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MAY 25 2012

City County Planning Office
Lawrence, Kansas

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May 22, 2012

David & Beth Reynolds
Owners of Lot 2, Block #1
Estates of Northwood
Lawrence, Kansas

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, Kansas 66044

Subject: Rezoning & Site Planning NW Corner of 6th & K-10

Ms. Miller,

This letter is to provide comments regarding the two areas of interest listed above.

At last night's Planning Commission meeting the rezoning of the subject property to CC600 was approved contingent upon satisfactory resolution of the site plan issues raised by the neighbors.

Lawrence & Douglas County has a unique opportunity to really plan & implement in a way never before available. This planning can be extraordinarily exemplary, and thus provide "standards of compatibility & harmony" between residential, recreational, commercial & Non-commercial land uses for this & future projects that have not been achieved in Lawrence before.

The concerns we are expressing relate to the nature of the current surrounding residential neighborhood, and future planned residential neighborhoods. Specifically the impact the CC600 zoning can have on these neighborhoods if potential issues are not addressed and written into the approved zoning documents during the approval process.

First Rezoning Issues:

A) **Non-Retail Uses:** We believe there should be a specified reasonable maximum square footage limit for Non-Retail uses allowed on the NW Corner. Currently there is nothing specified for this usage category. The rezoning request specifies 180,000 sq ft as the maximum retail space allowed on the NW Corner. The city & neighborhoods should have some reasonable overall expectation of intensity & density limitations of uses at this corner that is compatible with the surrounding residential neighborhoods, and as a Gateway Entry to Lawrence.

B) **Environmental Noise & Mitigation:** We request establishing noise control standards for this site to provide compatibility of land uses between the residential, retail, recreational and non-retail land uses being zoned. We believe a successful

project can be developed by defining acceptable noise standards during the rezoning stage.

Please see comments on page #3 under Food Establishments & Recreational Facilities, and page #4 under Sound Mitigation.

C) Recommended Uses Per Table One: The Northwest Plan calls for residential neighborhoods to the immediate west & north of the subject property. There are vast parcels of land beyond the planned area where the uses being requested for non-inclusion can be placed. We believe the uses listed below are not compatible with the two goals of the plan for the intersection: They are not consistent with the goal of being a "Gateway Entry" to the city, nor the goal of allowed uses being "Compatible" with Recreational uses. Thus we recommend the following uses Not be allowable uses and removed from "Table One" and standards written as recommended.

Current recommended Allowable land Uses per Table One which we recommend be stricken from being allowed:

Utility Major: Section 20-1764 describes this usage as: "...transcends the usual restraints of the district for reasons of necessary location and community-wide interest. Typical uses include: water and wastewater treatment facilities, major water storage facilities, airports, and power generation plants." None of these uses are compatible with the plan objectives, or practical with the size of the parcel, nor the combined uses within and surrounding this property.

Utility Minor: Section 20-1765 describes the usage as: "Public utilities that have a local impact on surrounding properties. Typical uses include electrical and gas distribution substations, lift stations, telephone switching boxes, water towers. Excludes "Wireless Telecommunication Facilities" use types." Some of these uses can be small in nature and we recommend the approval specifically state that any such installations would be permanently sheltered from public view or fully contained inside buildings. We believe the "Water Towers" should be specifically stricken. Also substations that cannot be sheltered from public view we recommend not be allowed.

Antenna: Receive Only: Section 20-1701 describes the usage as: "An Antenna capable of receiving but not transmitting electromagnetic waves, including Satellite Dishes." We recommend all antennas be hidden from view, otherwise not allowed. We recognize there is an existing antenna on the property in question. We are seeking to not have any further antenna construction, of that nature, on the property.

Antenna: Amateur: Section 20-1701. We do not object assuming the antennas are unobtrusive and placed in obscure locations out of sight.

Telecommunication Antennae: Section 20-1768 (1) describes usage as: "A Telecommunications Facility for such services as cellular telephone, personal Communication services, enhanced/specialized mobile radio, and commercial

paging services, that is attached to a pole, tower, or other Structure including, but not limited to, a Structure that can accommodate the future installation of two or more Antenna systems.” We recognize there is an existing antenna on the property in question. We are seeking to not have any further antenna construction, of that nature, on the property.

Telecommunications Tower: Section 20-1768 (2) describes usage as: “Communication services, enhanced/specialized mobile radio, and commercial paging services, that consists of a new tower, monopole, or other unattached Structure erected to support wireless communication Antennas and connecting appurtenances.” We recognize there is an existing antenna on the property in question. We are seeking to not have any further antenna construction, of that nature, on the property.

Satellite Dishes: Section 20-1701 We recognize places of employment & establishments like sports bars require satellite dishes to operate. We request that the zoning specify such antennas be permanently hidden from view. We also recognize small satellite dishes such as 18” residential style can be installed such that they are not obtrusive. We believe large banks of antenna like those found in at 7th & New Hampshire Streets in Lawrence not be allowed.

Recycling: Large Collection: Section 20-1752 (1) Given the lack of defining restrictions, thus allowing unlimited size & having no operational restraints we request this usage not be allowed. There are questions regarding at what point does this become a full recycling center leading to many questions including various environmental concerns. Also given the recycling services available in Lawrence & the possibility of mandatory recycling by the city it seems this type of facility requirement is beyond that needed at the “Gateway To The City” and would not be needed, nor appropriate at this site in any case.

Recycling: Small Collection: Section 20-1752 (1) We believe these uses are very appropriate.

Fast Order Food & Fast Order Food with Drive-in: Section 20-1724 We request that these, & all “Eating & Drinking Establishments” allowed per table One, be specifically required to have noise abatement regulations requiring that all speaker/sound systems be designed & constrained/abated such that their sound does not project beyond their immediate lot lines. The neighborhoods do not wish to know what someone is ordering for dinner nor the type of music or sports event, etc being broadcast.

Recreational Facilities & Sports Venues: We request regulations for sound abatement standards that limit the sound level beyond the lot lines of the specific venues be established, and approved prior to rezoning & site plan approval. These standards should support the existing livability of the Estates of Northwood & neighboring properties. Lawrence has appropriately approved similar ordinances for Lighting & Landscaping.

Some US Communities have established such acoustic standards, which respect existing

& planned future residential developments of neighboring properties. We do not want the problems that occurred at Lawrence High School & that continue to arise regarding Memorial Stadium at KU. As a famous person once said: "If I wanted to know the plays & score I would purchase a ticket".

Second Site Planning Issues:

We request planning of such facilities that are in harmony with the surrounding residential properties based on the concerns listed both in the rezoning issues above & site planning issues listed below.

Because we only have a conceptual site plan for the Recreational Center, the following comments are a mix of specifics & generalities.

Our concerns are in the areas of:

Drainage: This is a very serious and real problem. The Nodal Plan highlights a green space for several reasons, among them is the green space area represents one of the "head water tributaries" to the Baldwin Creek Drainage area. Southern Star Gas Company had significant issues in this area.

Light Mitigation: We look forward to a review of the site plan based on the city ordinance and the photometric plan the ordinance includes.

Sound Mitigation: If a stadium is to be included in the site plan we request the stadium be built into the ground as a bowl. This can address both light & sound issues. The site may allow for this to occur more easily due to the sloping nature of the site. It can also provide material for berming requirements. Also please see comments above for Recreational Facilities & Sports Venues, and Eating Establishments.

We request the design of the Recreational Facilities and grounds, being proposed, use acoustic design principles & materials to abate sound carryover into the residential neighborhoods. One example, for materials to be used, is the stadium & other structures & features could be required to use acoustic materials like, Acoustic Concrete Block (example "Soundblox"), & Acoustic Concrete, like that used in "sound barriers", to help mitigate sound at its source. There are many other materials that can be used to mitigate sound outside buildings and inside enclosed buildings.

See the following web site for an example of excellent work completed in this area. Page 15 (PDF page 18) shows the cities current noise level standards. Page 5 (PDF page 8) gives examples real world sound levels.

http://www.sanjoseca.gov/planning/eir/ESJ2040_GP/Appendix%20C-%20Noise%20Analyses.pdf

Landscaping Requirements: The ordinance seems to consider the basic concerns. Given the scope of the recreation center project we request a berm with plantings & fencing similar to that provided on the north side of the Wal-Mart located @ 6th &

Wakarusa. The staleness of esthetic of the Wal-Mart berm is a concern. The planning and installation of berms must not obstruct the natural existing drainage of the properties in Estates of Northwood into the Baldwin Creek Tributary.

Recreation Center Buildings & Structures in General: We request they be located in proximity to the southern property line.

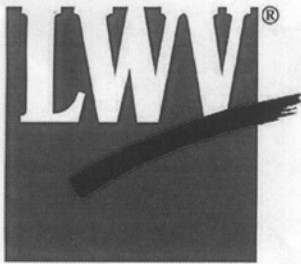
Access to & from Estates of Northwood: We have concerns regarding how traffic from the new proposed development will be incentivized to not needlessly drive thru Estates of Northwood. Egress from Estates of Northwood is also a concern, so we do not have to always drive through the development to the south.

Thank you in advance for addressing our concerns and we look forward to being a full partner in making the development an asset to the city & surrounding community.

Sincerely,

David & Beth Reynolds
2216 Killarney Ct.
Lawrence, Kansas 66047

David Reynolds
Beth Reynolds



League of Women Voters Lawrence-Douglas County

P.O. Box 1072 • Lawrence, Kansas 66044-1072

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City County Planning Office
Lawrence, Kansas

May 20, 2012

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Web sites
LOCAL:
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STATE:
www.lwvk.org

NATIONAL:
www.lww.org

Email:
league@sunflower.com

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: Item No. 5: Comprehensive Plan Amendment to H2020 – Chp. 6 And Chp. 14; CC600
Item No. 6: Text Amendment to City Of Lawrence Development Code; Amending Various
Sections to Add A CC600 District
Item No. 7: A & B1 To Cc600; 146 Acres; W 6th St & K-10

Dear Chairman Hird and Planning Commissioners:

We urge you to deny all of Items No. 5, 6, and 7.

We are asking this for the following reasons:

1. There are some serious procedural problems occurring here. First, the comprehensive plan (Item 5) needs to be officially amended and approved, not only by the Planning Commission but also by both the City and County Commissions. Only then should zoning text amendments be adopted that are dependent on the comprehensive plan, as is Item No. 6, the new CC600 District. Following the adoption and official incorporation of the new CC600 District into the City Code, only then should the process for a public hearing to amend the zoning district properly proceed (Item No. 7).

2. A major consideration that is driving all of these deliberations is whether the city should actually approve the location for and participate in building a recreational facility of the proposed intensity in the suggested location. *The issue is not whether the facility is needed or appropriate, but whether that particular location for that facility is appropriate.*

Furthermore, it would be surrounded by 100 or more acres of unplanned commercial land. If the proposed development were to occur in that location the traffic impact on 6th Street, and the potential effect of shifting the “center of activity” from the Downtown to that location, could have a very negative impact on the city as a whole.

3. Horizon 2020 should be followed, and the city should consider hiring a consultant to do an independent market analysis of the impact that this use in this location would have on the city as a whole, especially the Downtown. (Horizon 2020, Chapter 6, **policy 3.13**)

- a. City staff analysis is not a proper substitution for an “independent market analysis. [...performed by an] **independent consultant** chosen by the city...” The analysis is **supposed to be** unbiased and done by qualified professional consultants. The planning staff has seemingly justified the additional commercial land that would be added to the currently overstocked inventory of available commercial area and vacant buildings.

The thought seems to be, *don't worry, no one will use the land unless there is a demand (which admittedly doesn't exist).* **Wouldn't it be better to preserve the land for an employment-related and manufacturing use that the studies up to now have proposed for the area?**



4. We request that an independent traffic analysis also be undertaken:

a. The Staff Report (Item No. 5) states that "Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the comprehensive plan designation." The traffic impact analysis that the staff report mentioned indicating that industrial and commercial traffic impacts are interchangeable, or commercial uses are lesser in intensity than industrial uses, may have come from the Lesser Change Table. In this table the three categories of Residential, Commercial and Industrial cannot be compared with each other in intensity. Only within each category is this comparison intended. (20-1301(k)). Therefore, based on the source in the Staff Report, it is not a valid comparison to say that the traffic intensity of commercial land use and industrial land use are the same

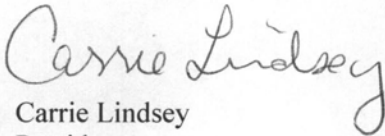
b. According to a study that was made in 2006 by the consultants, TischlerBise, hired by the City for their study, "The Cost of Land Uses and Fiscal Impact Analysis," the uses of manufacturing and commercial retail are **quite different in their impact** on traffic intensity. The vehicle trip rates per 1000 square feet **are much higher with commercial land use than with industrial land use** (page 11, Figure 4, TischlerBise).

c. Consider that the Transportation Plan for that node, which was recently presented to you by the MPO (Lawrence-Douglas County Metropolitan Planning Organization), must be studied by them before any changes to it are considered. Also, all of the other considerations that need to be made regarding the improvements to that intersection, to 6th Street, and to Highway 40 extended, must take into consideration the increased traffic intensity that will occur with the change in use from manufacturing to recreation and commercial uses.

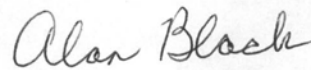
5. Once the CC600 District is actually incorporated into the zoning text (assuming that it is), it should have some method to actually control the maximum size and use of retail buildings. We suggest that any retail establishment that meets the requirement for a CC600 should also require a Special Use Permit or a Planned Development Overlay District.

Thank you for your patience in reading this material. We hope that you will carefully consider these points.

Sincerely yours,

A handwritten signature in cursive script that reads "Carrie Lindsey".

Carrie Lindsey
President

A handwritten signature in cursive script that reads "Alan Black".

Alan Black, Chairman
Land Use Committee

**RONALD SCHNEIDER
ATTORNEY AT LAW, P.A.**

900 MASSACHUSETTS ST., SUITE 600
LAWRENCE, KANSAS 66044
TELEPHONE: (785) 841-2040
FACSIMILE: (785) 856-0243

RONALD SCHNEIDER

OF COUNSEL:
CURTIS BARNHILL
MARGARET FARLEY

May 18, 2012

Richard Hird
Chairman of Lawrence-
Douglas County Metropolitan
Planning Commission
FAX: 832-3160

RE: CPA -4-2-12
TA -4-3-12
Z-4-5-12

Dear Mr. Rick:

I represent a number of landowners who live near or adjacent to the 146 acres associated with Z-4-5-12, change of zone request.

As you know, the City Commissioners recently voted to annex this property. During the annexation hearing, all City Commissioners expressed their intentions to devote extra-ordinary time and consideration to the zoning issues and contemplated land of the entire project and development due the importance and scope of this proposed project. The City Commissioners confirmed that this project requires time and thoughtful consideration. The Commission expressed its desire **NOT** to rush the zoning and land use components of this project.

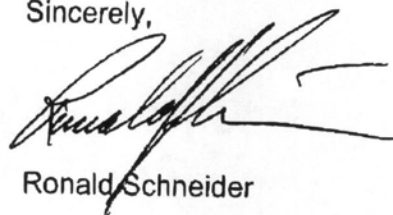
It is my opinion that the proposed public hearing on this rezoning and related planning matters is premature. Public opinion will be greatly affected by the information and dialogue at the public forum in June scheduled by the City. The proposed rezoning, changes to the code, and revision to the Nodal Plan should be considered only after this forum and additional information and reliable plans are available to the public.

On behalf of my clients, I respectfully request that the Planning Commission continue the hearing on these matters to enable the City to provide answers to the many unanswered questions on this immense and important project. I am confident that this request is consistent with the consensus and statements made by the Mayor and other Commissioners at their hearing on May 21, 2012.

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May 18, 2012

I await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Schneider", with a stylized flourish at the end.

Ronald Schneider

RS:cw

cc: Scott McCullough, VIA FAX
Mayor Robert Schumm, VIA FAX
City Commissioners, VIA FAX

May 20, 2012

Scott and Jodi Bouyack
887 N. 1663 Road
Lawrence, KS 66049

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

Ms. Miller,

As a resident and landowner in Northwood Estates with property bordering on the north end of the 146 acre tract of land that is being considered for CC600 zoning, I write today to make a few comments which I hope the Planning Commission will consider as it determines its recommendation on this issue during the May 21, 2012 meeting.

My wife and I purchased our home in early 2010. Prior to making a decision to purchase our home, I conducted a fair amount of research with regard to future development plans in the vicinity of Northwood Estates. Of particular interest to me was the future plans for the acreage now referred to as the Northwest Quadrant of the intersection of W. 6th Street/Highway 40 and Kansas Highway 10 (K-10). My research indicated to me that we should expect that at some point the Northwest Quadrant would become developed. Thus, it has always been my expectation that as much as we enjoy having vacant fields and cows behind us, that at some point that would become developed territory.

Although I could have no way of definitively knowing in 2010 what sort of development might be built behind our house, there were two expectations my research uncovered that I felt I could count on relative to any future development, and thus provided me the assurance I was looking for to proceed with the purchase of our home. The first expectation was that the City of Lawrence desired for the future development of the W. 6th Street/Highway 40 and K-10 intersection to become an attractive "gateway" entrance for the city. This expectation provided me the assurance that whatever development would eventually be built behind our house would be done so in an attractive, well-planned, well-maintained manner, and would most likely not include unattractive business uses that the city would not be proud to display at such a prominent gateway.

The second expectation my research uncovered that gave me comfort was the designation in the Nodal Plan of a green space buffer along the northern edge of the Northwest Quadrant to help preserve the Baldwin Creek drainage basin and to "act as a transitional buffer for the lower-density residential development and agricultural activities for unincorporated Douglas County adjacent to this corner."

As of today, I am reasonably confident that the first expectation above will be adhered to in this future development. It seems clear that the City Commissioners, City Staff, City Planners, and Developers all still strongly desire for the development on this Northwest Quadrant to maintain the attractive characteristics of a prominent city gateway as described in the Nodal Plan and other planning documents. Further to that point, I can envision that the proposed development of a regional recreation center on this property could result in a more desirable development than many alternatives. For example, the fact that the Planning Staff, in its recommendation to the Planning Commission, has restricted several uses from the proposed CC600 zone because such uses would not enhance the site as a regional recreation facility is a positive benefit for adjoining neighbors, as it helps to assure us that we will not have business such as big box retail, vehicle sales, mini-warehouses and several other uses that would be considered undesirable to the neighborhood.

However, at this point in the process, I am not certain that the second expectation, the green space buffer, will be adequately met. Although city officials have stated on several occasions that they recognize the need for such a buffer, and further recognize that the Nodal Plan calls for such a green space buffer, the specifics of such a buffer are lacking. To that point, the City has recently provided an initial rendering of the site plan for the recreation center, and the lack of any green space buffer is highly conspicuous by its absence. In fact, I cannot even consider such a rendering to be a viable first draft, as it does not include this very important component, and look forward to the City and Developers providing a true, viable first draft in the very near future.

Considering the above, I would like to make one simple request of the Planning Commission as it considers its recommendation relative to this zoning question. My request is that should the Planning Commission go forward in recommending this property in question be zoned to CC600, that it do so with the condition that a green space buffer, one which reflects the spirit of such an element as described in the Nodal Plan, be required to be part of the future development.

Once again, we appreciate the City's willingness to engage us in this process and listen to our concerns. I will be attending the meeting on May 21, and any such subsequent relevant meetings, and look forward to being a part of the process. If at any time you would like to talk to me directly, I can be reached via phone at (678) 778-0797 or email at scott.bouyack@gmail.com.

Sincerely,

Scott Bouyack

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

May 21, 2012

City of Lawrence
Attn: Mary Miller - City Planning Office
6 East Sixth Street
Lawrence, KS 66044

Dear Ms. Miller:

As residents of the Estates of Northwood, we are writing to formally express our concerns regarding the proposed development of the land located at 6th street and E. 900 road.

Following the recent City Council meeting, we were provided a concept plan for the proposed development. This proposal raised significant red flags for residents of our neighborhood.

First, the concept plan does not honor the green space originally outlined in the nodal plan. Placing the recreation center, stadium and parking lots directly adjacent to our property provides no buffer between our backyards and the development. The resident of our neighborhood purchased land and built homes based on an understanding of green space outlined in the City's nodal plan.

Second, the concept plan does not appear to preserve the natural drainage system provided by the Baldwin Creek drainage basin. While the city may plan to remove this naturally occurring pathway, several of the properties on the south side of our neighborhood have this creek continuing through their property. This could result in significant drainage issues in the future. Additionally, other properties on the south side currently have flooding concerns during heavy rains and this development could further exacerbate this issue.

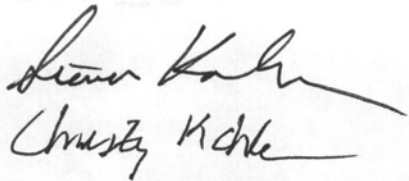
Third, the concept plan does not appear to have addressed the traffic issue through our neighborhood sufficiently. Requiring our neighbors to proceed through the new development to reach our homes is not a satisfactory solution. Given times of heavy activity in the area, this could place us in the middle of significant event traffic. As discussed at the meeting held at the Indoor Aquatic Center in April, we would prefer to have access to our neighborhood to the west of the development with proper signage to discourage non-residents from entering N. 1663 Road. This could be accomplished by alternating the dead end on N. 1663 from the west end to the east end.

Finally, without the proper market studies to understand the needs of the community, it is premature to determine the appropriate zoning for this area.

The City has a unique opportunity for this development. Unlike most instances, there is sufficient space to plan the site in a way that can truly accommodate the needs of the city and the surrounding community. We encourage you to take advantage of this opportunity to create a "gateway" for our city in a manner that is acceptable to all parties involved.

Thank you in advance for considering our concerns. We look forward to continued dialogue as the process progresses.

Sincerely,

Handwritten signatures of Steven Kahle and Christy Kahle. The signature for Steven Kahle is written in black ink and is positioned above the signature for Christy Kahle, which is also in black ink.

Steven & Christy Kahle
875 N. 1663 Road

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

Kenneth and Anna Oliver
873 N. 1663 RD
Lawrence, KS 66049

785-550-7746

May 21, 2012

Mary Miller
City/County Planner
Lawrence City Hall
6 East 6th St
Lawrence, KS 66049

Dear Ms. Miller,

Please include this letter regarding the rezoning of the NW corner of K-10/US-40 in the packet to be presented during your May 21 Planning Commission meeting. We will not be able to attend the meeting because of our work schedules, but would appreciate your taking our concerns into consideration.

We appreciate your notifying us of the completed staff report and at first blush, we are generally in agreement with the conditional zoning restrictions you are recommending. We also want to thank you for your time and effort in restricting uses that would not be complimentary to the proposed recreation center and that would be detrimental to our neighborhood.

We are however, frustrated that a new zone designation (CC600) is being proposed for the first time and recommended for this property with conditions, while the City does not know the size, scope and cost of their portion of the project and no sight plans have been submitted. There are many unanswered questions as to whether the rezoning and proposed development complies with the Nodal and Horizon 2020 plans. We received the staff report for the CC600 rezoning on Thursday the 17th, tried to research the hundreds of pages of reports and plans, formulate and draft comments to be delivered prior to 10:00am the following Monday morning. That's hardly enough time for the residents of our neighborhood to cipher through all the information and provide meaningful input, which is what the Mayor, City Commissioners, Planning Commission and City Manager have requested. We are not grasping for stalling tactics, as we firmly believe this project could be very good for the community. We are however very concerned that this project has not been given due diligence and many requirements for development are being overlooked. For example, considering the proposed uses, has the necessary traffic and marketing studies been completed, and has the Nodal and other planning documents been updated?

Along with our neighbors, we purchased our property and built our home after reviewing the Nodal Plan and learning the property in question was planned for low-density industrial/warehouse/office uses with a large green zone buffer between our homes and future development. After seeing examples around town of similar buildings, we found them acceptable, purchased our property and built our homes. Now the uses being proposed would have significantly more traffic, noise and light pollution. For this reason, as the project moves forward we are strongly encouraging the city to exceed the standards for mitigating the negative effects to surrounding neighborhoods per the following plan excerpt:

20-1101

PROTECTION STANDARDS FOR RESIDENTIAL DISTRICTS

(a) Design and Operational Compatibility Standards—Discretionary

Approvals

As a condition of approval of any Special Use Permit, Map Amendment, site plan or other discretionary approval of any multi-Family use or nonresidential use located within 500 feet of any less intensive residential district, the City Commission, Planning Director, Planning Commission or other review body may impose conditions that exceed the minimum requirements of this Chapter and that, in the opinion of the review body, are necessary to reduce or minimize any potentially adverse impacts on residential property, including, but not necessarily limited to, the following:

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City Council Planning Office
Lawrence, Kansas

- (1) location on a site of activities that generate potential adverse impacts on adjacent uses, such as noises and glare;
 - (2) placement and buffering of trash receptacles;
 - (3) location of loading and delivery areas;
 - (4) lighting location, intensity, and hours of illumination;
 - (5) placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
 - (6) additional Landscaping and buffering;
 - (7) Height restrictions to preserve light and privacy and views of significant features as viewed from public property and rights-of-way;
 - (8) preservation of natural lighting and solar Access;
 - (9) ventilation and control of odors and fumes; and
 - (10) paving or other surface treatment for dust control.
- (b) Height Limit on Projects Adjoining Certain Residential Zoning Districts
See Section 20-701(g) for Height limits in the PD district.

Consideration needs to be given to the neighbors for the significant negative effects of the rezoning and subsequent development in the form of a green space buffer, additional large caliper trees, directional and timed exterior lighting, and a large berm. An acceptable berm would be similar to the one immediately behind the Walmart on 6th Street. However, because of the direction and location of the proposed street into the recreation center, stadiums and the proximity to our homes, an even taller berm would be necessary.

There is a significant grade from our property line up to US-40. Because the proposed stadium would be situated on the hill, we think an in-ground stadium would be beneficial for several reasons. An in-ground stadium would reduce the height of the structure and make it more visually appealing. The noise and light pollution would be contained significantly and the dirt removed for the stadium could be used for a berm to further reduce those negative effects. It is also my understanding that track and field events need to be sheltered from excessive wind for the competitor's results to be recognized as records. An in-ground stadium would go a long way in making it an elite track and field venue.

Our other concerns have not changed since our last correspondence as we are anxious to maintain the dead end access to N.1663 RD. The concept plan that was recently released proposed a convoluted route to our neighborhood. We would rather have a dead end entrance on the west side of 1663 RD to US 40 in lieu of the entrance shown on the concept drawing. In addition, we are very concerned that the manipulation of the Baldwin Drainage basin would potentially flood our property during seasonal heavy rains.

Thank you again for taking our concerns into consideration. We know a lot of questions will come to light when sight plans are eventually submitted, and we are hopeful that this will be a great development for our community, but the City needs to take a step back and complete the processes that are in place to ensure all involved (The City, Taxpayers, Developers, and Neighbors) are on the same page and protected before moving forward. The public forum on June 6th is a great start, and we are hopeful that more information will flow between the city and the public at that time.

Sincerely,



Kenneth and Anna Oliver

April 16, 2012

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APR 18 2012

Scott and Jodi Bouyack
887 N. 1663 Road
Lawrence, KS 66044
City of Lawrence County Planning Office
Lawrence, Kansas

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

Ms. Miller,

As our address above would indicate, my wife and I are residents of Northwood Estates, the development just north of the land where the proposed recreation center and ancillary developments are being discussed. I am writing you today to express some areas of concern that we have, as directly adjacent residents, with this proposed annexation, rezoning, and development.

Prior to purchasing our home in Northwood Estates in 2010 I researched future development plans, and the Nodal Plan, closely. The following excerpt from the Nodal Plan resonated very strongly with me, as it spoke most directly to address potential impact of development on my property:

"Such uses are encouraged at the gateways to the City and it's anticipated the West 6th Street/K-10 intersection will evolve into one of the community's most prominent and attractive entryways. This nodal plan also designates a green space buffer along the northern edge of the corner to help preserve the southwestern portion of the Baldwin Creek drainage basin and will likely function in a stormwater management capacity. The green space also acts as a transitional buffer for the lower-density residential development and agricultural activities for unincorporated Douglas County adjacent to this corner.

Specifically, as our southern property line is a direct border the land that is proposed to be annexed and developed, we are expecting that the city will adhere to its own recommendations of a "green zone" or "buffer" to provide a natural transition. The drainage basin that runs through the land is not only directly behind my lot, but also cuts through the southeast corner of my lot, thus future plans for the drainage basin could have very direct impact on my lot.

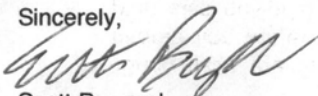
We have some concerns about the recreation center itself. As this is being described as a fairly large building, designed to attract significant crowds, I would like to express our expectation that the city will be addressing such concerns as security, pollution, and traffic control for the adjacent neighborhood, all of which can become problems when frequent crowds are involved. Additionally, as the recreation center project, as has been described, will include some outdoor elements, we have concerns over what sort of lighting may be used, the positioning of the lighting, and the amount of time the lighting might be used in the nighttime hours.

Another considerable area of concern for us is the street plan. As you know, E. 900 Road is currently the only access to our neighborhood, and because N. 1663 Road is a dead end, we have very little traffic other than resident traffic. It would certainly be our hope to maintain that as much as possible, but do have concerns that if we share a road or access point with the recreation center and ancillary developments, it could result in significantly increased traffic on our street, as well as upon entering or exiting our development.

We appreciate the City's willingness to engage us in this process and listen to our concerns. My wife and I will be attending the meeting on April 19, and any such subsequent relevant meetings, and look forward to being a part of the process. If at any time you would like to talk to me directly, I can be reached via phone at (678) 778-0797 or email at scott.bouyack@gmail.com.

We look forward to being a cooperative part of this process, as long as the city returns the favor.

Sincerely,


Scott Bouyack

RECEIVED

APR 20 2012

City County Planning Office
Lawrence, Kansas

Kenneth and Anna Oliver
873 N. 1663 RD
Lawrence, KS 66049
785-550-7746

April 18, 2012

Mary Miller
City/County Planner
Lawrence City Hall
6 East 6th St
Lawrence, KS 66049

Dear Ms. Miller,

I recently visited with you twice over the phone regarding the proposed annexation, rezoning and development of the parcel of land on the NW corner of the intersection of HWY 40 and K-10. As I mentioned during our conversations, as adjacent property owners, our family is very concerned about the development and its effect on our quality of life and the value to our property. Our hope is that the planning commission and developers actively engage with the residents in our neighborhood, exchange ideas, and address our concerns. We agree that this intersection could potentially be a wonderful gateway to our city, and being long time Lawrence residents, we fully understand the need for thoughtful and meaningful development. We are writing this letter to formally express some of our concerns.

When we purchased our lot, we reviewed the Lawrence City Commission approved Nodal Plan. It recommended an office and research park facility, and the plan designated a green space buffer between our property and any development to preserve storm water drainage and provide a transitional buffer from the commercial/industrial/public use areas and our neighborhood. The necessity for the green space is no different today than it was a few years ago and we trust that you will maintain the green space for these reasons.

The 'Horizon 2020' plan included a goal of: "Neighborhood Conservation. The character and appearance of existing low-density residential neighborhoods should be protected and improvements made where necessary to maintain the values of properties and enhance the quality of life." As you know, the entire north side of the land being considered for annexation would fall under this stated goal. We hope the City Commission, planners and developers hold to their stated goals and the intent of 'Horizon 2020' and the approved Nodal Plans that were in effect when we purchased our property.

We are concerned about the Baldwin Creek drainage basin which is located immediately behind our property. Although we have yet to have serious water drainage issues, the pond and culvert on our property overflow several times a year, usually after seasonal storms pass through the area. With the significant development of the acreage behind us, it's an obvious concern that the runoff is not impeded and can freely flow downstream. Although our neighborhood is not located in a FEMA designated floodplain, there is a floodplain only 1/8 of a mile downstream from our subdivision, therefore, water drainage must be addressed in the zoning, planning and development.

Another concern is access to our property. The current access to our neighborhood is only from E. 900 RD. The KDOT long range plan calls for the improvement of E. 900 RD and for adding another road on the west side of our neighborhood to join 1663 RD with HWY 40. We are very concerned about the increased traffic and safety issues with the added thru traffic caused by two entrances to our subdivision. We would very much like to maintain a single entrance into our subdivision to lessen traffic and noise and to keep the country feel of the property we purchased. I would imagine this would also save the city a considerable sum of money in not having to build additional access roads and associated infrastructure.

It is my understanding that the planning commission is considering conditional zoning for the property. We would like to be involved in this process to limit the future commercial use and make it more compatible with our existing residential neighborhood. The proposed CC600 zone is already a significant increase in the scope and size of the proposed commercial use for this area. Our hope is that responsible conditional zoning would make that significant increase adequate for commercial use while mitigating the negative effects of noise and traffic on the surrounding property owners.

We purchased our property and built our home here because of the quiet, country feel and proximity to the city's amenities. We were aware the property under your consideration was going to eventually be developed, but on a smaller scale than what is currently being proposed. We ask that through this process the planning commission act on our requests and lessen the negative impacts of the rezoning and subsequent development by:

1. Insuring adequate flow of storm water run off through the Baldwin drainage basin.
2. Insuring the mitigation of light and noise pollution that would negatively effect our quality of life and property value through the thoughtful placement of buildings and berms, landscaping, etc. Although we have some trees on the back of our property, from September to April, there are no leaves on the trees and we have a very clear view of the sloped property all the way up to and including US 40.
3. Reclaiming the green zone that was initially addressed in the Lawrence City Commission approved Nodal plan in 2003.
4. Easing the negative view of large buildings and structures with landscaping, berms and building placement to maintain the country feel. This 'country feel' is why we built our homes here.
5. Maintaining the one way street access to our neighborhood to minimize traffic.
6. Being partners with area residents to create meaningful conditional zoning to limit the commercial uses of the property being developed, therefore maintaining our property values and quality of life.

Thank you in advance for addressing our concerns and we look forward to being a partner in making this development a true asset to or city.

Sincerely,



Kenneth and Anna Oliver

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APR 19 2012

Scott and Sharolyn Robinson

850 N 1663 Road, Lawrence, KS 66409

City County Planning Office
Lawrence, Kansas

April 16, 2012

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

R.E.: Land use proceedings for the northwest corner of Hwy 40 and K-10

Mary Miller,

We are in receipt of your letters regarding the land use proceedings. As residents of Northwood Estates directly north of that land, we have some major concerns about how that it might be utilized, accessed, and developed.

When making a decision to build in this area we were provided a nodal plan for the area and from what we have been able to gather at this point, it seems that the current discussions for development are a long stretch from that plan.

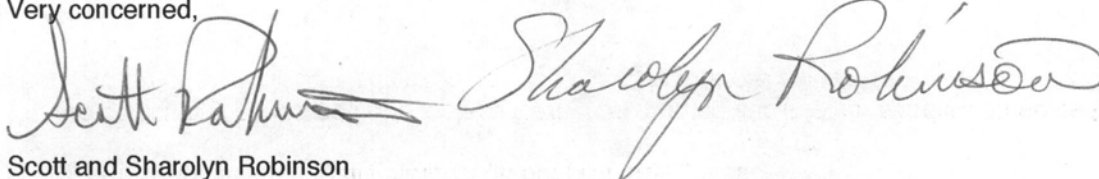
We have major concerns that would affect our current lifestyle here in Northwood Estates that could have a significant negative impact on our property values.

We are particularly concerned about plans for ingress and egress into our subdivision so as to keep it as private as it is today, lighting issues for the commercial activity as well as the proposed outdoor track, visual "pollution" that would destroy our current views, drainage issues, and privacy with the extra potential traffic just to mention a few.

Our point is that we were here FIRST - Douglas County approved this sub-division to create the environment that we currently have and we have MAJOR investment in it. If the City of Lawrence is to annex the adjoining land and change its zoning, they have a responsibility to maintain and preserve, as much as possible, the living environment we invested in to create.

Adverse use (or poor implementation of approved use) of the adjacent land could cause serious financial loss to a whole sub-division of residents. I'm sure the developers have great plans for personal and business profits, but they should not come at our expense.

Very concerned,



Scott and Sharolyn Robinson

Mary Miller

From: Carolyn Crawford [ccjava2cups@yahoo.com]
Sent: Monday, April 23, 2012 8:39 AM
To: Mary Miller
Cc: Carolyn Crawford
Subject: Annexation of Northwest Corner of W. 6th Street (US-40) and K-10

Mary,

My wife and I have owned the property adjacent to the northwest corner of US 40 Highway and K-10 for 32 years. Over those we have watched Lawrence grow west from 6th and Kasold, sometimes gracefully and sometimes not, over taking farms and rolling hills. We have watched as sometimes the city controlled the development and sometimes the developers did. Still we have believed in Lawrence and its people, joining them in developing Lawrence into the best it can be.

We share the concerns of the neighbors regarding traffic, light pollution, noise, trash, and property security related to this annexation. Additionally, as owners of expensive purebred cattle and horses, we are further concerned for their safety.

Here are the points that we have regarding the annexation that we would like you to address:

- We are concerned about losing the open, quite, beautiful nature of the neighborhood. This has always been an agricultural area that was held in large land blocks lending a beautiful entry into the city.
- High traffic most hours of the day and night will change the quite peaceful nature of the neighborhood.
- We are concerned about new structures fitting into the beautiful landscape.
- We are concerned that the development of commercial real-estate as a result of this may not be done with quality.
- Light and noise pollution can be very disruptive to the neighborhood
- Trash associated with a new development can have an impact on the area, soil and run off water.
- Our purebred Limousin cattle and quarter horses are accustomed to a quick secure area. People coming up to pet them, feed them or throw things at them can be dangerous to them and the animals.
- We do not favor forced annexation.
- We are concerned about what impacts the annexation will have on current and future zoning.
- We should not be included in a benefit tax district for sewer, water, signalization, and streets.

Over the years raising our five children on this farm, we have tried to be good citizens and neighbors to Lawrence by being a founding family of Kaw Valley Soccer Association in 1980, St. Margaret's Church in 1989, Raintree Lower Elementary in 1994 and Bishop Seabury

Academy in 2001 as well as being leaders in Douglas County 4H, Boy Scouts, serving in LINK and Family Promise, and being in the Chamber of Commerce. It is our hope that the city can be as good of a neighbor to us as we have been to them.

Sincerely,
Ron and Carolyn Crawford

From: Mary Miller <mmiller@lawrenceks.org>
To: "ccjava2cups@yahoo.com" <ccjava2cups@yahoo.com>
Sent: Friday, April 20, 2012 3:51 PM
Subject: permitted use table

Carolyn,
It was very nice talking to you today. I've attached the permitted use table which lists the uses which are permitted in the CC Districts. As I mentioned, we are considering recommending 'conditional zoning', which means only uses which are seen as being associated or compatible with a regional recreational facility would be permitted on this property. You could look the permitted use table over and see if there are any uses that you feel should not be permitted on this property.

The Planning Commission is considering the annexation this Monday, but will be considering the rezoning at their May meeting. You can provide your comments regarding the permitted uses directly to Planning and you can also provide written comments to the Planning Commission on the proposed rezoning as well as the proposed plan and development code amendments. You will receive a notification letter of the amendments and the rezoning about 20 days before the Planning Commission meeting.

The next step will be to plat the property. With platting, street right-of-way is dedicated and decisions on street improvements are made. The preliminary plat will be considered by the Planning Commission and you will be notified of this meeting as well.

The site plan can be submitted in conjunction with the plat. The applicant will provide property owners within 1000 ft notification of the site plan, and you can contact the Planning Office for copies of the plans that have been submitted. Once again, your comments on the layout and design of the site plan will be very helpful.

I just wanted to outline the development process, since there are several steps. Please feel free to contact me if you have any questions.

Thanks,
Mary

Mary K Miller, AICP, City/County Planner- mmiller@lawrenceks.org
Planning Division | www.lawrenceks.org/pds
P.O. Box 708, Lawrence,KS 66044
Office (785) 832-3147 | Fax (785) 832-3160

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APR 17 2012

City County Planning Office
Lawrence, Kansas

April 16, 2012

City of Lawrence
Attn: Mary Miller - City Planning Office
6 East Sixth Street
Lawrence, KS 66044

Dear Ms. Miller:

As residents of the Estates of Northwood, we are writing to formally express our concerns regarding the proposed development of the land located at 6th street and E. 900 road.

Two years ago we built our home at 875 N. 1663 road. This represented years of planning and saving to be able to secure the perfect location for our "forever" home. The Estates of Northwood combines an amazing country setting with the convenience of being located close to town. We clearly researched this location before purchasing the lot and discovered that the land to the south of the neighborhood was zoned for agriculture only and included a green space adjacent to our property. Additionally, the long-term nodal plan indicated only plans for light research type facilities in the future. Over the past two years we have developed such an appreciation for our setting, neighbors and new way of life. As a result, we were clearly concerned to hear of the proposed recreation center and other sports facilities being discussed for the land directly behind our neighborhood.

We will be attending the public meeting on April 19th to learn more about the land use proposal and to share our concerns, but we wanted to provide them in writing as well.

Drainage & Visual Concerns

The Estates of Northwood is located at a grade significantly below Sixth Street. In fact, despite 35 ft+ trees that span the back of our property, we can clearly see the traffic on Sixth Street. This is even more evident during the winter when the leaves have fallen. Given this, any construction on the land between Sixth Street and our neighborhood will be easily seen from our home. Light and noise pollution control as well as proper landscaping will be very important to those who live adjacent to the property. Additionally, the slope creates significant drainage issues for several of our neighbors when it rains heavily. There is great concern about the impact construction may have on the drainage down to our neighborhood.

Traffic & Safety

Currently, N. 1663 is a no outlet road. The amount of traffic in our neighborhood is minimal and almost solely from residents. Adding facilities such as those proposed could generate significant traffic to the corner of West 6th Street and K-10. It is extremely important to us that N. 1663 remains a no outlet road. We understand from attending a recent KDOT meeting that there are future plans to open the west end of N. 1663 for an access road that would run from Sixth Street north, but it was shared that the east end of N. 1663 would then become the dead end. Regardless of the location of the cul-de-sac, it is imperative that N. 1663 does not become a thru street. If this would occur, the traffic generated would create noise and safety concerns for the families in our neighborhood.

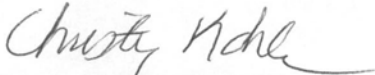
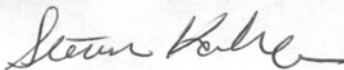
Green Space

Providing a buffer between the south lots of Northwood and the adjacent property may only provide a small level of separation, but will be important given the high traffic volume these types of proposed facilities could generate.

Admittedly, at this point we can only react to the land use proposals we have heard discussed in the local media. We understand the significance these types of facilities could have for our community, as this intersection could truly become a critical "gateway" to Lawrence. As Lawrencians we want to support development that will be meaningful for our city, but we also ask to have a voice in the planning that could greatly impact our way of life.

Thank you in advance for considering our concerns. We look forward to continued dialogue as the process progresses.

Sincerely,



Steven & Christy Kahle
875 N. 1663 Road

April 17, 2012

Lawrence Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

RE: Development of the area South of Northwood Estates

Dear Ms Miller,

We appreciate your willingness to consider our concerns regarding future development to the area that is behind our neighborhood..

We have worked very hard for 40 years to save money to "retire" in Lawrence. A couple of years ago, that dream came true when we built our wonderful home in Northwood Estates. We were aware of the future plans for along 40 highway (behind our property) which were similar in nature to Wakarusa and was described as a wonderful entrance from the West to the City of Lawrence. Those plans were acceptable to us.

We are now receiving information that due some negotiating, things are on the fast track to change these plans. We have been advised that 50 acres have been "donated" to the city for a recreation center. At first this sounded great as we "assumed" it would be similar to the East Side recreation center. Now we are hearing of the magnitude of the plan which includes Kansas relays, concerts, etc. We are very concerned about not only the recreation center, but future development that may affect our way of life as we know it.

Our concerns that we have at this time are::

- Green space needs to be left between our properties
- Lighting interfering with our outdoor evening enjoyment needs to be addressed
- Noise affecting our outside enjoyment needs to be addressed
- Excessive traffic through our quiet dead end street now and in the future if the street is opened up as a thru street. Major signage needs to be added on 900 Rd. to keep traffic out of our neighborhood. KDOT has plans in the future to exit our neighborhood to the West. This will also need to be addressed in the planning.
- Security effecting our safe neighborhood needs to be addressed
- The effect of the development on wildlife (owls, deer, opossums, frogs, coyotes)
- Storm drainage needs to be addressed
- What method of sewage disposal will be used needs to be addressed
- A clear boundary needs to be established with a wrought iron fence with signage along the property line to help eliminate trespassing.

We want very much to work toward a mutually agreeable plan that will allow our neighborhood keep its "country" feel while allowing a reasonable expansion of the land to our South.

We will look forward to meeting with you and the other parties who are involved in the future plans.

Respectfully,



Mike and Debby Keiso

891 N 1663 Rd

Lawrence, KS 66049

kukelso@gmail.com