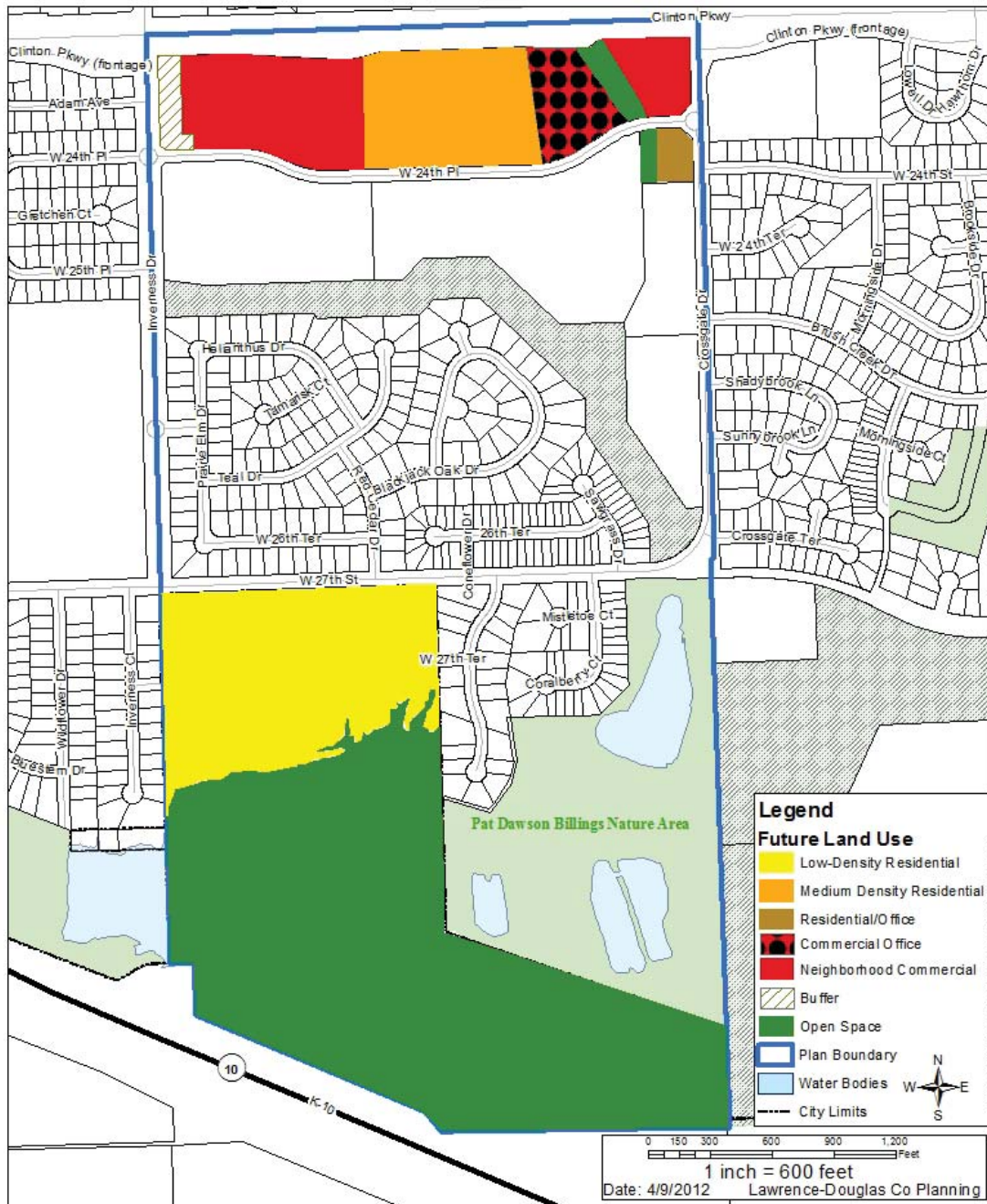
Staff recommends approval of the proposed CN2 zoning.

CONCLUSION

The current zoning of RSO is not consistent with the recommended use in the *Inverness Park District Plan* adopted in 2012. Rezoning to CN2 allows the parcel to be developed as a commercial development at a neighborhood-scale that implements the *Inverness Park District Plan*.

Map 4-1 – Future Land Use

Inverness Park District Plan Future Land Use



20-403 NONRESIDENTIAL DISTRICT USE TABLE

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts															Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
RESIDENTIAL USE GROUP																	
Household Living	Accessory Dwelling	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	534
	Attached Dwelling	P*	-	P*	-	-	-	-	-	-	-	-	-	-	P*	-	503
	Cluster Dwelling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	702
	Detached Dwelling	P*	-	P	-	-	-	-	-	-	-	-	-	-	P*	A*	508
	Duplex	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	503
	Manufactured Home	-	-	-	-	-	-	-	-	-	-	-	-	-	P	A	
	Manufactured Home, Residential-Design	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	513
	Mobile Home	-	-	-	-	-	-	-	-	-	P	-	P	-	P	A	
	Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Multi-Dwelling Structure	-	P*	P*	-	P*/S*	P*		P*	-	-	-	-	-	S	A	517
	Non-Ground Floor Dwelling	P*	P*	P*	-	P*	P*	-	P*	-	-	-	-	-	-	-	517/542
	Work/Live Unit	P*	P*	P*	-	P*/S*	P*	-	P*	-	P*	-	-	-	-	-	517/541
	Zero Lot Line Dwelling	P*	-	P	-	-	-	-	-	-	-	-	-	-	-	-	531
	Home Occupation, Type A or B	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	
Group Living	Assisted Living	-	-	P	-	-	-	-	-	-	-	-	-	-	S	S	
	Congregate Living	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	546
	Dormitory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	
	Fraternity or Sorority House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	-	-	-	-	-	-	A	
	Group Home, Limited (10 or less)	P	-	P	-	-	-	-	-	-	-	-	-	-	-	-	
PUBLIC AND CIVIC USE GROUP																	
Community Facilities	Cemetery	P*	P*	-	P*	-	P*	P*	P*	P*	P*	-	-	P*	P*	-	505
	College/University	S	P	P	P	P	P	P	P	P	P	-	P	-	P	A	
	Cultural Center/ Library	S	P	P	S	P	P	-	-	P	-	-	-	S	P	A	
	Day Care Center	S*	P*	S*	S*	S*	P*	P*	P*	P*	P*	A*	P*	-	-	-	507
	Day Care Home, Class A	P	P	P*	-	P	P	-	P	-	-	-	-	-	-	-	
	Day Care Home, Class B	S*/A*	P*	S*	-	P	P	-	P	-	-	-	-	-	-	-	507

Key: <i>A = Accessory</i> <i>P = Permitted</i> <i>S = Special Use</i> <i>* = Standard Applies</i> <i>- = Use not allowed</i>		Base Zoning Districts															Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	Detention Facilities	-	-	-	-	-	-	-	-	-	S	S	S	-	S	-	
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	-	P*	-	-	-	P*	-	512
	Postal & Parcel Service	-	P	P	P	P	P	P	P	P	P	P	P	-	P	-	
	Public Safety	S	P	P	P	P	P	P	P	P	P	P	P	-	P	-	
	School	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	
	Funeral and Interment	-	P*	-	P*	P*	P*	P*	P*	P*	P*	-	-	A*	-	-	505
	Temporary Shelter	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*	S*/A*	-	S*	-	S*	S*/A*	544/522
	Social Service Agency	P	P	P	P	P	P	P	P	P	P	-	P	-	P	A	
	Community Meal Program	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S	S/A*	-	S	-	S	S/A*	522
	Utilities, Minor	P*/S*	P*/S*	P*/S	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	-	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	P	P	S	P	-	
Medical Facilities	Community Mental Health Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	
	Extended Care Facility, General	-	S	-	S	-	-	-	-	S	-	-	-	-	-	A	
	Extended Care Facility, Limited	P	P	P	P	-	-	-	-	-	-	-	-	-	S	A	
	Health Care Office, Health Care Clinic	P	S	P	P	P	P	P	P	P	P	-	-	-	P	A	
	Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
	Outpatient Care Facility	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	-	P*	A*	519
Recreational Facilities	Active Recreation	S	P	P	S	S	P	P	P	P	P	-	S	S	A*/S*	A	532
	Entertainment & Spectator Sports, General	-	-	-	-	P	P	P	P	-	-	-	-	-	S	-	
	Entertainment & Spectator Sports, Limited	-	P	P	-	P	P	P	P	-	-	-	-	S	P	-	
	Participant Sports & Recreation, Indoor	-	P	P	-	P	P	P	P	P	P	-	-	-	P	A	
	Participant Sports & Recreation, Outdoor	-	-	S	-	-	P	P	P	P	P	-	-	-	A*/S*	-	532
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	Nature Preserve/ Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
	Private Recreation	P	P	P	-	P	P	-	P	-	-	-	-	P	P	A	
Religious Assembly	Campus or Community Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	522
	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	-	522
COMMERCIAL USE GROUP																	
Animal Services	Kennel	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
	Livestock Sale	-	-	-	-	-	S	S	S	-	P	-	P	-	-	-	
	Sales and Grooming	P	P	P	P	P	P	P	P	-	P	-	P	-	-	-	
	Veterinary	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-	
Eating & Drinking Establishments	Accessory Bar	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	-	-	-	-	509
	Accessory Restaurant	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	
	Bar Or Lounge	-	P/S*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	509
	Brewpub	-	P*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	509
	Fast Order Food	P*	P*	P	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	511/509
	Fast Order Food, Drive-In	-	S	-	-	-	P	P	P	-	P	-	-	-	-	-	
	Nightclub	-	-	-	-	P*	-	P*	P*	-	-	-	-	-	-	-	509
	Private Dining Establishments	P*	P*	-	P*	P*	P*	P*	P*	P*	-	-	-	-	-	-	539
	Restaurant, Quality	P*	P*	P	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	-	524
Office	Administrative and Professional	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	A	P*	-	P*	A*	518
	Financial, Insurance & Real Estate	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	A*	510
	Other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	A	P*	-	-	-	537
Parking Facilities	Accessory	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
	Commercial	-	S	S	S	S	P	P	P	P	P	P	P	-	P	A	

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
Retail Sales & Service	Building Maintenance	-	P	S	-	P	P	P	P	-	P	P	P	-	A	A	
	Business Equipment	-	P	P	-	P	P	P	P	P	P	P	-	-	-	-	
	Business Support	-	P	P	P	P	P	P	P	P	P	P	P	-	-	A	
	Construction Sales and Service	-	-	-	-	-	P	P	P	-	P	-	P	-	-	A	
	Food and Beverage	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	511
	Mixed Media Store	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	-	516/528
	Personal Convenience	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	-	A*	520
	Personal Improvement	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	A*	A*	521
	Repair Service, Consumer	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	-	-	523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	525
	Retail Establishment, Large	-	-	-	-	-	P*	P*	S*	-	-	-	-	-	-	-	526
	Retail Establishment, Medium	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	526
	Retail Establishment, Specialty	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	526
Sexually Oriented Businesses	Sexually Oriented Media Store	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	528
	Physical Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	528
	Sex Shop	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	-	528
	Sexually Oriented Theater	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	-	528
Transient Accommodation	Bed and Breakfast	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	504
	Campground	-	-	-	-	-	P	P	P	-	-	-	-	S	-	-	
	Hotel, Motel, Extended Stay	-	-	P	-	P	P	P	P	-	P	-	-	-	-	A	

Key: <i>A = Accessory</i> <i>P = Permitted</i> <i>S = Special Use</i> <i>* = Standard Applies</i> <i>- = Use not allowed</i>		Base Zoning Districts															Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
Vehicle Sales & Service	Cleaning (Car Wash)	-	S	-	-	-	P	P	P	-	P	A	P	-	-	-	
	Fleet Storage	-	-	-	-	-	P	P	P	-	P	P	P	-	-	A	
	Gas and Fuel Sales	-	S	S	-	-	P	P	P	-	P	P	P	-	-	-	
	Truck Stop	-	-	-	-	-	-	S	-	-	-	-	S	-	-	-	
	Heavy Equipment Repair	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	
	Heavy Equipment Sales/Rental	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
	Inoperable Vehicles Storage	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	
	Light Equipment Repair	-	S	-	-	S	P	P	P	-	P	-	P	-	-	-	
	Light Equipment Sales/Rental	-	P*	-	-	S	P	P	P	-	P	-	P	-	-	-	545
	RV and Boats Storage	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
INDUSTRIAL USE GROUP																	
Industrial Facilities	Explosive Storage	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	
	Industrial, General	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	
	Industrial, Intensive	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	
	Laundry Service	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	
	Manufacturing & Production, Ltd.	-	-	P	-	S	S	S	S	P	P	P	P	-	-	-	
	Manufacturing & Production, Tech.	-	-	-	-	S	P	P	P	P	P	P	P	-	-	-	
	Research Service	-	-	-	S	S	P	P	P	P	P	P	P	-	-	-	
	Scrap and Salvage Operation	-	-	-	-	-	-	-	-	-	S*	-	S*	-	-	-	527
Wholesale, Storage & Distribution	Exterior Storage	-	-	-	-	-	A*	A*	A*	A*	A*	A*	A*	-	A*	A*	538
	Heavy	-	-	-	-	-	S	S	S	-	S	-	P	-	-	-	
	Light	-	-	-	-	-	P	P	P	P	P	P	P	-	S	-	
	Mini-Warehouse	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	

<div>Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed</div>		Base Zoning Districts															Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
OTHER USES GROUP																	
Adaptive Reuse	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
	Greek Housing Unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Agriculture	Agricultural Sales	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
	Agriculture, Animal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Agriculture, Crop	P	P	P	P	-	P	P	P	P	P	P	P	-	P	-	
Communications Facilities	Amateur & Receive-Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
	Broadcasting Tower	-	-	-	-	S	-	-	-	P	P	P	P	-	-	A	
	Communications Service Establishment	P	P	P	P	P	P	P	P	P	P	-	P	-	P	A	
	Telecommunications Antenna	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	S*	S*	A*	A*	529
	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	-	-	-	-	-	-	-	-	-	-	-	S*	-	-	-	515
Recycling Facilities	Large Collection	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	540
	Small Collection	P	P	P*	P	P	P	P	P	P	P	-	P	-	A	A	540
	Processing Center	-	-	-	-	-	-	-	-	-	S	S	S	-	-	-	

paulwerner
ARCHITECTS

November 26, 2013

Sheila Stogsdill
Planning and Development Services
6 East 6th St.
Lawrence, KS 66044

Dear Sheila,

The Family Fun Center is a project that meets a missing niche in the Lawrence entertainment market. The developer is excited about the project potential and is eager to move forward.

The Family Fun Center will provide outdoor uses which will include miniature golf, batting cages and electric go-karts. The go-kart manufacturer has indicated the go-karts will make as little noise as a car would driving down the road at 20 - 30 MPH.

The clubhouse activities will include:

1st Floor - Club rental for miniature golf, birthday party rooms, arcade games and snack area
2nd Floor - Bar with 3.2 liquor license, Nascar driving experience arcade games and miniature bowling

Operating hours are anticipated to be:

Monday - Wednesday, 11AM - 10PM
Thursday and Friday, 11AM - 12AM
Saturday, 10AM - 12AM
Sunday, 12PM - 9PM

Once the Thanksgiving Holiday is over we hope to get together with the neighbors to discuss the above details. If you have additional questions please don't hesitate to ask as we move forward.

Sincerely,



Joy Rhea, RLA

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

Memorandum

City of Lawrence

Planning & Development Services

TO: Lawrence Douglas County Metropolitan Planning Commission

FROM: Planning Staff

Date: April 14, 2014

RE: Inverness Park Area Development History

Attachments: A—Inverness Park District Boundary Map

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

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

History

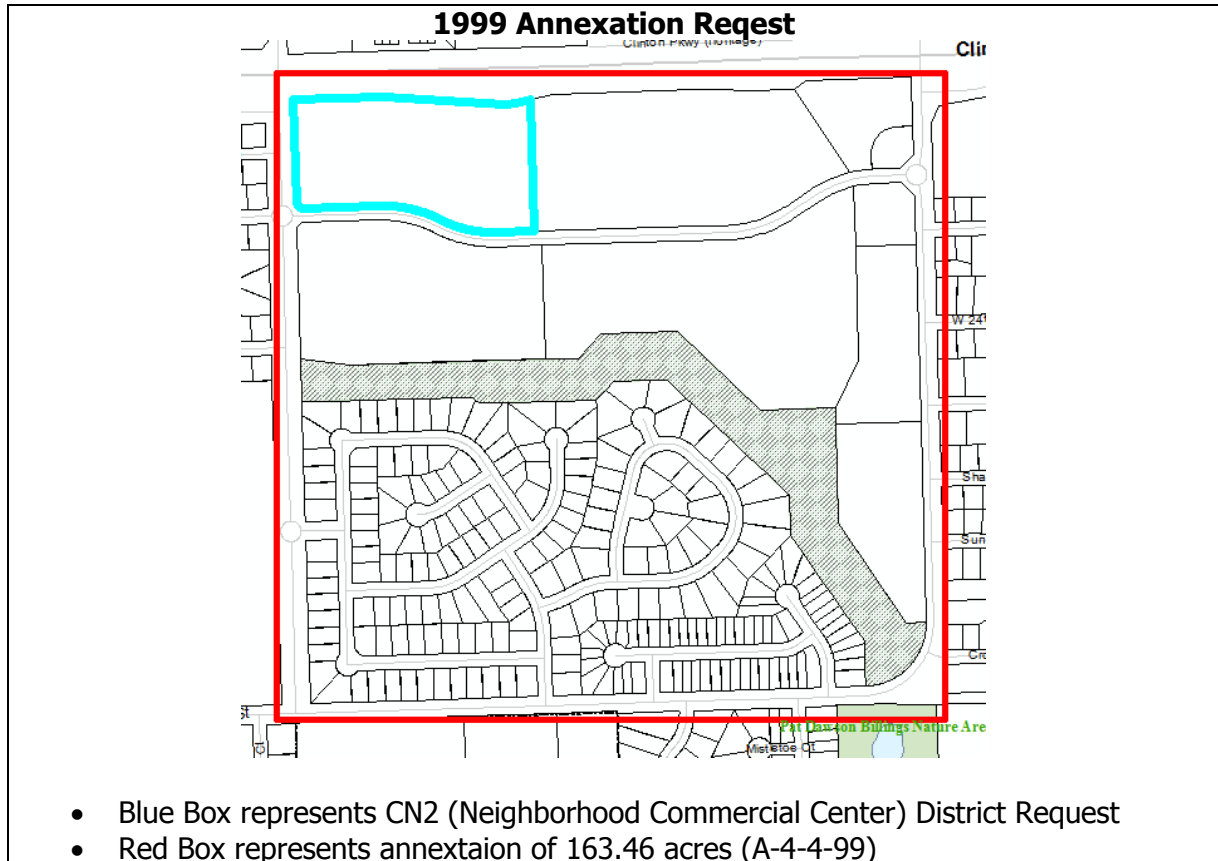
An annexation request for 163 acres was approved in 1999. The development application included multiple rezoning requests. Large tracts were platted along Clinton Parkway and zoned RO-1B for the most intensive part of the development of the 163 acres. The area south of W 24th Place but north of the open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

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

Much of the original land use discussion focused on the need to provide adequate public facilities such as streets and other infrastructure, as well as the land use scheme and transition through the entire

acreage included in the Inverness Park Addition. At the time only the area on the west side of Inverness Drive was developed with single-family uses.

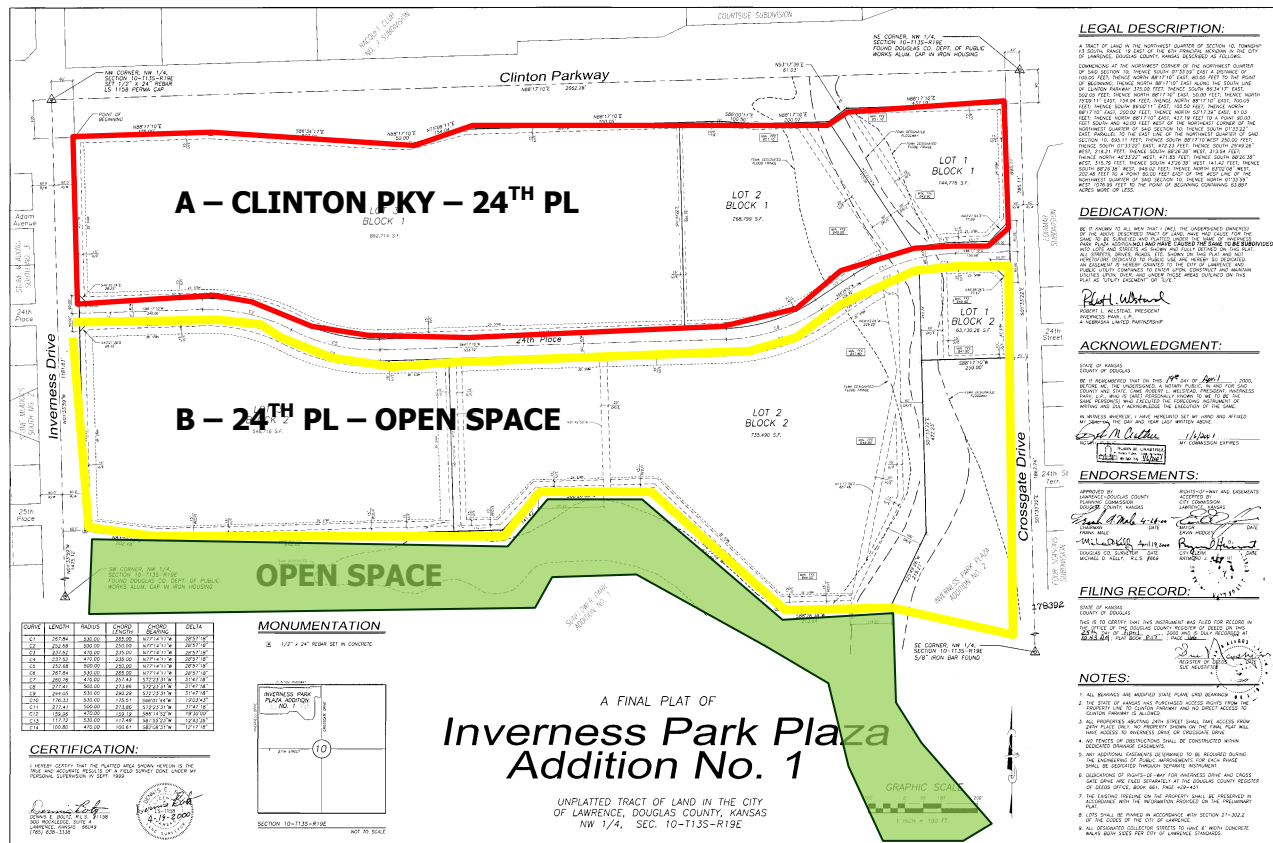
Multiple land use decisions made since 1999 have resulted in deviations in the land use pattern first proposed for the original 160 acre plan. The location of boundary streets isolates the remaining undeveloped property from connectivity with the larger surrounding neighborhood.



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

Development of the area included subdivision approval that established the structure of the developing neighborhood. This included large lots along Clinton Parkway, an east--west street connection south of Clinton Parkway (W 24th Place) and large lots south of W 24th Place. The natural boundary for the higher-intensity uses in the north portion of the area was identified as the drainage area located in the central portion of the overall site and a tributary that runs north--south in the eastern portion of the property. The area south of the drainage way was platted and developed with low-density residential uses (single-family and duplex housing) between 1999 and 2002.

NORTHERN DEVELOPMENT – INVERNESS PARK PLAZA ADDITION NO. 1



A - Clinton Parkway to 24th Place

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

B - 24th Place to the Open Space

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

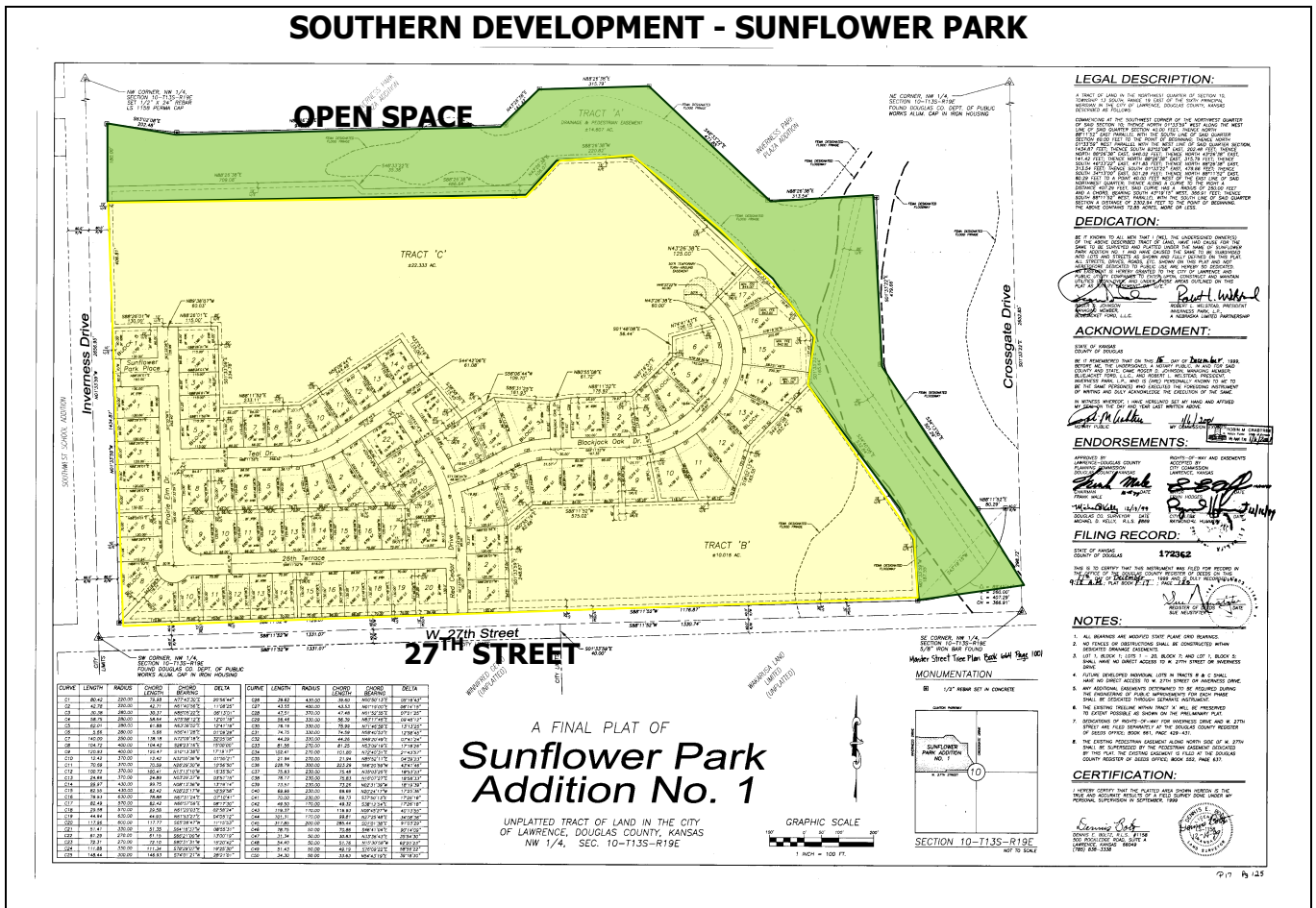
The Legends at KU was the first multi-family development approved and constructed. This first phase included 16.88 acres and 200 units. A second phase of development was approved for preliminary

development in the summer of 2004. Phase 2, which later became The Grove, included 12.5 acres and 172 apartments.

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

C - Open Space to 27th Street

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



Residential Uses

The original 1999 land use approvals for the 163 acres included residential and residential office uses. The intent of the zoning approval was to establish a transition of uses from north to south with the most intensive uses located closest to Clinton Parkway and the least intensive uses located closest to W 27th Street. The following graphic shows RO-1B zoning along Clinton Parkway, PRD-2 zoning along W 24th Place and along Crossgate Drive. The area south of the park area includes the RS-2 and RM-D district boundaries.

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

Commercial Uses

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

Through the planning process and the development of the *Inverness Park District Plan* neighborhood commercial uses were identified as appropriate for the corners at Crossgate Drive and Inverness Drive. This use was identified by residents in the area as preferable to the existing residential zoning.

TIMELINE OF DEVELOPMENT ACTIVITY

1999-Annexation Request

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

Multiple Rezoning Requests

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

Preliminary Plat

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

2000-Silvercrest at Inverness

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

2001-Revised Preliminary Plat

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

2002-The Legends at KU

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

2003-Wyndam Place

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

2004- The Fountains

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

2008- Legends at KU -Phase 2

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

2008- Minor Subdivision

Modified interior lot lines for lots along Clinton Parkway.

2008- Walgreens

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

2009- The Grove

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

2009-Remington Square

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

2009- Clinton Parkway Casitas

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

2010- W 24th Place Casitas

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

2010- Inverness Park District Plan Initiated

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

2010- Remington Square

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

2011-Hy-Vee Gas Station

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

2011- Inverness Park District Plan Approved

Plan approved October 2011.

2011- Crossgate Casita

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

2012- Revised Inverness Park District Plan Approved

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

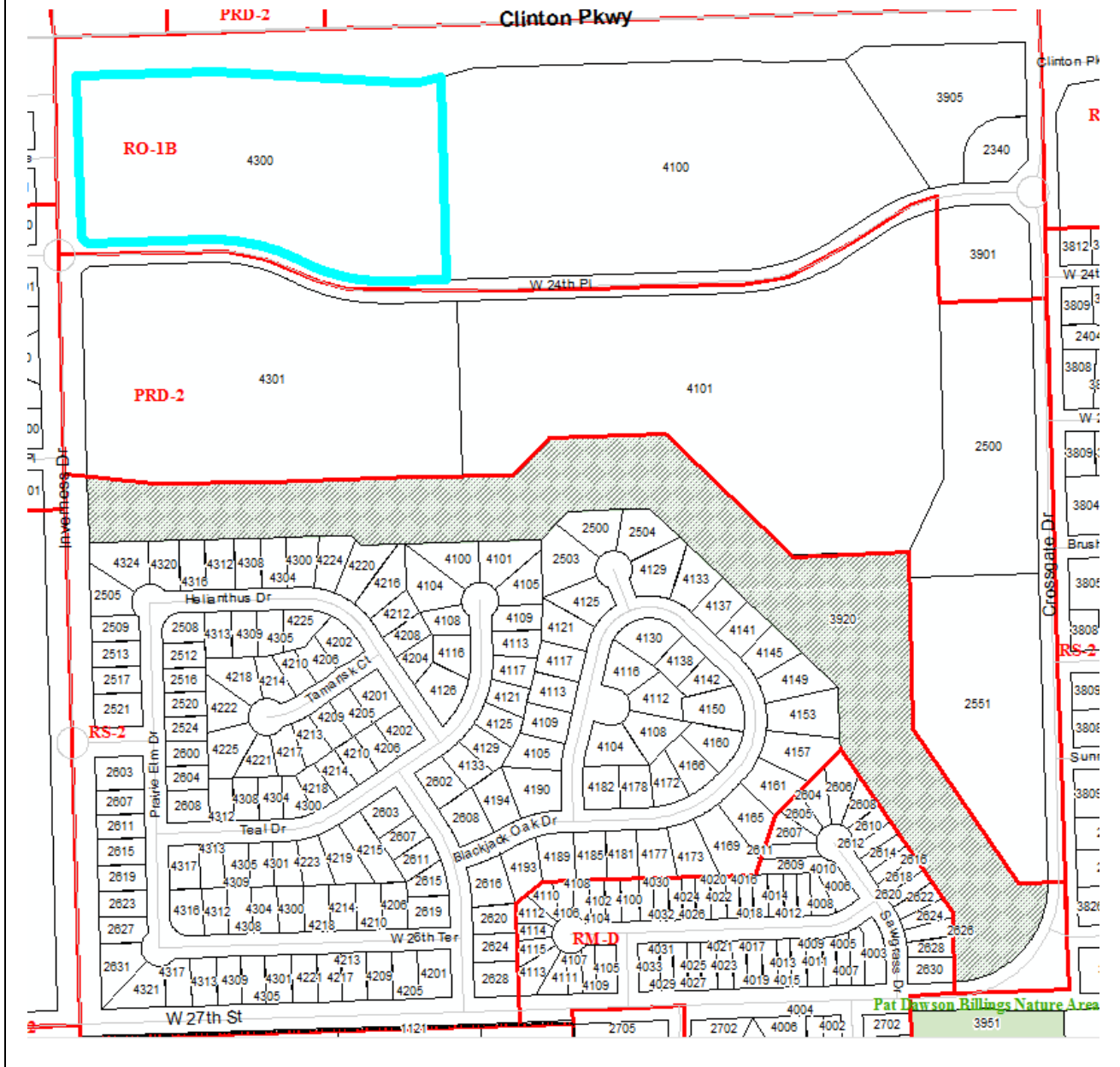
2012-Minor Subdivision

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

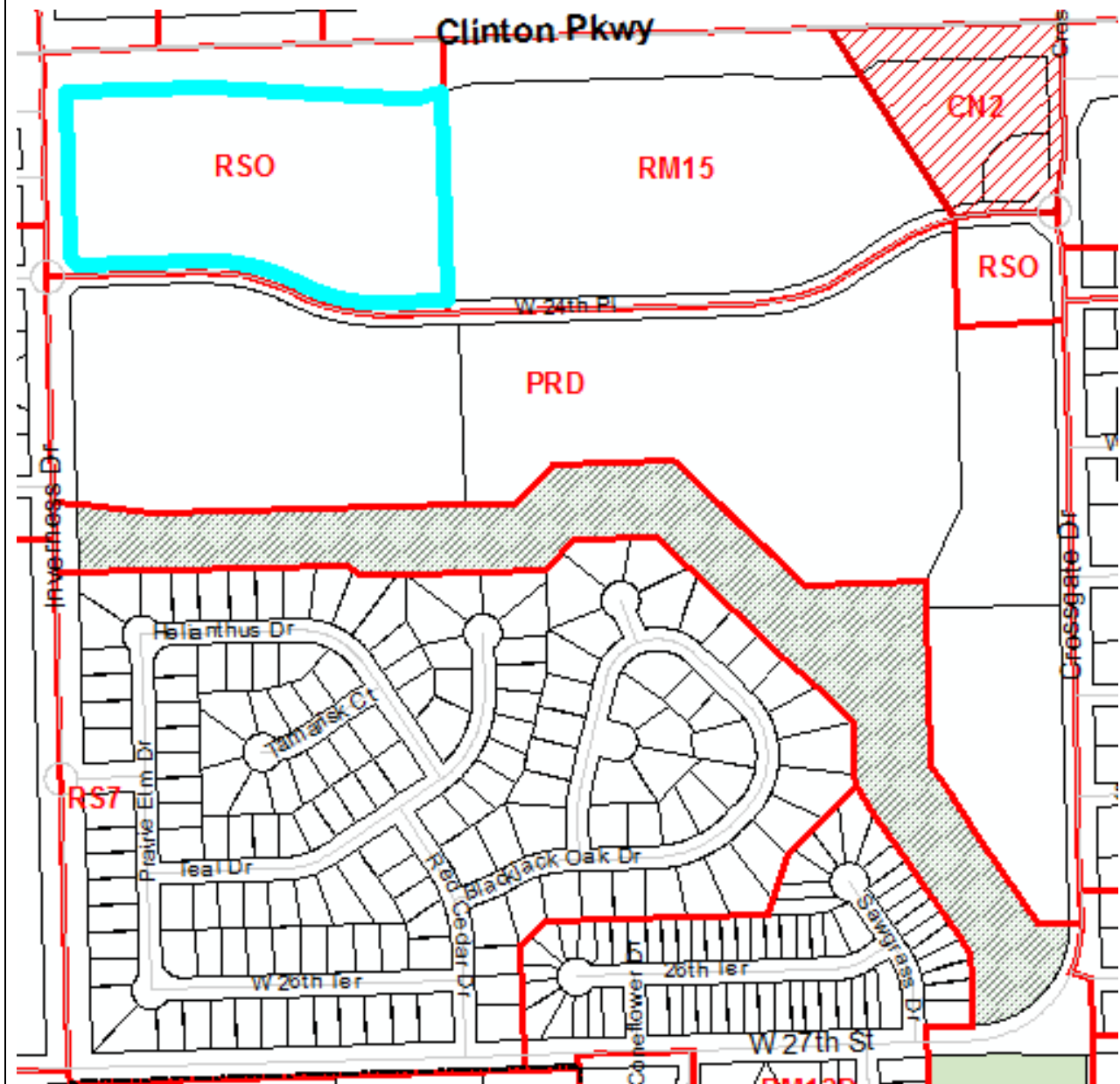
2013- Family Fun Center

Z-13-00483, rezoning request from RSO to CN2 and SUP-13-00486, Special Use Permit for current development proposal on north side of W 24th Place.

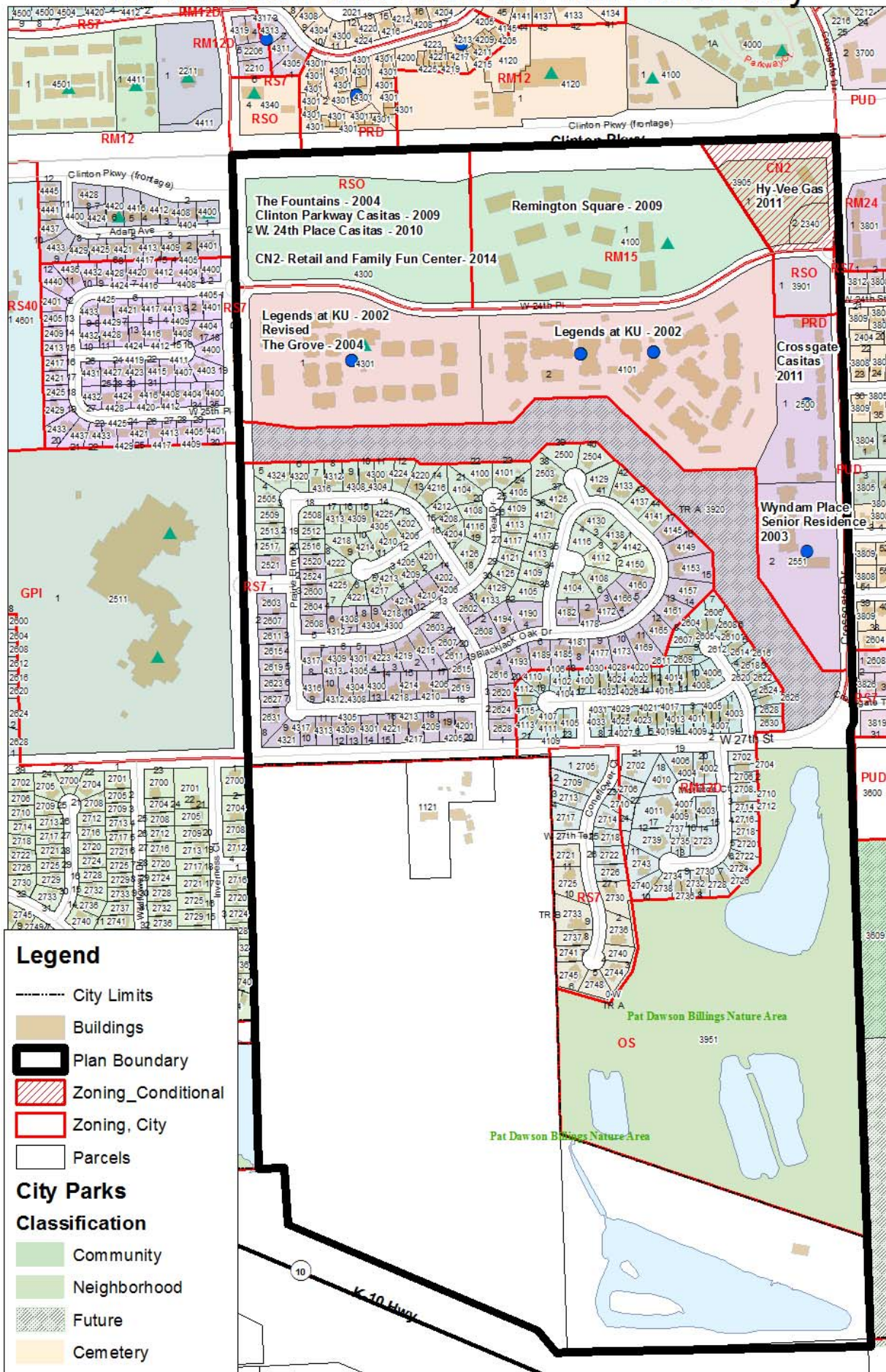
Zoning prior to 2006

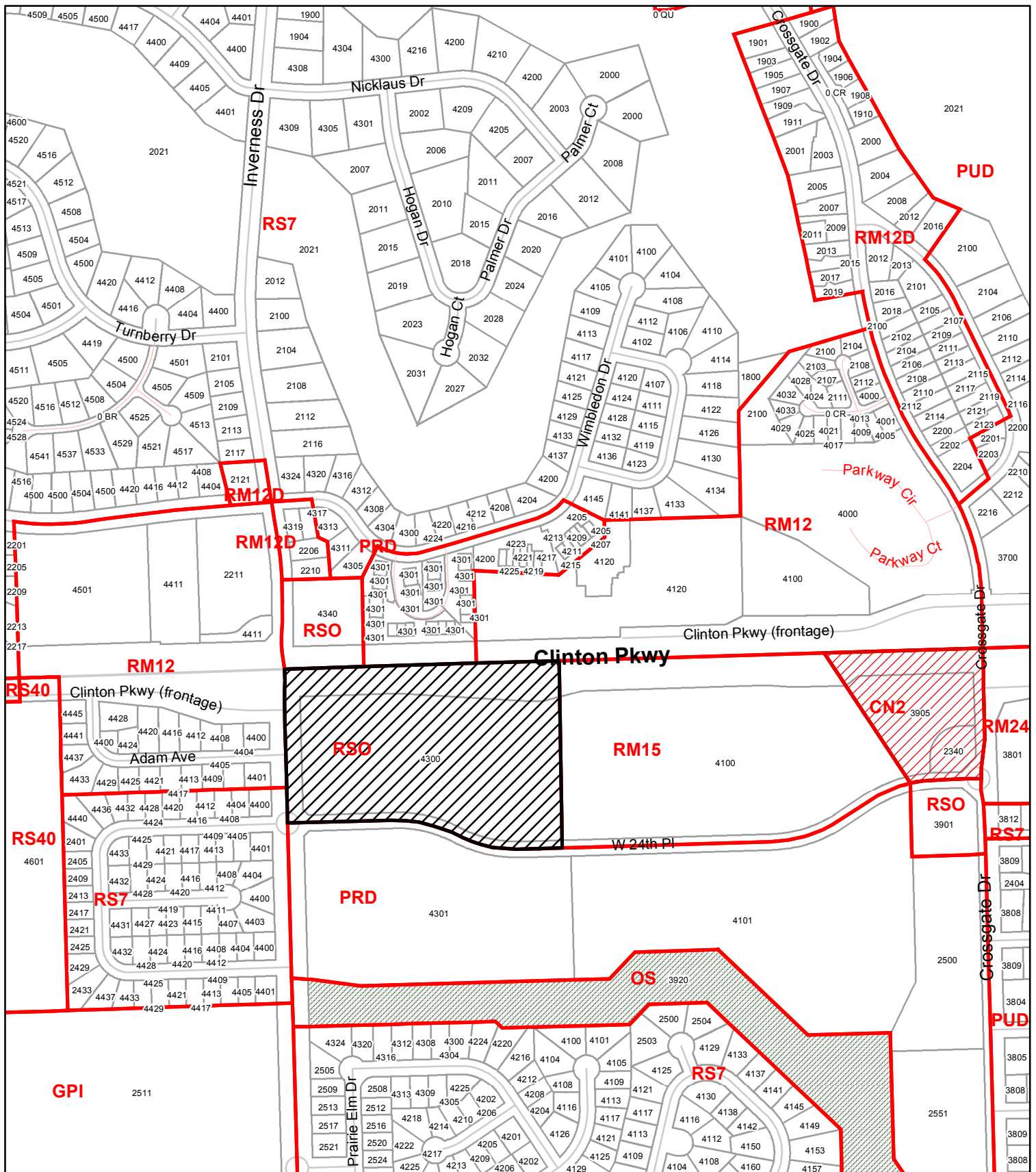


Current Zoning



Inverness Park District Plan Boundary





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

Lawrence-Douglas County Planning Office
 February 2014

 Subject Property



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

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

February 14, 2014

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

Dear Commissioners,

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

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

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

Thank you for considering our objections to this rezoning request.

Respectfully, ,

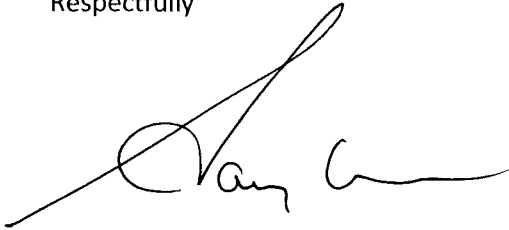
Wimbledon Terrace Townhomes Assn.
Molly Mulloy, Executive Committee (mmulloy@ku.edu)
Ruth Hiss, Executive Committee (mrsdeltachi@yahoo.com)
Jane Tedder, Executive Committee (jtetter@sunflower.com)
Debbie Saiz
Alice Holtz
Ann Eversole
Kathy Rauckman
Letty Seidl
Sarah Williamson

Lenora Barker

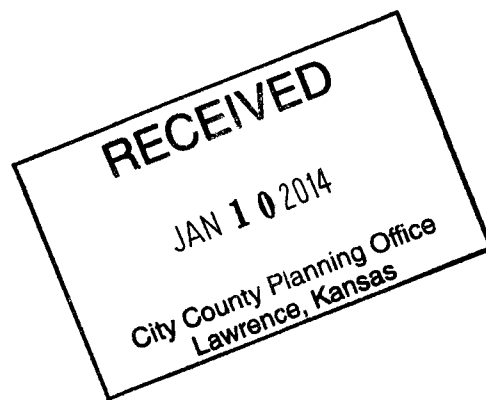
I am the property owner of Clinton Parkway Animal Hospital, 4340 Clinton Parkway and a rental house at 4334 Clinton Parkway. We have strived to maintain and improve the outside appearance of those two properties, including a major investment in new landscaping in 2013.

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

Respectfully

A handwritten signature in black ink, appearing to read "Gary Olson", with a large, stylized loop at the beginning.

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



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

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

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

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

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

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

Debbie Galbraith
4205 Nicklaus Drive

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

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

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

Subject: Planning Commission Meeting

Dear Planning Commissioners,

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

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

Please understand our concerns.

Thank you.

Dustin & Katie Huff

4424 Gretchen Ct

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

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

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

Subject: Family Fun Center

Dear City Planning Commissioners,

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

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

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

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

Sincerely,
Michele Vignola-Rogers

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

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

To: Caitlyn Cargill

Subject: Comments regarding 4300 W. 24th Place

Planning Commissioners,

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

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

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

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

Respectfully,

Mark Simpson

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

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

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

Cc: Lori Sinclair

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

Dear Planning Commissioners:

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

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

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

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

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

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

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

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

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

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

From: Kenna Heim [<mailto:kennahome1@yahoo.com>]

Sent: Sunday, February 23, 2014 6:35 AM

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

Subject: Proposed Family Fun Center and Fast Food restaurants

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

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

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

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

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

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

Respectfully,

Kenna Heim
4741 Larkspur Circle

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

Sent: Sunday, February 23, 2014 6:31 AM

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

Subject: Rezoning of 4300 W. 24th Place

Dear Planning Commissioners,

Regarding 4300 W. 24th Place:

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

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

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

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

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

Sincerely,

Jamie Hulse
4403 Gretchen Ct.
Lawrence KS 66047

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

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

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

Subject: Proposed development

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

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

We ask that you please not approve this.

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

Bob Grabill | President & CEO 

Chief Executive Network | phone: 785.832.0303 Ext. 102 | bgrabill@chiefexec.com
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From: Leann Cooper [<mailto:lcooper@gcsaa.org>]

Sent: Monday, February 24, 2014 9:35 AM

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

Subject: Rezoning of 4300 W. 24th Place

Dear Planning Commissioners,

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

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

Thank you for your time!

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

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



From: Steve Clark [<mailto:sclark@sunflower.com>]

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

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

Subject: Proposed Family Fun Center

Planning Commission Members,

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

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

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

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

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

Thank you for your consideration on this matter.

Steve and Tami Clark
4425 W 24th Pl

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

Sent: Monday, February 24, 2014 10:54 AM

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

Subject: Feedback regarding proposed family fun center (Clinton Parkway and Inverness)

Commissioners:

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

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

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

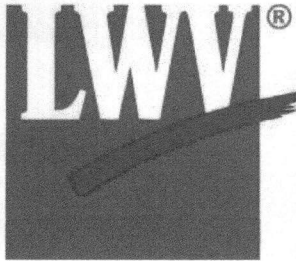
Second, because of the proximity to so many neighborhoods with families, **we are opposed to the hours of operation** running so late into the evening, particularly on Thursday night. Why not 8 or 9 p.m. during the week and 10 p.m. on weekends? The proposed go carts may be quieter than others but when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

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

Thank you

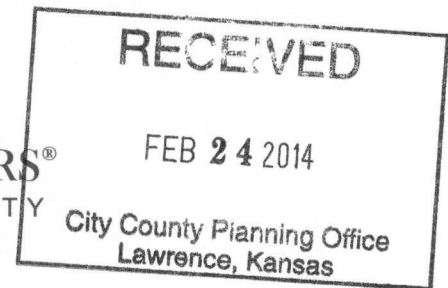
Angela & Thomas Jacobson
4416 Gretchen Ct.

Angela Jacobson
angelamk@swbell.net
(785)841-0376



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

February 23, 2014



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

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

OUTDOOR USES WITH SUP IN CN2

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

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

Dear Chairman Culver and Planning Commissioners:

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

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

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

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

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

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

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

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

Co-President
David Burress

Co-President
Cille King

President-Elect
Cille King

Vice President
marci francisco

Secretary
Caleb Morse

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James Dunn

Ruth Gibbs

Midge Grinstead

Marlene Merrill

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OF LAWRENCE/DOUGLAS COUNTY
Page 2

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

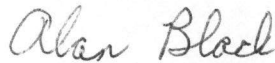
We also ask that you not approve Item No. 5C, the SUP for the Fast Order Food With Drive-Thru use. The Fast Order Food With Drive-Thru use would be much more intense than under normal circumstances because the clientele of the recreation center would add to the customer base. The use, itself, was not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

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

Sincerely yours,



Cille King, President



Alan Black, Chairman
Land Use Committee

From: Janet Graybill [<mailto:janetgraybill@live.com>]

Sent: Monday, March 10, 2014 4:57 PM

To: bruce@kansascitysailing.com; amalia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; denny1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; eric.cstruckhoff@gmail.com; Bryan C. Culver

Subject: Opposition to proposed development for corner of Inverness and Clinton Parkway

Dear City Planning Commissioners,

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

Janet and Bill Graybill
4119 Wimbledon Circle

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

From: Eileen Jones [<mailto:eejones@ku.edu>]

Sent: Monday, March 10, 2014 9:43 AM

To: Bryan C. Culver

Subject: location of proposed "family fun center"

Dear Mr. Culver,

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

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

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

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

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

Thank you for allowing me to express my view.

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

Davis Loupe
2205 Riviera Drive
Lawrence, KS 66047

March 7, 2014

To the Lawrence Planning Commission:

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

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

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

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

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

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

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

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

Lighting:

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

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

Landscaping Buffering / Architectural Standards:

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

Restaurants and other commercial establishments nearby improve walkability:

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

Yes it is Family Fun:

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

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

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

Sincerely,

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

Davis Loupe

From: Nancy [mailto:critter_72@yahoo.com]

Sent: Monday, March 31, 2014 12:13 PM

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

Subject: Re: 4300 W 24th - April 23, 2014 Planning Commission Agenda

Planning Commission Members,

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

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

Of course I enjoy family activities, but I think this is the wrong location, and not just because it's my neighborhood. I don't think any family neighborhood with schools would be appropriate for this type of entertainment. There are so many other choices that would be better - options include the area closer to Rock Chalk park, or the acreage for sale on the Kasold/31st Street curve, or even better, a location toward the end of south Iowa, close to where the by-pass will be completed would be ideal, and attract more out of town visitors.

I plan on attending the meeting on April 23rd.

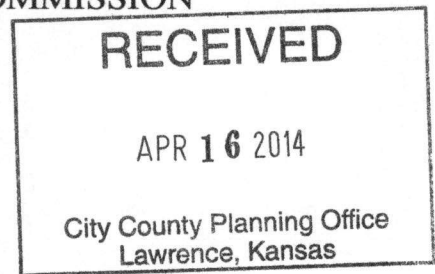
Thank you for your time,

Nancy Stump
4417 W. 25th Place
Lawrence

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

April 16, 2014

Dear Commissioner Culver,



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

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

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

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

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

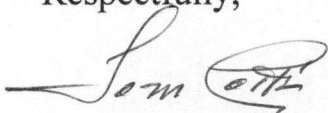
Commissioner, I implore you to properly serve your constituents, **not** a developer, who most likely doesn't live in the immediate area. Please, thoroughly tour the neighborhood and see the RESIDENTIAL character surrounding Clinton Parkway and Inverness Dr. Then, you may **understand our concerns**.

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

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

Thank You for your consideration.

Respectfully,

A handwritten signature in cursive script, appearing to read "Sam Roth".



BISHOP SEABURY ACADEMY

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

March 7, 2014

Dear Planning Commissioners,

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

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

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

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



BISHOP SEABURY ACADEMY

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

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

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

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

Thank you for your consideration in this matter,

Dr. Don M. Schawang

Head of School
Bishop Seabury Academy



BISHOP SEABURY ACADEMY

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

March 8, 2014

Dear Planning Commission:

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

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

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

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

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

Please reject this proposal.

Most Sincerely,

The Board of Trustees, Bishop Seabury Academy

Dennis Depenbusch, President

Ken Albrecht

Kay Almanza

Lori Arnold

Patti Bartley

Kara Tan Bhala

Reed Dillon

Megan Edwards

Trip Frizell

Stephen Hill

Kathleen Hodge

Shane Mathis

Mark Mitchell

Lynn Segebrecht

Beth Wigen

The Right Rev. Dean Wolfe

From: Alex Delaney [<mailto:alex@indepsys.com>]
Sent: Wednesday, April 16, 2014 10:07 PM
To: Scott McCullough
Subject: Family Fun Center: Lawrence Planning Commissioners

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

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

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

Alex Delaney / (785) 393-6224 / alex@indepsys.com

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

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

To: bculver@bankingunusual.com; bruce@kansascitysailing.com; amalia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; denny1@sunflower.com; squampva@aol.com; dcbritt@yahoo.com; eric.c.struckhoff@gmail.com; Scott McCullough

Subject: Opposition to Family Fun Center

To the Planning Commission:

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

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

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

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

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

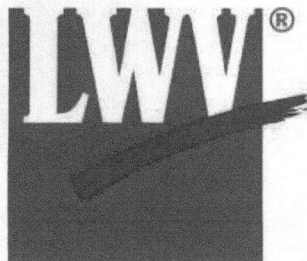
I have been told that other projects have been opposed in the past for this land but since I am new to Lawrence I do not have all those facts. But even on this project no notices were given to neighbors – was told you had to live within 200 feet. That is an unrealistic measure – all neighbors are entitled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

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

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

Sincerely,

Viv Hammond
4227 Wimbledon Drive
Lawrence, KS 66047



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED

APR 21 2014

City County Planning Office
Lawrence, Kansas

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

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

Dear Chairman Culver and Planning Commissioners:

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

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

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

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

Sincerely yours,

Alan Black, Chairman
Land Use Committee

Cille King
President

Attachment

Co-President
David Burress

Co-President
Cille King

President-Elect
Cille King

Vice President
marci francisco

Secretary
Caleb Morse

Treasurer
Marjorie Cole

Directors
Margaret Arnold

Caroljean Brune

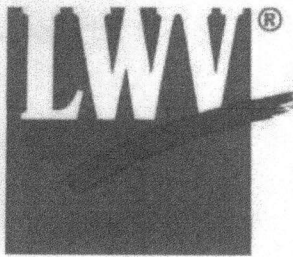
Scott Criqui

James Dunn

Ruth Gibbs

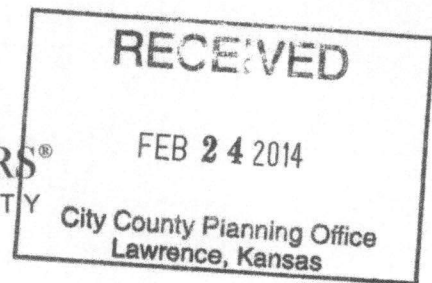
Midge Grinstead

Marlene Merrill



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

February 23, 2014



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

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

OUTDOOR USES WITH SUP IN CN2

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

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

Dear Chairman Culver and Planning Commissioners:

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

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

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

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

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

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

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

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

Co-President
David Burress

Co-President
Cille King

President-Elect
Cille King

Vice President
marci francisco

Secretary
Caleb Morse

Treasurer
Marjorie Cole

Directors
Margaret Arnold

Caroljean Brune

Scott Criqui

James Dunn

Ruth Gibbs

Midge Grinstead

Marlene Merrill

PO BOX 1072 • LAWRENCE KS 66044-1072

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

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

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

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

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

Sincerely yours,

Cille King

Cille King, President

Alan Black

Alan Black, Chairman
Land Use Committee

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

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

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

To: Scott McCullough

Subject: Family Fun Center

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

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

Mr. Culver,

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

Please don't support this. Thank you.

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

RECEIVED

APR 17 2014

City County Planning Office

Lawrence, Kansas

Petition

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

We the undersigned oppose this development for the following reasons:

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- Is an inappropriate match in a residential area.
- Will add additional traffic in an area already plagued with traffic congestion.
- Serving alcohol with four schools nearby is inappropriate and dangerous given the traffic issues.
- Outdoor recreation, walking trails, and batting cages are already available in the area.
- The noise and lights late into the night will disturb the sleep of residents.
- Increased vandalism and late night unruliness.

Name

Marquette Carlson

Ruth Steper

Melissa Manning

Judith Fay Scheff

Denni Hansen

Monie Meyer

Samela J. Mooney

Samuel

Betty Shaffer

Johnson Smith

Douglas M. Koch

Name

Nadine Koch

Melinda Hannel

Kevin Brown

Thelma Holcombe

Leo V. Bistak

Nancy Bistak

Christine Colbert

Beth Cillon

Harriet Threlk

Susan Nightingale

Nancy Hanson

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Name

Name

James Schuck

John F. Smith

John E. Brodwin

David F. Burns

Ken

Mark J. Smith

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APR 17 2014

City County Planning Office
Lawrence, Kansas

John Clark

Ben Graham

Uto Naomi Graham

Dan Kilsch

La King

Ch. Hunt

James

Jeremy Roth-Jacob

Rose M. Reynolds

Joel A. Hill

Tim Carthrum

James Hill

Elizabeth Aredu

Dorene Schum

B. Feyer

Patricia H. Hines

Becca Roth

St. Smith

Kath York

City Sun

Heben Weiss

Mark Johnson

James

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APR 17 2014

Caroline P. Chapman

City County Planning Office
Lawrence, Kansas

Christie Peterson

Kimberly Stamp

Carol Zorzycki

Rachel E. Marschke

Megan Ann

Anne Edwards

Shirley Shanker

Marcia L. Langer

Kelli Koberlein

Wafae Shauk

Sara D. Nipolds

Heather Dalton

John

Pamela Shauk

Kelli Flanner

Toritta Severin

Mary Ann OH

Kath

Shirley M. Lane

Beth Walt

Emily C. Lubliner

John

Keri Cuyper

John

David Bluth

Keri

Cathy Wright

Dee Ruel

Robin R. Michael

Nikki Caputo

John

Megan Thomas

Helen Weis

Kristen Williams

Matthew Elliott

Tru Mingus

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Name

Christina A Wood

Nichele B Eiger

Amy Wade

Randy Allen

John K. Boersig

Deanna A. Smith

Kris Adams

Bob B. Salazar

Christina C. Smith

Angie Laver

Rebecca C. Melick

Name

Von J. Kelly

Emily Nelson

John J. Smith

Walter J. Smith

Ray E. Wood

John O. Miller

DeWoods

Georgia Jane Szemore

Erica B. Smith

Colin C. Smith

Adult
Petition

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APR 17 2014

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Name

Name

Kathy Klocke

MADY WADE

Sarah Hubert

Eric Bader

Furhang Khosh

David Parker

Deana Beroda

Nancy Beroda

Chris Grabant

Andrew

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Name

Name

Christine Hoang

Eric L. Hufeld

Brendan Kaydas

Ellen

Clay Linn

Angie Westmore

Maura Hoffman

Shirley

Will Reed

Antigone Thompson

Emily Paffin

John Whinn

Cara Corbin

Ben Mox

James Wallace

James Wallace

Wanda Weller

Wanda Weller

Monica Janning

Monica Janning

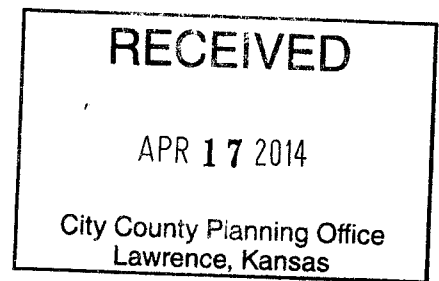
Kmaly

Kmaly

Sarah-Grace's Class

Petition

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Name

Clay Blake
Karson V Green
Jaxon Patterson
Riley Breedemus
Stella Colinger

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

Name

Mari Riskey
Allie Williams
Sadie Ash
Logan Schwab
Andrew Thiesen

Pashas Class

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Name

Name

Danielle Long

Ryan Mallory

Kaleigh Merrill

Jack Bellemere

Ther Weis

Tyler Senechal

Sam Hertzog

Micaiah Mercado

Diego Steven Kish

Bailey M. Lundholm

Paskas Class

Petition

RECEIVED

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Name

Amy Andersson

Samuel Huter

William Burns

Sydnee Miller

Maddy Wade

Sam Hutfles

Landon Schwalb

Haleigh Dale

Ella Frederica

Marley Sears

Eva Ackley

Name

Cian O'Leary

John Green

Ben Bayach

Jenna Pollard

Lucia Lord

Will Hedges

Willoughby Farm

Lasas Class

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Name

Patrick Hoffman

Ethan Thompson

Sophia Eddinger

Matthew Gurmawicz

Jalilah Smith Evans

Audrey Nguyen-Huong

Abbey Hossler

Jackson Grant

Alyssa Carlson

Jacob Heinz

Bruce Erickson

RIDDHI DUVVUR

Lauren Malick

Bella Smith

Name

Luke Hornberger

Gibson Huston

Warren (Dale) Alexander

Samuel J. Hindman

Briggs MacLachlan-Lawrence

Sophia Bracker Sturms

Madison Kühle

Darby Harris

Zoe Edger

Josh Williams

Grant Clearinger

Mina Khosh

OLIVIA SLEMMER

Samantha Danner

Kathy

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Name

Audrey Basham

Joe Riskey

Joan Chun

Bowen Boyatt

Will Gendreau

Mayer Dee

Charlotte Lupp

Erin Higgins

Caroline Schmidt

Nisa Khosh

Brayden Shumaker

Name

andrea Deen

Erinn Rose Waldron

Julia Holder

Lynne Sloan

Anna Martello

Kirk G-W

Det. L. Johnson

Elijah Padem

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Name

Oyin Enoch

Jeremiah Lutz

Anah Lutz

Rose Bringas

Colleen Stock

Laura Hines

Brian Mulken

Hylesun Cho

Jerry Miller

KIRSTEN MATZEN

ARON RINEHART

Name

TOM MATZEN

EILEEN JONES

ERIKA TUCK

CLIFF TUCK

Sherri Soule

Amy Risley

Cynthia Smith

Isa Jade

becca Johnson

Leslie Miller

Michelle Casavant

Gustavo Quiroz

Mark Olson

John R. Murphy

John Miller

John Miller

John Miller

Eileen E. Jones

Thomas A. Matzen

Sofia Matzen

Mark F. Matzen

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Name

Joe L. H. H.

Jan Brasnabe

Jan H. H.

Diane L. B.

Kendra H.

Cinde Summacewicz

Eric Galt

Kara McKamey

Nicholas Munn

Lou L. Heerwood

Doreen H. H.

Name

K. M. Beck

J. L.

Lakshmi Duvvuri

Louis F. Brasnabe

James D. Papas

Michael G. Gage

Theresa Bullack

Dr. & Mrs. Mark J. H. H.

J. L.

J. L.

Joe L. H. H.

Amy M. H. H.

Laura P. H. H.

J. L.

J. L.

J. L.

C. L. H. H.

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

From: "John Ross" <jross@laserlogic.com>

To: "Scott McCullough" <smccullough@lawrenceks.org>

Subject: Support for the Family Fun Center proposal

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

Hi Scott,

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

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

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

Thank you.

John Ross

4121 Goldfield St.
Lawrence, KS 66049

16 April 2014

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



Dear Planning Commission Members:

I write to voice my strong opposition to

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

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

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

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

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

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

I urge you to deny this request for rezoning.

Sincerely,

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

David Weis

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

Dear City Commissioners,

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

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

Thank you.



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

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

April 21, 2014

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

Dear Planning Commissioners:

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

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

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

I raise four points for your consideration:

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

Neighborhood Planning and the Inverness Park District Plan

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

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

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

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

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

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

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

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

Horizon 2020's policies regarding neighborhood commercial developments:

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

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

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

The function of Zoning Regulations to implement the comprehensive plan:

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

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

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

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

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

Thank you.

Sincerely,

Linda and Richard Finger
4117 Wimbledon Drive

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

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

From: **Eversole, Ann** <aeversole@ku.edu>

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

Subject: Family Fun Center

To: "denny1@sunflower.com" <denny1@sunflower.com>, "jonjosserand@gmail.com" <jonjosserand@gmail.com>

Hi Jim and Jon

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

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

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

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

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

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

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

Hope you both are well...

Best...

Ann Eversole

Co-President Wimbledon Terrace Townhomes Association

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

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

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

To: Patrick Kelly

Subject: Family Fun Center at Clinton Parkway & Inverness

Mr. Kelly--

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

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

Best regards,

Donna Ginther
4716 Muirfield Drive
Lawrence, KS 66047

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

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

To: amalia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; Patrick Kelly; bculver@bainkingunusal.com; denney1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com

Subject: Family Fun Center

Dear Planning Commissioner Members,

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

Thank you for your time,

Candy Gunderson
Garber Enterprises, Inc.

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

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

To: KShartnett.kuhle@yahoo.com

Subject: zoning at 24th and Inverness

Dear Members of the Planning Commission,

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

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

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

Sincerely,

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

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

From: **Ruth Hiss** <mrsdeltachi@yahoo.com>

Date: Monday, April 21, 2014

Subject: Family Fun Center Zoning consideration

To: bculver@bankingunusal.com, "bruce@kansascitysailing.com"

<bruce@kansascitysailing.com>, "amalia.graham@gmail.com" <amalia.graham@gmail.com>, "montanastan62@GMAIL.COM" <montanastan62@gmail.com>

Dear Planning Commission Members:

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

Truly, Ruth Hiss

Wimbledon Terrace Townhomes Association, Secretary

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

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

To: bculver@bankingunusual.com; bruce@kansascitysailing.com; amalia.graham@gmail.com; montanastan62@gmail.com; Jon Josserand; Patrick Kelly; denny1@sunflower.com; squampva@aol.com; dcbritt@yahoo.com; eric.c.struckhoff@gmail.com

Subject: Letter in Opposition to the Family Fun Center

Dear Commissioner,

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

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

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

We shall see you Wednesday.

Regards,

Lleanna McReynolds, M.Ed.
Head of School

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

From: **Stephen Slade** <stephen.slade@oracle.com>

Date: Monday, April 21, 2014

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

To: amalia.graham@gmail.com

Dear Amalia,

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

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

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

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

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

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

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

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

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

From: Nancy [mailto:critter_72@yahoo.com]

Sent: Thursday, March 13, 2014 11:38 AM

To: amalia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; Patrick Kelly; bculver@bankingunusual.com; denney1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com

Subject: Family Recreation Proposal

Greetings Planning Commission Members,

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

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

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

I plan on attending the meeting on March 24.

Thank you for your time,

Nancy Stump
4417 W. 25th Place
Lawrence

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

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

To: Patrick Kelly

Subject: Two things...

Hi, Patrick,

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

Thanks!

Brian Williams

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

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

To: bculver@bankingunusual.com; bruce@kansascitysailing.com; amalia graham; montanastan62@gmail.com; jonjossierand@gmail.com

Cc: Patrick Kelly; squampira@aol.com; dcbritt@yahoo.com; eric c struckhoff; denney1@sunflower.com

Subject: proposal for Family Fun Center

Dear Planning Commissioners,

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

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

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

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

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

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

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

Thank you for taking the time to read my letter.

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