

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, JANUARY 21, 2009

5:00 p.m. Executive Session for the purpose of consultation with County Counselor on matters, which would be deemed, privileged under the attorney-client relationship. The justification is to maintain attorney client privilege on a matter involving Douglas County.

6:35 p.m. (Meet in the Commission Chamber)

-Convene

-Consider approval of a proclamation for the month of January 2009 as "Everybody Counts Month" (Erica Dvorske)

-Consider approval of the minutes for January 7, January 12 and January 14, 2009.

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval of Emergency Vehicle permit renewal for William M. Shockley and John E. Steele Jr. (Sheriff's Dept);
- (c) Consider approval of road right-of-way contract for project No. 2007-13, the improvement of County Route 438 from 625E to 850E. (Also known as the farmer's turnpike) (Michael Kelly);
- (d) Consider approval for bids for crushed rock for road maintenance (Keith Browning); and
- (e) Receipt of report of State Forfeitures per K.S.A. 60-4117(d)(2) (Ken McGovern)

REGULAR AGENDA

- (2) Consider brokering a user-fee dust palliative program for 2009 (Keith Browning)
- (3) Consider renewing contract for 2009 chip seals (Keith Browning)
- (4) Consider Home Rule Resolution authorizing installation of gate over N900 Road at 902 E (Keith Browning)
- (5) Discussion of **CPA-2008-6**: Receive the West of K-10 Plan. Take public comment and direct staff to prepare the item for consideration at a future Commission meeting. Dan Warner is the Planner and will give a presentation on the Plan. (PC Item 5; approved 6-2 on 10/20/08) (City Commission; approved 5-0 on 12/2/08).
- (6) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment
- (7) Adjourn

MONDAY, JANUARY 26, 2009 (Light Agenda)

Consent:

Consider approval for purchase of 16 Motorola portable radios and accessories (Ken McGovern)

TUESDAY, JANUARY 27, 2009

4:00-6:00 p.m.-Joint Study Session on Economic Development

WEDNESDAY, JANUARY 28, 2009

MONDAY, FEBRUARY 2, 2009

- Consider approval for CPA-2008-3 to amend Chapter 6 Commercial Land Use – inner-neighborhood commercial centers (Dan Warner)
- Presentation on 2009 Real Estate Values (Marion Johnson)

TUESDAY, FEBRUARY 3, 2009

4:00-6:00 p.m.-Joint Study Session on Economic Development

WEDNESDAY, FEBRUARY 4, 2009

6:35 p.m. (Meeting held at Eudora City Hall)

- Joint study with the City of Eudora to receive and discuss the traffic impacts of the new turnpike terminal being constructed north of Eudora.

MONDAY, FEBRUARY 9, 2009

WEDNESDAY, FEBRUARY 11, 2009

- Consider approval of TA-10-17-08, resolution regarding the requirements for Build Out Plans (Mary Miller)

MONDAY, FEBRUARY 16, 2009

WEDNESDAY, FEBRUARY 18, 2009

- No Commission Meeting

MONDAY, FEBRUARY 23, 2009

WEDNESDAY, FEBRUARY 25, 2009

Note: The Douglas County Commission meets regularly on Mondays at 8:30 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.

1161



**DOUGLAS COUNTY
APPLICATION FOR AN AUTHORIZED EMERGENCY VEHICLE PERMIT**

Please type or print the following information:

Check One: New
 XXX Annual Renewal
(If renewal, attach old permit. **Must be renewed annually by January 31.**)

Name: William M. Shockley

Street Address: 954 North 1950 Road Phone # (785) 842-2337

City: Lawrence State: Kansas Zip Code: 66049-9200 County: Douglas

Make of Vehicle: GMC K-2500 4x4 Year of Vehicle: 1984

Style of Vehicle: Flatbed truck License Tag #: KBOWDW

VIN #: 1GTEK24CXE5508441 Driver's License #: K02-06-6004

Vehicle Insurance Company Name: Progressive Policy #: 25416586-0

**Attach copy of insurance card.

Agency: Lecompton Fire and Rescue District #1

Agency Address: P.O. Box 154 Lecompton, Kansas 66050

Agency Head Signature: H. Wayne Riley, Chief

I HEARBY CERTIFY, I have read and agree to abide by the requirements set forth in Chapter 8 of the Kansas Statutes which relate to the operation of Emergency Vehicles.

I FURTHER CERTIFY, I will drive with due regard for the safety of others as required by K.S.A. 8-1506.

I FURTHER CERTIFY, I will return my permit when requested by the Sheriff. This permit is not transferable to any other person or vehicle.

I FURTHER CERTIFY, violating any of these laws and/or rules and the commission of other serious traffic violations may be grounds for the cancellation of my vehicle being designated as an "Authorized Emergency Vehicle".

William M. Shockley
Signature of Applicant

01-02-2009
Date

Kenneth M. McGovern
Kenneth M. McGovern, Sheriff

1/13/09 005
Date Permit #

Authorization granted by County Commission on this day of , 200 .



**DOUGLAS COUNTY
APPLICATION FOR AN AUTHORIZED EMERGENCY VEHICLE PERMIT**

Please type or print the following information:

Check One: New
 Annual Renewal
 (If renewal, attach old permit. **Must be renewed annually by January 31.**)

Name: John E. Steele Jr.

Street Address: 517 N 1663 RD Phone # (785) 766-3541

City: Lawrence State: KS Zip Code: 66049 County: Douglas

Make of Vehicle: Chery Year of Vehicle: 2002

Style of Vehicle: Pick up License Tag #: KS FIRE 5436

VIN #: 2GCEK19T421255504 Driver's License #: 511-50-6978

Vehicle Insurance Company Name: State Farm Policy #: 242 9386-E11-16K
 **Attach copy of insurance card.

Agency: Kanwake Twp Fire

Agency Address: 548 N 1700 Rd Lawrence, KS 66049

Agency Head Signature: [Signature]

I HEARBY CERTIFY, I have read and agree to abide by the requirements set forth in Chapter 8 of the Kansas Statutes which relate to the operation of Emergency Vehicles.

I FURTHER CERTIFY, I will drive with due regard for the safety of others as required by K.S.A. 8-1506.

I FURTHER CERTIFY, I will return my permit when requested by the Sheriff. This permit is not transferable to any other person or vehicle.

I FURTHER CERTIFY, violating any of these laws and/or rules and the commission of other serious traffic violations may be grounds for the cancellation of my vehicle being designated as an "Authorized Emergency Vehicle".

[Signature]
 Signature of Applicant
[Signature]
 Kenneth M. McGovern, Sheriff

1/4/09
 Date
1/9/09 008
 Date Permit #

Authorization granted by County Commission on this _____ day of _____, 200__.
 S:Forms:emergency vehicle permit authorization



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

TO : Douglas County Commission

FROM : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*
Michael D. Kelly, L.S., County Surveyor *MJK*

DATE : January 13, 2009

RE : Project No. 2007-13; County Route 438; Acquisition of Easement;
Consent agenda

As you may be aware Douglas County plans to improve County Route 438, from the intersection of County Route 1029 to the intersection with K-10, by adding 8 ft. shoulders as well as cutting hillcrests and filling sags. Please see the attached general location map.

Negotiations with landowners (for easement) are now complete and an agreement has been reached for the final tract (Winter Living Family Trust). The funds for this project have been budgeted in the CIP.

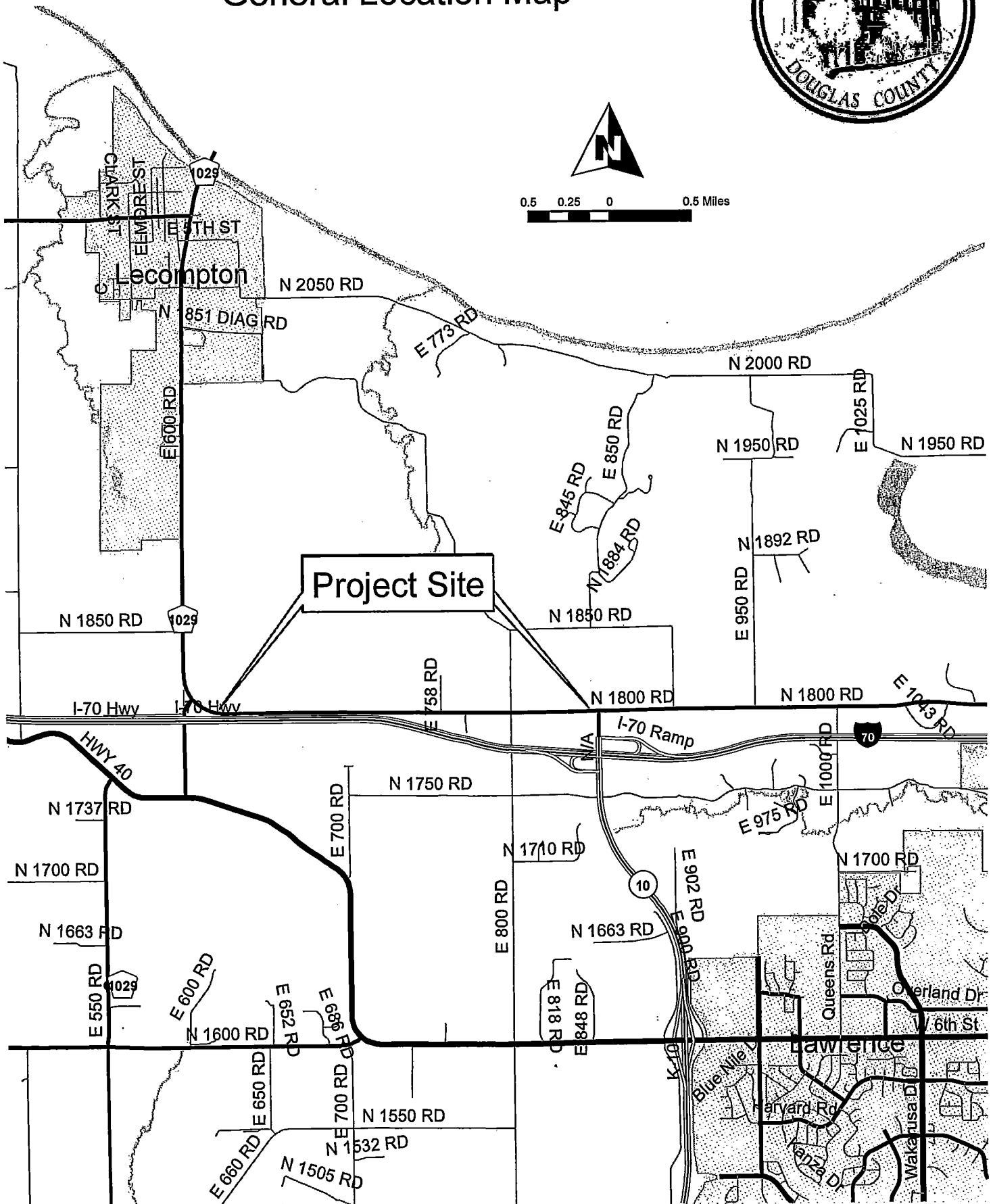
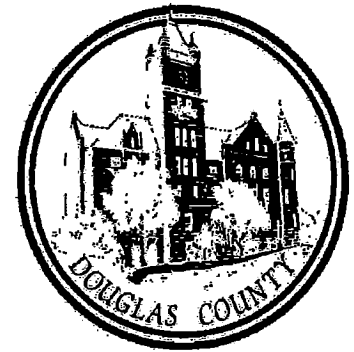
The amount for the attached contract is the result of a negotiated settlement which includes an allowance for erosion checks on a small creek immediately downstream of the western end of the project. We believe the erosion checks will address a situation the property owners feel was exacerbated by the recent improvement of County Route 1029.

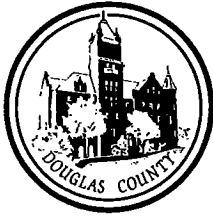
To ensure the proper completion of a necessary construction project approval is recommended for the attached CONTRACT FOR HIGHWAY PURPOSES.

ACTION REQUIRED: Consent agenda approval to authorize the Chairman of the Board to affix his signature to the CONTRACT FOR HIGHWAY PURPOSES for Project No. 2007-13.

Project No. 2007-13

General Location Map





DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : January 14, 2009

Re : Consent Agenda Approval of Bids for Crushed Rock for Road Maintenance

Sealed bids were opened January 5th for crushed rock aggregates used for road maintenance. A bid tabulation is attached.

This department requests the BOCC accept the following bids:

Aggregate	Vendor	Quantity (tons)	Quarry	Unit Price
AB-3	Mid-States	3000-7500	✓ Big Springs	\$7.90
AB-3	Hamm	3000-7500	✓ Eudora	\$6.75
Road Rock	Mid-States	3000-7500	✓ Big Springs	\$9.25
Road Rock	Hamm	3000-7500	✓ Eudora	\$7.25
Shot Rock	Mid-States	1000-3000	✓ Big Springs	\$9.25

Accepting bids from two vendors for AB-3 and Road Rock Special allows us to consider haul costs to the project site when determining where to obtain rock.

Road & Bridge Fund 201 has \$211,412 allocated in the Road Rock and Rip Rap line items.

Action Required: Consent Agenda acceptance of the bids from Mid-States Materials (Big Springs quarry) and Hamm Quarries (Eudora quarry) for the supply of 3000-7500 tons of AB-3 base rock and 3000-7500 tons of Road Rock Special from each supplier, and the bid from Mid-States Materials for the supply of 1000-3000 tons of Shot Rock.

SHOT ROCK SHOT ROCK SHOT ROCK

		Quarry # 1	Quarry # 2	Quarry # 3
VENDOR	QTY/TON	\$/Ton	\$/Ton	\$/Ton
		Big Springs		
Mid States	1000-3000	\$ 9.25	\$ -	\$ -
		N. Law.		
Hamm's	1000-3000	\$ 12.00	\$ -	\$ -
	1000-3000	\$ -	\$ -	\$ -

AB-3 AB-3 AB-3 AB-3 AB-3 AB-3

		Quarry #1	Quarry #2	Quarry #3		Quarry # 1	Quarry # 2	Quarry # 3
VENDOR	QTY/TON	\$/Ton	\$/Ton	\$/Ton	QTY/TON	\$/Ton	\$/Ton	\$/Ton
		Big Springs				Big Springs		
Mid States	3000-7500	\$ 7.90	\$ -	\$ -	7501-12000	\$ 7.90	\$ -	\$ -
		N. Law.	Eudora	Harrell		N. Law.	Eudora	Harrell
Hamm's	3000-7500	\$ 7.25	\$ 6.75	\$ 6.75	7501-12000	\$ 7.25	\$ 6.75	\$ 6.75
	3000-7500	\$ -	\$ -	\$ -	7501-12000	\$ -	\$ -	\$ -

SS-3 SS-3 SS-3 SS-3 SS-3 SS-3

		Quarry #1	Quarry #2	Quarry #3		Quarry #1	Quarry #2	Quarry #3
VENDOR	QTY/TON	\$/Ton	\$/Ton	\$/Ton	QTY/TON	\$/Ton	\$/Ton	\$/Ton
		Big Springs				Big Springs		
Mid States	3000-7500	\$ 9.25	\$ -	\$ -	7501-12000	\$ 9.25	\$ -	\$ -
		N. Law.				N. Law.		
Hamm's	3000-7500	\$ 7.50	\$ -	\$ -	7501-12000	\$ 7.50	\$ -	\$ -
	3000-7500	\$ -	\$ -	\$ -	7501-12000	\$ -	\$ -	\$ -

ROAD ROCK SPECIAL

ROAD ROCK SPECIAL

		Quarry # 1	Quarry # 2	Quarry # 3		Quarry # 1	Quarry # 2	Quarry # 3
VENDOR	QTY/TON	\$/Ton	\$/Ton	\$/Ton	QTY/TON	\$/Ton	\$/Ton	\$/Ton
		Big Springs				Big Springs		
Mid States	3000-7500	\$ 9.25	\$ -	\$ -	7501-12000	\$ 9.25	\$ -	\$ -
		N. Law.	Eudora	Harrell				
Hamm's	3000-7500	No Bid	\$ 7.25	\$ 7.50	7501-12000	\$ -	\$ -	\$ -
	3000-7500	\$ -	\$ -	\$ -	7501-12000	\$ -	\$ -	\$ -

Keith A. Browning, P.E.
Director of Public Works

1/5/2009

Jamison Shew
Douglas County Clerk

Mid-States

DOUGLAS COUNTY, KANSAS

BID DOCUMENTS

FOR

VARIOUS AGGREGATES

BID NO. 08017

DOUGLAS COUNTY, KANSAS

SPECIFICATIONS AND CONTRACT DOCUMENTS

FOR

PUBLIC WORKS DEPARTMENT

VARIOUS AGGREGATES

BID NO. 08017

BY

THE DOUGLAS COUNTY COMMISSIONERS

Jere McElhaney
Member

Charles Jones
Member

Bob Johnson
Chairman

Jamie Shew
County Clerk

Keith A. Browning, P.E.
Director of Public Works

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
NOTICE TO BIDDERS
Bid # 08017**

Notice is hereby given that Douglas County is accepting sealed bids for Various Aggregates, for use at various locations throughout Douglas County by the Department of Public Works. Bids will be received in the Office of the Douglas County Clerk until 3:00 P.M., Monday, January 5, 2009 and then publicly opened in the Office of the Douglas County Clerk.

Bids must be submitted on forms obtainable at either the Office of the Director of Public Works/County Engineer, 1242 Massachusetts Street, Lawrence, Kansas, or on the Internet @ www.demandstar.com. The bids shall be submitted in sealed envelopes, addressed to the Office of the County Clerk, Courthouse, 1100 Massachusetts Street, Lawrence, Kansas 66044, upon which is clearly written or printed "Various Aggregates", along with the name and address of the bidder. Any bid received by the Office of the County Clerk after the closing date and time will be returned unopened. Faxed bids will not be accepted. Douglas County is not responsible for lost or misdirected bids, whether lost or misdirected by the postal or courier service of the bidder or the Douglas County mail room.

The awarded bidder shall agree to offer the prices and the terms and conditions herein to other government agencies who wish to participate in a cooperative purchase program with Douglas County. Other agencies will be responsible for entering into separate agreements with the awarded bidder and for all payments thereunder.

The Douglas County Board of Commissioners reserves the right to reject any or all bids, waive technicalities, and to purchase the product, which in the opinion of the Board, is best suited to the work for which it is intended.

DATED: 12/11/08

DOUGLAS COUNTY PUBLIC WORKS
Keith A. Browning, P.E.
Director of Public Works

Published: Tuesday, December 16, 2008
Saturday, December 20, 2008

cc: Lawrence Journal World
Public Works Accounting
Board of County Commissioners
County Clerk
County Administrator
County Shop
Purchasing Department
File

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
STANDARD TERMS AND CONDITIONS
DOUGLAS COUNTY, KANSAS
BID NO. 08017**

1. **SCOPE:** The following terms and conditions shall prevail unless otherwise modified by Douglas County within this bid document. Douglas County reserves the right to accept or reject any or all bids received, waive technicalities, and to purchase the product, which in the opinion of the Board of County Commissioners, is best suited to the work for which it is intended.
2. **DEFINITIONS AS USED HEREIN:**
 - a. The term "bid request" means a solicitation of a formal sealed bid.
 - b. The term "bid" means the price offered by the bidder.
 - c. The term "bidder" means the offer or vendor.
 - d. The term "County" means Douglas County, Kansas.
 - e. The term "Board of County Commissioners or "BOCC" means the governing body of Douglas County, Kansas.
 - f. The term "awarded bidder" means any bidder awarded a contract pursuant to its bid.
3. **COMPLETING BID:** Bids must be submitted only on the forms (or reproductions thereof) provided in this document. All information must be legible. Any and all corrections and/or erasures must be initialed. Each bid sheet must be signed by the authorized bidder and all required information must be provided.
4. **CONFIDENTIALITY OF BID INFORMATION:** Each bid must be sealed and submitted in an envelope clearly marked "Various Aggregates" to provide confidentiality of the bid information prior to the bid opening. Supporting documents and/or descriptive literature may be submitted with the bid. Do not indicate bid prices on literature.

All bids and supporting bid documents become public information after the bid opening and are available for public inspection by the general public in accordance with the Kansas Open Records Act.
5. **ACCURACY OF BID:** Each bid is publicly opened in the presence of the Douglas County Clerk. It is required that any and all information presented is accurate and/or will be that by which the bidder will perform if awarded a contract.
6. **SUBMISSION OF BID:** Bids must be sealed and received in the Douglas County Clerk's Office, Douglas County Courthouse, 1100 Massachusetts, Lawrence, Kansas 66044, prior to 3:00 P.M., Monday, January 5, 2009. Faxed bids will not be accepted. The County is not responsible for lost or misdirected bids, whether lost or misdirected by the postal or courier service of the bidder or the County mail room.
7. **ADDENDA:** All changes in connection with this bid will be issued in the form of a written addendum. Signed acknowledgment of receipt of each addendum must be submitted with the bid.

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
STANDARD TERMS AND CONDITIONS
DOUGLAS COUNTY, KANSAS
BID NO. 08017**

8. **LATE BIDS, CHANGES OR WITHDRAWALS:** Bids received after the deadline designated in this bid document shall not be considered and shall be returned unopened.

Bids may be changed or withdrawn prior to the bid opening. All such transaction must be submitted in writing and received by the County Clerk's Office prior to the bid deadline. Changes or withdrawals may be made after the bid deadline only with the approval of the Board of County Commissioners. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the County or fair competition shall be permitted.

9. **BIDS BINDING:** All bids submitted shall be binding upon the bidder if accepted by the County within twenty (20) working days after the bid opening.

10. **WARRANTY:** Supplies or services furnished as a result of this bid shall be covered by the most favorable commercial warranties, expressed or implied, that the bidder and/or manufacturer gives to any customer. The rights and remedies provided herein are in addition to and do not limit any rights afforded to the County by any other clause of this bid. The County reserves the right to request from bidders a separate manufacturer certification of all statements made in the proposal.

11. **METHOD OF AWARD AND NOTIFICATION:** Bids will be evaluated and the award made to the lowest and best, responsive and responsible bidder(s) whose bid conforms to the specifications and whose bid is considered to be the best value in the opinion of the Board of County Commissioners.

The County reserves the right to accept or reject any or all bids and any part of a bid; to waive informalities, technical defects, and minor irregularities in bids received; and, to award the bid on an item by item basis, by specified groups of items or to consider bids submitted on an "all or nothing" basis if the bid is clearly designated as such or when it is determined to be in the best interest of the County.

The signed bid shall be considered an offer on the part of the bidder; such offer shall be deemed accepted upon issuance by the County of a Purchase Order or other contractual document.

12. **CREDIT TERMS:** Bidder shall indicate all discounts for full and/or prompt payment. Discounts offered shall be computed from date of receipt of correct invoice or receipt and acceptance of products, whichever is later.

13. **SELLERS INVOICE:** Invoices shall be prepared and submitted in at least two copies to the address shown on the Purchase Order or bid document. Separate invoices are required for each Purchase Order or bid document. Invoices shall contain the following information: Purchase Order Number, contract number, item number, description of supplies or services, sizes, unit of measure, quantity, unit price, extended totals and date of purchase/order.

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
STANDARD TERMS AND CONDITIONS
DOUGLAS COUNTY, KANSAS
BID NO. 08017**

14. **TAX EXEMPT:** The County and its agencies are exempt from State and local sales taxes by K.S.A. 79-3606, as amended. Situs of all transactions under the order(s) that shall be derived from this request shall be deemed to have been accomplished within the State of Kansas.
15. **SAFETY:** All practices, materials, supplies and equipment shall comply with the Federal Occupational Safety and Health Act, as well as any pertinent Federal, state and/or local safety or environmental codes.
16. **DISCLAIMER OF LIABILITY:** The County, or any of its agencies, will not hold harmless or indemnify any bidder for any liability whatsoever.
17. **HOLD HARMLESS:** The awarded bidder agrees to protect, defend, indemnify and hold the Board of County Commissioners, its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance hereof. Without limiting the generality of the foregoing, and all such claims, etc., relating to personal injury, infringement of any patent, trademark, copyright (or application for any thereof) or of any other tangible or intangible personal or property right, or actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. The awarded bidder further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc., at his/her sole expense and agrees to bear all other costs and expenses related thereto, even if such claim is groundless, false or fraudulent.
18. **LAW GOVERNING:** All contractual agreements shall be subject to, governed by, and construed according to the laws of the State of Kansas.
19. **ANTI-DISCRIMINATION CLAUSE:** No bidder on this request shall in any way, directly or indirectly, discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed.
20. **CONTRACT:** The unit price bid and accepted shall remain in effect from date of acceptance until December 31, 2008. The awarded bidder shall invoice the County in accordance with Section 13, based upon such unit price, at such time as the County accepts delivery of the materials but not to exceed one invoice per month.

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
PROPOSAL
BID NO. 08017**

Proposal of Mid-States Materials, to supply Various Aggregates to the
(Name of Firm)

Douglas County Public Works Department for 2009 County wide maintenance.

ITEM DESCRIPTION AND SPECIFICATIONS

I – SHOT ROCK (SELECTABLE) QUARRY RUN

- 1) Material shall consist of durable limestone, reasonably free from earth, soapstone, shale, shale like or other easily disintegrated material that will tend to decrease the durability of the material after placement.
- 2) The aggregate size shall be reasonably well graded from 3” to 24”, with not more than 10% by weight passing the 3” sieve.
- 3) The nominal size of aggregate may be selected from material available at time of loading to best accommodate the needs for the particular work locations.

II - COMBINED MATERIAL (AB-3)

- 1) Combined Material (AB-3) shall meet all applicable specifications listed in Sections 1101 & 1105 of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, Edition 1990.

III - SURFACING MATERIAL (SS-3)

- 1) Surfacing Material (SS-3) shall meet all applicable specifications listed in sections 1101 & 1113 of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, Edition 1990, with the following exception: The amount of material passing the 200 mesh sieve by the wash method shall be between 7% and 10%.

IV - SURFACING MATERIAL (ROAD ROCK SPECIAL)

- 1) Surfacing Material (Road Rock Special) shall meet all applicable specifications listed in sections 1101 & 1113 of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, Edition 1990, with the following exception:

The percent retained on standard square mesh sieves shall be as follows:

<u>Sieve</u>	<u>% Retained</u>
1.5”	0
1”	0-5
3/8”	45-85
#30	90-100
% Wash	7-10

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
GENERAL SPECIFICATIONS
BID NO. 08017**

- 1) Douglas County will make a minimum of 1 process control gradation per 5,000 ton lot.
- 2) Material to be loaded by supplier into Douglas County trucks between 8:00 a.m. and 4:30 p.m. Monday through Friday.
- 3) Truck scales must be provided at the quarry.
- 4) Douglas County reserves the right to use previously stockpiled material of the same specification as soon as the bid is approved and the material is available.
- 5) In analyzing bids, Douglas County will consider the probable cost to the County of hauling this material to the anticipated areas of use (including the opportunity cost of reduced production due to longer hauls) and any listed exceptions, in addition to the unit price.
- 6) Payment for material used will be by invoice submitted by supplier, not to exceed one per month.

AWARD OF CONTRACT

The County reserves the right to reject any and all bids. The County also reserves the right to split the contract award. The basis for awarding more than one contract for the total quantity specified shall be multiple sources for assurance of continuous supply, consideration of the County's expense for transporting the materials to various sectors of Douglas County, and the price per ton of the various aggregate. Locations of use have not been specifically determined at this time, but some use is anticipated throughout the County.

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
BID FORM FOR 2009 VARIOUS AGGREGATE BID**

(Page #1)
BID NO.08017

I - SHOT ROCK (SELECTABLE) QUARRY RUN

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Shot Rock (Sel.) Qry Run	1000-3000 Tons	#1 <u>Big Springs</u>	\$ <u>9.25</u>
Shot Rock (Sel.) Qry Run	1000-3000 Tons	#2 _____	\$ _____
Shot Rock (Sel.) Qry Run	1000-3000 Tons	#3 _____	\$ _____

II - COMBINED MATERIAL (AB-3)

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Combined Mat'l (AB-3)	3000-7500 Tons	#1 <u>Big Springs</u>	\$ <u>7.90</u>
Combined Mat'l (AB-3)	3000-7500 Tons	#2 _____	\$ _____
Combined Mat'l (AB-3)	3000-7500 Tons	#3 _____	\$ _____
Combined Mat'l (AB-3)	7501-12000 Tons	#1 <u>Big Springs</u>	\$ <u>7.90</u>
Combined Mat'l (AB-3)	7501-12000 Tons	#2 _____	\$ _____
Combined Mat'l (AB-3)	7501-12000 Tons	#3 _____	\$ _____

III - SURFACING MATERIAL (SS-3)

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Surfacing Mat'l (SS-3)	3000-7500 Tons	#1 <u>Big Springs</u>	\$ <u>9.25</u>
Surfacing Mat'l (SS-3)	3000-7500 Tons	#2 _____	\$ _____
Surfacing Mat'l (SS-3)	3000-7500 Tons	#3 _____	\$ _____
Surfacing Mat'l (SS-3)	7501-12000 Tons	#1 <u>Big Springs</u>	\$ <u>9.25</u>
Surfacing Mat'l (SS-3)	7501-12000 Tons	#2 _____	\$ _____
Surfacing Mat'l (SS-3)	7501-12000 Tons	#3 _____	\$ _____

DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
BID FORM FOR 2009 VARIOUS AGGREGATE BID

(Page # 2)

BID NO.08017

IV - SURFACING MATERIAL (ROAD ROCK SPECIAL)

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Surfacing Mat'l (Rd Rock Special)	3000-7500 Ton	#1 <u>Big Springs</u>	\$ <u>9.25</u>
Surfacing Mat'l (Rd Rock Special)	3000-7500 Tons	#2 _____	\$ _____
Surfacing Mat'l (Rd Rock Special)	3000-7500 Tons	#3 _____	\$ _____
Surfacing Mat'l (Rd Rock Special)	7501-12000 Tons	#1 <u>Big Springs</u>	\$ <u>9.25</u>
Surfacing Mat'l (Rd Rock Special)	7501-12000 Tons	#2 _____	\$ _____
Surfacing Mat'l (Rd Rock Special)	7501-12000 Tons	#3 _____	\$ _____

List any exceptions to specifications:

Bids are due by: 3:00 P.M., Monday, January 5, 2009

Supplier: Mid-States Materials

By: Adam Gray

Date: 12.31.08

RECOMMENDED FOR APPROVAL:

Keith A. Browning
Keith A. Browning, P.E.
Director of Public Works

ACCEPTED:

DOUGLAS COUNTY
BOARD OF COUNTY COMMISSIONERS

Bob Johnson, Chairman

Jere McElhaney, Member

Charles Jones, Member

Approved as to Form:

Ed H
Douglas County Counselor

Date

Hamm's

DOUGLAS COUNTY, KANSAS

BID DOCUMENTS

FOR

VARIOUS AGGREGATES

BID NO. 08017

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
PROPOSAL
BID NO. 08017**

Proposal of N.R. HAMM QUARRY, INC., to supply Various Aggregates to the
(Name of Firm)

Douglas County Public Works Department for 2009 County wide maintenance.

ITEM DESCRIPTION AND SPECIFICATIONS

I – SHOT ROCK (SELECTABLE) QUARRY RUN

- 1) Material shall consist of durable limestone, reasonably free from earth, soapstone, shale, shale like or other easily disintegrated material that will tend to decrease the durability of the material after placement.
- 2) The aggregate size shall be reasonably well graded from 3” to 24”, with not more than 10% by weight passing the 3” sieve.
- 3) The nominal size of aggregate may be selected from material available at time of loading to best accommodate the needs for the particular work locations.

II - COMBINED MATERIAL (AB-3)

- 1) Combined Material (AB-3) shall meet all applicable specifications listed in Sections 1101 & 1105 of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, Edition 1990.

III - SURFACING MATERIAL (SS-3)

- 1) Surfacing Material (SS-3) shall meet all applicable specifications listed in sections 1101 & 1113 of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, Edition 1990, with the following exception: The amount of material passing the 200 mesh sieve by the wash method shall be between 7% and 10%.

IV - SURFACING MATERIAL (ROAD ROCK SPECIAL)

- 1) Surfacing Material (Road Rock Special) shall meet all applicable specifications listed in sections 1101 & 1113 of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, Edition 1990, with the following exception:

The percent retained on standard square mesh sieves shall be as follows:

<u>Sieve</u>	<u>% Retained</u>
1.5”	0
1”	0-5
3/8”	45-85
#30	90-100
% Wash	7-10

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
GENERAL SPECIFICATIONS
BID NO. 08017**

- 1) Douglas County will make a minimum of 1 process control gradation per 5,000 ton lot.
- 2) Material to be loaded by supplier into Douglas County trucks between 8:00 a.m. and 4:30 p.m. Monday through Friday.
- 3) Truck scales must be provided at the quarry.
- 4) Douglas County reserves the right to use previously stockpiled material of the same specification as soon as the bid is approved and the material is available.
- 5) In analyzing bids, Douglas County will consider the probable cost to the County of hauling this material to the anticipated areas of use (including the opportunity cost of reduced production due to longer hauls) and any listed exceptions, in addition to the unit price.
- 6) Payment for material used will be by invoice submitted by supplier, not to exceed one per month.

AWARD OF CONTRACT

The County reserves the right to reject any and all bids. The County also reserves the right to split the contract award. The basis for awarding more than one contract for the total quantity specified shall be multiple sources for assurance of continuous supply, consideration of the County's expense for transporting the materials to various sectors of Douglas County, and the price per ton of the various aggregate. Locations of use have not been specifically determined at this time, but some use is anticipated throughout the County.

**DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
BID FORM FOR 2009 VARIOUS AGGREGATE BID**

(Page #1)
 BID NO.08017

I - SHOT ROCK (SELECTABLE) QUARRY RUN

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Shot Rock (Sel.) Qry Run	1000-3000 Tons	#1 <u>NORTH LAWRENCE QUARRY</u>	\$ <u>12.⁰⁰</u>
Shot Rock (Sel.) Qry Run	1000-3000 Tons	#2 _____	\$ _____
Shot Rock (Sel.) Qry Run	1000-3000 Tons	#3 _____	\$ _____

II - COMBINED MATERIAL (AB-3)

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Combined Mat'l (AB-3)	3000-7500 Tons	#1 <u>NORTH LAWRENCE QUARRY</u>	\$ <u>7.²⁵</u>
Combined Mat'l (AB-3)	3000-7500 Tons	#2 <u>EUDORA QUARRY</u>	\$ <u>6.⁷⁵</u>
Combined Mat'l (AB-3)	3000-7500 Tons	#3 <u>HARRELL QUARRY</u>	\$ <u>6.⁷⁵</u>
Combined Mat'l (AB-3)	7501-12000 Tons	#1 _____	\$ _____
Combined Mat'l (AB-3)	7501-12000 Tons	#2 <u>SAME AS ABOVE</u>	\$ _____
Combined Mat'l (AB-3)	7501-12000 Tons	#3 _____	\$ _____

III - SURFACING MATERIAL (SS-3)

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Surfacing Mat'l (SS-3)	3000-7500 Tons	#1 <u>NORTH LAWRENCE QUARRY</u>	\$ <u>7.⁵⁰</u>
Surfacing Mat'l (SS-3)	3000-7500 Tons	#2 _____	\$ _____
Surfacing Mat'l (SS-3)	3000-7500 Tons	#3 _____	\$ _____
Surfacing Mat'l (SS-3)	7501-12000 Tons	#1 _____	\$ _____
Surfacing Mat'l (SS-3)	7501-12000 Tons	#2 <u>SAME AS ABOVE</u>	\$ _____
Surfacing Mat'l (SS-3)	7501-12000 Tons	#3 _____	\$ _____

DOUGLAS COUNTY DEPARTMENT OF PUBLIC WORKS
BID FORM FOR 2009 VARIOUS AGGREGATE BID
 (Page # 2)

BID NO.08017

IV - SURFACING MATERIAL (ROAD ROCK SPECIAL)

ITEM	QUANTITY	QUARRY LOCATION(S)	UNIT PRICE
Surfacing Mat'l (Rd Rock Special)	3000-7500 Ton	#1 <u>NORTH LAWRENCE QUARRY</u>	\$ <u>NO BID</u>
Surfacing Mat'l (Rd Rock Special)	3000-7500 Tons	#2 <u>EUDORA QUARRY</u>	\$ <u>7.25</u>
Surfacing Mat'l (Rd Rock Special)	3000-7500 Tons	#3 <u>HARRELL QUARRY</u>	\$ <u>7.50</u>
Surfacing Mat'l (Rd Rock Special)	7501-12000 Tons	#1 _____	\$ _____
Surfacing Mat'l (Rd Rock Special)	7501-12000 Tons	#2 _____	\$ _____
Surfacing Mat'l (Rd Rock Special)	7501-12000 Tons	#3 _____	\$ _____

List any exceptions to specifications:

Bids are due by: 3:00 P.M., Monday, January 5, 2009

Supplier: N.R. HAMM QUARRY, INC

By:

Date: January 5, 2009

RECOMMENDED FOR APPROVAL:

Keith A. Browning, P.E.
 Director of Public Works

ACCEPTED:
 DOUGLAS COUNTY
 BOARD OF COUNTY COMMISSIONERS

 Bob Johnson, Chairman

 Jere McElhaney, Member

 Charles Jones, Member

Approved as to Form:

Douglas County Counselor

 Date

1(a)



STEVE M. HORNBERGER
UNDERSHERIFF

111 E. 11TH STREET
LAWRENCE, KS 66044-2990
PHONE: (785) 841-0007
FAX: (785) 841-5168

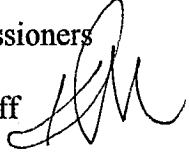
KENNETH M. MCGOVERN
SHERIFF

KENNETH L. MASSEY
UNDERSHERIFF

3601 E. 25TH STREET
LAWRENCE, KS 66046-5616
PHONE: (785) 830-1000
FAX: (785) 830-1085

MEMORANDUM

January 12, 2009

TO: The Board of County Commissioners
From: Kenneth M. McGovern, Sheriff 
Ref: Reporting of State Forfeitures per K.S.A. 60-4117(d)(2)

This memorandum is to notify the Board of County Commissioners that the Douglas County Drug Enforcement Unit (DEU) received the following state forfeitures in the year 2008.

<i>Date:</i>	<i>Case #:</i>	<i>Amount:</i>	<i>DEU's Share:</i>
02/25/08	07CV131	\$6,985.00	\$2,794.00
03/11/08	07CV132	\$5,800.00	\$4,783.00
08/19/08	08CV130	\$3,902.43	\$3,192.12
08/19/08	07CV137	\$1,692.00	\$1,343.85
11/25/08	07CV463	\$1,387.00	\$ 542.30
	Total:	\$19,766.43	\$12,655.27



DOUGLAS COUNTY PUBLIC WORKS

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dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : January 9, 2009

Re : Consideration of Dust Palliative Program for 2009

It is desired to again make available a user-fee dust palliative program for county residents living adjacent to rock surfaced roads. In past years Douglas County has brokered this program with residents paying for the actual cost of material used plus an administrative fee to help absorb our inspection and administrative costs. Participants in the program are also charged a fee to help cover the cost of preparing the road for the dust palliative application. Last year a road preparation cost of \$0.60/linear foot was added to the material cost of \$0.85/linear foot for a total user fee of \$1.45/linear foot of roadway treated. We also charged an administration fee of \$45.00 per application.

Last year the material fee of \$0.85/l.f. allowed for a total application rate of 0.41 gal/square yard (initial application of 0.30 gal/square yard followed by a second application of 0.11 gal/S.Y.). As usual, for 2009 our desired target application rate for optimal performance is 0.45 gal/S.Y. It is anticipated that the 2009 material cost for magnesium chloride may increase approximately \$0.10 per gallon or 13.5%. The material fee also needs to cover the cost of applying water to the road in preparation for dust palliative treatment. Last year's cost for applying water was \$4,596 for 67,538 linear feet of road treated, or \$0.068/l.f. Considering the anticipated material cost increase with a target total application rate of 0.45 gal/S.Y., and assuming the cost of pre-wetting the road surface remains similar to last year, it is recommended to increase the material fee from \$0.85/l.f. to \$1.00/l.f.

The County's cost of preparing rock roads for dust palliative was tracked last year (see attached), and was determined to be \$1.09 per linear foot. This is equivalent to road preparation costs in 2007, although these costs were \$1.24/l.f. in 2006. The previous road preparation fee of \$0.60/l.f. was set to cover approximately ½ of the actual road preparation costs. Given that road preparation costs vary from year to year according to conditions, we recommend leaving the road preparation fee for the 2009 program at \$0.60 per linear foot.

Page Two
January 12, 2009
BOCC Memorandum

The County's administrative costs were also tracked. For the 2008 program, administrative costs were \$56.30 per applicant. These costs vary according to various factors including weather and the contractor's supply of available tanker trucks for applying the dust palliative solution. In 2007, the calculated costs were \$42.94 per applicant, and in 2006 the calculated costs were \$33.54 per applicant. Continuing the administration fee of \$45 per application seems appropriate.

As in previous years, it is recommended to solicit alternate bids for both magnesium chloride and calcium chloride. It is anticipated that again this year magnesium chloride will be much cheaper. All the evidence indicates that, given identical conditions, magnesium chloride is just as effective as calcium chloride.

Assuming approval of this year's program by the BOCC, we intend to set an early-March deadline for residents to turn in applications to be included in this year's dust palliative program. Bid documents would then be prepared and distributed with a tentative March 24th bid opening date. A bid recommendation would then be made to the BOCC, and the first application of the dust palliative would tentatively occur between May 4-May 22. A second application would be placed in mid- to late-June.

In past years, the BOCC has directed us to treat 1140 linear feet of roadway on Route 1039 south of the town of Lone Star. The BOCC has also directed the treatment of two sections of E 1750 Road north of Route 460 (1300 l.f.). The county has also treated Route 458 from E 1 Road to E 100 Road due to safety concerns of limited visibility (5280 l.f.). Funds to treat these road sections are included in the 2009 Road & Bridge Fund 201.

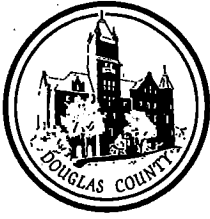
Action Required: Permission to continue brokerage of a dust palliative program with an up front user fee of \$1.60/linear foot (\$1.00/l.f. for dust palliative material and water, and an additional \$0.60/l.f. user fee to cover road preparation costs), plus an administrative fee of \$45.00 per applicant. Provide direction in treating additional roads to be funded by Road and Bridge Fund 201. Permission to advertise for bidders once the application process has been completed.

DOUGLAS COUNTY PUBLIC WORKS
PROJECT 2008-4; DUST PALLIATIVE
ROAD PREP FEES - COUNTY PREPARED AREAS
June 20, 2008

	LABOR COST	FRINGES	AMOUNT
REGULAR TIME	\$2,787.19	1.4612	\$4,072.64
OVERTIME	\$94.65	1.1986	\$113.45
			<hr/>
			\$4,186.09
EQUIPMENT COSTS			<hr/>
			\$6,247.82
TOTAL			\$10,433.91
COST/LINEAR FOOT (9,595 l.f. PREPARED)			\$1.09

DOUGLAS COUNTY PUBLIC WORKS
 PROJECT #2008-4; DUST PALLIATIVE PROGRAM
 ADMINISTRATIVE FEE COMPUTATIONS
 July 18, 2008

ACTIVITY	REGULAR TIME	OVERTIME	EQUIPMENT
64	\$1,673.88	\$0.00	\$165.75
66	<u>\$1,930.24</u>	<u>\$633.36</u>	<u>\$282.75</u>
	\$3,604.12	\$633.36	\$448.50
FRINGES	<u>1.4612</u>	<u>1.1986</u>	
SUBTOTALS	\$5,266.34	\$759.15	\$448.50
TOTAL LABOR		\$6,025.49	
TOTAL EQUIPMENT		<u>\$448.50</u>	
TOTAL LABOR & EQUIPMENT		\$6,473.99	
2008-4 NUMBER OF APPLICANTS		115	
ACTUAL COST PER APPLICANT		\$56.30	
AMOUNT COLLECTED		\$45.00	



DOUGLAS COUNTY PUBLIC WORKS

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www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : January 14, 2009

Re : Consider renewing contract for 2009 chip seals

In April 2008 we opened bids and awarded to Vance Brothers, Inc a contract for chip sealing county roads. The contract was based on 45 miles of chip sealing, and the contract amount was \$725,757. The contract is renewable for two additional years (2009 & 2010).

During summer 2008 discussions of the 2009 Road & Bridge Fund 201 budget, the BOCC determined we needed to identify reductions to the requested budget. We suggested an option of using limestone chips (CM-K) for contract chip seals instead of the expanded shale (CM-L) aggregate that we have been using for many years. The limestone chips are cheaper than the expanded shale chips, and I estimated we would save approximately \$89,000 by using the limestone chips. That amount was based on chip sealing 50 miles of roadway. As a result of those discussions, our 2009 line item budget for chip seals was reduced to \$763,972 from our requested amount of \$850,000.

The contractor started our chip sealing later than anticipated last summer. In late summer we had some unusually cool and wet weather that prohibited chip seal work. We suspended the 2008 chip seal contract on September 21, 2008. At that time, the contractor still had 26.26 miles left to be sealed under the 2008 contract. This mileage will be sealed in June 2009 under the 2008 contract.

We notified the contractor in December 2008 of our intent to renew the chip seal contract for 2009. However, due to the mileage remaining under the 2008 contract, and Douglas County's budget concerns, we asked the contractor to submit prices based on 30 miles of chip seal rather than the 50 miles of chip seal on which the 2009 budget was based.

Vance Brothers' submitted prices are attached. For chip sealing 30 miles, the cost is \$592,198.83, assuming CM-L aggregate is used, and \$531,972.35 if CM-K aggregate is used. Also attached is a comparison of prices from 2008 to 2009. Please note the 2008 costs are based on 45 miles of chip sealing while the 2009 costs are based on 30 miles.

We recommend renewing the contract for 2009 based on chip sealing approximately 30 miles of road, and using CM-L aggregate. The exact mileage will be determined following an inspection of roads this spring.

Action Required: Authorization for Public Works Director to renew the 2008 chip seal contract with Vance Brothers, Inc. for 2009, based on chip sealing approximately 30 miles of road and using expanded shale (CM-L) aggregate.



PROJECT NO. 2009-1 (RENEWAL PROJECT NO. 2008-1)
 DOUGLAS COUNTY, KANSAS
 BID # 08005
 December 9, 2008

SCHEDULE OF PRICES

SPEC NO.	BIDDING ITEMS	APPROX. QUANTITIES	UNIT	UNIT PRICE DOLLARS CENTS	AMOUNT DOLLARS CENTS
1108	Lightweight Aggregate (CM-L)	3481	C.Y.	41.43	144,217.83
608/1203 Sp. Prov.	Emulsified Asphalt (CRS-1H), (CRS-2 1980 Specs, RS-2, RS-1H Optional at Engineers Request	650	Tons	475.00	308,750.00
610/1204	Cutback Asphalt (MC-30) for Prime (Add-Alternate Bid)	1	Tons	775.00	775.00
608/805 Sp. Prov.	Traffic Control	1	L.S.	20,000.00	20,000.00
608	Manipulation (Asphalt Seal)	1584	Station	59.00	93,456.00
801	Mobilization	1	L.S.	25,000.00	25,000.00

GRAND TOTAL \$592,198.83

ALTERNATE BID

SPEC NO.	BIDDING ITEMS	APPROX. QUANTITIES	UNIT	UNIT PRICE DOLLARS CENTS	AMOUNT DOLLARS CENTS
1108	Cover Material (CM-K)	4351	C.Y.	19.85	86,367.35
608/1203 Sp. Prov.	Emulsified Asphalt (CRS-1H), (CRS-2 1980 Specs, RS-2, RS-1H Optional at Engineers Request	650	Tons	475.00	308,750.00
610/1204	Cutback Asphalt (MC-30) for Prime (Add-Alternate Bid)	1	Tons	775.00	775.00
608/805 Sp. Prov.	Traffic Control	1	L.S.	20,000.00	20,000.00
608	Manipulation (Asphalt Seal)	1584	Station	57.50	91,080.00
801	Mobilization	1	L.S.	25,000.00	25,000.00

ADD-ALTERNATE GRAND TOTAL \$531,972.35

VANCEBROTHERS, INC. 1-7-09
 CONTRACTOR DATE

NOTE: Bidder shall extend all items and total bid

**DOUGLAS COUNTY PUBLIC WORKS
PROJECT NO. 2009-1 (RENEWAL PROJECT NO. 2008-1)
ASPHALT SEALING
BID RENEWAL EVALUATION
1/14/2009**

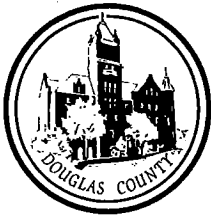
SPEC NO.	BIDDING ITEM	UNIT	2008 QTY.	2009 QTY	2008		2009		% INCREASE 2008/2009
					UNIT PRICE	EXT.	UNIT PRICE	EXT.	
					BASED ON 45 MILES VANCE BROS. INC.				
Sp. Prov.	Lightweight Aggregate (CM-L)	C.Y.	5221	3481	\$ 41.07	\$ 214,426.47	\$ 41.43	\$ 144,217.83	0.88%
Sp. Prov.	Emulsified Asphalt (CRS-II) CRS-1H, RS-2, RS-1H Optional at Engineer's Request	Tons	975	650	\$ 336.00	\$ 327,600.00	\$ 475.00	\$ 308,750.00	41.37%
612 1201 Prov.	Cutback Asphalt (MC-30) for Prime (Add-Alternate bid)	Ton	1	1	\$ 674.15	\$ 674.15	\$ 775.00	\$ 775.00	14.96%
613/821 Sp. Prov.	Traffic Control	L.S.	1	1	\$ 25,000.00	\$ 25,000.00	\$ 20,000.00	\$ 20,000.00	(20.00%)
613	Manipulation	Sta.	2376	1584	\$ 56.00	\$ 133,056.00	\$ 59.00	\$ 93,456.00	5.36%
820	Mobilization	L.S.	1	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	0.00%
TOTAL					\$ 725,756.62	\$ 725,756.62	\$ 592,198.83	\$ 592,198.83	

COST PER MILE \$ 16,127.92 \$ 19,739.96 22.40%

**PROJECT NO. 2009-1 (RENEWAL PROJECT NO. 2008-1)
ALTERNATE BID**

SPEC NO.	BIDDING ITEM	UNIT	2008 QTY.	2009 QTY	2008		2009		% INCREASE 2008/2009
					UNIT PRICE	EXT.	UNIT PRICE	EXT.	
					BASED ON 45 MILES VANCE BROS. INC.				
Sp. Prov.	Cover Material (CM-K)	C.Y.	6526	4351	\$ 14.95	\$ 97,563.70	\$ 19.85	\$ 86,367.35	32.78%
Sp. Prov.	Emulsified Asphalt (CRS-II) CRS-1H, RS-2, RS-1H Optional at Engineer's Request	Tons	975	650	\$ 336.00	\$ 327,600.00	\$ 475.00	\$ 308,750.00	41.37%
612 1201 Prov.	Cutback Asphalt (MC-30) for Prime (Add-Alternate bid)	Ton	1	1	\$ 674.15	\$ 674.15	\$ 775.00	\$ 775.00	14.96%
613/821 Sp. Prov.	Traffic Control	L.S.	1	1	\$ 25,000.00	\$ 25,000.00	\$ 20,000.00	\$ 20,000.00	(20.00%)
613	Manipulation	Sta.	2376	1584	\$ 53.90	\$ 128,066.40	\$ 57.50	\$ 91,080.00	6.68%
820	Mobilization	L.S.	1	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	0%
TOTAL					\$ 603,904.25	\$ 603,904.25	\$ 531,972.35	\$ 531,972.35	

COST PER MILE \$ 13,420.09 \$ 17,732.41 32.13%



DOUGLAS COUNTY PUBLIC WORKS

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Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : January 14, 2009

Re : Consider authorizing gate installation on N 900 Road just east of E 900 Road

The existing bridge on N 900 Road just east of its intersection with E 900 Road is a one-lane bridge with a timber deck. The bridge carries N 900 Road over Washington Creek. It was constructed in 1910, and is posted for a 3-ton load limit. The public right-of-way for N 900 Road ends just east of the bridge. There are two current residences on the east side of the bridge served by a private road extending from the eastern end of N 900 Road. Six parcels are accessed east of the bridge by either N 900 Road or the private road.

Until the bridge is rehabilitated, replaced or permanently closed, it is desired to restrict traffic on the bridge to lessen the chance of an overweight vehicle crossing the bridge. The property owners east of the bridge, the Schroeder's, are well aware of the bridge's condition and the need to strictly comply with the 3-ton load limit. The concern is an unfamiliar driver of an overweight vehicle inadvertently crossing the bridge.

It is proposed to install a gate across N 900 Road just east of E 900 Road. Kansas statutes allow installation of gates across public roads under certain circumstances. The gate would have a sign stating the authority for the gate and providing guidance for gaining access. Emergency responders, road maintaining agencies, and owners of property accessed across the bridge would be provided a key to the gate, if locked.

Upon approval of the attached resolution, this department will install the gate.

Action Required: Consider approving the attached resolution authorizing installation of a gate across N 900 Road just east of its intersection with E 900 Road.

RESOLUTION NO. HR - _____

A HOME RULE RESOLUTION PROVIDING FOR THE INSTALLATION
OF A GATE ACROSS N 900 ROAD

WHEREAS, K.S.A. 19-101a authorizes the board of county commissioners of any county to transact all county business and perform all powers of local legislation and administration it deems appropriate; and

WHEREAS, pursuant to K.S.A. 68-126, the board of county commissioners of any county are empowered to authorize and permit the construction and maintenance of fences and gates across public highways under their jurisdiction; and

WHEREAS, the Board of County Commissioners of Douglas County, Kansas has received a recommendation from the Douglas County Public Works Department to allow a gate to be placed across N900 Road for the purpose of restricting travel on a bridge situated approximately 190 feet east of the intersection of N 900 Road with E 900 Road (the "Bridge"); and

WHEREAS, the convenience of the traveling public will not be materially affected by the placement of a gate across said road at the location described to-wit:

on N 900 Road a distance of approximately 30 feet Easterly from the intersection of N 900 Road with E 900 Road; and,

BE IT NOW THEREFORE RESOLVED by this Board of County Commissioners of Douglas County, Kansas, acting pursuant to the above-referenced authority, that a gate shall be placed at the above described location until such time as the Bridge is rehabilitated or replaced and restricted travel on the Bridge is no longer required, as determined by the County Engineer , provided that:

1. If the gate is locked, a key will be provided to:
 - a.) The Clinton Township and Willow Springs Township Trustees;
 - b.) The Clinton Township and Willow Springs Township Fire Departments;
 - c.) The Douglas County Sheriff;
 - d.) Any affected landowner requiring access to his/her property; and
 - e.) Any other citizen upon proof of legitimate need for access.;
2. A sign be erected and maintained at said gate stating the authority for the installation of said gate and to provide guidance for gaining access; and,
3. Sixteen (16) square feet of red and white reflective material shall be placed and maintained on said gate immediately upon erection.

This Resolution shall become effective upon publication one time in the official County newspaper.

ADOPTED this _____ day of _____, 2009.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Charles Jones, Chair

ATTEST:

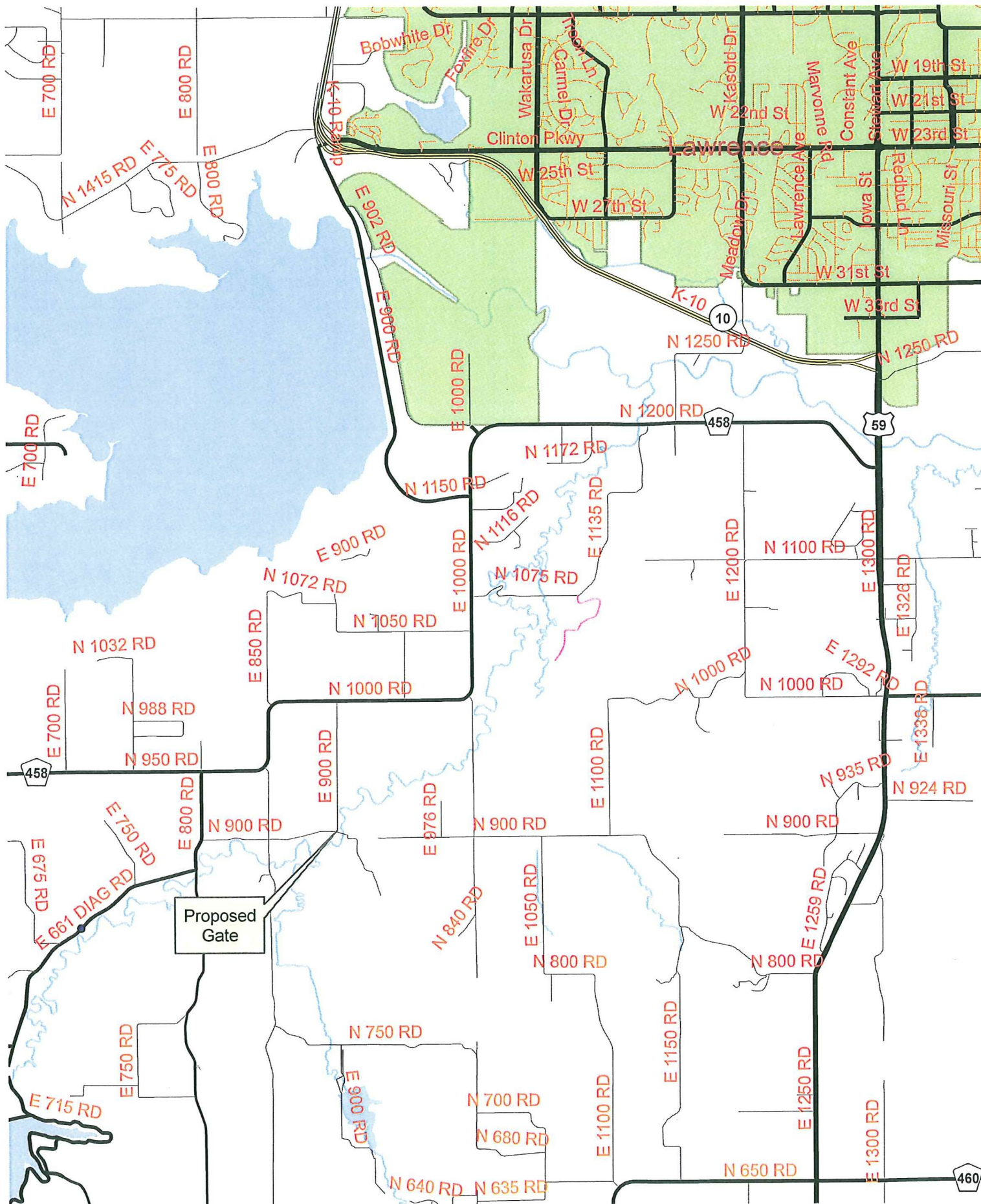
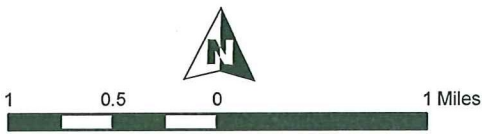
Nancy Thellman, Vice-Chair

Jamie Shew, County Clerk

Jim Flory, Member

Proposed Gate

Location Map



RESOLUTION NO. 2008-11

A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT TO HORIZON 2020, THE COMPREHENSIVE PLAN FOR THE CITY OF LAWRENCE AND UNINCORPORATED DOUGLAS COUNTY, KANSAS CHAPTER FOURTEEN – SPECIFIC PLANS, PERTAINING TO THE WEST OF K-10 PLAN

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas, for the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving and protecting property values throughout Lawrence and Douglas County, are authorized by K.S.A. 12-741 *et seq.* to provide for the preparation, adoption, amendment, extension and carrying out of a comprehensive plan; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas have adopted an official comprehensive plan for the coordination of development in accordance with the present and future needs and to conserve the natural resources of the City and County, ensure efficient expenditure of public funds and promote the health, safety, convenience, prosperity and general welfare of the citizens of Lawrence and Douglas County; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission held a public hearing on September 24, 2008 and October 20, 2008 for the proposed amendment to Chapter 14 – Specific Plans, Horizon 2020, the comprehensive plan, to add a reference to and adopt the West of K-10 Plan, after notice by publication in the official city and county newspaper.

BE IT RESOLVED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION ONE: The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim.

SECTION TWO: Pursuant to K.S.A. 12-747, that the adoption of CPA-2008-6 to amend Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, Chapter 14 – Specific Plans to add a reference to and adopt the West of K-10 Plan, has been recommended for approval by the Lawrence-Douglas County Metropolitan Planning Commission.

SECTION THREE: The amendment to *Horizon 2020*, Chapter 14 – Specific Plan is amended as noted below and the West of K-10 Plan is attached as Exhibit 1.

Specific Plans

- **6th and SLT Nodal Plan**
Location: The intersection of 6th Street (US Highway 40) and the SLT (South Lawrence Trafficway)
Adoption Date: November 11, 2003 by Lawrence City Commission
Review Date: 2009
- **6th and Wakarusa Area Plan**
Location: The intersection of 6th Street and Wakarusa Drive
Adoption Date: December 2, 2003 by Lawrence City Commission
Review Date: 2009
- **HOP District Plan**

Location: Bordered by W. 5th St. on the north, California St. on the west, W. 7th St. on the south and Alabama St. on the east.
Adoption Date: May 10, 2005 by Lawrence City Commission
Review Date: 2010

- **Burroughs Creek Corridor Plan**

Location: Area around the former BNSF railroad corridor between E. 9th St. and E 31st St.
Adoption Date: February 14, 2006 by Lawrence City Commission
Review Date: 2011

- **East Lawrence Neighborhood Revitalization Plan**

Location: Bordered by the Kansas River on the North; Rhode Island Street from the Kansas River to E. 9th Street, New Hampshire Street from E. 9th Street to approximately E. 11th Street, Massachusetts Street from approximately E. 11th Street to E. 15th Street on the west; E. 15th Street on the south; BNSF railroad on the east.
Adoption Date: November 21, 2000 by Lawrence City Commission
Review Date: 2010

- **Revised Southern Development Plan**

Location: Bounded roughly to the north by W. 31st Street and the properties north of W. 31st Street between Ousdahl Road and Louisiana Street; to the west by E. 1150 Road extended(Kasold Drive); to the south by the north side of the Wakarusa River; and to the east by E. 1500 Road (Haskell Avenue).
Adoption Date: December 18, 2007 by Lawrence City Commission
January 7, 2008 by the Douglas County Board of Commissioners
Review Date: 2017

- **Southeast Area Plan**

Location: Bounded roughly to the north by E. 23rd Street/K-10 Highway; to the west by O'Connell Road; to the south by the northern boundary of the FEMA designated floodplain for the Wakarusa River; and to the east by E. 1750 Road (Noria Road).
Adoption Date: January 8, 2008 by Lawrence City Commission
January 28, 2008 by the Douglas County Board of Commissioners
REVISED
June 14, 2008 by Lawrence City Commission
July 24, 2008 by Douglas County Board of Commissioners
Review Date: 2018

- **Farmland Industries Redevelopment Plan**

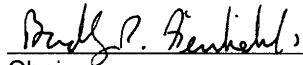
Location: The former Farmland Industries property is located east of Lawrence along K-10 Highway and just west of the East Hills Business Park. It is approximately one half mile south of the Kansas River.
Adoption Date: March 11, 2008 by Lawrence City Commission
March 31, 2008 by Douglas County Board of Commissioners
Review Date: 2013

- **West of K-10 Plan**

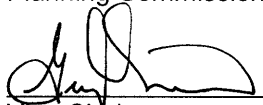
Location: Generally located north and south of Highway 40 and west of K-10 Highway. It does contain some land east of K-10 Highway.

SECTION FOUR: Resolution 2008-11 together with a certified copy of the amendments to Chapter 14 – Specific Plans of Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, and a written summary of the public hearing shall be submitted to the City Commission and the Board of County Commissioners.


Passed by the Lawrence-Douglas County Metropolitan Planning Commission on this, the 20th day of October, 2008.



Chair
Lawrence-Douglas County Metropolitan
Planning Commission



Vice-Chair
Lawrence-Douglas County Metropolitan
Planning Commission



Scott McCullough, Secretary
Lawrence-Douglas County Metropolitan
Planning Commission

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EXHIBIT 1

**West of K-10
DRAFT
Plan**

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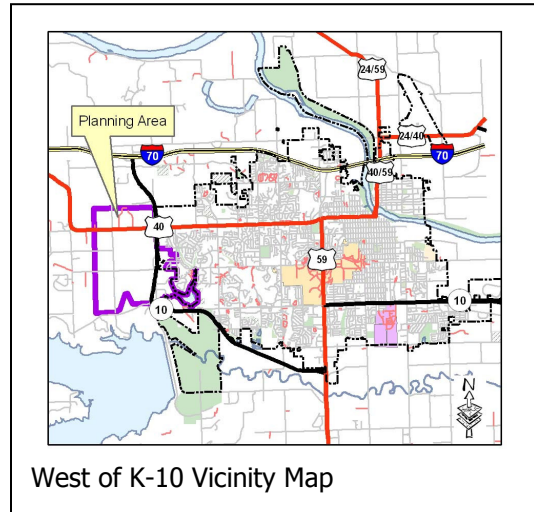
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I. Introduction and Purpose

Location The West of K-10 planning area is located primarily west of K-10 Highway (South Lawrence Trafficway) and north and south of US Highway 40. The planning area also contains some land east of K-10.



Setting The area is primarily rural in nature. It has access to two highways, US 40 and K-10. I-70 is nearby and north of the area. Clinton lake lies south of the area.

Earlier Planning Efforts

The *West 6th Street and K-10 Nodal Plan* was adopted by the City of Lawrence on November 11, 2003. The Plan addressed future land use for the four corners that make up the intersection of West 6th Street/US 40 and the South Lawrence Trafficway/K-10. The *West of K-10 Future Land Use map* (Map 4-1) deviates from The *West 6th Street/K-10 Nodal Plan* by designating land in the southwest corner differently. The alterations reflect changing conditions since the nodal plan was adopted. This Plan recommends updating the *West 6th Street/ K-10 Nodal Plan* following adoption of this Plan to reflect the new approved land uses.

The City of Lawrence hired PlaceMakers, a national consulting firm, to write a Traditional Neighborhood Design (TND) code that could be used to develop TND neighborhoods in the future. In early 2007, PlaceMakers held a design workshop in Lawrence. Part of the scope of work for PlaceMakers was to master plan a number of areas, inside and outside of Lawrence, including approximately two square miles west of K-10. The approximately two square miles were located directly west of K-10, south of US 40, north of Clinton Lake, and east of E. 800 Rd. All of the property owners in that area were invited to a number of meetings to gain their input on future development. PlaceMakers produced a TND master plan for the area that is based on the Lawrence SmartCode, which they also produced.

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Purpose

The purpose of the West of K-10 Sector Plan is to plan for urban density growth in the area west of K-10. This Plan will act as the City's official land use guide for growth in the West of K-10 area.

Relation to Other Plans

This Plan constitutes an amendment to *Horizon 2020*. The Plan deviates from the West *6th Street/K-10 Nodal Plan* and is consistent with *Horizon 2020*. Additional policy guidance has foundation in the following plans:

- *Transportation 2030*, Lawrence/Douglas County Long Range Transportation Plan. Lawrence/ Douglas County Metropolitan Planning Office and Parsons Brinkerhoff. March 26, 2008.
- Lawrence-Douglas County Bicycle Plan, Lawrence/Douglas County Metropolitan Planning Office. May 2004.
- City of Lawrence, Kansas Water Master Plan. Black & Veatch. December 2003.
- City of Lawrence, Kansas Wastewater Master Plan. Black & Veatch. December 2003.

Process

Planning Staff developed a 1st draft of the Plan with input from other City departments. The 2nd draft of the plan, revised after public comments were received on the 1st draft was made available for public comment. A third draft of the plan was made available for Planning Commission review on September 24, 2008. A fourth draft was created based on comments received from the Planning Commission at their September 24th meeting. This is the PC approved draft of the Plan. It was approved by the Planning Commission at their October 20, 2008 meeting.

II. Existing Conditions

A. Current Land Use

The current land uses in the planning area consist of approximately 2,438 acres of land, excluding street right-of-way, as shown in Table 2-1. The majority of the planning area, approximately 1,800 acres, is in farm use. Most of the remainder of the land uses are types of residential uses. Commercial, public/institutional and vacant parks/recreation/open space are also land uses included in the planning area. (See Map 2-1)

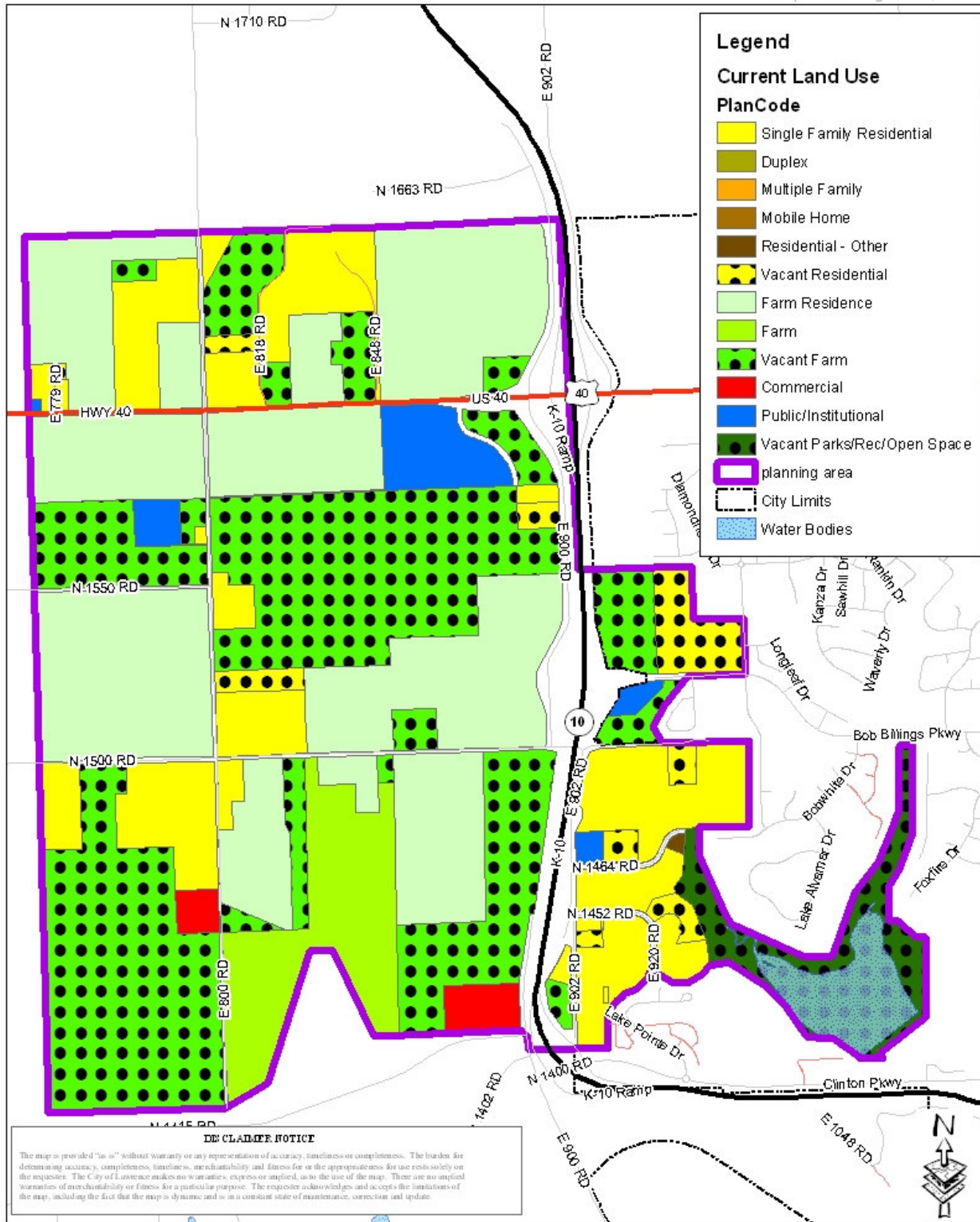
Table 2-1

Current Land Use	Total Acreage
Single Family Residential	381.49
Mobile Home	0.83
Residential - Other	1.40
Vacant Residential	77.94
Farm Residence	855.24
Farm	150.72
Vacant Farm	792.67
Commercial	28.11
Public/Institutional	22.44
Vacant Parks/Rec/Open Space	126.70
Total	2,437.55

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West of K-10 Plan Map 2-1 Current Land Use

Map Date: August 15, 2008



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B. Current Zoning

The City of Lawrence *Land Development Code* and the Douglas County *Zoning Ordinance* are intended to implement the goals and policies in *Horizon 2020* in a manner that protects the health, safety, and general welfare of the citizens. The *Land Development Code* and the Douglas County *Zoning Ordinance* establish zoning regulation for each land use category which development must follow.

The planning area is primarily located in the county and partially within the city limits. Map 2-2 shows the current zoning designations and the Tables 2-2 and 2-3 below describe the map designations.

Table 2-2

City Zoning	District Name	Comprehensive Plan Designation
RS10	Single-Dwelling Residential (10,000 sq. feet per dwelling unit)	Low-Density Residential
RS7	Single-Dwelling Residential (7,000 sq. feet per dwelling unit)	Low-Density Residential
RM12	Multi-Dwelling Residential (12 dwelling units per acre)	Medium-Density Residential
PCD	Planned Commercial Development	N/A
UR	Urban Reserve	N/A

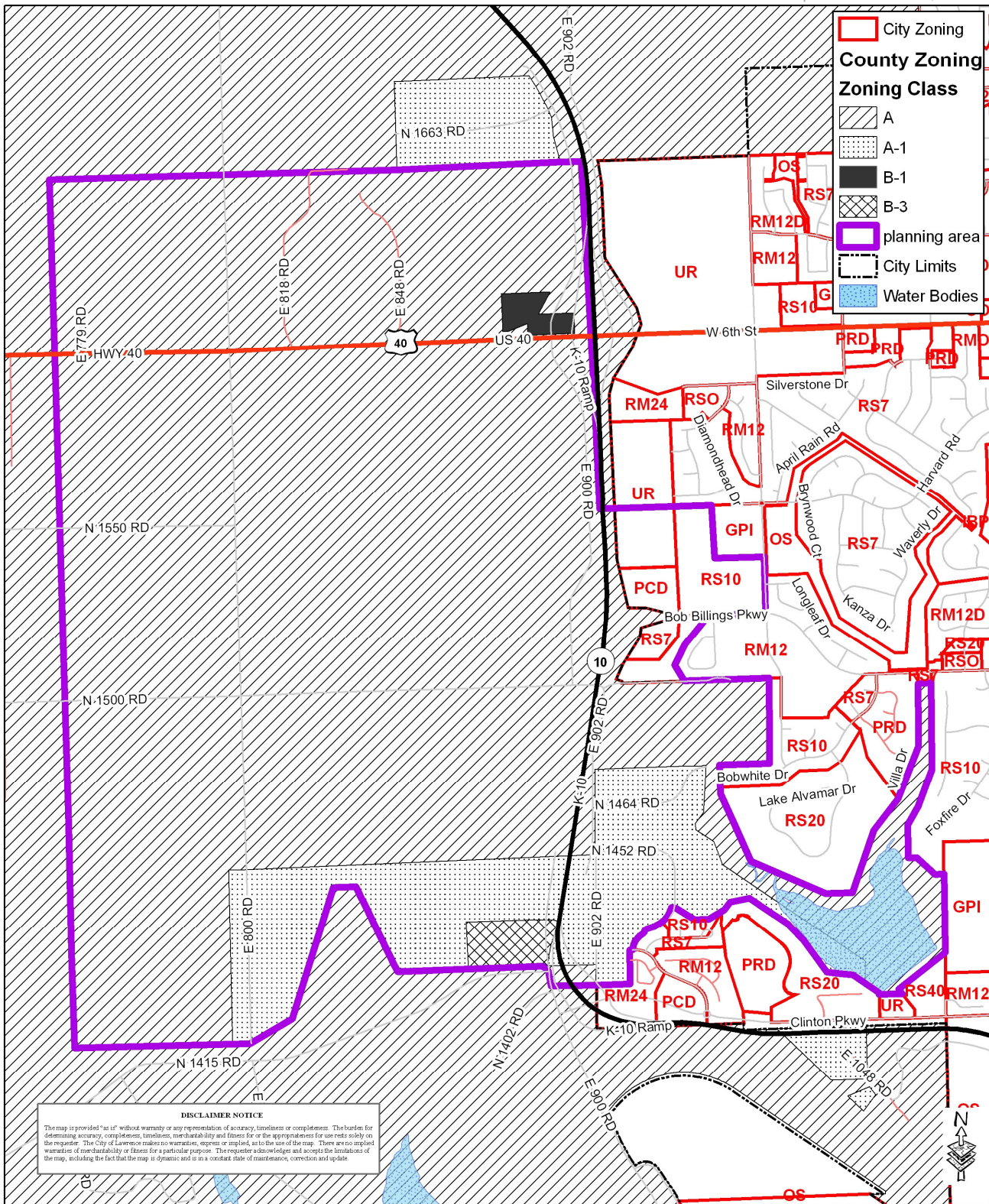
Table 2-3

County Zoning	District Name	Comprehensive Plan Designation
A	Agricultural	Agriculture
A-1	Suburban Home Residential	Very-Low Density Residential
B-1	Neighborhood Business	N/A
B-3	Limited Business	N/A

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West of K-10 Plan Map 2-2 Current Zoning

Map Date: June 26, 2008



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C. Current Infrastructure

Water

City water is provided to very few properties in the planning area. There is a hydrant and a 16", PVC pipe line southeast of the intersection of US 40 and K-10 which is outside of the Lawrence city limits and another line east of K-10 along Bob Billings Parkway, within the City limits. All other properties obtain water either from private wells or from Rural Water District #1. The water lines are shown on Map 2-3.

Sanitary Sewer

City sanitary sewer is provided to the majority of the properties east of K-10 that are not within Lawrence city limits. There is one 10" and one 8" PVC City sanitary sewer line that cross K-10 to the north and to the south of N. 1500 Road. All other properties are serviced by private septic systems. The sanitary sewer lines are shown on Map 2-3.

Storm Sewer

City storm sewer provides a 24" corrugated metal pipe along Bob Billings Parkway within the planning area. The remainder of the planning area has streams for storm water drainage. The storm water pipes, streams and storm channels are shown on Map 2-4.

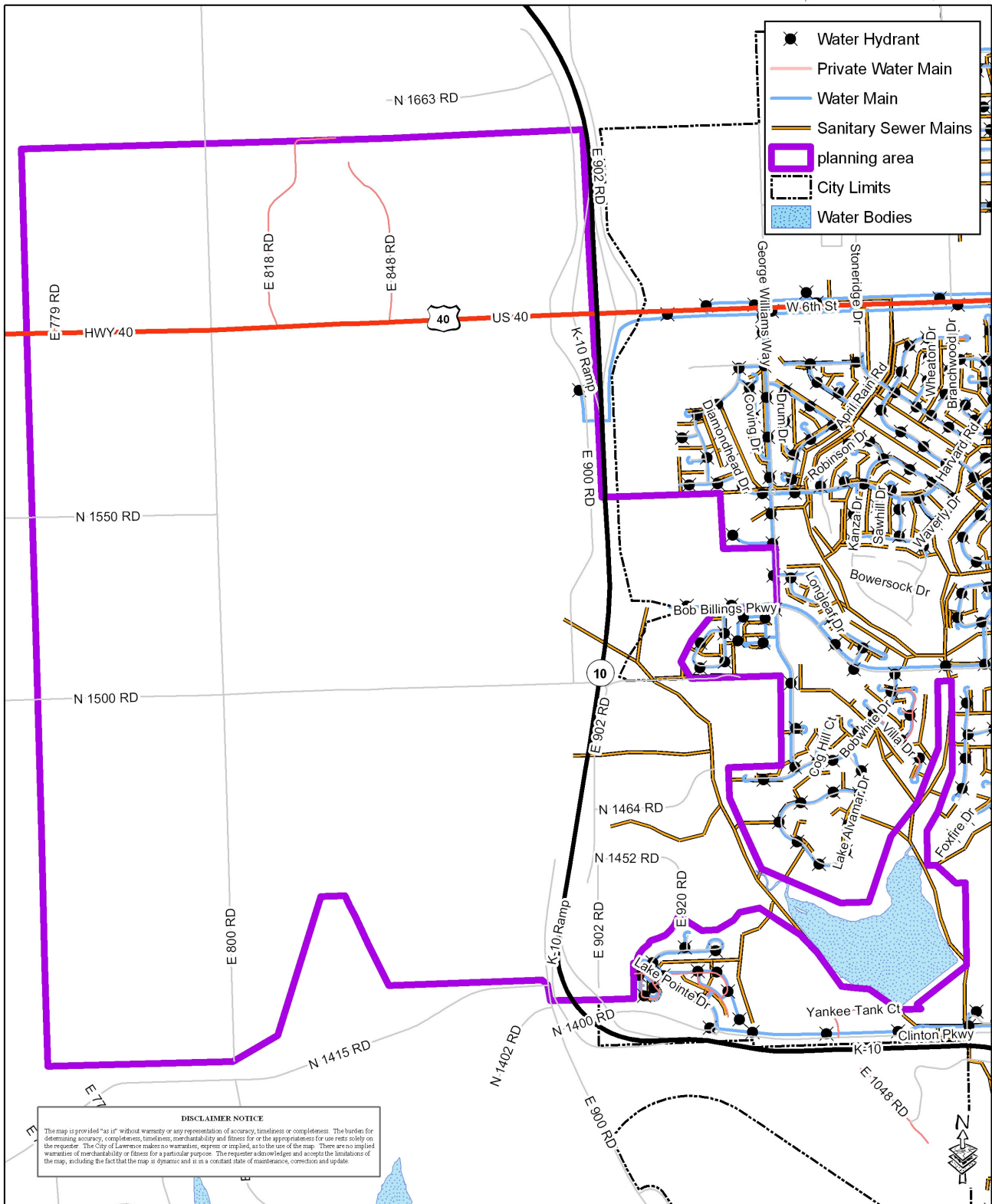
Gas

Southern Star Gas has two lines running through the planning area. One line crosses the planning area across the northeastern corner and the other line crosses at the southern portion of the planning area.

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West of K-10 Plan Map 2-3 City Water and Sanitary Sewer

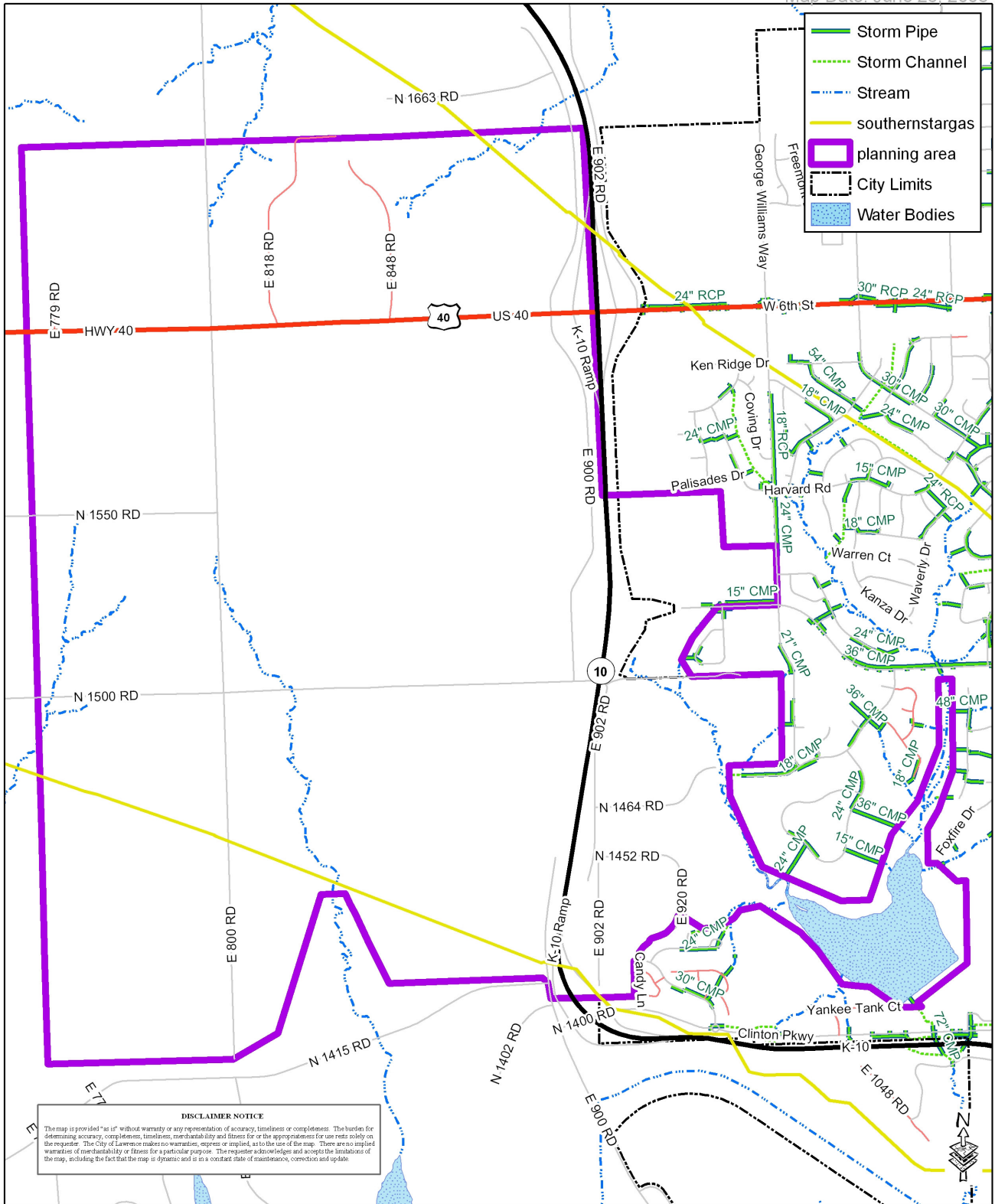
Map Date: June 26, 2008



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West of K-10 Plan Map 2-4 City Storm Water and Southern Star Gas

Map Date: June 26, 2008



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D. Parks and Recreational Facilities

There are currently no existing parks and recreation facilities or park properties located in the plan area. Clinton Lake is directly south of the plan area.

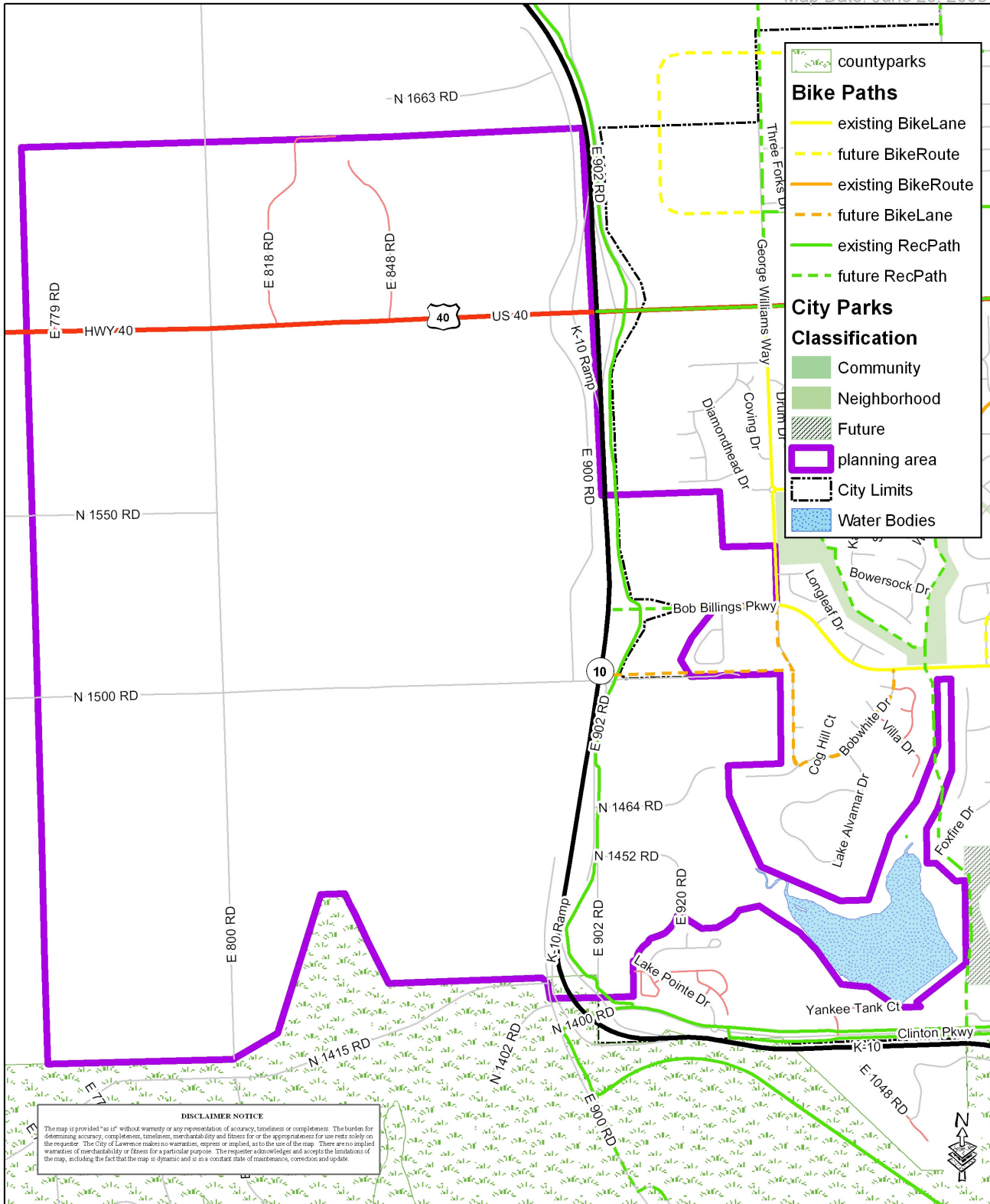
The planning area includes existing and future bike routes, lane, and recreational paths and these are shown on Map 2-5. Bike lanes are a separate space designated with striping, signage or pavement markings for exclusive use by bicycles with a street or road. There is an existing bike lane along Bob Billings Parkway in the planning area and currently stops where the road ends. Bike routes are a network of streets to enable direct, convenient, and safe access for bicyclists. There is a future bike route identified in the planning area long N. 1500 Road. A recreational path is a separate path adjacent to and independent of the street and is intended solely for non-motorized travel. There are existing recreational paths located on the east side of the South Lawrence Traffic Way (SLT/K-10) and a future recreational path from where Bob Billings Parkway ends to the South Lawrence Traffic Way (SLT/K-10).

Different types of bicycle facilities are attached to a certain street classification. Recreational Paths are part of Arterials, Bike Lanes are part of Collectors, and Bike Routes are also part of Collectors.

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West of K-10 Plan Map 2-5 Parks and Recreation Facilities

Map Date: June 26, 2008



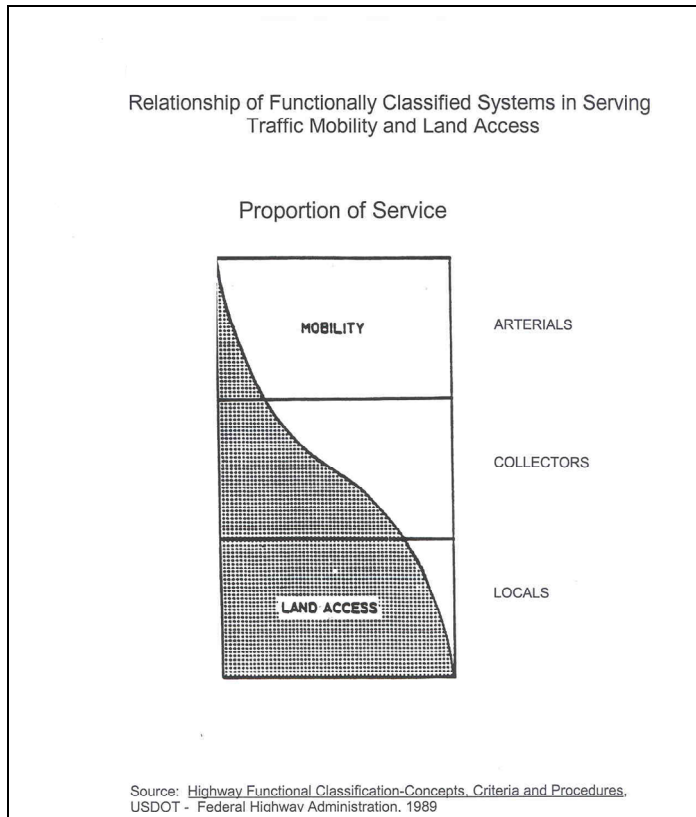
E. Transportation

Transportation 2030 (T2030) is the comprehensive, long-range transportation plan for the metropolitan area. T2030 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-6. The classification system can be described as a hierarchy from the lowest order, (local streets) that serve to provide direct access to adjacent property, to (collector streets) that carry traffic from local streets, to major thoroughfares (arterial streets) that carry traffic across the entire city. Freeways and expressways are the highest order of streets and are designed with limited access to provide the highest degree of mobility to serve large traffic volumes with long trip lengths.

The graphic on the right helps explain the relationship between functional classification in serving traffic mobility and land access.

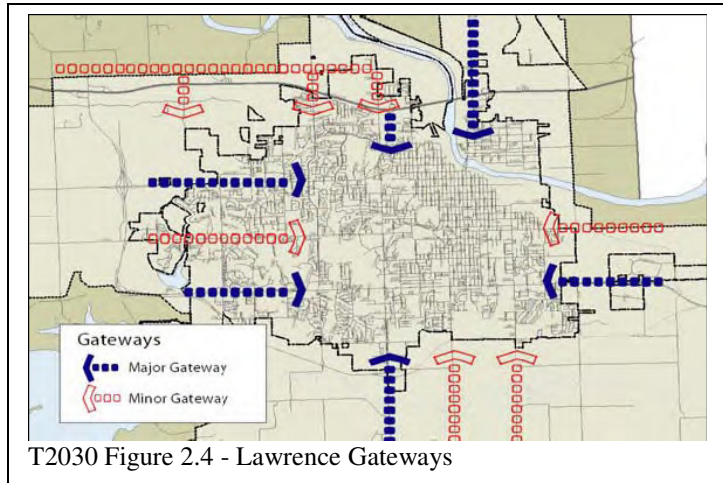
Chapter 2 of T2030 discusses and identifies minor and major gateways into and out of Lawrence. T2030 states, "Gateways are locations on transportation corridors that define the entrances to cities. These provide visitors with a first

impression of the city and often indicate the transition from rural to urban land uses. As such, cities desire to make these locations as attractive and informative as possible. As noted in T2030 in Figure 2.4, there are several roadways that represent gateways into the city of Lawrence or into smaller communities within the region that should be reviewed for aesthetic and informational enhancements when they are improved."



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The planning area for the *West of K-10 Plan* includes three of the *Transportation 2030* identified gateways into Lawrence from the west. US Hwy 40 and Clinton Parkway are identified as major gateways to Lawrence and Bob Billings Parkway is identified as a minor gateway to Lawrence.



Transportation 2030 identifies the South Lawrence Traffic Way (SLT/K-10) and US Hwy 40 as truck routes.

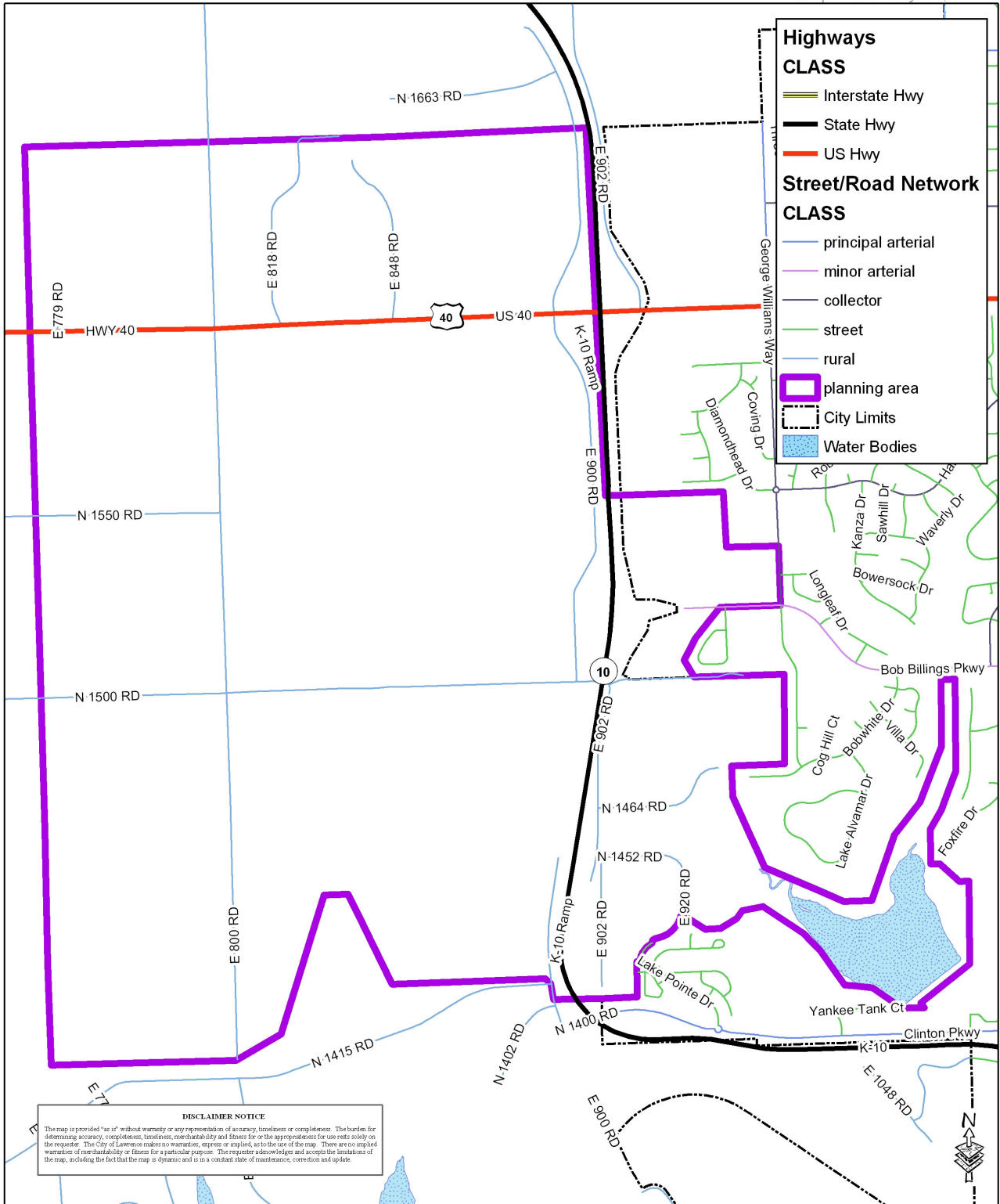
There are no immediate plans to widen K-10 Highway beyond the current two travel lanes.

Currently there are no transit routes that travel to or through the planning area.

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West of K-10 Plan Map 2-6 Street Classification

Map Date: July 10, 2008



F. Schools

School Districts

The *West of K-10 Planning Area* is located entirely within the Lawrence USD 497 school district. The Perry-Lecompton USD 343 school district is located just to the southwest and northeast of the planning area. (See Map 2-7)

School Locations

Lawrence has one public and one private school located just east of the planning area. The public school is Langston Hughes Elementary School which includes grades kindergarten through sixth grade. Langston Hughes is located along George Williams Way, east of the planning area.

The private school is Corpus Christi Catholic School which includes grades kindergarten through sixth grade. Corpus Christi is located east of the planning area along Bob Billings Parkway.

The Lawrence School District has purchased property within the West of K-10 planning area. The school district has not identified what type of school is to be located at this site. The school district property is located southeast of the intersection of N. 1500 Road and E. 800 Road.

G. Stormwater

The sector plan area lies within The Baldwin Creek drainage basin on the north, the Yankee Tank Creek drainage basin on the east, and parts of the Upper Wakarusa Watershed on the west and south (see Map 2-8 for drainage basins and Map 2-9 for contours).

The Baldwin Creek drainage basin lies in the north central part of Douglas County, and encompasses approximately 5,470 acres (approximately 8.5 square miles). The drainage basin consists of two sub-basins. The first sub-basin is bounded on the south by a major ridge line (the Kanwaka Ridge) that generally follows US Highway 40/ West 6th Street and extends approximately 1 mile west of the South Lawrence Trafficway and one-quarter mile south of U.S. 40 Highway at its southwestern most extent. Land in this sub-basin drains northward toward the main channel of Baldwin Creek, which begins in the middle of sections 20 and 21 and drains northeastward toward the Kansas River. The creek channel and the associated floodplain broadens and flattens as the creek approaches the Kansas River. The second sub-basin of Baldwin Creek is a much more expansive land area with approximately 4,200 acres. It lies southwesterly and northerly of the smaller sub-basin, extending southwesterly beyond the west leg of the South Lawrence Trafficway and northward to Lakeview Lake. This sub-basin drains from southwest to northeast toward the Kansas River.

Parts of the West of K-10 plan area lie in the Yankee Tank Creek drainage basin. This basin generally lies south of US Highway 40, west of Wakarusa Drive, north of 31st street and east of E 650 Road. The west sub-basin was identified in the

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1996 Stormwater Management Master Plan as encompassing 756 acres and drains into Yankee Tank Lake (Lake Alvamar), a private lake just north of Clinton Parkway.

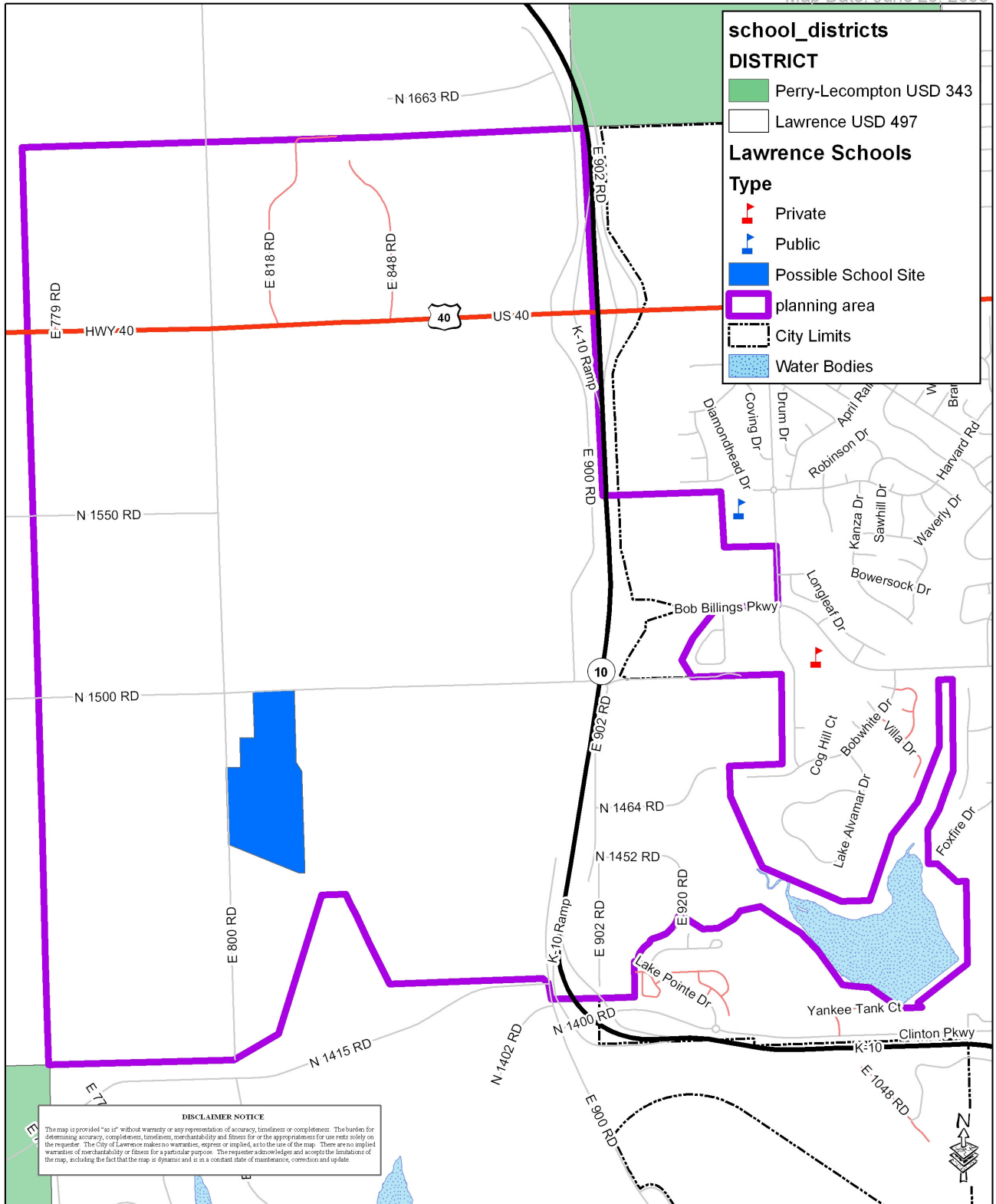
On the west and south of the plan area is part of the Upper Wakarusa Watershed which covers 367 square miles in total across Douglas, Shawnee, Osage and Wabunsee counties. The watershed drains into Clinton Lake, which serves as a major source of drinking water for the City of Lawrence. In 2003, the Upper Wakarusa Watershed Restoration and Protection Strategy (WRAPS) was completed, which identified thirteen water quality goals. Primary concerns include excess sediment, phosphorus, nitrogen and fecal coli form bacteria going from the watershed into the river and lake. The WRAPS strategy is based on a combination of riparian/stream bank restoration measures to reduce sediment and nutrient input. Specific care should be taken as lands in this watershed develop to have a positive impact on the water quality.

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West of K-10 Plan

Map 2-7 School Districts and Possible School Location

Map Date: June 26, 2008

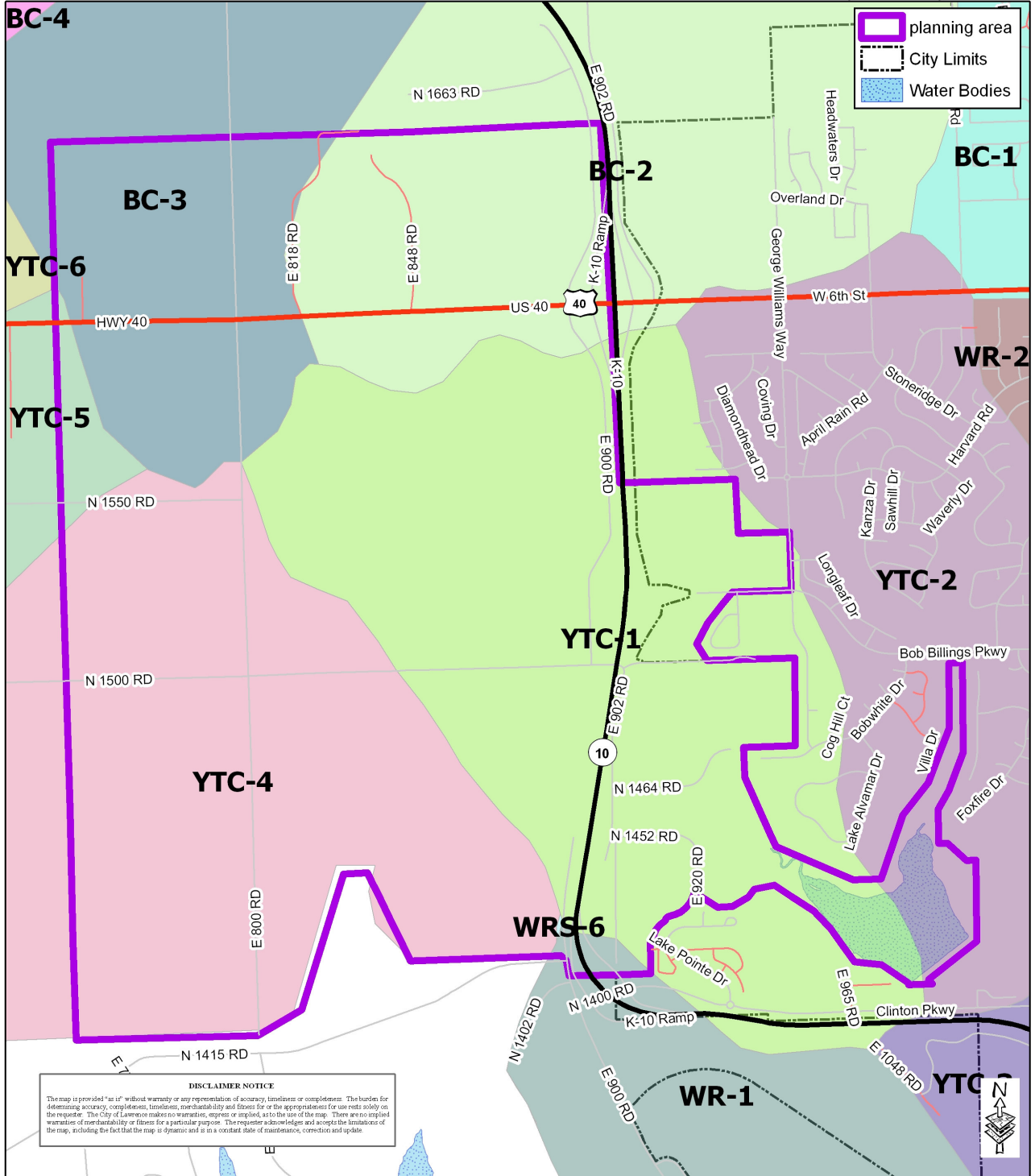


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West of K-10 Plan Map 2-8 Drainage Sub-Basins

Map depicts drainage sub-basins of the planning area for Baldwin Creek (BC), Yankee Tank Creek (YTC), and Wakarusa River (WRS).

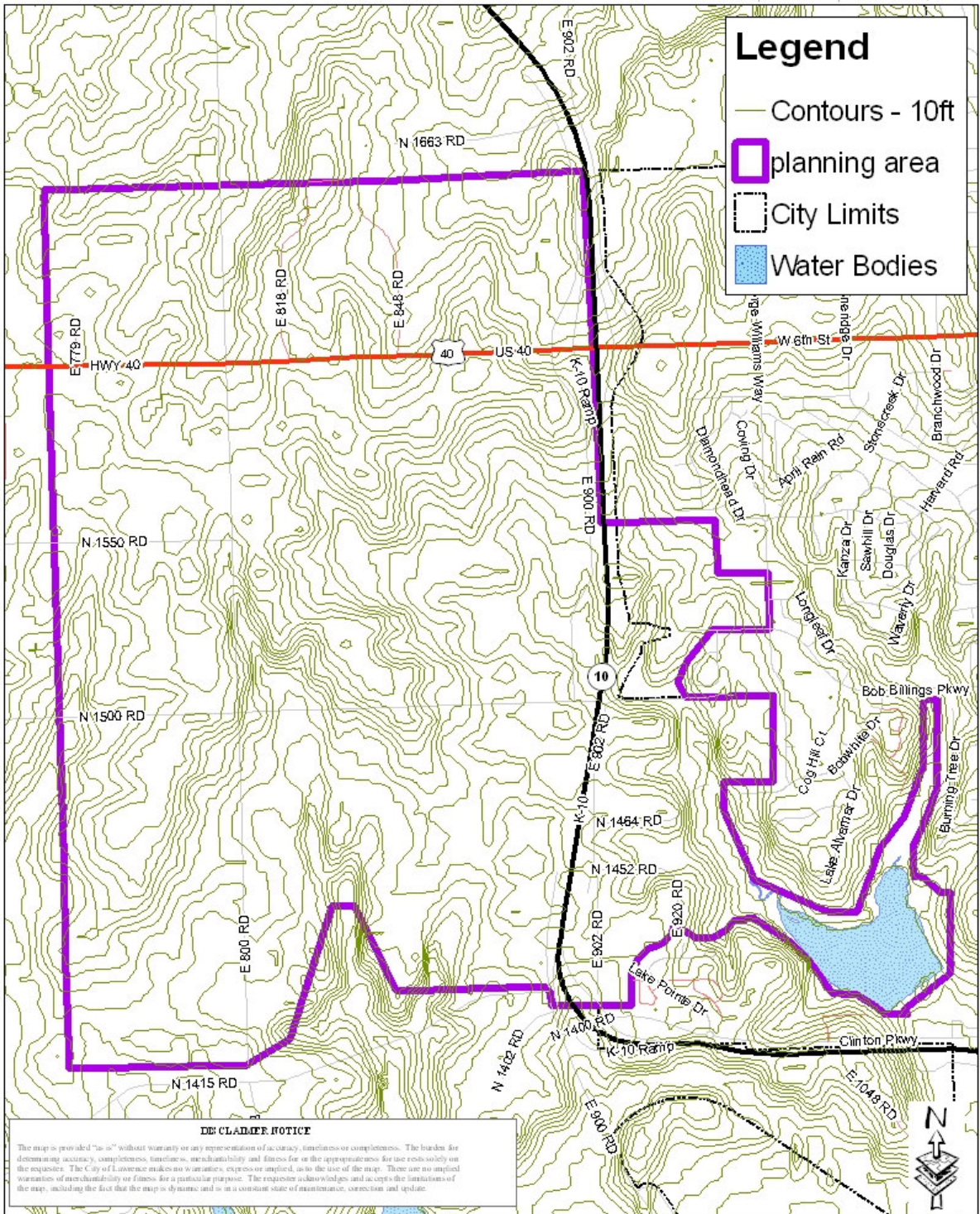
Map Date: July 10, 2008



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West of K-10 Plan Map 2-9 Contours

Map Date: September 30, 2008



III. Goals and Guiding Principles

The following policy statements in Sections III - VIII are for the development of the West of K-10 Plan area. "Shall" statements identify the items that are expected to be incorporated into development within the planning area. "Should" and "encouraged" statements identify the items that are strongly recommended to be incorporated into development within the planning area. "Shall" statements are stronger than "should" and "encouraged" statements.

LAND USE

Goal – Create unique mixed-use neighborhoods; encourage healthy development of commercial, office and employment uses; develop strong park/trail system.

Guiding Principles

- A mix of uses within neighborhoods is encouraged.
- A mix of housing types should be built within each neighborhood. Neighborhoods should not be developed with a single housing type, ie. single family.
- Allow for Traditional Neighborhood Design (TND) neighborhoods in the area. TND neighborhoods shall be properly integrated with adjoining suburban-style neighborhoods.
- Allow for large employment uses at appropriate locations in the planning area.
- Allow for neighborhood-level commercial activities within the planning area.
- Integrate parks and open space within the neighborhoods.

PUBLIC FACILITIES & INFRASTRUCTURE

Goal – Provide ongoing infrastructure and public facilities improvements as the area develops at urban densities.

Guiding Principles

- Improve K-10 and Bob Billings Parkway/15th Street to a separated grade intersection.
- Encourage trail connections to the existing regional trail system.
- Sewer and water system capacity shall be adequate prior to urban development.

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- Create pedestrian friendly streetscapes (streets and sidewalks) that connect to a neighborhood's amenities and assets.
- Co-locate public facilities where feasible and appropriate.

NEIGHBORHOOD CHARACTER

Goal – Develop unique neighborhoods that are sustainable and remain viable over the long-term.

Guiding Principles

- Connectivity is a priority; neighborhoods should connect to each other and to amenities and focal points within the area.
- Visual corridors should be protected as development occurs in the planning area.
- Create an identity that gives residents and visitors a sense of the neighborhood (i.e. create gateways at neighborhood entrances).

ENVIRONMENT

Goal – Develop neighborhoods and new development with the natural layout of the land in mind.

Guiding Principles

- Neighborhoods should be built in ways that protect existing natural drainage and ecosystems.
- Priority should be given to stormwater measures that protect Clinton Lake from development run-off as this area reaches urban densities.

IV. Future Land Use

The West of K-10 Future Land Use Section illustrates conceptual guides for future development and redevelopment that embody the vision and goals presented in Section III. The future land use map in this Section is conceptual and should not be used to determine precise zoning boundaries. The following land uses, zoning districts, and densities are the "maximum recommended" and assume less intensive land uses, zoning districts, or densities are appropriate.

This section presents two future land use options for the planning area. One is a conventional development option and the other is a Traditional Neighborhood Design (TND) option. Property owners and developers have the option of choosing one of the options in order to develop in the planning area after the land becomes part of the city of Lawrence.

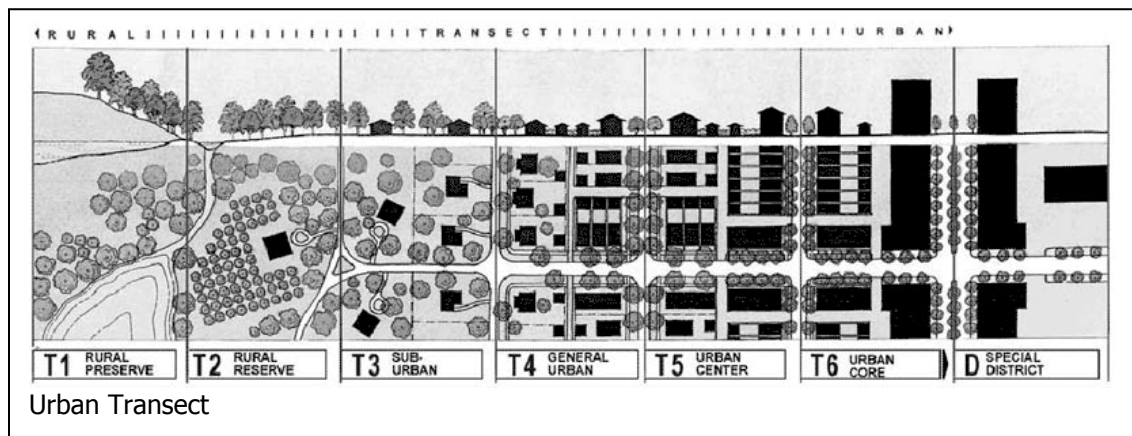
Conventional Future Land Use Option

The conventional future land use option for West of K-10 (Map 4-1) was developed using a combination of adopted policy, existing conditions including City zoning and stormwater considerations, projections based on past build-out patterns in west Lawrence, and comments from stakeholders and the Planning Commission. This option is predominantly a low density residential pattern that also allows for higher densities near commercial and employment uses and at the intersections of future major roads.

This option is predominately consistent with the adopted *West 6th and South Lawrence Trafficway Nodal Plan*. Land use designations have been changed in the southwest quadrant to reflect the existing church at 847 Hwy 40 and additional development considerations. The uses that carry over from the *West 6th and South Lawrence Trafficway Nodal Plan* are predominately employment related.

TND Option

The model for the TND option (Map 4-2) is built primarily around work the PlaceMakers firm did in early 2007. Through a week long charrette (design workshop) process, PlaceMakers, with the input from the area's landowners, produced a TND master plan based on the Transect method of organizing development. The model shows how TND neighborhoods could be organized in part of this planning area.



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The *Lawrence SmartCode* is the regulatory tool that will be used to implement the TND option. The *Lawrence SmartCode* was calibrated by PlaceMakers based on the charrette and from collaboration with City staff after the charrette and public comment. The TND option of development in the area will only be available if the *Lawrence SmartCode* is adopted by the Lawrence City Commission.

The model is meant to provide a guide to future TND development in the planning area. Landowners/developers will have to develop their own plans that conform to the *Lawrence SmartCode* in order to develop TND neighborhoods. There are two community types allowed by the *Lawrence SmartCode* in a Greenfield development situation. One community type is a Cluster Land Development (CLD). The other community type is a Traditional Neighborhood Development (TND). A minimum of 60 acres is required to develop a new TND neighborhood. 40 acres is required to develop a CLD neighborhood.

Compatibility

An obvious challenge arises with providing two future land use options for the planning area. Compatibility issues will inevitably arise when placing a suburban development next to one designed to be a TND. The challenge is how to properly and effectively build new neighborhoods when one option is chosen next to a development that used the other design option.

Keys to increased compatibility:

1. New neighborhoods, whether of a suburban nature or TND, must connect to each other via the street and pathway system. Streets, sidewalks and trails must connect from one neighborhood to the next. The first neighborhood built, and each subsequent neighborhood, should stub out the streets intended for connection to adjoining neighborhoods that will be created later.
2. A street pattern created by a TND neighborhood should be followed as closely as possible in subsequent neighborhoods.
3. Compatible land uses should be located adjacent to each other where neighborhoods of different design characteristics adjoin.

Industrial/Office/Warehouse/Research Land Uses

Regardless of which land use option is chosen for development, the employment related land uses should be maintained. They can be developed conventionally under the Development Code or potentially with Special Districts under the Lawrence SmartCode.

Further, structures in these developments should be aesthetically pleasing from all sides and should incorporate quality building materials and other high quality architectural elements. Transitions between uses should be accomplished by buffer yards, landscaping, setbacks, scale and massing, and transition of uses to include low-intensity industrial uses along the perimeter of the areas identified as industrial or office/research. In addition, sites should incorporate a variety of landscaping treatments to alleviate the potential for monotonous perimeter buffering.

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Access to major roads from the industrial or office/research development lots shall be limited. However, industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes. Smaller lots shall take access from local roads. Additional local roads that serve the site should be arranged to minimize development lot access to the future major roads.

Rural Subdivisions

Rural subdivisions are developments built under rural standards that often don't meet the requirements of urban development. They may be processing wastewater on-site, have undersized water lines and rural standard roads. Issues arise as urban development moves into the area in which the rural subdivision lies. One issue is that undersized water lines may not be appropriate to provide fire service from the City. Rural subdivisions shall not be accepted for annexation until such time that the appropriate urban infrastructure is in place to serve the subdivision upon annexation.

Additionally, development lots in rural subdivisions are often larger than the typical urban lot. Urban development adjacent to the rural subdivision may be of higher density than the rural subdivision. This plan encourages infill of the rural subdivisions to more urban densities. Dividing large lots to accommodate more than one principal structure will help to more efficiently provide urban services to an area. Existing rural subdivisions are primarily located in the area this Plan covers east of K-10 Highway.

This Plan encourages annexing the rural subdivisions east of K-10 Highway as development occurs in the surrounding or adjacent areas and infrastructure is brought to reasonable proximity. The goal is to help ensure urban services are being provided in a contiguous manner as the city grows westward.

A. Conventional Future Land Use Option

Land Use Categories

Residential – Very Low Density

The intent of the very low-density residential use is to allow for large lot, single dwelling type uses.

Primary Uses: Detached dwellings, cluster dwellings, manufactured home residential design, zero lot line dwellings, group home, public and civic uses

Zoning Districts: RS40 (Single-Dwelling Residential), PD (Planned Development Overlay)

Density: 1 unit/acre

Residential – Low Density

The intent of the low-density residential use is to allow for single-dwelling, duplex, and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses.

Primary Uses: Detached dwellings, attached dwellings, duplex, group home, public and civic uses

Zoning Districts: RS10 (Single-Dwelling Residential), RS7 (Single-Dwelling Residential), RS5 (Single-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), PD (Planned Development Overlay)

Density: 6 or fewer dwelling units/acre

Residential – Medium Density

The intent of the medium-density residential category is to allow for a variety of residential options for the area at a greater density than the Low Density Residential category. This category can serve as a transition between low density and higher density uses.

Primary Uses: Detached dwellings, attached dwellings, duplex, multi-dwelling structures, group home, civic and public uses

Zoning Districts: RS5 (Single-Dwelling Residential), RS3 (Single-Dwelling Residential), RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Density: 7-15 dwelling units/acre

Residential – High Density

The intent of the high-density residential category is to allow for compact residential development. These developments are primarily located at the intersection of two major roads or adjacent to commercial or employment uses.

Primary Uses: Multi-dwelling structures, group home, civic and public uses

Zoning Districts: RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), RM24 (Multi-Dwelling

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Residential), RM32 (Multi-Dwelling Residential), and PD (Planned Development Overlay)

Density: 16+ dwelling units/acre

Residential Office

The intent of the residential/office use is to accommodate mixed use development of administrative and professional offices with varying degrees of residential. This category can serve as a buffer between higher intensity uses and major roads to lower intensity/density land uses.

Primary Uses: office, multi-family dwellings

Zoning Districts: RSO (Single Dwelling Residential-Office), RMO (Multi-Dwelling Residential-Office), MU (Mixed Use District), and PD (Planned Development Overlay)

Density/Intensity: 7-15 dwelling units/acre/medium

Office

The intent of the office use is to allow for general office uses that would be minimally invasive to nearby residential uses.

Primary Uses: office, multi-family dwellings

Zoning Districts: CO (Commercial Office), POD (Planned Office District)

Intensity: medium

Commercial – Neighborhood Center

The intent of the commercial use is to allow for retail and service uses. A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. This category is applied to the intersection of N 1500 Rd and E 800 Rd and to the intersection of K-10 and Bob Billings Parkway/15th Street. Horizon 2020 Chapter 6 – Commercial identifies these corners as future Neighborhood Commercial Centers. See Horizon 2020 Chapter 6 – Commercial for more policy regarding Neighborhood Commercial Centers.

Primary Uses: Non-ground floor dwellings, multi-dwelling structures, civic and public uses, medical facilities, eating and drinking establishments, general office, retail sales and services, fuel sales, car wash

Zoning Districts: CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), PD (Planned Development Overlay), and MU (Mixed Use District)

Intensity: medium-high

Commercial – Lake Oriented Community Center

Community Commercial Center provides goods and services to several different neighborhood areas. This category is applied to the existing commercial development located at K-10 and Clinton Parkway. This lake-oriented commercial development should serve the many visitors to Clinton Lake. Horizon 2020 identifies K-10 and Clinton Parkway as a future Neighborhood Commercial Center. This Plan recommends changing that designation to a Community Commercial Center to reflect the higher intensity of the lake oriented nature of the existing commercial uses. Many of those existing uses serving the lake, such as boat storage, are not appropriate for a Neighborhood Commercial designation.

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This designation will be limited to the area of the exiting lake oriented uses adjacent to Clinton Lake and the approved commercial uses on Lake Pointe Drive, just east of the planning area along Clinton Parkway. No additional areas shall be approved for the Community Commercial Center. See Horizon 2020 Chapter 6 – Commercial for more policy regarding Community Commercial Centers.

Primary Uses: lake oriented commercial

Zoning Districts: CC 200 (Community Commercial Center), MU (Mixed Use District)

Intensity: medium

Office/Industrial/Warehouse

The northwest and southwest corners of US 40/6th Street and K-10 were designated by the *West 6th Street/K-10 Nodal Plan* for office, research/industrial, and warehouse uses, except for a section designated appropriate for public/institutional activities. The intent of the industrial use is to allow for moderate to high-impact uses including large scale or specialized industrial uses. The office and research uses are characterized by businesses involved in technology, research and scientific-related activities and/or office, office research activities that are designed in a campus like setting.

Primary Uses: office, research, industrial and warehouse

Zoning Districts: IBP (Industrial/Business Park District), IL (Limited Industrial District), IG (General Industrial District) and PD (Planned Development Overlay)

Intensity: medium to heavy

Public/Institutional

This designation recognizes an existing site owned by USD 497 for a future school in the area. It also recognizes an existing church near 6th and K-10 and another church at E 902 Rd. and N 1464 Rd.

Primary Uses: Cultural center/library, religious assembly, school, utilities, recreational facilities, utility services

Zoning Districts: RSO (Single Dwelling Residential-Office), RMO (Multi-Dwelling Residential-Office), and GPI (General Public and Institutional)

Intensity: medium

Park/Open Space

The intent of the park/open space use is to provide space for public recreational facilities and natural area preservation.

Primary Uses: Park and open space

Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve)

Intensity: light

Green Space Buffer

This designation is provided on the southeast and southwest corners of West 6th Street and K-10. It is to provide a buffer for lower intensity uses that will be adjacent to the office, industrial, and warehouse area. This is another use category that is carried over from the *West 6th Street/K-10 Nodal Plan*.

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Primary Uses: Open Space

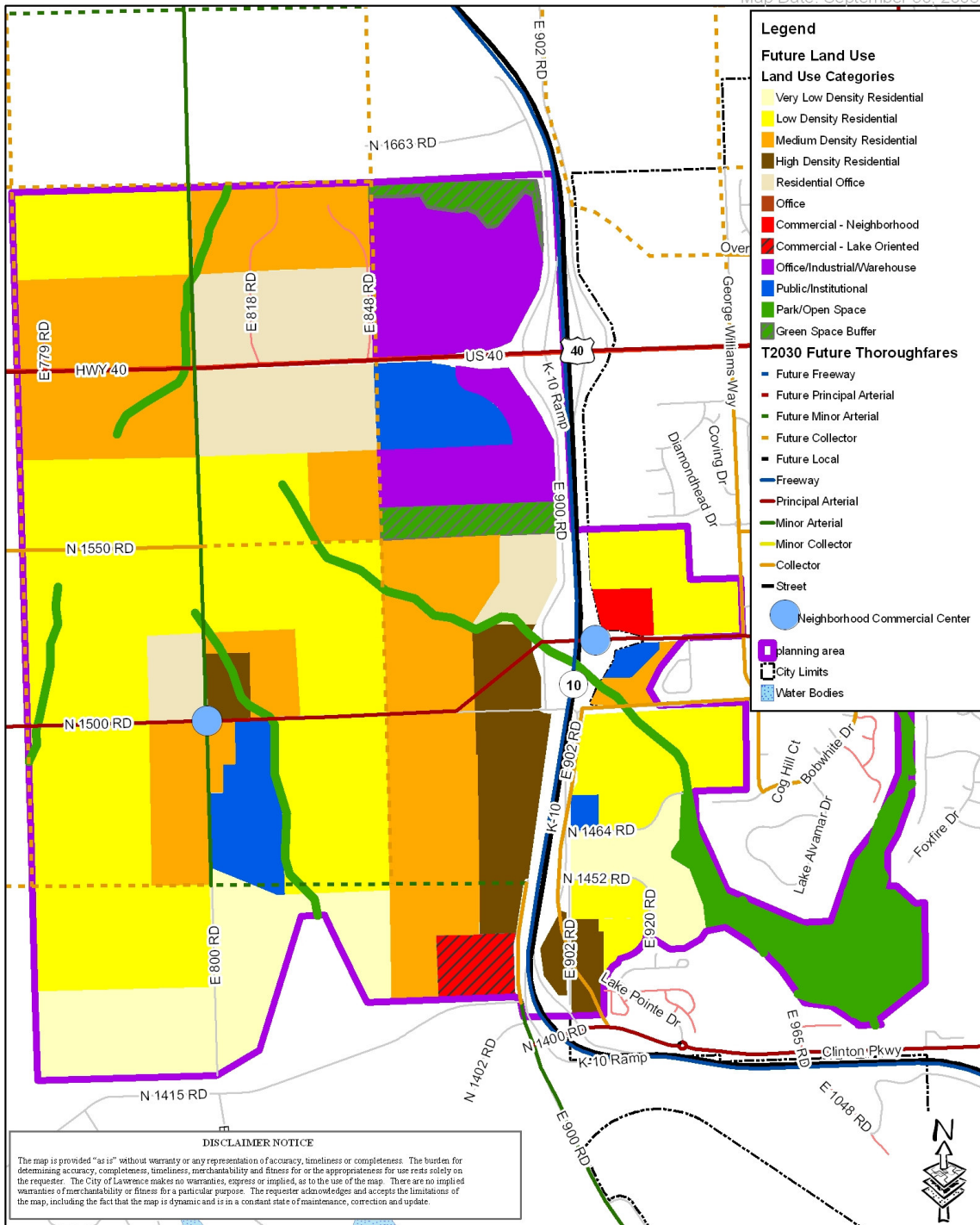
Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve)

Intensity: light

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West of K-10 Plan Map 4-1 Future Land Use

Map Date: September 30, 2008



B. TND Future Land Use Model

Landowners/developers wishing to develop TND neighborhoods in the planning area will have to seek approvals for such development under the *Lawrence SmartCode*. The option for TND development will be available throughout the entire planning area. Map 4-2 provides a visual model of TND neighborhoods organized for the *Lawrence SmartCode*. The regulatory Transect categories of the Lawrence SmartCode are listed below.

Lawrence SmartCode Transect Categories

T5: Urban Center

This category includes higher intensity with mixed use and significant retail. This zone is what we think of as Main Street.

Primary Uses: Retail, office, rowhouses, multi-family.

Zoning Districts: T5

Minimum Base Density: 24 units/acre

T4: General Urban

This category is mixed use, but primarily residential urban fabric.

Primary Uses: Urban residential.

Zoning Districts: T4

Minimum Base Density: 12 units/acre

T3: Sub-Urban

This category is low density, suburban areas that allow home occupations.

Primary Uses: Low density suburban residential – allows home occupations.

Zoning Districts: T3

Minimum Base Density: 4 units/acre

T2: Rural Reserve

This is land in open or cultivated state or sparsely settled.

Primary Uses: very low density residential

Zoning Districts: T2

Minimum Base Density: 1 unit/20 acre average

T1: Rural Preserve

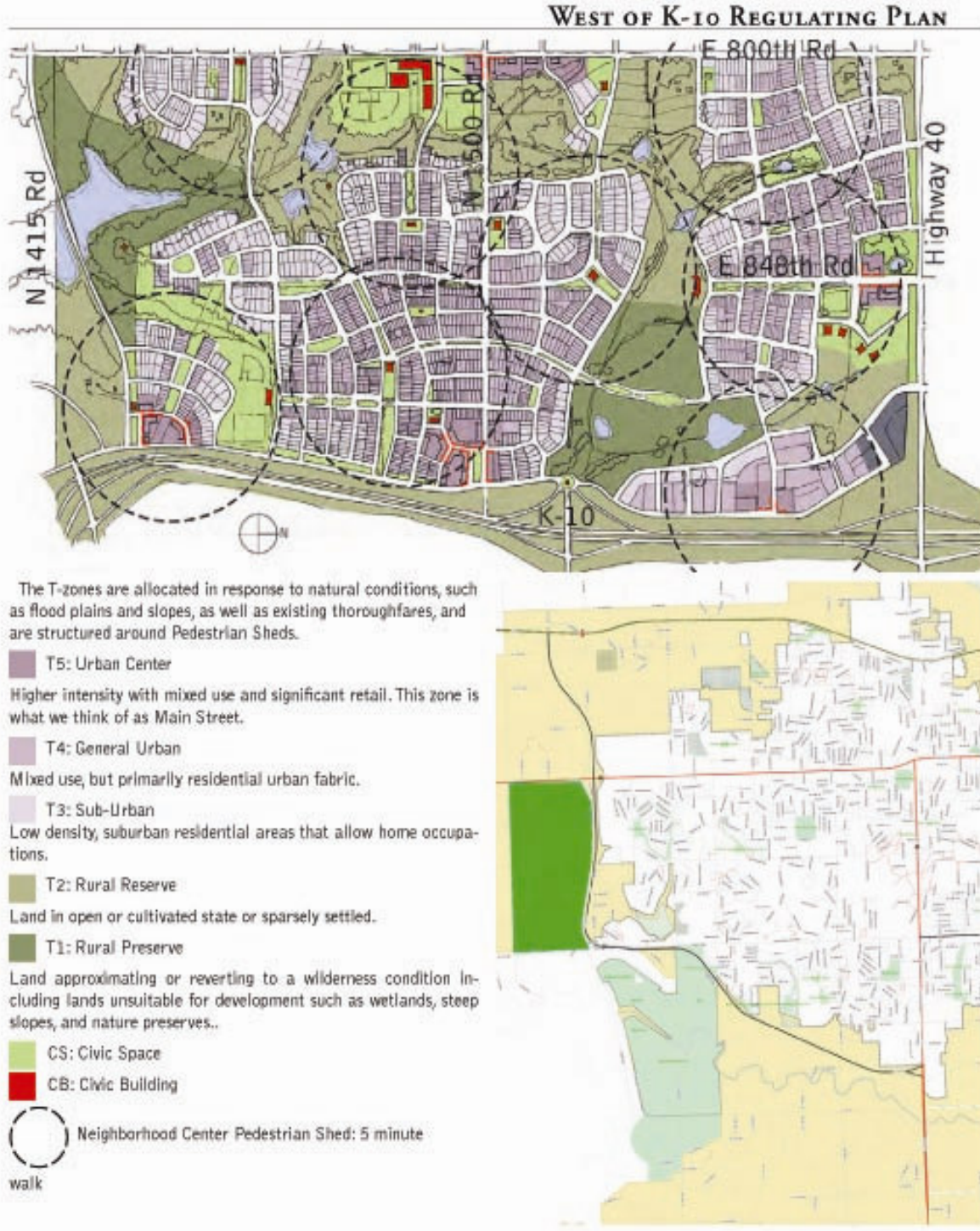
This is land approximating or reverting to a wilderness condition including lands unsuitable for development such as wetlands, steep slopes and nature preserves.

Primary Uses: natural area

Zoning Districts: T1

Minimum Base Density: By Variance Only

Map 4-2: TND Future Land Use Model



V. Great Neighborhoods

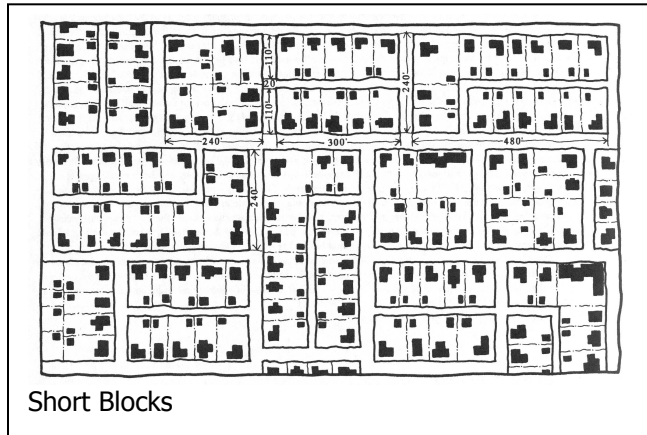
The opportunity to develop unique neighborhoods as Lawrence continues to grow westward is present in the area west of K-10. The key components that will create and knit the neighborhoods together are described below. The following policy language is intended to guide future urban development in a manner that will help create these new neighborhoods to have long lasting value to the community.

A. Neighborhood Connectivity

Streets

Streets within the various neighborhoods of this area shall be connected to each other. The street pattern within neighborhoods does not have to be a strict grid pattern. Streets can meander if terrain makes it necessary. Cul-de-sacs are discouraged, but are appropriate if terrain makes them necessary. The key is that streets connect to each other within neighborhoods and connect to other neighborhoods. Connected streets provide multiple route options for vehicles which can help eliminate the choke points that are created when cars are forced onto a limited amount of streets that carry traffic in and out of neighborhoods.

A key feature of some vital neighborhoods is short blocks. People utilize short blocks more frequently, and they just feel more alive. Short blocks tend to encourage pedestrian activity, while long blocks can feel unsafe from a lack of pedestrian traffic. Blocks for neighborhoods in the area should be short.



Short Blocks

Pedestrians

Neighborhoods shall also be connected with pedestrian pathways. This includes the most simple of connections of sidewalks on connected streets. Pathways and trails shall also connect neighborhoods. An extensive system of pedestrian and bike friendly paths could be created by connecting trails in linear parks to the paths on the major roads. Further, where civic uses exist within neighborhoods, all care should be taken to ensure there are safe pedestrian routes and connections to those civic uses. Civic uses include public parks and open space, schools, churches, etc. In addition, commercial development shall be designed to facilitate pedestrian and non-motorized access from abutting areas.

Streets should also be designed to enhance pedestrian safety. Sidewalks shall be placed on both sides of streets. Additionally, parking should be allowed on

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one or both sides of the street. This will help to create a slower speed environment for traffic which will help make pedestrian travel safer.

Bicycles

Bicycles are another viable mode of transportation that should be accommodated in the new neighborhoods of this area. Bicycle facilities located on an existing road shall be continued as the road is extended or improved to urban standards. Designated bike routes should be established within this area with attention paid to connecting those routes to the established city system. Bike lanes



Bike Lane

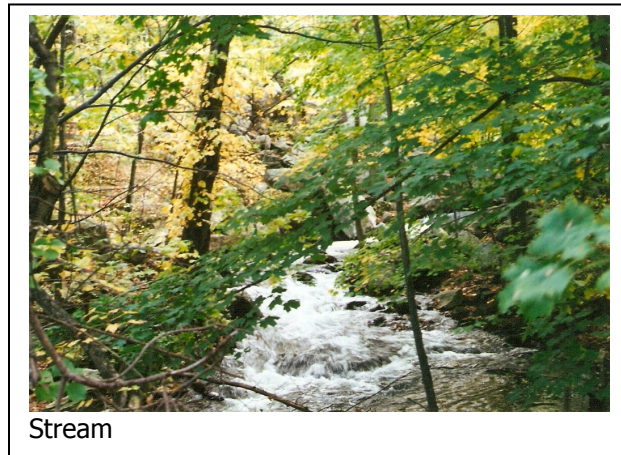
shall be added to the appropriate streets. Further, multi-use paths that accommodate bicycles should be extended into the neighborhoods from the existing city system. Open space areas should be provided and/or acquired along major thoroughfares and along drainage ways for development of pedestrian and bicycle trails. Utility corridors can also be used in conjunction with trails and parks.

B. Viewsheds

There are areas within the planning area that have great views of Lawrence to the east and rural Douglas County to the southeast. These areas deserve protection as they can be assets to future neighborhoods. Effort should be made to prevent these high points from being graded to a lower level. Further, adjacent development should step down or have height limits to protect the views of the higher points.

C. Environment

Care should be taken to design new neighborhoods and developments in this area with the natural layout of the land. Preserving the natural systems already in place prior to development should be a priority for the planning area. Streams should follow their natural paths and should not be rerouted or straightened.



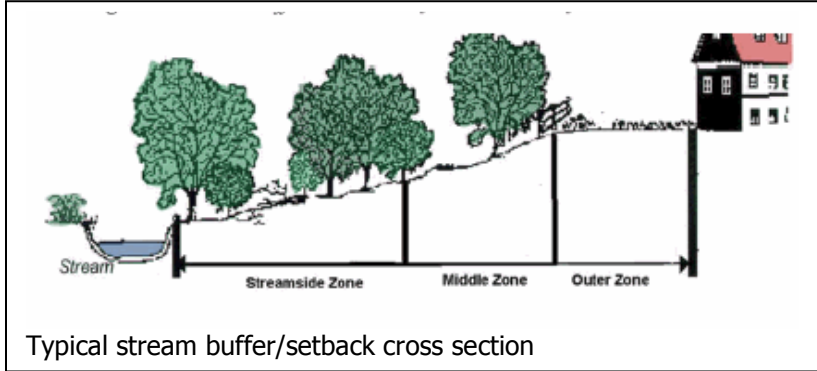
Stream

One way to accomplish the protection of natural systems is with stream buffer or stream setback regulations. The benefits of such regulations include the reduction of erosion and sediment entering the stream,

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preserving the base flows of a stream, providing infiltration of stormwater runoff, and stabilizing stream banks.

This Plan encourages the adoption of a city-wide stream buffer or stream setback ordinance by the City of Lawrence. Setback widths will vary dependent upon land use as well as topography. Regional detention should also be encouraged to take advantage of existing natural geographic features when possible.



Clinton Lake is a major provider of water supply to 7 municipalities including Lawrence and 9 Rural Water Districts. Sediment erosion and runoff during urban development in the planning area poses a risk to that water supply. Sediment erosion control during development activities is a priority for the planning area. While the City of Lawrence has controls in place (Section 9-903 of the City Code), this is an important issue that bears extra emphasis in this Plan.

Sensitive lands, as designated by the *Land Development Code* should be preserved and protected per those standards identified in the code. Street rights-of-way, public utility corridors and building sites should be located so as to minimize their impact on environmentally sensitive areas. Where possible, environmentally sensitive areas to be protected should be located within designated public or private open space, either through dedication, a conservation easement, or control by a homeowner’s association. If a review indicates that it is not possible or reasonable to protect sensitive features, mitigation should be incorporated.

D. Gateways

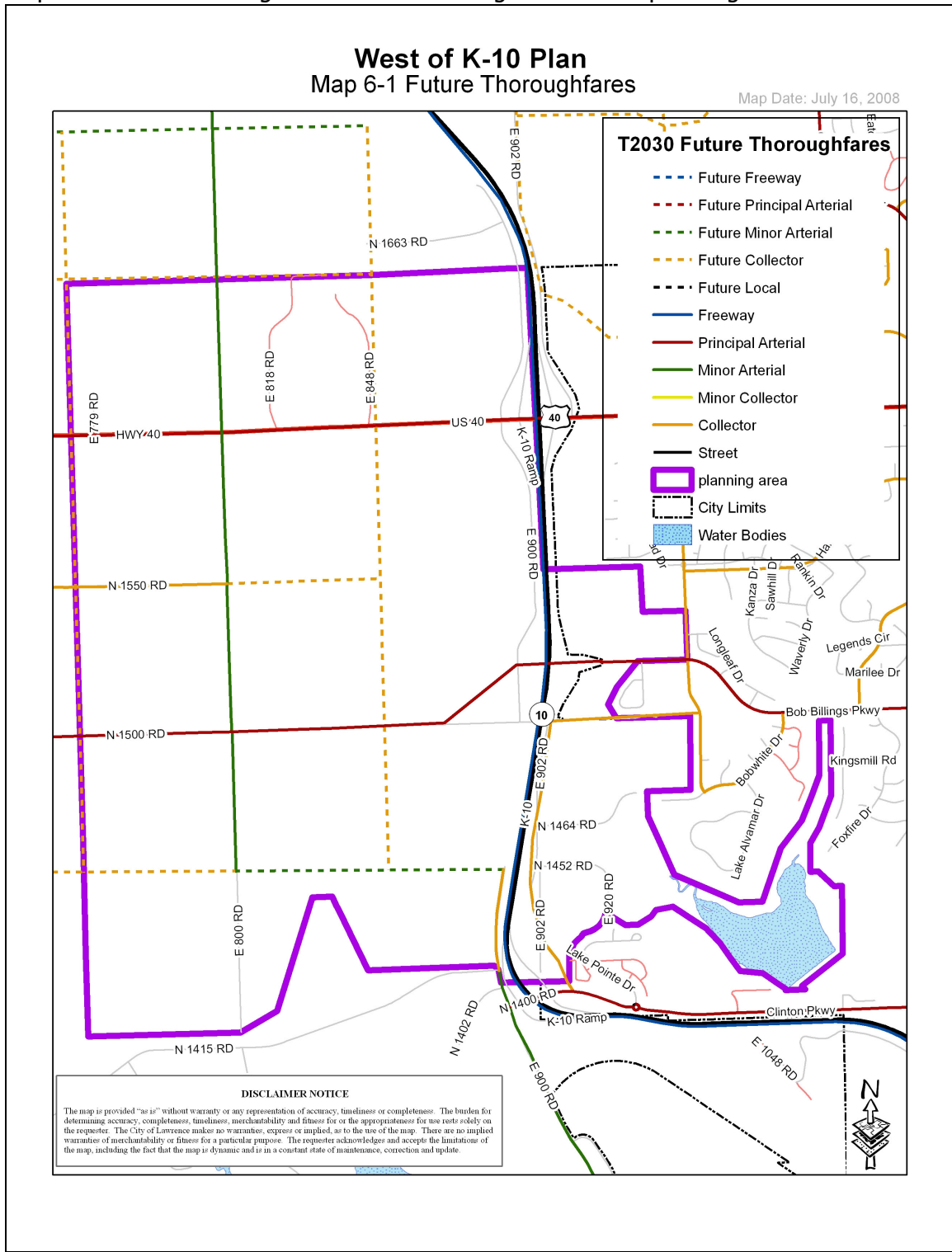
Development shall enhance the identified gateways of the planning area by creating aesthetically pleasing corridors. Aesthetically pleasing landscaped entry ways along gateways should be required. Both public and private property owners are responsible for achieving and maintaining this aesthetically pleasing landscaping.

Further, fencing installations shall incorporate continuous landscaping at the base and edges of the fence to integrate the fence with the site and landscaping. Finally, high quality, aesthetically pleasing building materials should be used.

VI. Transportation

A. Future Thoroughfares

Map 6-1 shows the designated Future Thoroughfares in the planning area.



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Map 6-1 is derived from Transportation 2030 (T2030), the Long-Range Transportation Plan for Lawrence and Douglas County.

E 900 Rd currently functions as a frontage road to K-10 Highway, although not continuously. E 900 Rd currently extends from the south and stops near the self storage units near Clinton Lake. E 900 Rd also extends from N 1500 Rd north through the planning area. The road does not extend south from N 1500 Rd. This plan deviates from T2030 by recommending that E 900 Rd. connect between N 1500 Rd and where it stops near the self-storage units. This road will serve as future collector road to handle the new urban density in the area and to provide a connection to Clinton Lake.

B. US Highway 40/West 6th Street

Extraordinary setback

The 50-foot extraordinary setback, in place for most of W. 6th Street between K-10 Highway and Monterey Way, is rooted in the *Western Development Plan*, adopted in 1969. Policy 6 of the *Western Development Plan* states: "A 50 foot easement, in addition to right-of-way required for street and utility purposes, will be required for property being platted adjacent to and on each side of West Sixth Street. This easement will be used as greenspace easement to be landscaped and maintained by the developer or owner of the property". The 50-foot extraordinary setback rule for West 6th Street is located in the joint Lawrence-Douglas County Subdivision Regulations.

This plan recommends establishing an extraordinary setback on US Highway 40 west of K-10 to Stull Road. Establishing the extraordinary setback of 50 feet before urban development begins will help ensure that the cost of right-of-way acquisition for the eventual widening of 6th Street will not be increased because of the added cost to acquire buildings that could be constructed before the widening of the roadway. The extraordinary setback should be repealed after 6th Street is improved to an urban 5-lane road.

Access Management

US Highway 40/West 6th Street is classified as a B Route in a developed area according to the KDOT published *Corridor Management Policy*. According to that policy, B Routes are to be protected by allowing for direct access only when alternative access is infeasible. When direct access is necessary, shared access will be required whenever possible.

The access management standards put in place on West 6th Street between K-10 and Wakarusa Drive only allow access to West 6th Street every ¼-mile. The access management standards were based on the 1998 West 6th Street Access Management Plan. The recommendation of this plan is to continue the access management standards of 6th Street east of K-10 as US Highway 40/6th Street west of K-10 is improved to an urban principal arterial in the future.

Multi-Use Path

A 10' multi-use path was constructed on one side of 6th Street between Wakarusa Drive and K-10 while a 6' sidewalk is on the other side of 6th Street. As 6th Street is improved west of K-10, it is recommended a 10' multi-use path be constructed on one side of the street and a 6' sidewalk on the other side.



Multi-Use Path on 6th Street

C. Bob Billings Parkway/15th Street

Bob Billings Parkway Extended

Bob Billings Parkway currently does not extend to K-10 Highway from the east. Bob Billings Parkway shall be extended to K-10 to provide another connection to K-10 and to provide a direct route to Kansas University from K-10. This connection will help to relieve traffic congestion on 6th Street.

K-10 Highway Intersection

From the east, E 1500 Road currently intersects K-10 Highway with an at-grade intersection. Bob Billings Parkway does not extend from the east to connect to K-10. Urban development will generate large amounts of traffic for which the existing at-grade intersection is not appropriate.



E 1500 Rd & K-10 – looking east toward Lawrence.

No urban density development west of K-10 Highway will be approved until the City of Lawrence, Douglas County and/or the Kansas Department of Transportation (KDOT) has approved a financing plan, along with a commitment to construct the improvements within a reasonable timeframe, that will

be implemented to address the K-10/15th Street intersection to make it safe to handle urban density traffic. The acceptable solution is a grade separated intersection. Properties north of US Highway 40/6th Street and within 1/2 mile south of US Highway 40/6th Street will not have to comply with this policy when they develop to urban densities in the future.

Possible financing mechanisms in the approved financing plan could include impact fees. An impact fee is a charge on new development to pay for the construction or expansion of off-site capital improvements that are necessitated

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by and benefit the new development. Construction of a new interchange at K-10 Highway and Bob Billings/15th Street is a project that would directly benefit the new urban growth west of K-10 Highway.

Multi-Use Path

A 10' multi-use path should be constructed on one side of an improved Bob Billings/15th Street while a 6' sidewalk should be constructed on the other side of the street.

D. E 902 Rd.

T2030 identifies E 902 Rd. as a future collector street that will access Clinton Parkway. Providing this road and the connection to Clinton Parkway should occur as urban scale development happens in southeast corner of the planning area. This will help accommodate the additional traffic that will be generated with urban development.

T2030 shows this road going north from Clinton Parkway generally parallel to K-10 Highway. As shown in T2030, it turns east at N 1500 Rd and connects to George Williams Way, which will take traffic to Bob Billings Parkway. Providing this connection between Bob Billings Parkway and Clinton Parkway is important as the area urbanizes. The final alignment of the road and how that connection is accommodated will be determined when final design decisions are made. Alternative alignments to connect E 902 Rd directly to Bob Billings Parkway could be considered as well.

E. Transit

Future transit service for the planning area should be determined to be warranted or not based on the ultimate land use of employment and commercial activity.

VII. Community Facilities

A. Fire & Medical

A new fire and medical station is planned for 6th Street and K-10 Highway. The new station will serve some of the existing new growth east of K-10 and a good deal of the new growth west of K-10. It is programmed in the City's CIP budget for 2009.

B. Parks, Recreation, and Open Space

Clinton Lake

The west of K-10 area is adjacent to Clinton Lake, one of the cornerstone natural areas of the community. The Clinton Lake property contains the Clinton Lake reservoir and park, Sesquicentennial Plaza, Eagle Bend Golf Course, a sports complex and multi-use and nature trails, among other things. Clinton Lake is a regional attraction that is a jewel for the community.

Controlled access to Clinton Lake is vital for its operation and security. Consideration should be given to establishing a controlled vehicular and/or pedestrian connection to the north side of Clinton Lake. Any type of access, pedestrian or vehicular, would need to be planned accordingly and receive all the necessary approvals. Perhaps an opportunity exists to provide a connection by extending E 800 Rd to connect to N 1415 Road just east of the Clinton State Park office. A single point of controlled pedestrian or vehicular access to the lake at this location would benefit the residents in these new neighborhoods and would provide another entrance/exit to the lake.

Co-Located Facilities

USD 497 and the City of Lawrence co-located facilities when the school district built Free State High School and the City built the Indoor Aquatic Center next door to the school. This model of cooperation and service delivery should be continued west of K-10. USD 497 owns ground west of K-10 for a future school site. Planning for the future school site should happen in conjunction with the City's planning for new park and recreation facilities.



Indoor Aquatic Center

Parks and Open Space

Connecting parks and open space with pedestrian pathways is encouraged in this area. Each neighborhood must contain parks and open space. Parks and open space should be located on usable land that is easily accessible to the majority of the neighborhood in which it is located. Parks and open space may act as focal

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points for neighborhoods and also act as edges for neighborhoods. Additional policy language regarding parks and open space is found in Chapter 9 of *Horizon 2020*.

Lake Alvamar is identified by this plan as open space. The importance of the lake to the planning area is its value as an open space amenity and also as a collection lake for stormwater flowing into it. Maintaining this lake for these purposes is important.

VIII. Utilities

Three master plans prepared for the City – 2003 Water Master Plan, 2003 Wastewater Master Plan, and the Stormwater Management Master Plan – form the policy basis for the necessary infrastructure elements that need to be in place prior to urbanizing the area west of K-10 Highway.

It is important to note from Section II (c) and (g) of this Plan that public utility infrastructure currently in place necessary for urbanizing the planning area west of K-10 Highway is scarce. The following details what infrastructure must be in place prior to urbanizing the area.

A. Water

There is a hydrant and a 16", PVC pipe line southeast of the intersection of US 40 and K-10 which is outside of the Lawrence city limits and another line east of K-10 along Bob Billings Parkway, within the City limits. All other properties obtain water either from private wells or from Rural Water District #1.

The 2003 Water Master Plan (see map 8-1) identifies several improvements designed to serve the area west of K-10 Highway. Due to areas of high ground west of K-10 Highway and an inability to adequately serve the area from the existing West Hills Service Level these improvements include a second water main crossing of K-10 Highway and booster pumping station in the vicinity of N 1500 RD and K-10. For redundancy it would be advisable to have a second water main crossing of K-10 Highway prior to development.

Per the 2003 Water Master Plan the improvements required to extend water service to the west side of K-10 Highway, with the exception of the noted booster pump station and future elevated water storage tank, were to be at the developer's expense.

The water distribution network in this area would be designed and constructed as urban development proceeds.

B. Sanitary Sewer

City sanitary sewer is provided to the majority of the properties east of K-10 that are not within Lawrence city limits. There is one 10" and one 8" PVC City sanitary sewer line that cross K-10 to the north and to the south of N. 1500 Road. A portion of the Yankee Tank Creek No. 3 drainage basin could potentially be served by these existing lines. The capacity of these lines as well as the system downstream of these lines including Pump Station PS09 would need to be evaluated based on proposed development.

Per the 2003 Wastewater Master Plan (see map 8-2) Sanitary Sewer Drainage Basins to the west of Yankee Tank Creek No. 3 will be collected by gravity within each basin and then pumped to the Yankee Tank Creek No. 3 system and conveyed via PS09 for treatment at the Wakarusa Water Reclamation Facility.

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These areas will need to be evaluated along with the capacity in the receiving systems downstream to determine any necessary improvements.

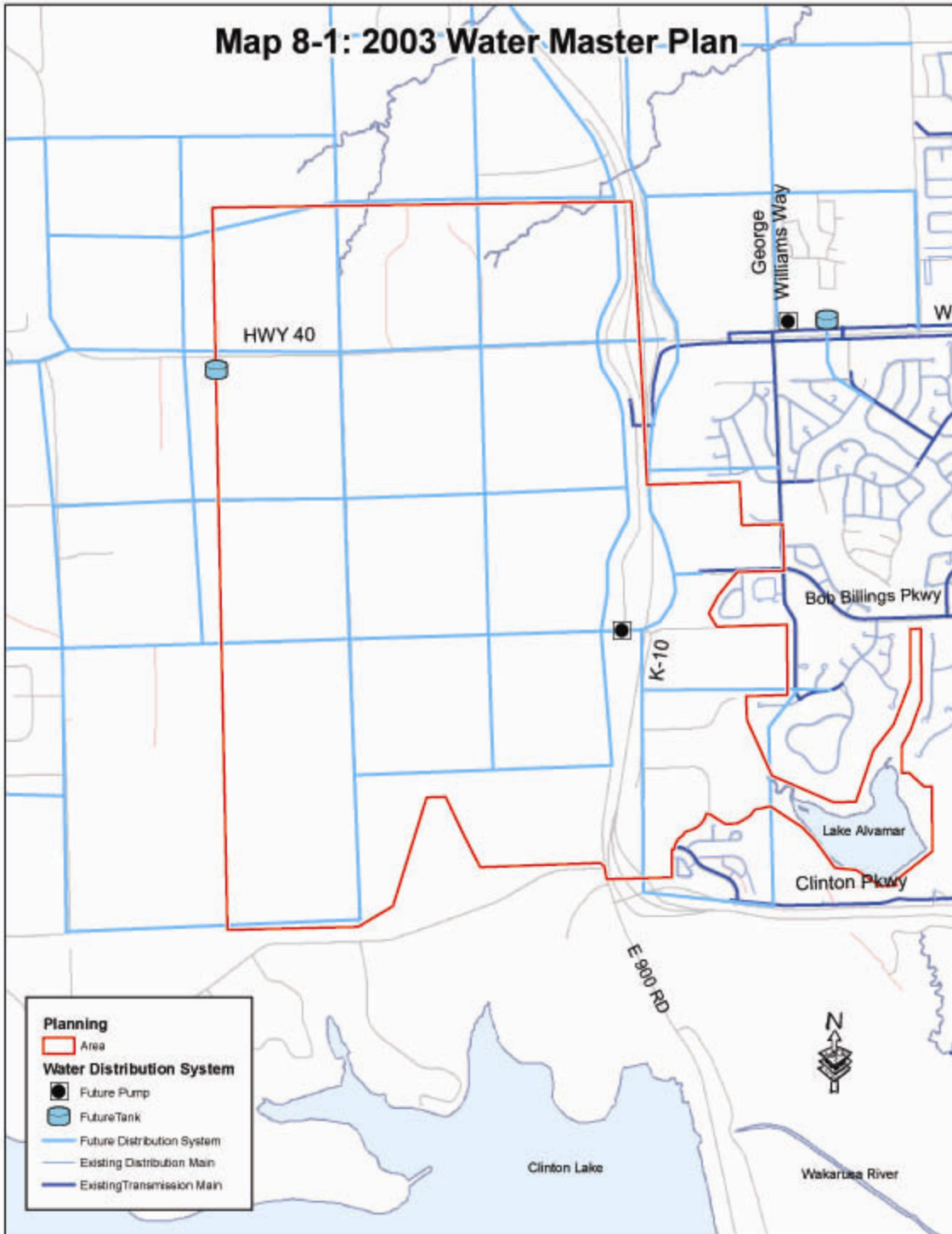
There is a limited area of the Baldwin Creek Drainage Basins immediately south of 6th Street. Per the 2003 Wastewater Master Plan these areas are to follow their natural drainage and flow to the north of 6th Street for further collection and conveyance.

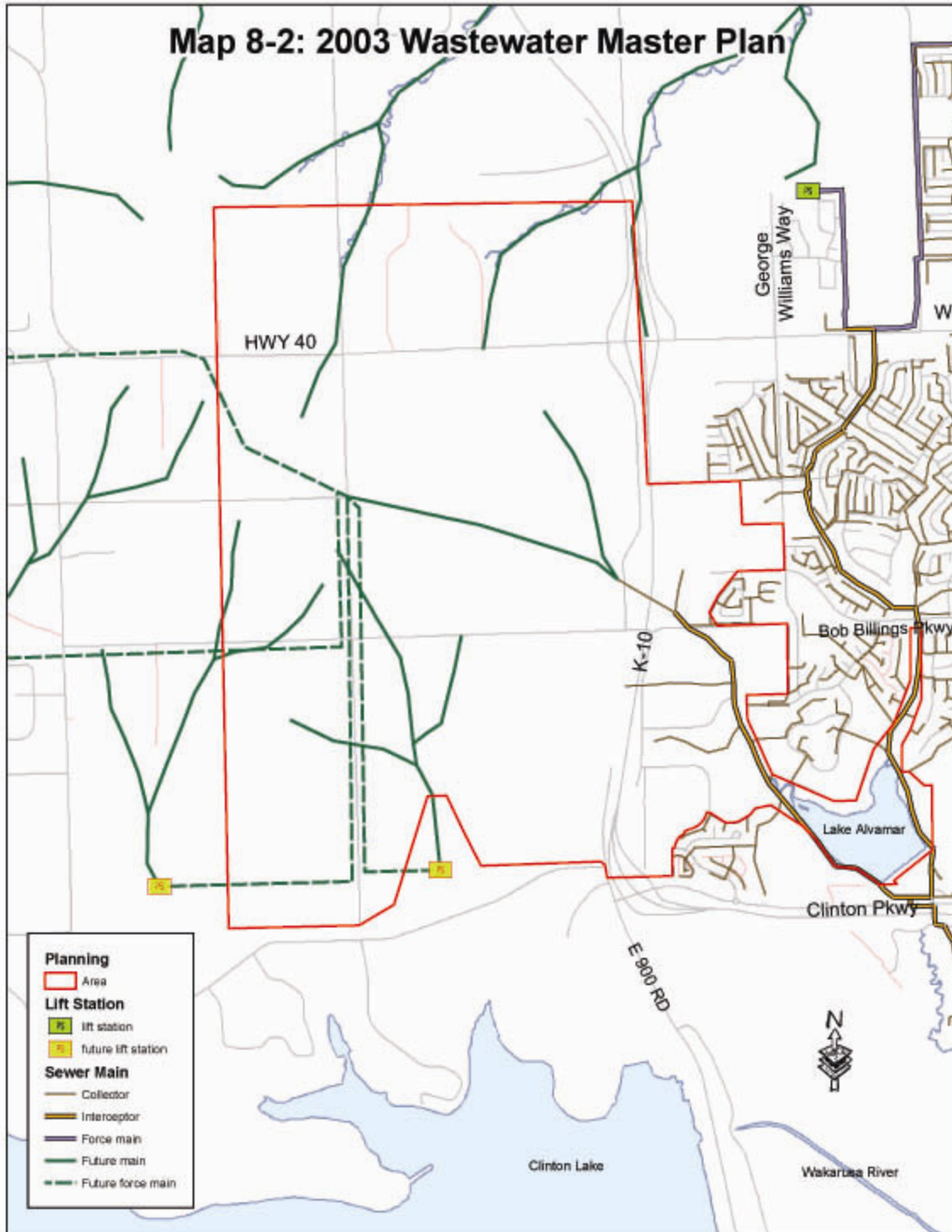
Per the 2003 Wastewater Master Plan the improvements required to extend sanitary sewer service to the west side of K-10, other than those identified as relief improvements to the existing system, were to be at the developer's expense.

C. Stormwater

The City of Lawrence completed its *Stormwater Management Master Plan* in 1996, which generated policy governing storm water management. Basically, the policy requires an engineering study to assure drainage systems are designed for the 10-year return period peak flow with overflow channels sufficient enough to convey the 100-year peak flow. Overflow channels are to be covered by drainage easements with land use restrictions, and natural channels are encouraged to remain in their original location. Detention is required where buildings in the drainage basin downstream from the proposed development are frequently flooded during storm events, or where the required engineering study indicates the proposed development would cause flooding of downstream structures not previously affected.

At the time that the *Stormwater Management Master Plan* was created, the majority of the Baldwin Creek drainage basin was outside of the city limits, but the plan did recommend that it be updated at a point in the future to include the Baldwin Creek drainage basin. The Yankee Tank west drainage basin was identified in the 1996 plan, and was found to have a satisfactory 10-year performance rating on the majority of its systems. The plan did note that the area was still developing at the time and the plan should be updated at some point in the future as development happens. Current City policies regarding stormwater management will affect all incorporated areas.





IX. Implementation

The purpose of this section is to provide actions that should happen as this Plan is adopted and urban development starts to occur in the planning area. Each implementation action is assigned a group or groups ultimately responsible for completing or approving the action.

- Amend Horizon 2020 Chapter 14, Specific Plans, to include the West of K-10 Sector Plan by reference.
Who: Planning Commission, City Commission, County Commission
- Amend Horizon 2020 Chapter 6, Commercial, to change the designation of K-10 and Clinton Parkway from Neighborhood Commercial Center to Community Commercial Center.
Who: Planning Commission, City Commission, County Commission
- Adopt the Lawrence SmartCode as a development option for new development and infill in Lawrence.
Who: Planning Commission, City Commission
- Update the *West 6th Street/ K-10 Nodal Plan* to reflect adopted Future Land Use designation of the *West of K-10 Plan*.
Who: Planning Commission, City Commission, County Commission
- Amend subdivision regulations to establish a 50' extraordinary setback on US 40/West 6th Street west of K-10 Highway.
Who: Planning Commission, City Commission, County Commission
- Develop a financing plan to improve the intersection of K-10 Highway and 15th Street/Bob Billings Parkway so that it can safely serve urban density development west of K-10.
Who: City Commission, County Commission, KDOT
- Amend Horizon 2020 Chapter 3, General Plan Overview, Map 3-1 Lawrence Urban Growth Area Service Areas & Future Land Use, to reflect the adopted future land use.
Who: Planning Commission, City Commission, County Commission
- Create and adopt a stream buffer or stream setback ordinance.
Who: Planning Commission, City Commission

Consider approving Comprehensive Plan Amendment CPA-2008-6, amending Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the West of K-10 Plan and consider adopting on first reading, Joint City Ordinance No. 8340/County Resolution No. _____, by approving and incorporating by reference, CPA-2008-6.

Dan Warner, Planner, presented the staff report. He said if they looked at the planning area, they could see Highway 40, or 6th Street, K-10 Highway, Lake Alvarado, and Clinton Lake, which was south of the planning area. The area at issue was roughly 2,000 acres and roughly 100 property owners in the area.

He said they began this process in early 2008 and the first draft of the plan was released on June 5th. They noticed approximately 150 stakeholders and property owners in the neighborhood via letters and emails. They had their first meeting on June 26th and had approximately 70 people attend that meeting. The second draft was released on July 21st and they noticed both the draft and the next meeting date and time. The second public meeting was held on August 7th and approximately 40 people attended that meeting. They released the 3rd draft on August 27th and sent out letters and e-mails to stakeholders and property owners. They noticed the Planning Commission meeting date and time as well. They had a large number of comments received on this plan and quite a few people were plugged into the process. They also met separately with individual property owners and groups of property owners as requested.

The Planning Commission reviewed the third draft on September 24, 2008. Staff asked the Planning Commission to provide staff with direction concerning the future land use map. Following that meeting, staff produced a fourth draft that was based on Planning Commission direction. The primary issues between the 3rd and 4th draft revolved around the future land use in the southeast corner of the planning area.

He said some of the major plan policies that were worth mentioning included 15th Street and K-10, the future improvements to that intersection, and no density development would be allowed until the financing plan and commitment to construct the improvements was in place. It

was not applicable to properties north of 6th Street and half a mile south of 6th Street. They were advocating to put a 50 foot extraordinary set back on Highway 40. They would try to keep buildings out of that future right-of-way to keep acquisition costs down. Connectivity was also a big part of this plan. He said there were also protections for Clinton Lake, both emphasizing settlement control during development and advocating a buffer ordinance to protect natural systems. The traditional neighborhood design and Smart Code was an option in this development.

He showed the future land use that was approved by the Planning Commission on October 20th. There was an employment outlet on 6th and K-10 and were the same uses as the nodal plan. It had already been approved and changed a little bit. They also had opportunities for employment along 6th Street or residential. They tried to build density along the highways. He said the issues regarding the future land use and the plan between the 3rd and 4th draft were focused on this area, the southeast corner of the planning area. There were two options for option 3. This looked a little different because they added some land uses that were either approved or had gone through approval. The planning boundaries were added to apply context to the area in how it was starting to develop. Option 1 had high density transitioning to medium, transitioning to low. This was a traditional urban land use pattern from high to medium. It went well going north for transitions and east to west.

He showed land use option 2. He said this option was responding to what property owners in the area wanted. There was very low density, high density, and a medium density. It did not transition quite as well from a land use standpoint, but could use landscaping and buffers to transition as well. They asked the Planning Commission to help them out with this. They had two groups of property owners who had very different ideas about the future so staff was struggling in trying to work that out. They came back with this option after the 3rd meeting. It was what the Planning Commission approved. It transitioned well. It was a difficult situation and it was nice to receive comments.

He said staff's recommendation was to adopt the plan and approve the ordinance.

Mayor Dever asked about the very low density residential. He thought they had talked about not using that.

Scott McCullough, Planning and Development Services Director, said he was going to clarify that. That was a land use designation in the City's Comprehensive Plan. It was a one acre density. It was also a county type of designation, but was used very sparingly, particularly in their sector plans and City type of planning efforts. If they had 100 acres, they would get 100 houses.

Warner said they had a zoning district in the code that accommodated that.

Commissioner Highberger asked if the area that was the very low density had very steep slopes.

Warner said he believed it started to fall back at a point.

Commissioner Highberger asked if the traditional neighborhood design was an option under the plan.

Warner said yes. The work that PlaceMakers did became a model for the area and they were saying that if the SmartCode was adopted, it was appropriate to do TND in the planning area.

Commissioner Highberger asked if it addressed the southeast corner.

Warner said it did not. It did not necessarily mean they could not do TND down there, though.

Mayor Dever asked from a relative standpoint, could Warner address the difference between the planning they were doing for this area west of K-10 relative to the area north of I-70. He said it looked to him as similar distances away from current development and asked Warner to clarify how this was different to what they were doing north of I-70.

Warner said this area was already designated as an area of employment. With the 6th and SLT nodal plan, these uses were already designated. They had infrastructure that although

was not there yet, was a bit closer. The school district owned property in that area, not far away to a major lake attraction to the south. He said the urban growth area was within the Lawrence School District. They could stand at 1500 Road and K-10 and see the City pretty clearly.

Mayor Dever asked why they took so long to do this.

Warner said they had been waiting a little while to get to this point. As it set along the work program, that was how they got to it.

Mayor Dever said there were discussions about the City moving real fast with the one to the north. He said this was all new and first major plans. They were hoping they ended up with some activity here. He wanted to get a perspective of how long it took and why it took so long.

Warner said they had completed the nodal plan. They had done utility master planning for this area, so this was the next step.

McCullough said the efforts were in the south and southeast area for a while. Whether or not it was a growth area in terms of processing a sector plan, it was not always relevant because it was the same typical process where they had time where they did a lot of analysis and data collecting where they held meetings with the public. Two to four Planning Commission meetings take several months to get completed and then some time in between Planning Commission and City Commission, then there was more time with the County Commissions. Each one of those was a new opportunity to bring all the elements and issues of the approval authority. A lot of the upfront and time they spent with the community and individual meetings with a number of the residents took a lot of time to hash out the issues, redraft the plans, post them for a time period to allow for additional public comment for the Planning Commission's behalf. These two plans were taking 11 months now.

Mayor Dever said the timeline between the two plans, there was only a difference between a few months.

McCullough said he thought this was pretty typical and because of the complexity of the issues, they were asking for input from residents who had to learn about the process, learn what

a sector plan was, and get an understanding that the City was looking to drastically change their lifestyle in some ways and that simply took some time to adjust to and the City to educate them on urban issues they did not have a need to know about right now because they were in the County.

Corliss said over the years, they occasionally got property owners who were interested in knowing what the development opportunities were going to be in this area. They had a number of values and statements in the Comprehensive Plan that spoke to that potential for development. He said what Warner had done was help solidify what they envisioned out there and asking significant questions about infrastructure. One of the pressing ones he wanted to make sure was reflected in the document was that they made it clear they were not going to anticipate urban density development west of K-10 along 1500 Road until they had improved access onto K-10 in the form of an interchange. They were going to talk about how that would be funded because it had been with them over a decade as a major issue when the road was opened and they did not have the intersection built. Before they had urban density development west of K-10, they needed to make sure they had a solid area or the interchange in place to proceed with.

Mayor Dever called for public comment.

Lee Rader, area resident, said she sent a letter late last night she hoped the Commission received. She read the letter, "As a homeowner west of K-10 draft plan area, I appreciate the opportunity to offer comment on the current draft. I have been actively involved in response to the plan since the City's Planning Office initial invitation to public participation. My property consists of two and three quarter acres located in the southeast corner of the plan, actually just to the east of K-10. I was thrilled when six years ago I had the opportunity to buy land in this unique little pocket of Lawrence, which had maintained a lovely rural character, while, yet, not far from town. The design and building of a home for the property was an intensely personal process for me involving two years. I attribute the gifts of land and home as

gifts from God, which I am deeply grateful. My concerns with the west of K-10 draft plan are as follows:

1. The argument of neighbors who were leaving and selling their properties was that they were pushed out by development at their backdoor. Therefore, they must leave and receive the highest dollar value possible for their properties. They have steadily requested that their properties be designated for the highest density possible. By making this request, they are in effect doing to the next neighbor what was done to them. Because of their efforts, their properties along East 902 Road were designated as high density or 16 units per acre. The property directly across from me was designated as low density or 6 units per acre. Currently, as you see my designation is very low density; one unit per acre. If the current plan was supported, this meant that apartments would fill the acreage to the south and west of me. A particular travesty, I believe, is that the acreage of my neighbors, Drs. Phil and Mary Ann Hoffman, would relate directly to high density apartments behind them and low density apartments to their north side if this plan was enacted. They have written letters which were heard by the Planning Commission. It is my opinion that this unique, rural-like pocket in Lawrence should be allowed to remain just that and that single family homes, very low density of one unit per acre, should be the order of the day. At the very most, low density could be indicated where high density is currently indicated. There was plenty of high density to the west of K-10, actually commercial and high. To the south of our neighborhood along Clinton Parkway, which is already being currently further developed; it was in the process of being developed.

2. I continue to be highly concerned about safety issues at the intersection of K-10 and the highway on the east side and North 1500 Road, which has no above grade entry onto K-10 highway and no funding for this in the foreseeable future. All of the traffic from apartments in our neighborhood would funnel into this intersection. City planners say that an entry created onto Clinton Parkway would ease the situation and that nothing would be approved that was not

in keeping with the traffic study. Remind you, we recently suffered three traffic fatalities along the K-10 bypass within a two week period.

3. As the property owner of the lowest elevation in the indicated area, a creek diagonals through my property that heads down to Old Yankee Tank. I am highly concerned about the flow of storm water onto my property if the density of living units is dramatically increased above me. Long time residents on the higher ground indicate that a limestone ledge exists about 7 feet underground and that the general soil drainage is poor. My property already has a drainage way and cutting through it was very full when we have ample rain. In my opinion, the City had not thought through storm water issues in proposing significantly higher density for the higher ground. They were really talking about a relatively small area here and trying to pack a lot into that area. A plan draft would decrease the value of my property and likely increase my property taxes. I invite you to take a drive out to see us. Our area is too small to cram in the very density designations currently in the draft. Apartments should not be permitted to come in across from, or next to, homes on 3 – 10 acre lots. Whatever happened to the ideas of respect for beauty and a long established neighborhood? This neighborhood should continue to be indicated for single family homes. Let development occur to the south and across the highway from us where these designations have already been approved. I believe we will attract more people to our town if we honor these values and commit ourselves to a variety of lifestyle options to our town. Thank you for your time at this late hour.”

Laura Stevenson, a resident of the area, said when she and her husband moved into this area, the neighborhood was an established neighborhood. Even the new homes that were built within the last three years have maintained the character of rural lots. She stressed to the City Commission that this was a developed neighborhood. The part that was being designated as high density was very nice homes on one acre lots. It was not a blighted place they would want to wipe out and build apartment buildings. They were very nice homes and she noticed that one was listed for sale for \$400,000. The neighbors would like to sell this property and get

the higher density. One of her major concerns was the transition. They had high density up against low density. There was no transition, no road, or natural buffer. They were adjoining lots that would back up. It was supposed to allow for transitions, so that was one thing that was not here. She appreciated the planning staff and their work in trying to provide some transitions, but as they mentioned, this was a very small area and there was not enough room for those transitions. She thought it made more sense for them to maintain the current neighborhood feel it was, which was a low density area.

She said she wanted to reiterate the issue of traffic. One of the issues mentioned was that the development in one area would not happen until the 1500 Road interchange allowed for better access to K-10. Right now to get onto K-10 or get out of their neighborhood, they were making a left turn at a highway where people were coming at you at 65 mph. It helped get them awake in the morning, but they did not feel safe. She said there was a restriction on the development on the west side contingent on that interchange opening up. It had not been stated that way for the east side. In terms of traffic and access, the area was not a very good area in terms of easy access.

She said Clinton Lake was one of the jewels of Lawrence and they wanted to maintain it. It was a pretty area with a lot of trees and landscape. They wanted to keep that consistent with the notion of the area of Clinton Parkway. She did not think putting a lot of high density apartments out there was consistent.

Jeannie Bronoski, area resident, said she could understand everyone's concern about who had recently moved out to their area. It was a very beautiful area and one of the few areas they would find in Douglas County that looked out over Clinton Lake. There were 11 households on 902 Road and all of them have tried in the past collectively to get a buyer to buy them out. When they did that, they quickly discovered that anyone who was interested in buying that parcel of land wanted it rezoned and they told the residents that it would be better if it was rezoned before they tried to resell it. All of the planning had not gone on this year, but for

several years. When they asked about the planning and why this was different than the other, planning staff, as good as they were, had not been there for a long time. She lived there for 35 years and stood at this table numerous times talking about development in their area. The development to the west of the boat yard was developed. Recently it had been redeveloped. The person who developed that recently put major money into that. She did not think that development would get redeveloped for many years. They asked for high density on their side because as a group they looked at it as an area to be developed. They all have enjoyed living there, but as it had been pointed out, things have been done to them. There was a development right behind them. They were considered out in the county, they had enough acreage and had enough fence.

She said traffic was discussed. 902 Road was a gravel road and their only exit was to go out 902 Road to 1500 Road. At one point in time there was a road that ran behind them which was blocked off because they did not want traffic back there. The development behind her currently had 26 four-plexes, which would be 104 living units. It was scheduled for 35 homes and the villas. There was going to be 174 units behind her. Their only exit was the roundabout onto Clinton Parkway. The initial planning years ago discussed a road that would go the south end, go north and give them another way out. She thought that traffic flow was something that had to be addressed, but they were living there and if they walked out to the back of their acre, there was a sign posted that said, "Future City Street Extension." The neighbors all regrouped and decided to try again to act together collectively as a group because they could not stay there. The neighbor on the far south was a crop farmer. He was coming in and out with farm machinery and went out at 3 or 4 a.m. so he could get out. She ran a cattle operation and had cattle trailers occasionally. It was not conducive to live there anymore. They felt that now was the time to move, but also when they left they wanted to make sure what they left behind was developed. There was a 9 acre piece in front of them which was too small of a

piece of land for the owner to build anything on because you had to have 10 acres in the county and he had 9.

She said those were some of their concerns and the neighbors supported this plan. They would really support having that instead of high density be commercial. The best place in Douglas County if they wanted to put a show place, a high rise hotel or condominium, they had one of the few houses that had a 2nd floor on that road and out of the south window, the view of Clinton Lake was breathtaking. It was one of the very few places where they had a view like that and it was park-like. She encouraged the City Commission to adopt this, but if they wanted to think about it, think about zoning it commercial to put something grand out there. She said right now, the people who lived there, were not enjoying it.

Kristel Lewis, area resident, said she was present on behalf of her family and neighbors on the 902 Road neighborhoods. She lived in the middle of the area they were talking about. Their 902 Road Neighborhood joined together three years ago to look at possibly selling as a group as there was talk of a development coming towards them. There was a question of why this had not taken so long, but actually had met with the previous Planning Director at one of their homes to find out what they needed to do as a group to possibly move on. There was no plan in place and it was not necessarily one of the things to look at in the near future, but something to look at down the line. They were in limbo and had been in limbo for many years now of not knowing what was to go on. Finally this came along and they had been very excited about working through this process and enjoyed the meetings with the Planning staff. Since the process started with the West of K-10 Plan, they have sent letters as a group in each step of this process. Initially they had asked for commercial and/or high density because they had been told that the highest density was what would get developers' attention and that was their intention whenever that time was right. With the location of this property at the corner of a major intersection of Lawrence and view of Clinton Lake, it was a prime development area. They would like the highest zoning possible, so the developers could come up with ideas on how to

use this property, which was 25 plus acres and allow for Lawrence to continue to grow west as it already hit property lines. They asked for the properties to be zoned as one density, as it currently was in the plan, so it would be easier for them to sell as a group unless there was a potential for a mix of commercial and high density. There was concern of buffer space to the neighbors north and east of them, and the way development had reached them it was not a matter of if it would continue but when it would continue. There was not a buffer between many of the properties and the new development going on right now, but from their properties to the neighbors to the north and east of them, there were some natural buffers already. There were tree lines that would create a division and one tree line was on the Hoffman's property. The majority of the homes were secluded from any current or potential high density that would be going on. If they were developed, it would also provide another access out as they could connect to current development, since it had to do with traffic concerns. It could help alleviate traffic from the K-10/1500 Road because people could now exit to Clinton Parkway. If there was more concern about traffic heading to 1500 Road unless something was done with it, there was the potential of blocking off a north entrance and people could only go to the south.

She showed a picture to show an idea of what was out in the area. There was a lot of open land right now. She said as they drove down the driveways to the houses that were closer to Clinton Parkway, they could see the newer houses. She showed a picture of farm equipment and where the trees were on the property line near the new houses that were being built. She also showed a picture to the entrance of her property to show the tree line that would separate the properties.

She said they have compromised in the past and was willing to settle with the high density instead of commercial. They were the same people at the meetings and would not hear anything different and these were the same arguments. She did not think anything would change. She understood the point of concern with west of K-10, the interchange, and potential

problems. Their corner was different and development was not going to happen unless approved.

Commissioner Hack said this plan like other plans was a series of compromises. She said in so doing, they were going to have people that were happy and some that were not happy. It was the balance and that balance was difficult to achieve. She thought this fourth draft was the best that could be done in this particular situation. She thought it was responsible planning with the high density and then the lower density, and then the very low density coming from the road. There would be transitions; that was good planning and could not have low density right at that intersection. Commercial may be something to consider, but not now. She thought the plan, as approved by the Planning Commission, was the way to go.

Commissioner Highberger said he had a few reservations. One was the complexity of it. He wished he had a little bit more background on the decisions that remained in the developing plan. Two, when the PlaceMakers were here he had a discussion with one of the members of the group who was convinced if they used Smart Growth correctly, they could keep their residential and commercial growth on the east side of K-10 and I-70 for the next 20 years. They were not there yet, and thought they needed a plan since this was in the urban growth area. Their job was not to maximize the return for property owners. That was not their consideration when they were doing planning. He thought the plan did a pretty good job in addressing issues. The area in the southeast corner was a reasonable place for high density because it was adjacent to a major highway and some existing fairly high density development. The plan did a fairly good job of transitioning. He was reluctant to do any planning for low density residential, but this was one place in preserving some in the City limits made sense. He said he would like to have more discussion about the details and thought there was a mention in the plan for a design for 6th Street in the future to be a typical five lane arterial and thought they could do better and was not sure that was critical to address right now. He said despite reservations would support the plan.

Vice Mayor Chestnut said he agreed with Commissioner Highberger. It was always tough when you started to see growth surround rural areas. There were adverse impacts, but he agreed that they did not have the responsibility to maximize people's property value, but had a responsibility to maximize their infrastructure investment, and this was a situation where ideally they definitely wanted to make sure they were maximizing that infrastructure investment and having a significant amount of very low density residential did not make sense for their investment in that. It was a compromise and he agreed that there was not going to be a lot of activity on the other side of K-10 until they did the interchange, but staff did a good job in figuring out how that might lay out over time. He said he would continue to work toward the improvements on Highway 40, and it was responsible to start planning to make sure they had the right-of-way to do what was needed to be done. It was a tight corridor there and if they did not start to think about what they wanted to do, they were going to face a lot of challenges there. He said hopefully they could get the TND design in there because it was the place that was always identified as that. He said he appreciated work of staff.

Commissioner Amyx said from the time the nodal plan was adopted at the corner of Highway 40 and K-10, one of the things that happened was it put a lot of pressure on what the development west of K-10 should look like. Staff, the Planning Commission and the neighbors have done a very good job. He said he always imagined the corner would have been a super commercial residential development kind of thing. The access issues took care of that. The recommendation from the Planning Commission for high density was probably a good trade off. Anytime they did one of these plans, one thing he always thought of was if this was the way they wanted to see the development in the future because obviously they would pass the baton to someone who was going to have to develop according to the land use rules established. One of the things they were pretty fortunate about was the staff recommendations and the Planning Commission on this. He said this plan works and thought it would work for the future.

Mayor Dever thanked everyone for providing their comments. This was a tough corner and seemed to be the only contentious point at this plan. He said his first impression was that it seemed reasonable to be high density at this location and looking at the topography, the low density neighborhood in that area was protected. The only thing that could occur was large high rise buildings could occur and that would not create visual separation. He said that area, just like every neighborhood, it seemed like they built higher density residential developments at the corners of the busiest intersections to provide the buffering. It made the most sense when you were trying to get affordable housing, diversity in the neighborhood, and maximize property values for the greater good of the community. This area, if not built up, would not naturally go that area. The Lake Point Drive area was a perfect example. He said he would be in favor of this plan.

Moved by Hack, seconded by Amyx, to approve the Comprehensive Plan Amendment CPA-2008-6, amending Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the West of K-10 Plan and consider adopting on first reading, Joint City Ordinance No. 8340/County Resolution No. _____, by approving and incorporating by reference, CPA-2008-6. Motion carried unanimously.

Receive draft 2009 Legislative Policy Statement.

David Corliss, City Manager introduced the item. He said this followed a lot of the same policy statements they have had in previous statement documents. It highlighted the importance of a new statewide transportation plan. They had an initial discussion about some of the economic decisions they were facing and what the state would have to face. This was the City Commission's first look at this. They could receive the commission's comments and directions on that. The Climate Protection Task Force provided some language in regards to the environmental responses towards the end of the document. He was recommending they support the Kansas Water Authority's recommendation to the legislature for increase in

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ITEM NO. 5 CPA-2008-6; AMENDMENT TO H2020, CHAPTER 14 (DDW)

CPA-2008-6: Consider amending Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the West of K-10 Plan.

STAFF PRESENTATION

Mr. Dan Warner presented the fourth draft of the West of K-10 Plan.

Commissioner Harris inquired about why the southeast area of the plan needed to be high density residential.

Mr. Warner said there is Highway K-10, a major arterial Clinton Parkway, major intersection, and then the transition with the medium density, commercial, high density, and then the high density would run up E 902 Road a little farther. There are property owners in the area that are asking for higher density. Staff thinks it makes sense if the assumption is that the area will urbanize in the future.

Commissioner Harris said that the land owners want high density to get the best value for their land, but it may not fit the needs of the overall plan. She asked why the area next to this low density residential needs to be high density.

Mr. Warner said there is an urban pattern that has started to develop in that area with commercial and high density and it is on a highway and arterial road. He said the area should be balanced and the high density serves the plan as well as the property owners.

Commissioner Finkeldei asked if that area was high density now.

Mr. Warner said it is approved for high density, RM24 zoning.

Commissioner Harris asked if the red area on the map was designated as commercial.

Mr. Warner said that was correct, about 5 acres, and it is not developed yet.

Commissioner Dominguez asked if that was enough commercial.

Mr. Warner said there is also commercial on the other side of the highway.

Commissioner Rasmussen asked if part of that existing high density area has been developed.

Mr. Warner said that was correct.

Commissioner Moore said there high density compact homes, West of Lakepointe.

Commissioner Rasmussen said E 902 Road is showing connecting into Clinton Parkway and he wondered about the likelihood that E 902 Road would change.

Mr. Warner said if there is urban development in the area it will become a city street and that the information comes from Transportation 2030.

Commissioner Hird asked if the commercial area on the south edge labeled commercial-lake oriented was different than just commercial.

Mr. Warner said yes, there are lake oriented uses there, including boat storage.

Commissioner Hird asked if that was a separate type of land use.

Mr. Warner said in this plan yes, it is to accommodate the existing situation out there now.

Commissioner asked if the designation of lake-oriented precluded other types of development.

Mr. Warner said no, it would allow the zoning CC200.

PUBLIC HEARING

Ms. Lee Radar, 916 N 1452 Road, pointed on the map where she lives. She thanked the Planning Commission and staff for listening to what the neighbors had to say. She said she is one of the neighbors that wants to stay living in the area and the neighbors wanting high density along Highway K-10 are the neighbors that intend to leave. She said it seemed like they were trying to cram a lot into a small space. She proposed a plan in keeping with the unique beauty of this portion of the city by leaving it as a mix of low and very low density. She did not feel there was a need for high density in the area. She was concerned about safety issues with the transition of N 1500 Road and E 902 Road with the bypass. She said that adding more density to the area will increase traffic. She said her property is the lowest property in the area and drainage goes through her property so she was worried about adding more density to the area. She said this area is unique and felt that it would be ruined by the proposed fourth draft of the West of K-10 Plan.

Commissioner Dominguez asked far the distance was from her house to high density.

Ms. Radar said maybe about ½ mile.

Commissioner Finkeldei asked if the plan proposed closing the South Lawrence Trafficway entrance.

Mr. McCullough said yes, longterm that is what Transportation 2030 calls for. He said Ms. Radar's house is less than 1,000 feet away from high density.

Commissioner Finkeldei asked Ms. Radar's thoughts about closing the intersection.

Ms. Radar said it would be a catawampus way for her to get home.

Commissioner Finkeldei said if it would be high density it should really be oriented to Clinton Parkway and K-10. To orient it any other way would send people on a wild goose chase.

Mr. Francois Henriquez, 1436 E 920 Road, thanked Planning Commission and staff for their work. Felt that the fourth draft was a good step forward. He felt that medium density should be used as transition on the east side of E 902 Road. He was not sure that the small area on the west side should be high density. He asked for a more reasonable transition.

Commissioner Dominguez asked if the plan is approved as it stands would a traffic study have to be done before any type of development is built.

Mr. McCullough said that was correct, a traffic impact study would be considered with any development proposal. He said the issue of West of K-10 is more of a policy decision versus a technically based decision whether it is safe or not to access K-10. He did not disagree with the merits of the discussion

because there will have to be hard look taken at the traffic improvements for any future development to occur in the area.

Commissioner Carter said ultimately 1500 Road may have an intersection well after development at this corner because development is already heading there. He said it would be likely that it would be developed prior to 902 Road connecting to Clinton Parkway and he thought it would have to happen before development.

Mr. McCullough said staff does not have enough information to say when the improvements would be made but that he would anticipate that the intersection would receive a good look with traffic impact studies. He said the sector plans lay out the end game, except for street patterns, staff generally know where collector and arterial streets will need to be in an area but do not say exactly when or where they will connect to other street patters. He said he would anticipate that knowing the neighbors concern for safety it will be given careful consideration when and if development occurs along 902 Road. The technical studies with facts for safety is where staff gets judgments on what improvements need to be made before development goes in.

Commissioner Carter said he was confident that the traffic impact studies would require improvements before high density is built in that area.

Mr. Henriquez, said the plan says that there ought to be an interchange there and it also says that before any further development that this ought to be planned and financing provided. He said the planning professionals recognize that there is a significant strain on this intersection and they call for the completion of the intersection before further development.

Commissioner Dominguez asked if once the plan is approved and before development could start a traffic impact study would have to be completed to make sure the intersection could handle the traffic.

Mr. McCullough said that was correct. Any development proposal requires a traffic impact study. It is a policy decision about improving that intersection.

Ms. Jeanie Bronoski, 1428 E 902 Road, showed pictures on the overhead of the commercial development she sees out of her window and said it was a vast improvement over the junk yard that used to be there. She said the other commercial section was on Clinton Parkway and there might be a bank, a drive-thru place to get coffee, and maybe a boat repair shop. She said behind her house are more houses. She was concerned about safety because the new houses are only 10' apart and the driveways are only 10' from farm equipment. She said she was aware that future development was coming and supports higher density for her property.

Ms. Kristel Lewis, 1430 E 902 Road, thanked Planning staff and the Planning Commission for their work. She said that high density would help her and the surrounding neighbors to sell their homes and be able to afford to relocate. She said the area is about 25 acres which includes both the east and west side of 902 Road. She would like the land to remain high density.

COMMISSION DISCUSSION

Commissioner Finkeldei asked where the collector street connects.

Mr. Warner said the road connects to Clinton Parkway.

Commissioner Carter said the lake oriented commercial is across the street and he wondered if there was room for more development.

Mr. Warner said it is not completely developed and the assumption is that it would redevelop in some manor in the future.

Commissioner Hird asked if some of the neighbors want to maximize their value and move from the area.

Mr. McCullough said that was a fair statement from what we have heard from some of the neighbors.

Commissioner Hird asked if medium density was considered for east of 902 Road.

Mr. Warner said no, probably not.

Mr. McCullough said staff thinks this reflects the Planning Commissions direction at the last meeting where there was discussion to bring the designation around and create it as a transition

Commissioner Moore said at the last meeting the Planning Commission eliminated commercial off of the piece that is now high density and got rid of medium density off of 1452 Road. He felt this was a good plan.

Commissioner Harris asked if there was an area in town that has 25 acres of high density.

Commissioner Moore said Ironwood and Aspen.

Commissioner Harris said that is a pretty significant development.

Mr. McCullough said the Exchange was pretty high density but he did not know the acreage right off the top of his head. He said they would try to find examples.

Commissioner Harris said she was inclined to go with a compromise of having medium density that gives some value to the homeowners, but also felt that they should be thinking about what is needed in the area apart from the wishes of the home owners.

Commissioner Finkeldei said he was still caught up on how traffic would flow out of the area.

Commissioner Dominguez asked if the streets and traffic issues would be taken care of before development occurs.

Mr. McCullough replied yes, that is the typical process.

Commissioner Harris noted that Planning Commission did approve a large apartment complex, the Exchange, that is currently close to a failed intersection, 31st Street and Louisiana, and construction is proceeding without intersection improvements.

Mr. McCullough said there was a lot of discussion about the traffic with the Exchange and there was also recognition that there needed to be improvements, a particular stretch of roadway was in the County. The City hopes that funds become available to make those improvements.

Commissioner Rasmussen asked Mr. Warner to show the original proposal was for the area.

Mr. Warner showed the original proposal on the overhead map.

Commissioner Rasmussen asked if they were just trying to appease everyone or is this good planning.

Mr. Warner said they were trying to do both.

Commissioner Carter said he was confident that high density in the area will require some changes. He said he was comfortable letting the traffic engineers control that aspect. He said it is an interesting challenge, even if we go forward with the plan as is, if high density does not work there then it would not be developed until it is ready.

Ms. Stogsdill gave examples of high density: The Exchange at 31st Street and Ousdahl, Colony Woods on the west side of Naismith Valley Park, Legends at KU on 24th Place, Aberdeen on 6th Street and Stoneridge, Aberdeen South at 27th Street and Wakarusa, Highpointe at 6th Street and Iowa.

Commissioner Dominguez wondered that if they went with medium density would it encourage other people to invest. He said eventually the property would be high density so he did not want to say it is medium density now and then come back later and say it is high density.

Mr. McCullough said that some of the locations Ms. Stogsdill gave could be medium or high density.

Commissioner Harris asked if Commissioner Dominguez was suggesting not planning the area and that it could be higher.

Commissioner Dominguez said that was correct.

Commissioner Harris said her interpretation is that they are planning for what they want it to be.

Mr. McCullough said that was correct.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Finkeldei, to approve the comprehensive plan amendment to *Horizon 2020* by amending Chapter 14 – list of specific plans to add the West of K-10 Plan description, changing the high density east of the future road to medium density, and also approving the plan for the City of Lawrence and unincorporated Douglas County and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval

Mr. Warner asked if the medium density would be on the east side of the future road and the high density would be on the west side and the future road would be the divider.

Commissioner Harris said that was correct.

Commissioner Carter said the switch is more stair-stepping and he could not recall what they talked about in last meeting.

Mr. Warner said the Planning Commission talked about extending the high density to the north.

Commissioner Dominguez asked if they vote yes how many acreage of high density would it be.

Commissioner Finkeldei said about 8 acres.

Commissioner Rasmussen asked how many units per acre of medium versus high density.

Mr. Warner said medium density is 7-15 units per acre and high density of 16 units per acre and above.

Commissioner Moore said he would vote against the motion because he felt a compromise was reached.

Motion failed 3-5, with Commissioners Finkeldei, Harris, and Hird voting in favor. Commissioners Carter, Chaney, Dominguez, Moore, and Rasmussen voted in opposition.

Motioned by Commissioner Moore, seconded by Commissioner Carter, to approve the comprehensive plan amendment to *Horizon 2020* by amending Chapter 14 – list of specific plans to add the West of K-10 Plan description and also approving the plan for the City of Lawrence and unincorporated Douglas County and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

Commissioner Harris said she would vote against the motion because the decision was being based on what the neighbors want instead of what may be in the best interest of the plan.

Commissioner Dominguez said he would vote in favor because he was assured that whatever development occurs a traffic impact study would have to be done first.

Commissioner Hird said he would vote in favor but felt that maximizing value for landowners is probably not one of the factors that Planning Commission should use in land use decisions. He said it is an area that will be developed into high density and he would have preferred a more extensive buffer but could support the plan as a compromise. He said the plan was not perfect but better than it was.

Motion carried 6-2, with Commissioners Finkeldei and Harris voting in opposition.

Motioned by Commissioner Moore, seconded by Commissioner Hird, to approve and have the Planning Commission Chair sign Resolution 2008-11.

Motion carried 6-2, with Commissioners Finkeldei and Harris voting in opposition.

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
10/20/08

ITEM NO. 5: CPA-2008-6 (DDW)

CPA-2008-6 Amend Horizon 2020, Chapter 14 list of specific plans, to add a reference to the West of K-10 Plan.

STAFF RECOMMENDATION: Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* by amending Chapter 14 – list of specific plans to add the West of K-10 Plan description and also approving the plan for the City of Lawrence and unincorporated Douglas County and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution 2008-11.

SUMMARY

This comprehensive plan amendment (CPA) to *Horizon 2020*, Chapter 14, list of specific plans, to add the reference to the West of K-10 Plan was initiated by the Planning Commission as part of their annual review of the Comprehensive Plan on April 23, 2008. Initiating the CPA before the plan is adopted is part of a new process to try to move items through the planning process more efficiently. This allows the plan and the CPA to travel together through the process. This CPA will approve the plan and add to Horizon 2020, Chapter 14 the title of the plan, a description of the approximate planning area boundaries, approval dates, and the future review date.

STAFF REVIEW

The West of K-10 Plan is a sector plan for the area generally west of K-10 Highway and south of Highway 40 containing approximately 2,065 acres. Part of the Planning area lies east of K-10 Highway. This plan will help guide the city when making future land use decisions within the planning area when and if property is annexed into the city. The plan will also help the public to visualize how the city intends the area to develop in the future.

The West of K-10 Plan process kicked off publicly with the posting of the first draft for review and comment on June 5, 2008. The first public meeting was held on June 26, 2008. A second draft of the plan, changed based on comments received on the first draft, was posted for review and comment on July 21, 2008. The second public meeting for the plan was held on August 7, 2008. The third draft of the plan was reviewed by the Planning Commission on September 24, 2008. The Planning Commission took public comment and provided direction to staff.

Staff produced a fourth draft of the plan based on Planning Commission direction. The fourth draft is presented for Planning Commission review.

All property owners in the area, along with additional stakeholders, were invited to participate in the planning process. A large volume of written comments were received on early drafts and turnout at the public meetings was in the range of 40 to 75 people. There were also a number of property owners that asked to meet with staff. Those meetings occurred during the first and second draft phases of the plan process.

Included as part of this staff report is the proposed amendment to Chapter 14 – list of specific plans. This amendment is intended to add the reference to the *West of K-10 Plan* to the list of specific plans. Staff reviewed this amendment based upon the comprehensive plan amendment review criteria listed below which are identified in Chapter 13, Implementation, of *Horizon 2020*.

COMPREHENSIVE PLAN AMENDMENT REVIEW

A. Does the proposed amendment result from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted?

The proposed amendment is a result of the changing circumstances that have occurred since the comprehensive plan was first written. At the time *Horizon 2020* was written, there was no Chapter 14, Specific Plans, or anywhere that approved ancillary land use plans were referenced. This is a new plan that provides more clarity regarding the recommended future land use designations of the area and policies in the plan, the specific plans are recommended to be adopted as a part of the comprehensive plan. The plan is listed with a description of the approximate planning area boundaries, approval dates, and the future review date.

B. Does the proposed amendment advance a clear public purpose and is it consistent with the long-range goals and policies of the plan?

The proposed amendment is an advancement of a clear public purpose and is consistent with the long-range planning goals and policies of the community. The proposed amendment helps further the goals and policies by guiding development in the planning area while staying consistent with the overall intent of *Horizon 2020* and the goals and policies relating to residential land use, commercial land use, transportation, economic development, parks and recreation, and the various other components of the comprehensive plan. The amendment helps to provide a framework for future development and is more specific regarding policies for the planning area.

C. Is the proposed amendment a result of a clear change in public policy?

As the City of Lawrence continues to grow and expand, there is a need to plan new areas for potential urban development. The planning process needs to occur before growth and redevelopment take place and clear guidance needs to be incorporated into the comprehensive plan which supports the community's goals. Chapter 14, Specific Plans, was a clear change to the comprehensive plan and to keep it up to date, the newly adopted land use plans need to be referenced to establish clear direction for the planning areas.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* by amending Chapter 14 – list of specific plans to add the West of K-10 Plan description and also approving the plan for the City of Lawrence and unincorporated Douglas County and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

Insert Lawrence SmartCode Infill Plan (*Horizon 2020* Page 14-2)

Specific Plans

- **6th and SLT Nodal Plan**
Location: The intersection of 6th Street (US Highway 40) and the SLT (South Lawrence Trafficway)
Adoption Date: November 11, 2003 by Lawrence City Commission
Review Date: 2009
- **6th and Wakarusa Area Plan**
Location: The intersection of 6th Street and Wakarusa Drive
Adoption Date: December 2, 2003 by Lawrence City Commission
Review Date: 2009
- **HOP District Plan**
Location: Bordered by W. 5th St. on the north, California St. on the west, W. 7th St. on the south and Alabama St. on the east.
Adoption Date: May 10, 2005 by Lawrence City Commission
Review Date: 2010
- **Burroughs Creek Corridor Plan**
Location: Area around the former BNSF railroad corridor between E. 9th St. and E 31st St.
Adoption Date: February 14, 2006 by Lawrence City Commission
Review Date: 2011
- **East Lawrence Neighborhood Revitalization Plan**
Location: Bordered by the Kansas River on the North; Rhode Island Street from the Kansas River to E. 9th Street, New Hampshire Street from E. 9th Street to approximately E. 11th Street, Massachusetts Street from approximately E. 11th Street to E. 15th Street on the west; E. 15th Street on the south; BNSF railroad on the east.
Adoption Date: November 21, 2000 by Lawrence City Commission
Review Date: 2010
- **Revised Southern Development Plan**
Location: Bounded roughly to the north by W. 31st Street and the properties north of W. 31st Street between Ousdahl Road and Louisiana Street; to the west by E. 1150 Road extended(Kasold Drive); to the south by the north side of the Wakarusa River; and to the east by E. 1500 Road (Haskell Avenue).
Adoption Date: December 18, 2007 by Lawrence City Commission
January 7, 2008 by the Douglas County Board of Commissioners
Review Date: 2017

- **Southeast Area Plan**

Location: Bounded roughly to the north by E. 23rd Street/K-10 Highway; to the west by O'Connell Road; to the south by the northern boundary of the FEMA designated floodplain for the Wakarusa River; and to the east by E. 1750 Road (Noria Road).

Adoption Date: January 8, 2008 by Lawrence City Commission
January 28, 2008 by the Douglas County Board of Commissioners

Review Date: 2018

- **Farmland Industries Redevelopment Plan**

Location: The former Farmland Industries property is located east of Lawrence along K-10 Highway and just west of the East Hills Business Park. It is approximately one half mile south of the Kansas River.

Adoption Date: March 11, 2008 by Lawrence City Commission
March 31, 2008 by Douglas County Board of Commissioners

Review Date: 2013

- **West of K-10 Plan**

Location: Generally located north and south of Highway 40 and west of K-10 Highway. It does contain some land east of K-10 Highway.

ORDINANCE NO. 8340

RESOLUTION NO. _____

JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AND
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS AMENDING THE COMPREHENSIVE
LAND USE PLAN "HORIZON 2020" BY APPROVING AND
INCORPORATING BY REFERENCE THE "CHAPTER 14 – SPECIFIC
PLANS, WEST OF K-10 PLAN, CPA-2008-6, OCTOBER 20, 2008
EDITION" PREPARED BY THE LAWRENCE-DOUGLAS COUNTY
METROPOLITAN PLANNING OFFICE

WHEREAS, pursuant to K.S.A. 12-747, a comprehensive plan or part thereof shall constitute the basis or guide for public action to insure a coordinated and harmonious development or redevelopment which will best promote the health, safety, morals, order, convenience, prosperity and general welfare as well as wise and efficient expenditure of public funds; and

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas have adopted a comprehensive land use plan labeled "Horizon 2020"; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission on October 20, 2008, by Resolution No. 2008-11, recommended the adoption of the plan and amendments to "Horizon 2020" to incorporate by reference the "West of K-10 Plan"; CPA-2008-6; and

WHEREAS, pursuant to the provisions of K.S.A. Chapter 12, Article 7, K.S.A. 12-3009 to and including 12-3012, K.S.A. 12-3301 et seq., the Home Rule Authority of the County as granted by K.S.A. 19-101a, and the Home Rule Authority of the City as granted by Article 12, § 5 of the Constitution of Kansas, the Board and the City are authorized to adopt and amend, by resolution and ordinance, respectively, and by incorporation by reference, planning and zoning laws and regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS; AND

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. The above recitals are incorporated by reference as if fully set forth herein and shall be as effective as if repeated verbatim.

Section 2. The Governing Bodies of the City of Lawrence, Kansas, and Douglas County, Kansas, hereby find that the provisions of K.S.A. 12-747 concerning the amendment of the comprehensive plan have been fully complied with in consideration and adoption of the amendment to "Horizon 2020".

Section 3. Pursuant to K.S.A. 12-747, the Governing Bodies of Douglas County, Kansas and the City of Lawrence, Kansas do hereby amend "Horizon 2020" by approving the recommendation of the Planning Commission, amending Chapter 14 – Specific Plans, and incorporating by reference the plan contained in planning staff report CPA-2008-6 and adopted by the Planning Commission in Resolution No. 2008-11 on October 20, 2008.

Section 4. That "Chapter 14 – Specific Plans, Specific Plans, West of K-10 Plan, CPA-2008-6, October 20, 2008 Edition" approved by Section 3 above, prepared compiled, published and promulgated by the Lawrence-Douglas County Metropolitan Planning Office is hereby incorporated by reference as if fully set forth herein, and shall be known as "Chapter 14 – Specific Plans, Specific Plans, West of K-10 Plan, CPA-2008-6, October 20, 2008 Edition,". One copy of said plan shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8357 and Resolution 08-_____" and to which shall be attached a copy of this joint resolution and ordinance, and filed with each of the County Clerk and City Clerk, to be open to inspection and available to the public at all reasonable business hours. The police department, municipal judge, and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such "Chapter 14 – Specific Plans, Specific Plans, West of K-10 Plan, CPA-2008-6, October 20, 2008 Edition" marked as may be deemed expedient.

Section 5. Severability. If any section, clause, sentence, or phrase of this joint ordinance or resolution is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this joint ordinance and resolution.

Section 6. This Joint Ordinance and Resolution shall be in full force and effect upon its adoption by the Governing Bodies of the City of Lawrence and Douglas County, Kansas and publication as provided by law.

Passed by the Governing Body of the City of Lawrence this _____ day of _____, 2008.

APPROVED:

Michael Dever, Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Adopted by the Board of County Commissioners of Douglas County, Kansas, this ____ day of _____, 2008.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Bob Johnson, Chair

Jere McElhaney, Commissioner

Charles Jones, Commissioner

ATTEST:

Jameson D. Shew, County Clerk

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Director of Legal Services, and one to the County Clerk.

FRANÇOIS G. HENRIQUEZ, II
LAURA A. STEPHENSON

1436 E. 920 Road
Lawrence, KS 66049
(785) 841-1017

November 25, 2008

City Commission, City of Lawrence, Kansas
c/o Ms. Bobbie Walthall, Executive Assistant to the City Manager
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
bburnside@ci.lawrence.ks.us

Re: Draft Plan: West of K-10

Dear Commissioners:

My wife, Laura Stephenson, and I appreciate the opportunity to comment on the draft of the West of K-10 Sector Plan (the "Plan"), as approved by the Lawrence-Douglas County Planning Commission, and forwarded to the Lawrence City Commission for review and formal adoption. We live in the area within the sector covered by the Plan that is bounded on the north by N. 1464 Road; on the west by K-10; on the south by the existing City Limits; and on the east by Lake Alvamar (the "Subject Area").

We greatly appreciate the extreme effort that both the Planning and Development Services Department and the Planning Commission have made to balance the interests of the residents within the Subject Area. Nonetheless, we believe the Plan, as proposed, falls short and should not be adopted without further modification.

All of the property within the Subject Area currently consists of single family residential dwelling on lots ranging from one acre to more than 30 acres. All of the current residents chose a more rural setting. Now, faced with encroaching development, some residents want to leave and some want to stay. Many who want to leave now appear to be saying,

"If I can't live here in a rural setting, then no one else should be able to live here in a rural setting. So let me sell to a developer who'll pay top dollar to put in apartments. I oppose high density surroundings for myself, so I will leave this neighborhood. But, as I leave, I want to force high density surroundings on my former neighbors so that I can get top dollar."

However sympathetic one might be to this view, the erstwhile commercial desires of a few departing residents is not, and cannot be allowed to be, the basis for sound planning decisions based on well-founded planning principles.

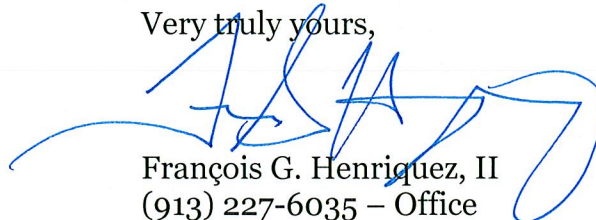
Because the Subject Area is a relatively small area, it is extremely difficult to make reasonable land use density transitions. The Subject Area is simply too small to reasonably accommodate appropriate transitions from the Very Low Density to the east and north to High Density to the south and west. Specifically, Map 4-1 of the proposed Plan calls for a transition from Low Density to High Density, without any buffering Medium Density whatsoever. A more logical transition would be for the property on east side of E. 902 Road (and abutting properties on the west side of E. 920 Road) to be reflected as Medium Density. This would leave the remaining approximately 10-acre area on the west side of E. 902 Road (and abutting K-10) as the only area that logically would be available for High Density residential land use. ***Meanwhile, there is ample High Density development indicated across from the Subject Area to the West of K-10.*** As a result, one must question how reasonable or necessary it is at all to cram a few acres of High Density Zoning into the Subject Area.

Traffic safety will be threatened by increased density within the Subject Area – We strongly object to the Plan's calling for densities greater than very low density residential and low density residential within the Subject Area. The only traffic access into and out of the Subject Area is via the intersection of N 1500 Road and E 902 Road. This intersection is already extremely dangerous at current traffic levels notwithstanding the fact that the Subject Area has a very low residential density. ***Any*** additional density within in the Limited Area will significantly exacerbate the danger at this already overburdened intersection.

Accordingly, we respectfully recommend and request that the Plan be further amended to reflect the entire area as transitioning from Very Low Density to the east and north to Low Density to the west and south.

Again, we appreciate this opportunity to comment on the proposed Plan.

Very truly yours,



François G. Henriquez, II
(913) 227-6035 – Office
(913) 220-7301 – Mobile
(913) 319-3217 - Fax
fhenriquez@uscentral.org

December 2, 2008

City Commission, City of Lawrence, Kansas
c/o Ms. Bobbie Walthall, Executive Assistant to the City Manager
Lawrence City Hall
PO Box 708
Lawrence, KS 66044-0708
bjwalthall@ci.lawrence.ks.us

Dear Commissioners:

As a home owner in the West of K-10 Draft Plan area, I appreciate the opportunity to offer comment on the current draft. I have been actively involved in response to the plan since the City Planning Office's initial invitation to public participation. My property consists of 2.75 acres located in the southeast corner of the plan—actually just to the east of K-10. I was thrilled when six years ago I had the opportunity to buy land in this unique little pocket of Lawrence which had maintained a lovely rural character while yet not far from town. The design and building of a home for the property was an intensely personal process involving two years. I attribute the gifts of land and home as gifts from God for which I am deeply grateful.

My concerns with the West of K-10 Draft Plan are as follows:

- 1) The argument of the neighbors who are leaving and selling their properties is that they were “pushed” out by development at their back door. Therefore, they must leave and wish to receive the highest dollar value possible for their properties. They have steadily requested that their properties be designated for the highest density possible. By making this request, they are in effect doing to the next neighbor what was done to them. Because of their efforts, their properties along E 902 Rd. are now designated as High Density (16 units/acre). The property directly across from me is designated as Low Density (6 units/acre). If the current plan is supported, this means that apartments will eventually fill the acreage to the south and west of me. A particular travesty, I believe, is that the acreage of my neighbors, Drs Phil and Marianne Hoffman, would relate directly to High Density apartments behind them and Low Density apartments to their north side if this plan is enacted. It is my opinion that this unique more rural-like pocket in Lawrence should be allowed to remain just that and that single family homes (Very Low Density/1 unit/acre) should be the order of the day. At the very most, Low Density could be indicated where High Density currently is indicated along E 902 Rd. There is plenty of High Density just to the west of K-10 and to the south of our neighborhood along Clinton Pkwy.

- 2) I continue to be highly concerned about safety issues at the intersection of K-10 Hwy (east side) & N 1500 Rd with no above grade entry onto K-10 Hwy and no funding for this in the foreseeable future. All the traffic from apartments in our neighborhood would funnel into this intersection. City planners say that an entry created onto Clinton Pkwy would ease the situation and that nothing would be approved that was not in keeping with a traffic study. But mind you, we recently suffered three traffic fatalities along the K-10 by-pass within a two week period.
- 3) As the property owner of the lowest elevation in the indicated area, I am highly Concerned about the flow of storm water onto my property if the density of living units is dramatically increased above me. Longtime residents on the higher ground indicate that a limestone ledge exists about 7 feet underground and that the general soil drainage is poor. My property already has a drainage way cutting through it which runs very full when we have ample rain. In my opinion, the city has not thought through storm water issues in proposing significantly higher density for the higher ground.
- 4) The current Plan Draft will decrease the value of my property and likely increase my property taxes.

I invite you to take a drive out to see us. Our area is too small to cram in the varied density designations currently in the Draft. Apartments should not be permitted to come in across from or next to homes on three to ten acre lots. Whatever happened to the ideas of respect for beauty and for a long-established neighborhood? This neighborhood should continue to be indicated for single family homes. Let development occur to the south and across the highway from us where these designations have already been approved. I believe we will attract more people to our town if we honor these values and commit ourselves to a variety of lifestyle options in our town.

Sincerely,

Lee L. Rader
916 N 1452 Rd
Lawrence, KS 66049
LeeLRader@sbcglobal.net
785-840-4799

FRANÇOIS G. HENRIQUEZ, II
LAURA A. STEPHENSON

1436 E. 920 Road
Lawrence, KS 66049
(785) 841-1017

November 25, 2008

City Commission, City of Lawrence, Kansas
c/o Ms. Bobbie Walthall, Executive Assistant to the City Manager
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
bburnside@ci.lawrence.ks.us

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We greatly appreciate the extreme effort that both the Planning and Development Services Department and the Planning Commission have made to balance the interests of the residents within the Subject Area. Nonetheless, we believe the Plan, as proposed, falls short and should not be adopted without further modification.

All of the property within the Subject Area currently consists of single family residential dwelling on lots ranging from one acre to more than 30 acres. All of the current residents chose a more rural setting. Now, faced with encroaching development, some residents want to leave and some want to stay. Many who want to leave now appear to be saying,

"If I can't live here in a rural setting, then no one else should be able to live here in a rural setting. So let me sell to a developer who'll pay top dollar to put in apartments. I oppose high density surroundings for myself, so I will leave this neighborhood. But, as I leave, I want to force high density surroundings on my former neighbors so that I can get top dollar."

However sympathetic one might be to this view, the erstwhile commercial desires of a few departing residents is not, and cannot be allowed to be, the basis for sound planning decisions based on well-founded planning principles.

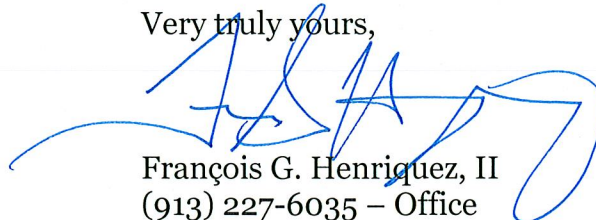
Because the Subject Area is a relatively small area, it is extremely difficult to make reasonable land use density transitions. The Subject Area is simply too small to reasonably accommodate appropriate transitions from the Very Low Density to the east and north to High Density to the south and west. Specifically, Map 4-1 of the proposed Plan calls for a transition from Low Density to High Density, without any buffering Medium Density whatsoever. A more logical transition would be for the property on east side of E. 902 Road (and abutting properties on the west side of E. 920 Road) to be reflected as Medium Density. This would leave the remaining approximately 10-acre area on the west side of E. 902 Road (and abutting K-10) as the only area that logically would be available for High Density residential land use. ***Meanwhile, there is ample High Density development indicated across from the Subject Area to the West of K-10.*** As a result, one must question how reasonable or necessary it is at all to cram a few acres of High Density Zoning into the Subject Area.

Traffic safety will be threatened by increased density within the Subject Area – We strongly object to the Plan's calling for densities greater than very low density residential and low density residential within the Subject Area. The only traffic access into and out of the Subject Area is via the intersection of N 1500 Road and E 902 Road. This intersection is already extremely dangerous at current traffic levels notwithstanding the fact that the Subject Area has a very low residential density. ***Any*** additional density within in the Limited Area will significantly exacerbate the danger at this already overburdened intersection.

Accordingly, we respectfully recommend and request that the Plan be further amended to reflect the entire area as transitioning from Very Low Density to the east and north to Low Density to the west and south.

Again, we appreciate this opportunity to comment on the proposed Plan.

Very truly yours,



François G. Henriquez, II
(913) 227-6035 – Office
(913) 220-7301 – Mobile
(913) 319-3217 - Fax
fhenriquez@uscentral.org

From: naturalway@mindspring.com [<mailto:naturalway@mindspring.com>]
Sent: Sunday, October 19, 2008 8:33 PM
To: Dan Warner
Subject: W of K-10

16 October, 2008

Judy and George Paley
1448 East 920 Road
Lawrence, KS 66049

Lawrence - Douglas County Planning Commission
c/o Mr. Dan Warner,
Long Range Planner, AICP
Planning and Development Services Dept.
Lawrence City Hall
Lawrence, KS 66044

Dear Mr. Warner and Planning Commission;

We have reviewed the fourth draft of the West of K-10 Plan and are pleased that Mr. Warner as well as the commission have responded to some of our concerns especially upgrading our property to very low density status.

We have lived here for nearly 20 years and have always appreciated working with the county and the planning commission as well as the planning department.

We will be unable to attend the meeting on Oct. 20, 2008 so this letter has to substitute for our not being there. IT is our feeling that you have responded to our ideas and our participation in this process.

This letter is to say thank you. It is not often enough that people express their thanks to the your hard and difficult work and dedication, we do appreciate it.

Sincerely,

Judy and George Paley

From: Mary Ann Hoffmann [mailto:paradox390@sbcglobal.net]

Sent: Wednesday, October 15, 2008 7:18 PM

To: Dan Warner

Cc: Daryle Busch; Daryle Busch; Deborah Teeter; George and Judy Paley; Jerry and Susan Potter; Laura Stephenson; Judy Paley; Francois Henriquez; Keith Braman; Kristin Bowman-James; Lee Rader

Subject: West of K-10 - 4th Draft

J. Philip Hoffmann, MD
Mary Ann Hoffmann, MD
1439 E. 920 Rd.
Lawrence, KS 66049

October 15, 2008

Lawrence - Douglas County Planning Commission
c/o Mr. Dan Warner,
Long Range Planner, AICP
Planning and Development Services Dept.
Lawrence City Hall
Lawrence, KS 66044

Dear Commission Members,

We have reviewed the fourth draft of the West of K-10 Plan and are pleased that Mr. Warner as well as yourselves have responded to some of our concerns especially upgrading our property and that of Mr. and Mrs. Garber to low density status. However, on this draft, our western property line is immediately adjacent to land that still is designated high density. This is not much of a transition zone from our property and we still face a future with increased traffic, trash, noise and risk of crime from a transient population immediately adjacent to our back yard.

We realize that it is almost impossible to please everyone and everyone is bound to be disappointed to some degree or another but the draft is not logical with regard to transition zones as it now stands. From our standpoint, the ideal situation would be to upgrade our property and that of the Garbers to very low density and that property that is to our west (Breithaupt, Bronoski, Lewis, Fletcher, etc. to low density. Than you for the time and thought you have all put into this draft. We will be unable to attend the meeting on Oct. 20, 2008 so this letter has to substitute for our not being there.

Sincerely,
Phil and Mary Ann Hoffmann

October 17, 2008

The Lawrence-Douglas County Metropolitan Planning Commission
c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning & Development Services Department
Lawrence City Hall
PO Box 708
Lawrence, KS 66044-0708

Dear Members of the Lawrence-Douglas County Metropolitan Planning Commission,

Thank you for your generous service to the community and for taking the time and interest to hear my comments and concerns. I am appreciative of the changes indicated in the 4th Draft of the West of K-10 Plan. We are closer to what I feel would be an acceptable Plan, but I still have significant concerns. Since I have made both written and public comment previously, I will summarize my remaining concerns briefly as follows:

1. **The neighborhood bounded by N 1452 Rd, E 902 Rd, E 920 Rd and Clinton Pkwy is a relatively small area and it is best in keeping with the beauty and long establishment of this neighborhood to allow it to remain Very Low Density zoning (1 unit/acre).** High Density development is already indicated and occurring just across this area to the West of K-10, so why is high density development needed in our small neighborhood? I strongly advocate for Very Low Density zoning throughout this small area. If this is absolutely not possible, then I would suggest Very Low Density zoning for the Garber & Hoffman and Goins properties, with Low Density zoning (6 units/acre) for the remainder of the homes along either side E 902 Rd.
2. **I continue to be very concerned about safety issues at the intersection of K10 Hwy (East side) & N 1500 Rd with no above grade entry onto K10 Hwy and no funding for this in the foreseeable future.** Increasing the density zoning at all in our neighborhood will exacerbate the safety issues already present.
3. **I continue to be extremely concerned about drainage issues onto my property (the lowest in the area) if any zoning higher than Low Density is indicated above me.**
4. **If apartments are built across from me (the Garber property currently indicated as Low Density zoning—6 units/acre), the value of my property will decrease and my taxes will undoubtedly increase.** A lot of heart and soul has gone into my home and I would like to avoid this scenario.

Sincerely,

Lee L. Rader
916 N 1452 Rd
Lawrence, KS 66049
E-mail: LeeLRader@sbcglobal.net

FRANÇOIS G. HENRIQUEZ, II

LAURA A. STEPHENSON

1436 E. 920 Road
Lawrence, KS 66049
(785) 841-1017

October 20, 2008

Lawrence-Douglas County Planning Commission
c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10, Fourth Draft

Dear Planning Commission Members:

My wife, Laura Stephenson, and I appreciate the opportunity to comment on the fourth draft of the West of K-10 Sector Plan (the "Plan"), as proposed by the Lawrence-Douglas County Planning and Development Services Department (the "Department"). As you likely know from our previous correspondence to, and appearance before, the Lawrence-Douglas County Planning Commission (the "Planning Commission"), we live in the area within the sector covered by the Plan that is bounded on the north by N. 1464 Road; on the west by K-10; on the south by the existing City Limits; and on the east by Lake Alvarado (the "Subject Area").

We greatly appreciate the extreme effort that the Department has made to balance the interests of the residents within the Subject Area. Likewise, we greatly appreciate the direction the Planning Commission provided the Department at the September 22nd Planning Commission. Overall, we believe the fourth draft of the Plan is fairly responsive to that direction. In this regard, we applaud the changes that have been made to the Plan between the third and fourth drafts. Accordingly, we have only a few brief thoughts as to how the Plan could be further improved.

Because the Subject Area is a relatively small area, it is extremely difficult to make reasonable land use density transitions. The Subject Area is simply too small to reasonably accommodate appropriate transitions from the Very Low Density to the east and north to High Density to the south and west. Specifically, Map 4-1 of the fourth draft calls for a transition from Low Density to High Density, without any buffering Medium Density whatsoever. A more logical transition would be for the property on east side of E. 902 Road (and abutting properties on the west side of E. 920 Road) to be reflected as Medium Density. This would leave the remaining approximately 10-acre area on the west side of E. 902 Road (and abutting K-10) as the only area that logically would be available for High Density residential land use. ***Meanwhile, there is ample High Density development indicated across from the Subject Area to the West of K-10.*** As a result, one must question how reasonable or necessary it is at all to cram a few acres of High Density Zoning into the Subject Area.

Accordingly, we respectfully recommend and request that the draft Plan be further amended to reflect the entire area as transitioning from Very Low Density to the east and north to Low Density to the west and south.

Again, we appreciate this opportunity to comment on the proposed Plan.

Very truly yours,

A handwritten signature in black ink, appearing to read "F. G. Henriquez, II". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

François G. Henriquez, II
(913) 227-6035 – Office
(913) 220-7301 – Mobile
(913) 319-3217 - Fax
fhenriquez@uscentral.org

September 21, 2008

The Lawrence-Douglas County Metropolitan Planning Commission
c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning & Development Services Department
Lawrence City Hall
PO Box 708
Lawrence, KS 66044-0708

Dear Members of the Lawrence-Douglas County Metropolitan Planning Commission,

My comments below are responding to the third draft of the West of K-10 Plan. As steps leading to these comments, I submitted comments to Dan Warner, Long-Range Planner, for the first & second draft of the Plan, attended one of the public comment meetings & met with Mr. Warner and his supervisor in person with a group of concerned neighbors.

My comments focus on the section of properties bordered roughly by Clinton Parkway, K-10 Hwy, N 1452 Rd & E 920 Rd. My home is on 2.75 acres of land and my property happens to be the lowest in the area. ***Although Option 2 pertaining to future land use of this area (p. 21) is certainly much preferred over Option 1, it still does not satisfy what would be a fair plan for this area for the following reasons:***

- 1) Option 2 simply allows me & my like-minded neighbors to keep the same density designation we already have (Very Low Density (1 unit/acre). Option 1 supports changing the density designation of my property & and the properties of my like-minded neighbors to Low Density (6 units/acre). Why should the density designation of my property be changed when I am not requesting a change?

- 2) According to prudent city planning, the density of properties in a given area should graduate with adequate room for the flow of graduation from one density level to the next. My property falls within the designation of Very Low Density (1 unit/acre) as do neighboring properties along the North & East sides of N 1452 Rd & E 920 Rd. ***Within a relatively small area, Option 2 proposes a graduation from Very Low Density to Medium Density (7-15 units/acre) to High Density (16 + units/acre). I propose that this amount of graduation is***
 - A) ***too rapid given the small size of the area and***
 - B) ***not in keeping with acceptable planning standards of moving from one level to the next and not "leap frogging."***

The jumping occurs across N 1452 Rd & E 920 Rd moving from Very Low Density to Medium Density (***skipping Low Density- 6 units/acre***) & across 910 N 1452 Rd moving from Very Low Density to High Density (***skipping two levels***). ***I would propose a graduation from Very Low Density along the North side of N 1452 Rd and East side of E 920 Rd to Low Density directly across from these properties to Medium Density along E 902 Rd to High Density on the West side of E 902 Rd against the K-10 by-pass. This pattern of graduation would be much more in keeping with the current character of the area while still allowing increased density levels toward the intersection of major roads.***

- 3) As noted in my first comment letter, I ***am concerned about safety issues at the intersection of K10 Hwy (East side) & N 1500 Rd*** with no above grade entry onto K10 Hwy and no funding for this in the foreseeable future. Adding high density units to this tiny road will exacerbate the safety issues already prevalent at this intersection.

- 4) ***As the property owner of the lowest elevation in the indicated area, I am highly concerned about the flow of storm water onto my property if the density of living units is dramatically increased above me.*** Longtime residents on the higher ground indicate that a limestone ledge exists about 7 feet underground & that the general soil drainage is poor. My property already has a drainage way cutting through it which runs very full when we have ample rain. In my opinion, the city has not thought through storm water issues in proposing significantly higher density for the higher ground. I do not believe the lower ground can handle it. (p.20 of 3rd draft: “Neighborhoods should be built in ways that protect existing natural drainage & ecosystems.”)

- 5) ***The neighbors who are advocating for the higher density designations are the leaving neighbors. They no longer have a vested interest in the property they will leave behind.*** On the other hand, I am a staying neighbor & my interest is very personal as well as communal. I care a great deal about the land I live on as well as my neighborhood and about protecting its value & beauty.

- 6) ***The proposed changes in either of the two Options will undoubtedly decrease the value of my property but increase my property taxes*** due to intensified densities directly across from me.

I remain open to negotiating a fair plan. And although I support Option 2 over Option 1, I believe an Option 3 is possible which would achieve a greater degree of fairness for the neighbors who plan to stay and call this their neighborhood.

Sincerely,

Lee L. Rader
916 N. 1452 Rd.
Lawrence, KS 66049
Hm 842-3399
E-mail: LeeLRader@sbcglobal.net

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

From: naturalway@mindspring.com [<mailto:naturalway@mindspring.com>]

Sent: Monday, September 22, 2008 9:58 AM

To: Dan Warner

Subject: the Planning commission Meeting

September 22, 2008

Lawrence-Douglas County Planning Commission c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department Lawrence City Hall P.O. Box 708 Lawrence,
Kansas 66044-0708 dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10, Third Draft

Dear Planning Commission Members:

I would like to offer to comment on the third draft of the West of K-10 Sector Plan (the "Plan"), as proposed by the Lawrence-Douglas County Planning and Development Services Department (the "Department"). We have the following comments:

1. No unilateral annexation within the Eastern Sector – Although the Plan nominally covers the area that lies to the west of K-10, it also covers the land east of K-10 that has not been annexed into the City (referred to herein as the "Eastern Sector"). We join many other residents in the Eastern Sector in expressing to you that at this time we would prefer our property not be annexed into the City of Lawrence. The City of Lawrence has a long history of avoiding unilateral annexation. We agree with this historical aversion because we believe the City should not annex property against the consent of the property owners, until the owner is ready. We urge the Commission to include a clear statement in the Plan that, with respect to the Eastern Sector, the City will remain committed to its long-standing policy, preference, and practice of refraining from unilateral annexation.
2. Support for "Option 2" – Nearly all of the property within the Eastern Sector is single family residential dwelling on lots ranging from one acre to more than 30 acres. All of the current residents chose a more rural setting. Now, faced with encroaching development, some residents want to leave and some want to stay.

We agree with many of our neighbors who live within the Eastern Sector, we strongly urge that all of the land within the Eastern Sector be designated as low density residential, at this time.

Again, we appreciate this opportunity to comment on the proposed Plan. Thank you.

Mr. Warner, can this be distributed to the Planning Commission members, Please.

Thank you again, for all your help with this Plan.

Very truly yours,
Judy and George Paley

1448 East 920 Road
Lawrence, KS 66049

FRANÇOIS G. HENRIQUEZ, II

LAURA A. STEPHENSON

1436 E. 920 Road

Lawrence, KS 66049

(785) 841-1017

September 22, 2008

Lawrence-Douglas County Planning Commission
c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10, Third Draft

Dear Planning Commission Members:

My wife, Laura Stephenson, and I appreciate the opportunity to comment on the third draft of the West of K-10 Sector Plan (the "Plan"), as proposed by the Lawrence-Douglas County Planning and Development Services Department (the "Department"). We have the following comments:

1. ***No unilateral annexation within the Eastern Sector*** – Although the Plan nominally covers the area that lies to the west of K-10, it also covers the land east of K-10 that has not been annexed into the City (referred to herein as the "Eastern Sector"). We join many other residents in the Eastern Sector in strongly objecting to our property being annexed into the City of Lawrence. In fact, it is our strong preference that our property ***never*** be annexed. The City of Lawrence has a long history of avoiding unilateral annexation. We agree with this historical aversion because we believe the City should not annex property against the consent of the property owners. We urge the Commission to include a clear statement in the Plan that, with respect to the Eastern Sector, the City will remain committed to its long-standing policy, preference, and practice of refraining from unilateral annexation.

2. ***Support for "Option 2"*** – Nearly all of the property within the Eastern Sector is single family residential dwelling on lots ranging from one acre to more than 30 acres. All of the current residents chose a more rural setting. Now, faced with encroaching development, some residents want to leave and some want to stay. Many who want to leave now appear to be saying,

“If I can’t live here in a rural setting, then no one else should be able to live here in a rural setting. So let me sell to a developer who’ll pay top dollar to put in apartments. I oppose high density surroundings for myself, so I will leave this neighborhood. But, as I leave, I want to force high density surroundings on my former neighbors so that I can get top dollar.”

Well, those of us who see our houses as our homes rather than as development fodder (and who plan to stay in our homes) decry this base cynicism.

Rather, like many of our neighbors who live within the Eastern Sector, we strongly urge that all of the land within the Eastern Sector be designated as either low density residential or very low density residential. This allows us as property owners to preserve both the character and value of our properties.

If the Commission will not agree to designate all the land within the Eastern Sector as either low density residential or very low density residential, then we believe Option 2 is a better compromise than Option 1, because the property rights of current and continuing landowners do not have to be compromised a greatly.

Again, we appreciate this opportunity to comment on the proposed Plan.

Very truly yours,



François G. Henriquez, II
(913) 227-6035 – Office
(913) 220-7301 – Mobile
(913) 319-3217 - Fax
fhenriquez@uscentral.org

From: Braman, Keith [mailto:kbb Braman@ku.edu]

Sent: Monday, September 22, 2008 10:01 AM

To: Dan Warner

Cc: Daryle Busch; Busch, Daryle H; Teeter, Deborah J; Francois Henriquez; Judy Paley; Bowman-James, Kristin; Keith Braman; Laura Stephenson; Lee Rader; George and Judy Paley; Ron Teeter; Jerry and Susan Potter

Subject: RE: West of K-10, third draft

Keith and Karen Braman
911 N 1464
Lawrence, KS

Lawrence-Douglas County Planning Commission
c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
Lawrence, Kansas 66044

Dear Members of the Planning Commission,

After our review of the third draft of the West of K-10 Plan we continue to be very concern with the proposed plan. We oppose annexation at this time and particularly oppose high and medium density zoning our neighborhood.

Unfortunately , time constraints don't allow me to further expand our arguments at this time. At the very least a further public debate of this issue is needed before any final determination is made.

Sincerely yours,
Keith Braman, JD

From: Mary Ann Hoffmann [mailto:paradox390@sbcglobal.net]

Sent: Monday, September 22, 2008 9:13 AM

To: Dan Warner

Cc: Daryle Busch; Daryle Busch; Deborah Teeter; Francois Henriquez; Judy Paley; Kristin Bowman-James; Keith Braman; Laura Stephenson; Lee Rader; George and Judy Paley; Ron Teeter; Jerry and Susan Potter

Subject: West of K-10, third draft

Philip and Mary Ann Hoffmann
1439 E. 920 Rd.
Lawrence, KS 66049

Lawrence-Douglas County Planning Commission
c/o Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
Lawrence, Kansas 66044

Dear Members of the Planning Commission,

We have reviewed the third draft of the West of K-10 Plan. We have lived in the Eastern Sector since 1985. Our property has 9 acres and abuts directly to the north with the property of Mr. and Mrs. Doug Garber and directly to the west with the properties of the Breithaupts, Bronoskis, etc. all of whom wish to zone their properties at high density and leave for new properties that are more remote and less dense.

We **oppose** annexation. We **oppose** the zoning of the above properties to high and medium density. Annexation should **not** be unilateral per the City of Lawrence history of avoiding unilateral annexation. The proposed zoning changes in both options does **not** allow enough gradation of housing density between our property and those of our soon-to-be-ex-neighbors **nor** between their properties and the new neighborhood that has been built directly to the south of us, most of which is single-family housing and which **already contains** land that has been zoned for commercial development.

We **want** to remain as a property of very low density. We **want** the Garber property to remain designated as very low density as anything else would put an apartment complex right next door to us. We **want** the Breithaupts' et al properties to be low density as we do **not want** businesses with more parking lots, litter and noise, and the increased exposure to crime from a transient population in our back yard.

Destroying the rural nature of our neighborhood by urbanization is **not** something we welcome. We have already lost the ability to stargaze because of light-pollution. We can't hear anything but the traffic when we walk along the bike-paths adjacent to K-10 and Clinton Parkway. We **do** have rights. Our rights should **not** be trampled on by people and businesses who are anxious to make a profit at the expense of our right to remain in a calm, rural, stable neighborhood where everyone knows and looks out for everyone else. We should **not** have to lose these important aspects of our home in the name of social experiments (mixed-use neighborhoods and nodal development). Substituting urban sprawl for suburban sprawl by destroying rural areas is **no** improvement.

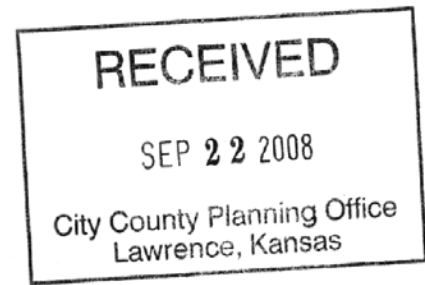
Sincerely yours,
Philip Hoffmann, MD
Mary Ann Hoffmann, MD

League of Women Voters of Lawrence and Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

September 21, 2008

Brad Finkeldei, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044



RE: **ITEM NO. 8: CPA-2008-6; WEST OF K-10 PLAN**

Dear Chairman Finkeldei and Planning Commissioners:

Although this draft of the K-10 Plan is not in its final form, there are some very important land use issues that we hope that you will consider before this plan goes forward.

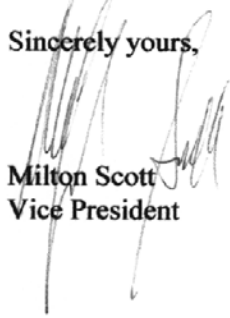
Horizon 2020 has adopted a hierarchy of steps to follow when formulating plans. The first process is watershed planning. This generally applies to greenfield development and normally entails compiling data on the drainage basins including information on land forms (topography, water bodies, streams, drainageways, and the like), vegetation, and other significant natural features such as rock outcroppings and soils so that the development limitations of the land can be predetermined. This information is generally available to the planners and published as the basic maps of an area prior to determining infrastructure and land use. This is critically important in making assessments of the capacity of an area to realistically, and thus economically accommodate development. Attached is the excerpt from Chapter 14, Specific Plans, from *Horizon 2020*.


We find this critical information missing in this plan. Only the map showing the drainage basin outlines have been included. At the very least, what is missing is a map showing the topography, drainageways and vegetation. We urge the Planning Commission to encourage the Planners to show this critical information in the plan and to utilize it in determining the outlines of land use and infrastructure.

The second important issue that we see is the new policy on the part of the planners to give developers a choice of using either the SmartCode, Chapter 21, or "blob map" planning utilizing Chapter 20 as the Development Code. Several years ago when the SmartCode was originally considered, this was to be the method to develop the greenfield areas. The SmartCode plan developed for this area is so different from the land uses shown on the blob map that the two plans seem irreconcilable. One point that is not being considered is that if open space is to be preserved and to be interconnected for pedestrian pathways, this must be predetermined before areas are developed. The entire point of advance land use planning is the need to interconnect uses, especially open space and infrastructure, including streams and natural drainageways, and the primary consideration should be appropriate watershed planning.

We hope you will consider our comments as you proceed in planning for this area. Thank you.

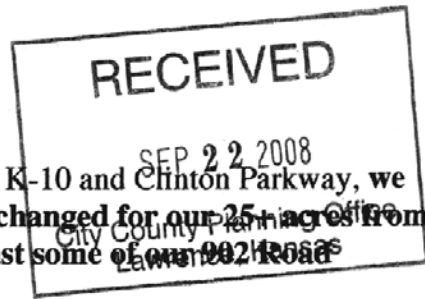
Sincerely yours,


Milton Scott
Vice President


Paula Schumacher
Land Use Committee

Dear Planning Commission,

On behalf of the property owners on 902 Road at the corner of K-10 and Clinton Parkway, we would like to request one last time that our designation be changed for our 25+ acres from high density residential to COMMERCIAL for all or at least some of our 902 Road neighborhood on the West of K-10 Plan.



Currently there are two separate areas zoned commercial in close proximity to our 902 Road area. One is directly off Clinton Parkway just east of 902 Road and the other is the lake-oriented commercial area on the west side of K-10 directly west from 902 Road. The area to the east of us, as we understand once construction starts, is sold to be a bank, fast-food restaurant and a boat sales business. The area to the west of K-10 is currently a convenience store and boat and RV storage area. We realize the area to the west could be redeveloped once this plan goes into affect but storage buildings were just built on this property and boat and RV storage seems to be a normal fit into the lake-oriented type of business. Since the storage area takes up a good portion of the 25-acres in that area, it doesn't leave much acreage for other types of businesses.

If you visit this area, you will see there is a lot of potential for commercial businesses with the lake being so close. There are many commuters and drivers that travel this corner of Lawrence either coming from Highway 59 or coming off I-70 and also entering and exiting off Clinton Parkway, and then of course you have visitors to Clinton Lake and people coming/going from Eagle Bend Golf Course. A commercial center geared toward community needs as well as lake-oriented needs would be very visible to many potential customers. As a sidenote, when the land to the west of K-10, where the current convenience store and storage units are, was up for auction a few years ago, there was a good amount of interest from bidders which means there is most likely more interest in commercial development for this area.

Our corner of Clinton Parkway and K-10, were 902 Road currently is, happens to be a very unique area in Lawrence. There is a wonderful view of Clinton Lake from the second floor or roofs of many of our houses, so depending on the type of commercial business, this view could be a wonderful and very unique asset to have in Lawrence. Plus with a road designated to come off Clinton Parkway into this area and then a road going north eventually connecting into a new interchange at K-10 and 15th, the commercial traffic could fit into the flow of traffic for the area.

Clinton Lake in itself is a great asset of Lawrence and by commercializing this area it could be a much more attractive draw to bring community members and visitors to the lake and this part of town. By making the northeast corner of K-10 and Clinton Parkway commercial, you are at least putting the possibility out there for developers to present a plan. The area can always be designated down to high density once again, but it would be difficult to push it to commercial once a plan is approved.

A few ideas of what could be done: a convention center (which is something that was proposed for the lake area years back), hotel or B&B inn, family fun center, restaurants, lake-oriented specialty shops or gift shops, grocery store for convenience of lake visitors and expected growth of the neighborhoods around K-10, a shopping type area incorporating many of these ideas, and probably many more ideas that someone with experience would be able to develop.

There are currently only a few restaurants remotely close to the lake area with the closest, besides the marina, being approximately 2 1/2 miles away. The idea of a restaurant in this area, especially with the potential of future housing growth, seems a natural fit.

We hope you will consider the change from high density to commercial for the 902 Road properties. As property owners, we feel moving from the area to start over in different homes is inevitable with the growth in Lawrence moving in our direction. It is obvious that the development touching some of our property lines from the east was not done with the interest of keeping our homes as part of this area. Especially obvious when you have a new home built approximately fifteen feet from a line of farm equipment.

We are all willing to make the move and start over, but for a price. **We feel that the commercial designation will allow for our properties to have the highest possible value when looking at the possibility of developers purchasing our properties from us at a price we feel is fair and worth while to each of us to have to move and reestablish our homes and also a farm operation for some neighbors.** If our 902 Road area is bought out, it would also allow for Lawrence to continue to develop in a normal progression. This 25+ acres could develop into a very nice commercial area with a very unique lake-view setting and be a great addition for Lawrence.

Glenn and Brenda Breithaupt, 1412 E 902 Rd Glenn Breithaupt Brenda Breithaupt

Jeri and Paulette Breithaupt, 1416 E 902 Rd Jeri Breithaupt Paulette Breithaupt

Don and Janet Breithaupt, 1420 E 902 Rd Janet Breithaupt

Breithaupt family home, 1424 E 902 Rd Jeri Breithaupt

Mike and Jeanie Bronoski, 1428 E 902 Rd Michael Bronoski

Mike and Kristel Lewis, 1430 E 902 Rd Kristel Lewis

Patty Haake, 1432 E 902 Rd Patty Haake

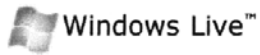
Mike Fletcher, 1434 E 902 Rd Mike Fletcher

Kenny Breithaupt, E 902 Rd see attached email signature

George and Eleanor Woodyard, E 902 Rd George Woodyard Eleanor Woodyard

Gary and Karen Vespestad, 1435 E 902 Rd Gary D. Vespestad

(Brink's acreage is just land, no house, and would be part of this area also. Although we weren't able to get a hold of him to sign this, he has shown interest in being part of our group in the past.)



Planning Commission

From: **Kenneth Breithaupt** (kennethbreithaupt@yahoo.com)

Sent: Thu 9/18/08 1:32 PM

To: Kristel Lewis (ktel30@hotmail.com)

Dear Planning Commission,

Please accept this email as my signature for the letter to the planning commission from the 902 Rd. Neighborhood Group to change our property from "high density residential" to "Commercial". I can be contacted at 785-843-2665 or 785-393-1247.

Thank You, Kenny Breithaupt

kennethbreithaupt@yahoo.com

Watershed or Sub-basin Plan

A watershed or sub-basin plan is a document that studies stormwater runoff and the potential for flooding and environmental impact of a particular watershed or sub-basin, before and after potential development, which drains into a river or other body of water. This plan has boundaries defined by the natural watershed basin or sub-basin of the area. It uses multiple layers of information pertaining to the natural and built environment to develop a comprehensive picture of the carrying capacity of the land for urban densities of development.

This is the second largest and most challenging type of plan to develop. A watershed or sub-basin plan is similar to the development of a comprehensive land use plan in its level and intensity of work. This type of plan could take 24 to 36 months to complete.

When is a watershed or sub-basin plan appropriate?

This type of plan is commonly used to study greenfield, undeveloped, natural, or agriculturally used areas on the fringe of urban development. A watershed or sub-basin plan is used to determine the long-term future (potential) for urban densities of development and their impact on the natural environment.

Purpose or reasons to use a watershed or sub-basin plan are to:

1. Provide information regarding the impact of the natural environment on the potential for future development.
2. Determine any environmental constraints and hazards for future development.
3. Provide a shared vision for area's residents/owners and local government entities.
4. Provide information regarding the area's needs, priorities, and proposed projects.
5. Provide guidance on matters of land use, development, and site layout to possible area residents or investors.
6. Determine if development proposals and land use changes are in accordance with the community's long term vision.
7. Provide implementation recommendations for coordination of development with adequate public facility's goals.
8. Provide a framework to guide an area's development efforts and track development trends and progress.
9. Provide maps showing existing information and proposed information.

Typical Process of a Watershed Plan

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process

Dan Warner

From: Irit Gillath [irit100@hotmail.com]
Sent: Thursday, June 05, 2008 12:25 PM
To: Dan Warner
Subject: RE: Thursday, June 5, 2008 News from the City of Lawrence

Thanks Dan,

I'm a resident of the west side of town.

1. I saw that it is not clear whether the new neighborhood include play ground and green areas, which means that more load will be on our area, is this something that might changed?
2. Creating another entrance to K-10 out of Bob Billings is something that will change the character of this area from residential quite area to noisy, heavy loaded road, why is that required if not very far from there you have 6th entrance.
3. In addition that K-10 connection suppose to include commercial area, wouldn't that already be covered by the Walmart are near Wakarusa?
4. It is not clear whether the new area include elementary school or not, which means that at least initial the capacity of Langston Hughes will need to be increased, is that true?

Thanks,
 Irit

Subject: RE: Thursday, June 5, 2008 News from the City of Lawrence
 Date: Thu, 5 Jun 2008 12:14:18 -0500
 From: dwarner@ci.lawrence.ks.us
 To: irit100@hotmail.com

Irit,

I'd be happy to answer your questions before the meeting if you have them.

As for changes, you can submit comments and suggestions to me. Staff will review them to determine if they are items that should be changed. If, for instance, we don't change something that you want changed, you can then make your case to the Planning Commission, City Commission and County Commission. All of those bodies will be reviewing the plan, with the City Commission and County Commission approving it. The Planning Commission will review the plan first and will make a recommendation to the City and County Commissions.

We welcome your input. I'm encouraged that you've already contacted me.

Thanks.

Dan Warner, *Long-Range Planner, AICP*

From: Irit Gillath [mailto:irit100@hotmail.com]
Sent: Thursday, June 05, 2008 11:48 AM
To: Dan Warner
Subject: RE: Thursday, June 5, 2008 News from the City of Lawrence

Thanks Dan,

Yes, I've reviewed the plan and I have some comments and questions, I guess those could be answered in that meeting.
How can current resident affect on changing details of the plan?

Thanks,
Irit

Subject: RE: Thursday, June 5, 2008 News from the City of Lawrence
Date: Thu, 5 Jun 2008 11:39:47 -0500
From: dwarner@ci.lawrence.ks.us
To: irit100@hotmail.com

Irit,

The meeting to discuss the first draft of the West of K-10 Plan will be on June 26th from 6:30pm to 7:30pm at the Indoor Aquatic Center, 4706 Overland Drive.

You can find a copy of the draft at <http://www.lawrenceplanning.org/draftplans.shtml>

Please let me know if you have further questions.

Thanks.

Dan Warner, *Long-Range Planner, AICP*

From: Irit Gillath [mailto:irit100@hotmail.com]
Sent: Thursday, June 05, 2008 11:22 AM
To: Dan Warner
Subject: RE: Thursday, June 5, 2008 News from the City of Lawrence

Hi,
When would be a meeting on the west K-10 plan?

Thanks,
Irit

> To: irit100@hotmail.com
> Subject: Thursday, June 5, 2008 News from the City of Lawrence
> Date: Thu, 5 Jun 2008 09:18:59 -0500
> From: mailinglists@ci.lawrence.ks.us
>
> Thursday, June 5, 2008 News from the City of Lawrence
>
> NEWS RELEASES
> FOR IMMEDIATE RELEASE
>
> News from the City of Lawrence for Thursday, June 5
>
> 1) Neighborhood Invited to Learn About Kaw Water Treatment Project

> <#first>

>

> 2) Public Invited to Learn About Draft Land Use Plan for West of K-10

> <#second>

>

> 1) CONTACT: Philip E. Ciesielski, P.E., Assistant Director of
> Utilities, (785) 832-7800

>

> pciesielski@ci.lawrence.ks.us <mailto:pciesielski@ci.lawrence.ks.us>
> or (785) 832-7800.

>

> - End -

>

>

=====

>

> 2) <http://www.lawrenceplanning.org/draftplans.shtml>

> . The public is invited to review the plan and provide comment.

>

> The planning area includes approximately 2,065 acres north and south
> of Hwy. 40, north of Clinton Lake, and west of K-10 approximately one
> and one-half miles. Part of the planning area lies east of K-10, south
> of Bob Billings Parkway to Clinton Parkway.

>

> The draft land use plan works to represent the vision for the area
> and lays out the steps to help achieve the vision. The draft plan
> goals follow three themes; creating a long range plan that creates
> healthy neighborhoods, recognizing the need for economic development
> and giving attention to the natural areas. Attention is given to
> infrastructure needs and community facilities. Recommended land uses
> is a major element of the West of K-10 draft plan.

>

> The draft land use plan is subject to change as members of the
> public, the Lawrence-Douglas County Planning Commission, Douglas
> County Commission and Lawrence City Commission review the document
> prior to consideration for adoption.

>

> Individuals unable to attend the June 26 meeting can send comments by
> July 2 to dwarner@ci.lawrence.ks.us <mailto:dwarner@ci.lawrence.ks.us>
> or P.O. Box 708, Lawrence, KS 66044 or call (785) 832-3162.

>

> Individuals may sign up to receive updates on the project at
> <http://www.lawrenceks.org/subscriptions>
> under the public meetings category.

>

> What: Information Meeting Draft Plan for West of K-10
> When: 6:30 7:30 p.m., Thursday June 26, 2008

>

> Where: Indoor Aquatic Center, 4706 Overland Drive

>

> -END-

>

> --

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Dan Warner

From: Jane M. Eldredge [jeldredge@barberemerson.com]
Sent: Wednesday, June 11, 2008 2:46 PM
To: Dan Warner
Subject: West of K10 Plan

Dan

Thanks again for your presentation this morning. I did have the two questions I mentioned to you:

1. Did you intend the policy of no development west of K-10 until there is a funding plan for the K-10/Bob Billings interchange to apply to the two quadrants that were previously planned in the Sixth Street/K-10 Nodal Plan?
2. Would you please include the IG zoning category in the permissible zoning categories in the northwest quadrant of the U.S, 40/ K-10 interchange? This is a substantial intersection that has long been identified as suitable for industrial uses such as those in the already existing IG zoned areas in Lawrence.

Thank you for your consideration of these matters.

Dan

Jane M. Eldredge
Barber Emerson, L.C.
1211 Massachusetts
P.O. Box 667
Lawrence, Kansas 66044
(785) 843-6600
(785) 843-8405 (facsimile)
www.barberemerson.com
jeldredge@barberemerson.com

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Dan Warner

From: Ruona, Lew T NWK [Lew.T.Ruona@usace.army.mil]
Sent: Thursday, June 26, 2008 1:21 PM
To: Dan Warner
Cc: Parker, Edward E NWK; Crum, Douglas A NWK; Lenning, Richard E NWK; Gehrt, Susanna G NWK
Subject: RE: Clinton Lake

Dan,

Thanks for your response.

Regarding access to public lands, the easiest would be a pedestrian/bike path that connects to a green space within the development. Vehicular access would necessitate more scrutiny.

I look forward to further interaction with the city and county regarding planning and development around the lake.

Lew

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

From: Dan Warner [mailto:dwarner@ci.lawrence.ks.us]
Sent: Thursday, June 26, 2008 12:43 PM
To: Ruona, Lew T NWK
Cc: Crum, Douglas A NWK; Gehrt, Susanna G NWK; Parker, Edward E NWK; Rhoades, David L NWK
Subject: RE: Clinton Lake

Lew,

The City of Lawrence has regulations regarding stormwater discharge from construction sites. Those regulations are located in Section 9-903 of the City Code: http://www.lawrenceks.org/city_code/system/files/chapter09.pdf
New developments in this area, after annexation by the City, will have to comply with these regulations.

Nevertheless, I think it makes sense to emphasize sediment erosion control in the Plan. I'll add some language and reference Section 9-903 in the next draft.

With regard to lake access I think the idea was to have a controlled entrance on the north side of the lake so that people in this future new area of Lawrence could more easily access the lake. The intent wasn't to suggest that people could meander down there and come and go from wherever they please. I re-read the language and it doesn't reflect the intent. I'll revise the language for the next draft. Do you think an entrance on the north side is feasible/practical and something you would consider?

Thanks.

Dan Warner, Long-Range Planner, AICP

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

From: Ruona, Lew T NWK [mailto:Lew.T.Ruona@usace.army.mil]
Sent: Wednesday, June 25, 2008 10:52 AM
To: Dan Warner
Cc: Crum, Douglas A NWK; Gehrt, Susanna G NWK; Parker, Edward E NWK; Dave R.
Subject: Clinton Lake
Importance: High

Mr. Warner,

As the Operations Manager for the Corps of Engineers at Clinton Lake, I was asked to comment on the draft West of K-10 Plan.

In Section VII. part B. second paragraph, "Residents in these new neighborhoods should be able to access the lake and park directly from those neighborhoods, by foot and by car." I wish it was that easy. We allow no private exclusive use on our Federal lands. Any development like this requires our lake Master Plan to be revised. This revision requirement includes extensive public comments and review in addition to environmental and cultural resource clearances. We would treat a development next to the lake like we treat any existing adjacent landowner and with the same oversight.

Since Clinton Lake is a major provider of water supply to 7 municipalities including Lawrence and 9 Rural Water Districts which use on the average of 13.1 million gallons of water daily, I am very concerned about the water quality of Clinton Lake. In Section V. part C. Environment, I would like to see that section expanded to include specific language regarding sediment erosion screening and control during construction phases of each development. The present Clinton Cove storage development project that abuts Federal property north of N. 1415 Road and west of E. 900 Road, is a very good example of no sediment control during their construction phase. Due to our past experience with the Clinton Cove storage development project, I feel future development necessitates a more active oversight and review on our agency's part of any further development adjacent to Federal lands at this lake. I felt that our verbal comments to a city planner last year regarding this development should have been sufficient. We will in the future be more pro-active and will document all agreements in writing.

I would think and hope that the Planning Department for Lawrence and Douglas County would strive to protect the integrity of these public lands and waters. Since our visitation exceeds 2 million users each year, Clinton Lake is a viable and economic benefit for Douglas County and the City of Lawrence.

Lew

Lew T. Ruona
Operations Project Manager
U.S. Army Corps of Engineers
Clinton and Hillsdale Lakes
785-843-7665 (office)
816-389-3297 (direct)
lew.t.ruona@usace.army.mil

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

From: Dan Warner [mailto:dwarner@ci.lawrence.ks.us]
Sent: Tuesday, June 10, 2008 11:45 AM
To: Parker, Edward E NWK
Subject: Draft West of K-10 Plan - Please Review

Mr. Parker,

The Planning Department for Lawrence and Douglas County is in the process of developing the West of K-10 Plan. It's a long-range plan for new growth for Lawrence west of K-10 Highway. The planning area is north of Clinton Lake. I'm requesting that the Army Corps of Engineers review the draft plan and provide comments if necessary. The deadline for written comments on the first draft is July 2nd.

The draft plan along with a planning area map can be found here:
<http://www.lawrenceplanning.org/draftplans.shtml>

Please let me know if you have any questions.

Thanks for your consideration.

Dan Warner, Long-Range Planner, AICP - dwarner@ci.lawrence.ks.us
<<mailto:dwarner@ci.lawrence.ks.us>>

Planning and Development Services Department | www.lawrenceplanning.org
<<http://www.lawrenceplanning.org>>

City Hall, East 6th Street, PO Box 708

Lawrence, Kansas 66044-0708

785-832-3162. phone

785-832-3160. fax

**Summary of West of K-10 Draft Plan
Kansas Department of Wildlife and Parks
Environmental Services Section**

Affected Areas

- 124.6 acres of woodlands (of 2,437 total; according to National Land Cover Data [NLCD]) wholly or partially in subject area that could be critical habitat for either the Bald Eagle or Redbelly Snake. Development in these areas will require on-site evaluation by Kansas Department of Wildlife and Parks Environmental Services Section (provided free when requested) and possibly mitigation.
 - 16 wetlands totaling 3.3 acres (according to NLCD) within subject area
 - Portions of property drain into Clinton Lake (water supply for Lawrence), so KDWP recommends extra caution and diligence when developing in this area
 - The adoption of a stream buffer or 'setback' ordinance is discussed on pp. 30-31 of the proposed plan. KDWP recommends such a program to be based on preserving the **entire** floodplain for both perennial and ephemeral stream channels within the planning area. This will insure minimal flood damages, maximum protection against erosion and sedimentation, and also preserve a majority of the critical designated habitats for State-listed species.
-

Critical Habitat

Within Douglas County there is critical habitat designated for 2 species that might occur within the area being considered in the "West of K-10 Sector Plan".

Redbelly Snake (*Storeria occipitomaculata*) – state threatened species – a small cryptic species living primarily underground whose critical habitat includes mature, oak-hickory forests on wooded hill slopes. Approximately 124.6 of the 2,437 acres within this plan contain a forest type that would warrant on-site habitat evaluation to determine if Redbelly snake critical habitat is present according to the National Land Cover Database. Much of the potential Redbelly Snake habitat occurs along small ephemeral and low-order streams in the area being considered. KDWP recommends efforts at the planning stage to minimize impacts to this species, including widening stream buffers and minimizing removal of native woodlands whenever possible.

Bald Eagle (*Haliaeetus leucocephalus*) – state threatened species – its' critical habitat includes individual trees at least 50 feet tall or 24 inches dbh within 5 air miles of public lands in Clinton Reservoir, or groups of 10 or more trees that are greater than 12 inches dbh in the same area. Of the estimated 2,437 acres of land within this plan, approximately 124.6 acres of woodlands (of some type) are wholly or partially contained on-site according to the National Land Cover Database. If qualified trees will be removed in these areas, then replanting at a 3:1 ratio will need to occur as mitigation. The higher replanting rate is to compensate for the fact that some trees will not reach adulthood. Although this species is no longer listed by the federal government, other acts still do offer some protection to this species, and some minimal coordination with the U.S. Fish and Wildlife Service would be necessary if impacting this habitat.

In addition, the National Land Cover Database identified 16 small wetlands totaling 3.3 acres as possibly occurring on-site. Wetlands provide a variety of valuable functions both hydrologically and biologically (e.g., flood control, breeding habitat for native amphibians and reptiles, improved water quality, etc.), and KDWP encourages the city planner to designate them a special level of protection.

**Summary of West of K-10 Draft Plan
Kansas Department of Wildlife and Parks
Environmental Services Section**

Other concerns :

- A goal of the plan is to “Develop neighborhoods and new developments with the natural layout of the land in mind”, with special consideration to “visual corridors” (i.e., nice views; page 30). KDWP would consider this as suggesting a more limited re-grading strategy when constructing developments.
- Stormwater detention -- (p 37), the proposed development plan sits in two major drainage basins, emptying out into Clinton Lake. There is concern of soil erosion as well as potential contamination of Clinton Lake from debris from the proposed development.

Please do not hesitate to contact Kansas Department of Wildlife and Parks Environmental Services Section with questions or concerns. James Larson is the contact for this matter. His information is as follows:

James Larson
Environmental Services Section
Kansas Department of Wildlife and Parks
512 SE 25th Avenue
Pratt, Kansas 67124-8174
(620) 672- 5911
jamesl@wp.state.ks.us

**Summary of West of K-10 Draft Plan
Kansas Department of Wildlife and Parks
Clinton State Park**

West of K-10 Draft Plan

The “West of K-10 Plan” for development creates significant impacts on the Clinton State Park operation. The southern boundary of the development plan lies against the northern property line of the US Army Corps of Engineers property called Clinton State Park. The following are comments regarding potential significant impacts to the park operation as they may be affected by the proposed development plan.

- Proper management of the surface water runoff during the open earth phase of the construction is **critical**. A significant amount of the acreage is situated in two major drainage basins included in the plan. These basins drain directly across park property and empty into Clinton Lake. It’s critical that all measures in the prevention of soil erosion be in place and maintained to function properly during the construction phase and the entire development.
- The plan describes a considerable amount of transportation development and improvement by improving Bob Billings Parkway/15th Street at the intersection of K-10. One aspect of this plan that is missing is any possible improvements to E900 Road. This roadway was a vital point of entry into the Clinton State Park until the South Lawrence Traffic Way was developed. The dedicated “frontage road” would be beneficial in handling heavy traffic ingress to the State Park. The true impacts of losing the use of this road as direct access from US40 Highway to the State Park are evident, particularly during large events like the Wakarusa Festival. KDWP would like to see the transportation improvement plan include the opening of E900 Road.
- The proposed development plan suggests the planting and maintaining visual buffers by using strategically placed vegetation to create a natural setting. KDWP commends this aspect, however, we suggest using only plants common and native to the area. The introduction of exotic ornamentals for this purpose is ill advised as the life expectancy of most commonly used ornamentals is short and these plants are not as hardy or disease resistant as native species plantings.

It is imperative that adequate natural areas are created, protected and maintained to provide a true barrier between these intensively developed areas and the natural areas provided by the State Park. Viewsheds, gateways and extraordinary set-offs are great buzz words but do little in supporting the requirements for an adequate buffer area between a major housing development and a public use area such as the State Park. Much of the area proposed for this development supports a large and varied wildlife population. Disturbing this wildlife habitat will disperse these populations.

- Development of new amenities and access to existing recreation amenities is also a well devised part of the draft plan. However, the concept of providing uncontrolled access from these neighborhood developments on to State Park property is a problematic. The State Parks operate as a fee area with controlled access. Developing uncontrolled access points as a part of this development would be create a park security nightmare. The improvements proposed at the intersection of Bob Billings Parkway/15th Street and K-10 would provide good access to the already established primary park entrance. The need for improved access also supports the re-development of the E900 frontage road.

Providing additional access from the development directly into the State Park operation is a major issue of concern as it relates to the park operation, development and Douglas County residents. To propose unrestricted multiple points of access directly into the State Park is not viable.

In lieu of multiple uncontrolled accesses from the development into the State Park, there is an alternative that would serve both the development and the State Park. KDWP would suggest E800 road could be improved from the north within the proposed development area to the south where it intersects N1415 Road just east of the Clinton State Park Office. This new point of entry could be co-managed with the existing entrance in a central entrance station at the intersection of E800 and N1415 Roads. This approach would allow for direct access to the park from the proposed development and would provide an additional entrance/exit while still maintaining the controlled access operation vital to park revenue and security.

- Sections of the plan propose the installation and extension of existing and new utility service lines throughout the proposed development. This could create opportunities for the State Park to “tie” on to these services. However, the current plans also propose locating one and possibly two wastewater lift stations within the boundaries of the State Park. This is a major concern of point source pollution potential. Both possible wastewater lift stations are shown as located in the two major drainages north of the park. Any system failures in this equipment would create raw sewage run-off directly into the lake. In addition, both proposed areas for these lift stations are in well timbered areas that have been intentionally left undisturbed. As a result, there is a possibility that these areas may host Kansas Threatened & Endangered Species or Kansas Species In Need of Care habitats.

Clinton State Park continues to grow and change in an attempt to meet the needs of users, thus infrastructure improvements are always a concern. The possibility of the State Park connecting to these infrastructure improvements may make the placement of amenities such as sewage lift stations on to State Park property more acceptable in support of the State Park’s future needs.

Please do not hesitate to contact me with questions or comments.

Jerry Schecher, Park Manager Clinton State Park
798 N. 1415 Rd
Lawrence, KS 66049
(785) 842-8562; email: jeraldls@wp.state.ks.us

June 30, 2008

Dan Warner
Planning Department
Lawrence Douglas County Planning Office
City Hall
6 East 6th Street
PO Box 708
Lawrence, KS 66044
Via Email: at dwarner@ci.lawrence.ks.us

RE: Draft Plans for West of K-10

Dear Mr. Warner:

Please find enclosed the Kansas Department of Wildlife and Parks comments to the Draft Plans Draft Plans West of K-10. The Department operates, manages and maintains Clinton State Park, located adjacent to the proposed development plan west of K-10 and south of North 1500 Road. Clinton State Park is an integral part of the Lawrence community, and thus has compiled comments regarding the management and preservation of the natural resources as well as the potential impacts the proposed development will have on Clinton State Park.

The Kansas Department of Wildlife and Parks Environmental Services Section has also compiled comments regarding the environmental effects of the proposed plan to the local natural resources. In particular, the Department's Environmental Services Section is especially concerned about the effect the proposed development will have on the watersheds, wetlands and the critical habitat of two Kansas Threatened and Endangered Species.

In summation, the Kansas Department of Wildlife and Parks views this as an excellent opportunity to integrate its concerns regarding the State Park, the development of open space and the surrounding natural resources into the planning for the future growth of the City of Lawrence. The Department would like to offer and make available its expertise in managing and protecting the natural resources of the State of Kansas to the planning process.

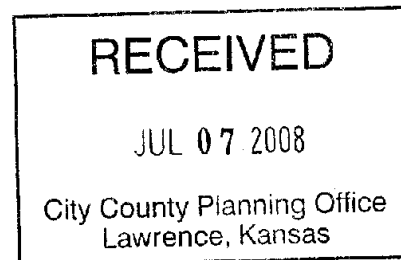
Sincerely,

J. Michael Hayden
Secretary
Kansas Department of Wildlife and Parks

Encl.

June 30, 2008

Dear Dan and others whom it concerns,



In regards to the first draft of the *West of K-10 Plan*, we would like to comment on the land use categories that are properties have been assigned.

For several years, our 902 Road neighborhood group, whose signatures are below, have talked about the possibility of being bought out by developers since the city was moving our way and there was always talk about the "plan" that our area would be redeveloped. A couple of years ago the development started to occur right behind us and our neighborhood group joined and talked with some developers to see if there was interest in buying us at that time which there was not.

Now that the city houses have literally reached the backyards of some of our properties and this new plan, *West of K-10 Plan*, has been presented, we are again looking at the possibility of what the future holds. Many of the families that live in our neighborhood have been here for twenty or more years and have truly enjoyed life as they knew it.

But that life has changed with the recent housing developments and for various reasons, including the difficulty to run a farm operation from this area and the fact that it is just not a country feel anymore, our group has decided it is most likely in our best interest to do what we can once again to seek the possibility of being bought out.

With that in mind, **we would like to request that the current zoning of our land be changed from low density to either high density or possibly even part or all commercial** since there appears to be a future access road from Clinton Parkway to this area. We feel that these designations will allow for our properties to have the highest possible value when looking at the possibility of developers purchasing our properties from us at a price we feel is fair and worth while to each of us to have to move and reestablish our homes and also a farm operation for some neighbors.

We would like to make clear that we are willing to pursue a possible buyout of our properties by a developer so they can pursue whatever actions necessary for city annexation and so forth, BUT we are NOT interested in being annexed into the city as individual property owners or to develop our own properties. The request for a change in zoning is based solely on our hope to be bought out by a developer and for the developer to take the other steps for development.

If there are questions or concerns, you may contact Kristel Lewis, who will act as a liaison for the group. Her phone is 838-9964 or email is countryregister@sbcglobal.net.

Thanks for your time!

Signatures of group are listed on the backside of this sheet.

Glenn and Brenda Breithaupt, 1412 E 902 Rd Glenn Breithaupt & Brenda Breithaupt
Jeri and Paulette Breithaupt, 1416 E 902 Rd Jeri Breithaupt & Paulette Breithaupt
Don and Janet Breithaupt, 1420 E 902 Rd Don Breithaupt & Janet Breithaupt
Breithaupt family home, 1424 E 902 Rd Jeri Breithaupt
Mike and Jeanie Bronoski, 1428 E 902 Rd Michael Bronoski & Jeanie Bronoski
Mike and Kristel Lewis, 1430 E 902 Rd Mike & Kristel Lewis
Patty Haake, 1432 E 902 Rd Patty Haake
Mike Fletcher, 1434 E 902 Rd Michael Fletcher
Kenny Breithaupt, E 902 Rd Kenny Breithaupt
George and Eleanor Woodyard, E 902 Rd George & Eleanor Woodyard
Gary and Karen Vespestad, 1435 E 902 Rd Gary Vespestad & Karen Vespestad

François G. Henriquez, II
Laura A. Stephenson

1436 E. 920 Road
Lawrence, KS 66049
(785) 841-1017

July 7, 2008

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10

Dear Mr. Warner:

My wife, Laura Stephenson, and I appreciate the opportunity to comment on the West of K-10 Sector Plan (the “Plan”), as proposed by the Lawrence-Douglas County Planning Department.

1. ***Future annexation east of K-10*** – As a resident of the area within the sector covered by the Plan and east of K-10 (the “Eastern Sector”), we strongly object to our property being annexed into the City of Lawrence and we do not believe the Plan should encourage the annexing of our property or any other property within the Eastern Sector prior to further annexation west of K-10. The only exception should be for residents within the Eastern Sector who specifically request that their properties be annexed into the City of Lawrence.
2. ***Intersection of Bob Billings Parkway and K-10*** – Because of the important transportation, access, and safety issues, we believe that the Plan should unequivocally state that there will be no further development within the Eastern Sector before a suitable, above-grade intersection at Bob Billings Parkway and K-10 (the “Parkway Intersection”) has been constructed.
3. ***Future use consistent with current use*** – Nearly all of the property within the Eastern Sector is currently outside the City limits and its current use is single family residential dwelling on lots ranging from one acre to more than 30 acres. Consistent with generally accepted principles of urban planning and design, the Plan should unequivocally provide that there will be no high density residential development northeast of the corner of K-10 and Clinton Parkway. Rather, we strongly urge that the Plan specifically provide that any development within the Eastern Sector be limited to single family homes consistent with its current use and character.

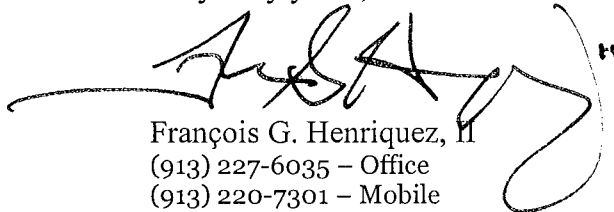
4. **Limited multi-family residential development** – If the City determines that there should be any multi-family residential use within the Eastern Sector, the Plan should unequivocally state that: (1) such multi-family use should be limited to the area bounded by Clinton Parkway on the south, K-10 on the west, N 1452 Road on the north, and E 920 Road on the east (the “Limited Area”); (2) any further residential development within the Limited Area must be no greater than medium density and should transition to the north and east to single family; (3) the Limited Area should be bordered by a tree-lined, raised berm and suitable green-space borders along E 920 Road and N 1452 Road; and (iii) the Limited Area should be served only by the collector road currently contemplated by the Plan and should have no access to either E 920 Road or N 1452 Road (other than the current intersection of E 902 Road and N 1452 Road).

5. **Limited commercial development** – The east side of the proposed Parkway Intersection would be immediately adjacent to single family residences and, therefore, lacks suitable and safe transition to warrant a commercial development. Rather, all commercial development at the proposed Parkway Intersection should be confined to the west side thereof. However, no such development should be approved prior to the completion of the construction of the proposed Parkway Intersection. Besides, there will be more than sufficient commercial development available along U.S. Highway 40 (Sixth Street) from K-10 to Wakarusa, as well as along Clinton Parkway, both east and west of K-10.

6. **Green space; Lake Alvamar** – The current version of the proposed Plan is almost completely devoid of green space. Accordingly, the Plan should be revised to provide for a reasonable amount of green space, consistent with generally accepted principles of urban planning and design. In this regard, the Plan should specifically provide that any future development within the Sector be conditioned on the developer providing at least 75 percent of the City’s cost to acquire and construct suitable parks and recreational facilities. Finally, the area immediately surrounding Lake Alvamar should be specifically preserved as green space, unavailable for development of any sort.

Again, we appreciate this opportunity to comment on the proposed Plan. We recommend that you conduct a meeting of interested persons following your publication of the revised proposed Plan. If you require any clarification of the above, please let me know.

Very truly yours,



François G. Henriquez, II
(913) 227-6035 – Office
(913) 220-7301 – Mobile
(913) 319-3217 - Fax
fhenriquez@uscentral.org

Gary James and Kristin Bowman-James
920 N 1464 Rd
Lawrence, Kansas
Phone: (785)841-3760
E-mail: garyleejames@sbcglobal.net and
kbjames@ku.edu

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Dear Mr. Warner,

This letter is written to provide comments to the Draft Plan West of K-10. My husband Gary and I are residents of the area known as Lake Estates, where we have lived for the last 16 years. During that time, the city of Lawrence has prospered and has seen tremendous growth to the west as well as in other directions. This is especially evident in the number of homes and businesses west of what was formerly known as Dragstrip Road, now named Wakarusa Drive. What used to be a two or three stop-light drive from Iowa on either 6th or 23rd Streets now has become a multiple stop-and-go commute.

Those of us who have chosen to live here at the outskirts of Lawrence have done so because of the peace and tranquility of a country setting, while still within an easy commute of town. Now, however, we have heard that some of our neighbors favor our area being annexed into the city and rezoned to high density housing so that they can sell their property at a higher value. This will clearly impact on our tranquil setting, where wildlife still abounds. The request came as a surprise to many of us. Last week those of us who cherish the "semi-country" atmosphere of our area met and discussed the issues at hand. As a result of that meeting you are receiving letters written by a number of the families in the targeted area that reflect our viewpoints.

You should by now have received a detailed letter from Mr. Francois G. Henriquez, II and his wife Laura A. Stephenson. This letter clearly states the issues at hand, and furthermore summarizes the opinions of many if not most of us with respect to the needs of this area. In short, it covers many of the points of discussion from last week's meeting. *Gary and I wholeheartedly endorse Mr. Henriquez' letter.* In addition, we would like to emphasize the following points.

- We do not want to be annexed by the City and strongly oppose rezoning of the adjacent land for multi-family/high density housing, because it will destroy the tranquil, country-like atmosphere of our neighborhood, the very reason we chose to live here.

- We urge that consideration be made to allow access to Bob Billings Parkway from 902 Road – this would be ideal for us, since as it stands we now must go a mile out of our way in either direction to get to town. We had been hoping when the original road was put through that this ready access to KU would soon be a reality.
- With increased traffic on the K-10 highway, it will be a nightmare to access the bypass if there is more development in this area. Already at times there are delays in getting onto the bypass at peak traffic hours. We feel strongly that this situation must be addressed before any further development in the area. Frankly, since it appears that there will be substantial commercial development north of Highway 40, we wonder if it is wise to have so much commercial development in the area.
- If at some point the plan is revised to rezone for high-density, multi-family dwellings in the area, it is essential that care be taken that it conforms according to point 4 of Mr. Henriquez' letter. Our neighbors to the north of us, Daryle and Geri Busch, have said that the multi-family housing just across the dirt road north of them has been very disruptive, particularly in terms of noise. The only barrier to that development is the dirt road.

In conclusion we appreciate you and the City making the effort to hear the opinions of all parties concerned in a potential annexation and rezoning. We would also like to suggest a meeting of the local residents who will be affected by annexation and zoning changes. This will not only give the City planners the opportunity to hear our views, but also will provide an open forum for discussion of all opinions and possibly alternative options. Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Kristin Bowman-James". The signature is written in black ink and is positioned above the typed name.

Kristin Bowman-James

Dan Warner

From: naturalway@mindspring.com
Sent: Monday, July 07, 2008 8:26 AM
To: Dan Warner
Cc: Judy Paley
Subject: comment letter on K-10 west

GEORGE F. PALEY

1448 E. 920 Road
Lawrence, KS 66049

785-842-6285

7-7-02

Mr. Dan Warner, Long-Range Planner, AICP Planning and Development Services Department
Lawrence City Hall P.O. Box 708 Lawrence, Kansas 66044-0708 dwarnar@ci.lawrence.ks.us

Re: Draft Plan: West of K-10

Dear Mr. WARNER;

I appreciate the opportunity to comment on the West of K-10 Sector Plan (the "Plan"), as proposed by the Lawrence-Douglas County Planning Department.

My wife IS JUDY GERLING PALEY, and

SHE WILL ALSO WRITE A LETTER TO YOU, if time permits.

1. Future annexation east of K-10 - As a resident of the area within the sector covered by the Plan and east of K-10 (the "Eastern Sector"), we strongly object to our property being annexed into the City of Lawrence. WE HAVE BEEN HERE FOR 20 YEARS. We do not believe the Plan should encourage the annexing of our property or any other property within the Eastern Sector prior to further annexation west of K-10. The only exception should be for residents within the Eastern Sector who specifically request that their properties be annexed into the City of Lawrence. WE
2. Intersection of Bob Billings Parkway and K-10 - This has been discussed for many years. Is KDOT to be involved, where do they stand? Can we see there comments? Because of the important transportation, access, and safety issues, we believe that the Plan should unequivocally state that there will be no further development within the Eastern Sector before a suitable, above-grade intersection at Bob Billings Parkway and K-10 (the "Parkway Intersection") has been constructed.
3. Future use consistent with current use - Nearly all of the property within the Eastern Sector is currently outside the City limits and its current use is single family residential dwelling on lots ranging from one acre to more than 30 acres. Consistent with generally accepted principles of urban planning and design, the Plan should unequivocally provide that there will be no high density residential development northeast of the corner of K-10 and Clinton Parkway. Rather, we strongly urge that the Plan specifically provide that any development within the Eastern Sector be limited to single family homes consistent with its current use and character.
4. Limited multi-family residential development - If the City determines that there

should be any multi-family residential use within the Eastern Sector, the Plan should unequivocally state that: (1) such multi-family use should be limited to the area bounded by Clinton Parkway on the south, K-10 on the west, N 1452 Road on the north, and E 920 Road on the east (the "Limited Area"); (2) any further residential development within the Limited Area must be no greater than medium density and should transition to the north and east to single family; (3) the Limited Area should be bordered by a tree-lined, raised berm and suitable green-space borders along E 920 Road and N 1452 Road; and (iii) the Limited Area should be served only by the collector road currently contemplated by the Plan and should have no access to either E 920 Road or N 1452 Road (other than the current intersection of E 902 Road and N 1452 Road).

5. Limited commercial development - The east side of the proposed Parkway Intersection would be immediately adjacent to single family residences and, therefore, lacks suitable and safe transition to warrant a commercial development. Rather, all commercial development at the proposed Parkway Intersection should be confined to the west side thereof. However, no such development should be approved prior to the completion of the construction of the proposed Parkway Intersection. Besides, there will be more than sufficient commercial development available along U.S. Highway 40 (Sixth Street) from K-10 to Wakarusa, as well as along Clinton Parkway, both east and west of K-10.

6. Green space; Lake Alvamar - The current version of the proposed Plan is almost completely devoid of green space. Accordingly, the Plan should be revised to provide for a reasonable amount of green space, consistent with generally accepted principles of urban planning and design. In this regard, the Plan should specifically provide that any future development within the Sector be conditioned on the developer providing at least 75 percent of the City's cost to acquire and construct suitable parks and recreational facilities. Finally, the area immediately surrounding Lake Alvamar should be specifically preserved as green space, unavailable for development of any sort.

Again, we appreciate this opportunity to comment on the proposed Plan. We recommend that you conduct a meeting of interested persons following your publication of the revised proposed Plan. If you require any clarification of the above, please let me know.

Thank you for the extension for comments.

Very truly yours,

GEORGE F. PALEY

Dan Warner

From: Janet Grant [janet_grant@sbcglobal.net]
Sent: Wednesday, July 09, 2008 2:07 PM
To: Dan Warner
Subject: Re: West of K-10 Plan - comment period extended

Dear Mr. Warner:

This letter is in response to the West of K-10 Plan. My husband and I own and live in the home at 925 N. 1464 Road. The property consists of a large home sitting on approximately two acres. We purchased this home because of it's secluded country feeling and yet being fairly close to town. We also liked the fact that most of the homes in the surrounding area were similiar; in that a good many of them are on acreage or extra large lots (one acre or more).

It is our desire to remain in the county and not be annexed by the City of Lawrence. If we must be forced into the city limits, we desire that our neighborhood remain as it is now and not be "citified" with curbs, storm drains, street lights and sidewalks. We love our country atmosphere!! That's why we all bought homes here.

My husband and I are sensitive to the desires of the Breithaupt Family. They have been squeezed out of their homes and farm operation base by development. We do not oppose their request for annexation into the city, even as high density zoning. This request seems logical considering that there are already rental units bordering some of the Breithaupt's property on the east and the bypass on the south and west. However, we hope you, as our planning and development coordinator, will follow sound and logical principles of planning and development by buffering any high or medium density housing with single family zoning for areas that border existing single family residences. Additional green space is a must. The City of Lawrence is guilty of allowing developers to run roughshod over the land, leaving it barren expanses of concrete that then have to have an expensive storm drain system developed to handle the run-off. Better planning with more green space would elimanate some of that expense and create a more pleasant and healthy environment. Lawrence would be wise to study the planning and development of such cities as Chesterfield and Town and Country, Missouri. We strongly urge you to use the flood plain area along side the creeks that feeds Yankee Tank Resevior as green space.

We believe that you have received a letter from Francois Henriquez and Laura Stephenson. My husband and I are definitely in agreement with the suggestions in their letter. Although we would not oppose that small area at the south end of North 902 Road to be annexed as high density out of respect for a longstanding Douglas County farm family. Were this to be the final outcome, we would strongly encourage closing off N. 902 Road at the north edge of this new development and routing traffic out to the roundabout on Clinton Parkway.

Thank you for taking the time and attention to make yourself familiar with our views and desires. We were at the meeting on June 26 and witnessed how difficult your job can be.

Thank you again. We may be reached at 841-1481 or my cell phone 766-1017 or by e-mail at janet_grant@sbcglobal.net should you wish to contact us.

Sincerely,

Van and Janet Grant

8/28/2008

925 N. 1464 Road
Lawrence, Ks. 66049

Dan Warner <dwarner@ci.lawrence.ks.us> wrote:

Hello,

We've extended the comment deadline for the 1st draft by one week to July 9th.

Please let me know if you have any questions.

Thanks.

Dan Warner, *Long-Range Planner, AICP* - dwarner@ci.lawrence.ks.us
Planning and Development Services Department | www.lawrenceplanning.org
City Hall, East 6th Street, PO Box 708
Lawrence, Kansas 66044-0708
785-832-3162. phone
785-832-3160. fax

Dan Warner

From: Judy Paley [jeweleye1@gmail.com]
Sent: Monday, July 07, 2008 7:15 PM
To: Dan Warner
Subject: K-10 west

Judy Gerling Paley
1448 E. 920 Road
Lawrence, KS 66049

785-842-6285

7-7-02

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10

Dear Mr. WARNER;

Thanks for taking the time to read these observations. I agree with all the ideas presented in this letter and hope the issues can be resolved. The planning should make sense, have all the green space possible, and be safe.

1. Future annexation east of K-10 – As a resident of the area within the sector covered by the Plan and east of K-10 (the "Eastern Sector"), we strongly object to our property being annexed into the City of Lawrence. We have lived in this area, the country side, for over twenty years and have watched the city march west. We do not believe the Plan should encourage the annexing of our property or any other property within the Eastern Sector prior to further annexation west of K-10. The only exception should be for residents within the Eastern Sector who specifically request that their properties be annexed into the City of Lawrence.

2. Intersection of Bob Billings Parkway and K-10 – This has been discussed for many years. Is KDOT to be involved, where do they stand? Can we see their comments? Because of the important transportation, access, and safety issues, we believe that the Plan should unequivocally state that there will be no further development within the Eastern Sector before a suitable, above-grade intersection at Bob Billings Parkway and K-10 (the "Parkway Intersection") has been constructed. This seems extremely important!!!!!!

8/28/2008

3. Future use consistent with current use – Nearly all of the property within the Eastern Sector is currently outside the City limits and its current use is single family residential dwelling on lots ranging from one acre to more than 30 acres. Consistent with generally accepted principles of urban planning and design, the Plan should unequivocally provide that there will be no high density residential development northeast of the corner of K-10 and Clinton Parkway. Rather, we strongly urge that the Plan specifically provide that any development within the Eastern Sector be limited to single family homes consistent with its current use and character.
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6. Green space; Lake Alvamar – The current version of the proposed Plan is almost completely devoid of green space. Accordingly, the Plan should be revised to provide for a reasonable amount of green space, consistent with generally accepted principles of urban planning and design. In this regard, the Plan should specifically provide that any future development within the Sector be conditioned on the developer providing at least 75 percent of the City's cost to acquire and construct suitable parks and recreational facilities. Finally, the area immediately surrounding Lake Alvamar should be specifically preserved as green space, unavailable for development of any sort.

Again, we appreciate this opportunity to comment on the proposed Plan. We recommend that you conduct a meeting of interested persons following your publication of the revised proposed Plan. If you require any clarification of the above, please let me know.

Thank you for the extension for comments.

Sincerely,
Judy G Paley

Keith and Karen Braman

911 E 1464 Road
Lawrence, KS 66049

(785) 843-7765 – Home
(785) 550-3826 – Mobile
kbb Braman@ku.edu

July 7, 2008

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10

Dear Mr. Warner:

I appreciate the opportunity to comment on the West of K-10 Sector Plan (the “Plan”), as proposed by the Lawrence-Douglas County Planning Department. In addition to reiterating the comments that Mr. Henriquez has set out in his letter to you regarding this same issue we also strongly object to our property being annexed into the City of Lawrence. We, strongly believe that the Plan specifically provide that any development within the Eastern Sector be limited to single family homes **consistent with its current use and character**.

Again, I appreciate this opportunity to comment on the proposed Plan. I recommend that you conduct a meeting of interested persons following your publication of the revised proposed Plan. We will be glad to meet with you at a time of your convenience to discuss the further.

Regards,

/s/

Keith and Karen Braman

Lee L. Rader
916 N. 1452 Rd
Lawrence, KS 66049

July 8, 2008

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10

Dear Mr. Warner:

Following are my comments on the West of K-10 Sector Plan as proposed by the Lawrence-Douglas County Planning Department:

1. ***Future annexation east of K-10*** – Although I was required to sign a document at the time of the construction of my home in 2004 when I connected to the city sewer line pledging that I would not oppose annexation, I would prefer not to be annexed into the city and support my surrounding neighbors who strongly oppose annexation. In my opinion, only those properties who specifically request annexation should be annexed.
2. ***Intersection of Bob Billings Parkway and K-10*** – Because of the important transportation, access, and safety issues, I believe that the Plan should unequivocally state that there will be no further development within the Eastern Sector before a suitable, above-grade intersection at Bob Billings Parkway and K-10 (the “Parkway Intersection”) has been constructed.
3. ***Future use consistent with current use*** – Nearly all of the property within the Eastern Sector is currently outside the City limits and its current use is single family residential dwelling on lots ranging from one acre to more than 30 acres. Consistent with generally accepted principles of urban planning and design, the Plan should unequivocally provide that there will be no high density residential development northeast of the corner of K-10 and Clinton Parkway. Rather, I strongly urge that the Plan specifically provide that any development within the Eastern Sector be limited to single family homes consistent with its current use and character.
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green-space borders along E 920 Road and N 1452 Road; and (iii) the Limited Area should be served only by the collector road currently contemplated by the Plan and should have no access to either E 920 Road or N 1452 Road (other than the current intersection of E 902 Road and N 1452 Road).

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Years ago when I was a K.U. student, I worked summers at a Girl Scout camp south of Ottawa. We (camp staff) always took back roads when leaving the camp for home to help us transition from the beauty of the woods back into "the city." I believe the value of beauty & a certain pace of living that accompanies natural beauty are less tangible arguments, but arguments which nevertheless hold tremendous merit. The Lake Estates area is a pocket of Lawrence which maintains a quality of this kind of beauty & sense of pace which is diminishing more and more in the Lawrence community. I hope city planners will maintain a regard for the uniqueness of this area and want to protect/preserve it too. Thank you for the opportunity for input. I look forward to your invitation to a second meeting with all property owners affected by the plan once you have completed the next draft.

Sincerely,

Lee L. Rader
Hm# 842-3399
Cell# 840-4799
Wk# 785-296-7253

Mr. Dan Warner, Long-Range Planner, AICP
July __, 2008
Page 3

Dan Warner

From: Mark Hecker
Sent: Thursday, July 03, 2008 4:40 PM
To: Dan Warner
Cc: Ernie Shaw
Subject: West of k-10 Plan - Comments

Dan:

Following are some comments from our department on the West of K-10 plan

Page 10 - Should state. There are currently no existing parks & recreation facilities or park properties located in the plan areas. Then talk about bike paths

Page 14 - second paragraph, the two schools are located east of the planning area, not west.

Page 28 - This plan seems inconsistent with roads illustrated in the map on page 32. The plan on page 28 is much more suited to preserving natural drainage areas and wildlife corridors as possible future park land.

Page 26 - suggests linear parks along stream and waterways. This is a good concept if bike trails and other park amenities could be tied to these green areas. These areas will serve as buffers to streams and provide recreational opportunities for the residence. It should also be suggested that by connecting trail in these linear green areas with proposed major arterial roads (with bike paths) that an extensive system of bike friendly paths would be established with connections to Clinton Parkway, Bob Billing Parkway and West 6th Street.

Page 33 & 34 - Agree that Bike paths are needed on 6th and Bob Billings as they develop west. Also need north / south paths somewhere in the planning area to connect the paths. The paths discussed above could serve this purpose

Page 35 - 3rd paragraph - Connection to the north side of Clinton Lake probably should not be noted in this section. This is a State Park that is controlled by fee collection at a single access point.

Page 39 - Often utility corridors can exist in conjunction with trails and parks if proper planning is established ahead of time and land is purchased for both purposes in mind



Mark A Hecker, Superintendent of Parks & Maintenance

mhecker@ci.lawrence.ks.us

Office Location, 947 New Hampshire

Mailing Address, P.O. Box 708, Lawrence, KS 66044

Phone 785-832-3454, Fax 785-832-3459

Dan Warner

From: Martha Coffman [martisfarm@yahoo.com]
Sent: Thursday, August 07, 2008 11:11 AM
To: Dan Warner
Subject: RE: West of K-10 Plan

Dan,
Thank you. Your response is helpful. I will review the material you cited, although probably will not be able to do so before the meeting this evening.
Martha

--- On **Mon, 8/4/08**, **Dan Warner** <dwarner@ci.lawrence.ks.us> wrote:

From: Dan Warner <dwarner@ci.lawrence.ks.us>
Subject: RE: West of K-10 Plan
To: martisfarm@yahoo.com
Date: Monday, August 4, 2008, 8:47 AM

Martha,

The Future Land Use map isn't the only guide to use in the Plan. The Plan also contains policy language that should also be used to guide future growth. There are policy statements that support future parks and open space in the planning area as it urbanizes. In Section III on page 19, the last guiding principle under the Land Use goal says: "Integrate parks and open space within the neighborhoods". In Section VII on page 39 there is a paragraph dedicated to Parks and Open Space. One of the policy statements in that paragraph says: "Each neighborhood must contain parks and open space".

Also, this plan isn't the only policy guide for future parks and open space. Horizon 2020 Chapter 9 – Parks, Recreation, Open Space Areas and Facilities – is the overall policy guide for parks and open space in Lawrence and Douglas County .

Thanks for your comments. I hope my reply has been helpful. Please contact me again if have more comments or questions.

Thanks.

Dan Warner, *Long-Range Planner, AICP*

From: Martha Coffman [mailto: martisfarm@yahoo.com]
Sent: Friday, August 01, 2008 1:33 PM
To: Dan Warner
Subject: West of K-10 Plan

Dan,

I have quickly reviewed the updated proposal for the "West of K-10 Plan" and look forward to hearing your comments at the upcoming meeting. However, I wanted to express my concern ahead of this event about the failure of these plans to incorporate green space. This should be a critical part of the planning process. I urge the city (and county) to take a strong stand in favor of assuring that future residents of this area have outdoor space preserved for the enjoyment of all. Big yards for some houses do not take the place of parks or other green spaces. If this space is not incorporated into the planning stage, then it will not exist after the area is developed into commercial and residential areas. The fact that Clinton Lake is "near" this area does not replace the need for the local environment to contain green area for the enjoyment of its residents.

Sincerely, Martha Coffman

Dan Warner

From: Neal Lintecum [nealdean@sunflower.com]
Sent: Tuesday, July 01, 2008 11:38 PM
To: Dan Warner
Subject: RE: West of K-10 Plan

Dear Mr. Warner

Comments on the West of K10 plan.

The map of future bike paths does not indicate any west of K10. There should definitely be one along the entire length of 1500 Road.

There needs to be more defined park space. There is a lot of beautiful green space in the area. More should be preserved.

Impact fees for improving the 1500 / K10 intersection are total baloney. The city, county, and state had better come up with the money given all the traffic that area will handle. No way is it fair to expect land owners to pay for this.

It has not been mentioned, but there is a significant deficit in storm siren coverage around 1500 road. This will have to be addressed sooner than later, especially if a school is built.

Access to Clinton Park from the north would be great.

Neal D. Lintecum
nealdean@sunflower.com

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

From: Dan Warner [mailto:dwarner@ci.lawrence.ks.us]
Sent: Friday, June 27, 2008 11:13 AM
To: Dan Warner
Subject: West of K-10 Plan

Hello,

The Future Land Use map attached to the agenda last night was incorrect. I apologize for that error. I have attached the correct Future Land Use map that is in the 1st draft of the plan, and was on display last night. This is the map you should reference if you are going to make comments regarding the future land use section of the plan. Those comments are due by July 2nd.

Here is the direct link to the plan online: http://www.lawrenceplanning.org/documents/West_of_K-10_Plan_060508.pdf

Please let me know if you would like a paper copy of the plan.

Thanks for attending the meeting last night. Sorry again for the map mistake.

Thanks.

Dan Warner, *Long-Range Planner, AICP* - dwarner@ci.lawrence.ks.us
 Planning and Development Services Department | www.lawrenceplanning.org
 City Hall, East 6th Street, PO Box 708
 Lawrence, Kansas 66044-0708
 785-832-3162. phone
 785-832-3160. fax

Dan Warner

From: Phil Struble [phils@LANDPLAN-PA.COM]
Sent: Friday, June 27, 2008 12:09 PM
To: Dan Warner
Cc: bradfink@sunflower.com; Tim Herndon
Subject: RE: West of K-10 Plan

Dan,

I have a number of comments regarding the draft of the West of K-10 Plan.

1. I think it is a mistake to ignore the balance of the West Campus of the First United Methodist Church. What you refer to as an error from last night should be the correct map regardless of what the 6th/SLT Nodal plan indicates.
2. Unfortunately, this draft plan relies on past out-dated plans to build its planning principals. My long standing criticism of the hierarchy of plans used by Lawrence is they always build on past mistakes and archaic planning principles. This draft plan does the same. For example, this plan is not dense enough to afford all implied costs that it must cover such as a water tower, 15th Street exchange, expansive open space, etc. The draft refers to developing in a historical manner which I do not think is what I have heard over the past years from either the Planning Commission or City Commission.
3. Another archaic concept that could be corrected is the idea of commercial at major intersections. This idea directly conflicts with the idea of access management. We do not need to put high traffic commercial in locations where we cannot provide high traffic access.
4. I like the idea of either conventional zoning or TND, however, this draft plan does not provide for like community uses. The conventional plan has a large amount of office and industrial which should be community needs and values. If that is true, then the TND concept should reflect the same community needs and values. If Lawrence as a whole needs office and industrial on the west side of town and near the SLT and West 6th Street intersection, then it should be provided for or not provided for in both concepts.
5. Another recommendation from the plan is the continuation of the extraordinary 50-foot setbacks. PlaceMakers and other planning consultants have all gone away from these setbacks in recognition of the idea of place and the traffic calming effect of the presence of buildings along all streets.
6. In studying recent developments, we have shown that limited development can proceed west of the SLT using the existing access points before we reach a dangerous threshold. I do support the idea of establishing the financing for the 15th Street exchange.
7. I see no need to pit the areas east of the SLT against areas west of the SLT.
8. Finally, I think it is important to link the "frontage road" extending north from Clinton Parkway to 15th Street. If for no other reason, areas west of the SLT will not have to access the SLT for only one mile to go east on Clinton Parkway. There are, however, many other benefits.

Thanks Phil Struble

From: Dan Warner [mailto:dwarner@ci.lawrence.ks.us]
Sent: Friday, June 27, 2008 11:13 AM
To: Dan Warner
Subject: West of K-10 Plan

8/28/2008

Hello,

The Future Land Use map attached to the agenda last night was incorrect. I apologize for that error. I have attached the correct Future Land Use map that is in the 1st draft of the plan, and was on display last night. This is the map you should reference if you are going to make comments regarding the future land use section of the plan. Those comments are due by July 2nd.

Here is the direct link to the plan online: http://www.lawrenceplanning.org/documents/West_of_K-10_Plan_060508.pdf

Please let me know if you would like a paper copy of the plan.

Thanks for attending the meeting last night. Sorry again for the map mistake.

Thanks.

Dan Warner, *Long-Range Planner, AICP* - dwarner@ci.lawrence.ks.us
Planning and Development Services Department | www.lawrenceplanning.org
City Hall, East 6th Street, PO Box 708
Lawrence, Kansas 66044-0708
785-832-3162. phone
785-832-3160. fax

Dan Warner

From: mary ann hoffmann [dragonfly390@sbcglobal.net]
Sent: Wednesday, July 09, 2008 2:48 PM
To: Dan Warner
Subject: Re: West of K-10 Plan - comment period extended

Dear Mr. Warner,

We live in the eastern sector of the West of K-10 plan. We have discussed the plan with our neighbors and one of us (Mary Ann) went to the meeting at the Aquatic center in June.

We object to our property being annexed into the City of Lawrence. We have made this objection at least twice in the last 5 years. Annexation of the eastern sector should not be a requirement for annexation west of K-10. No annexation should be considered until the intersection of Bob Billings Rd. and K-10 is appropriately completed at the city of Lawrence's expense (we don't need it). We agree with Mr. Henriquez and Ms. Stephenson that any development in the eastern sector should be limited to single family homes consistent with its current use and character. This would exclude multifamily residential and commercial development. If any multifamily development is planned in the eastern sector despite our objections then it should be with the restrictions and the addition of a berm as indicated by Mr. Henriquez. There is inadequate green space in your plan, especially around Lake Alvamar which should have its name changed back to the original historical name of Yankee Tank Lake since neither Bob Billings nor his parents (Alva and Mar-?) had anything to do with this area.

We didn't build a house out here 23 years ago because we wanted to live in the city. We enjoy our solitude and our low crime rate (which started going up as soon as Mike Garber started building roads that connected with the back of the Breithaupt properties - car and truck break-ins). We were forced into paying for a sewer benefit district that doesn't benefit us several years ago and we are still paying for it. We have an excellent water system, natural gas and a septic tank system that is going strong. We like the way things are and see no necessity to change.

Sincerely,
Philip Hoffmann, MD
Mary Ann Hoffmann, MD

Dan Warner <dwarner@ci.lawrence.ks.us> wrote:

Hello,

We've extended the comment deadline for the 1st draft by one week to July 9th.

Please let me know if you have any questions.

Thanks.

Dan Warner, *Long-Range Planner, AICP* - dwarner@ci.lawrence.ks.us
Planning and Development Services Department | www.lawrenceplanning.org
City Hall, East 6th Street, PO Box 708
Lawrence, Kansas 66044-0708
785-832-3162. phone
785-832-3160. fax

Dan Warner

From: me57wakeman@sunflower.com
Sent: Wednesday, July 09, 2008 10:14 PM
To: Dan Warner
Subject: Re: West of K-10 Plan - comment period extended

Dear Mr. Warner:

With respect to the draft proposal of the "West of K-10 Sector Plan", we would like to offer the following comments for your considerations:

1. In viewing the map presented, the western boundary (779E) does not coordinate with the landowner property boundary lines. Please explain how this was determined and why was there no consideration for increments which coordinate with the current county maps.
2. Considerations need to be drafted so that there is a greater "Park/Open Space" (Pg 25). What is being outlined appears only to be using lands which follow creeks in the area. Also, the "Green Space Buffer" (Pg 25) outlined appears to be better suited for possibly commercial or other development. How does the use of the creek banks in the proposed TND plans differ from conventional development? Why or how is the "Smart Code" any different from conventional development?
3. Please explain how the residential densities were determined. The draft appears to have more residential areas than the Horizon 2020 plans outlined which shows a light office commercial at the intersection of 1500N & 800E. This seems to have a better appeal for the use of this land compared to the current residential outlined.
4. On page 16 of the draft plan, the proposed school property does not appear to be centered with the proposed expansion. Does the really meet with the proposed growth of this area?

In conclusion, why is the City of Lawrence hiring an outside national consulting firm not even residing in this area to draft these TND master plans for the use of developing areas for future development; and to also hire the same firm to produce the Lawrence SmartCode? Are we not utilizing resources and personnel within the Douglas County area to meet the needs of local developers?

Regards
Richard and Mary Wakeman
1505 E 800 Road
Lawrence, KS 66049

> "Dan Warner" <dwarner@ci.lawrence.ks.us> wrote:
>
> Hello,
>
>
>
> We've extended the comment deadline for the 1st draft by one week to
> July 9th.
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> Please let me know if you have any questions.

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>
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> Thanks.
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>
>
> Dan Warner, Long-Range Planner, AICP - dwarner@ci.lawrence.ks.us
> [<mailto:dwarner@ci.lawrence.ks.us>](mailto:dwarner@ci.lawrence.ks.us)
>
> Planning and Development Services Department |
> www.lawrenceplanning.org [<http://www.lawrenceplanning.org>](http://www.lawrenceplanning.org)
>
> City Hall, East 6th Street, PO Box 708
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> Lawrence, Kansas 66044-0708
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> 785-832-3162. phone
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> 785-832-3160. fax
>
>
>

Dan Warner

From: Carolyn Crawford [ccjava2@prodigy.net]
Sent: Wednesday, July 09, 2008 1:28 PM
To: Dan Warner
Cc: RONALD D (SWBT) CRAWFORD
Subject: Comments on the West of K-10 Plan

Dan,

Thank you for meeting with us on Monday afternoon to explain the plan and answer our questions. We know a lot of time and effort went into the process.

As Ron mentioned, our main concern is that the plan look at the greater good for Lawrence and the residents that will enjoy living here for years to come. This plan represents a significant crossroad for the city. With flexibility and foresight, Lawrence can benefit from development for many generations. The example we discussed of a "Corporate Woods" type project on the northwest corner of K-10 and 40 Highway would have that flexibility and foresight to change as industries evolve while at the same time promote a positive working and living environment. Overland Park continues to reap the benefits of a project that fits into today's needs as well as it did when it was originally built.

Thank you for the opportunity for input regarding the West of K-10 Plan.

Carolyn and Ron Crawford
834 Highway 40

June 26, 2008

WEST OF K-10 PLAN COMMENTS

1. Page 1 states that the West 6th Street and K-10 Nodal Plan will remain the controlling plan for the two corners of 6th Street and K-10 (NW & SW) that are included in the West of K-10 Plan. This seems to create significant potential for confusion going forward as development occurs and people try to apply portions of the two plans to these properties. It would seem to make much more sense to simply include the properties in one plan or the other.
2. Map 2-1 is incorrect in that it shows the First United Methodist Church property on the SW corner of Sixth Street and K-10 as being used for a Farm Residence.
3. School Boundaries – Does the USD 497 service area extend west of the West of K-10 Plan area?
4. Map 2-7 shows the parks north of Clinton Lake as “county parks”. I believe they are actually state and Corps of Engineers parks.
5. Page 25 refers to the existing school district owned property as belonging to USD 437. It should be USD 497.
6. Map 4-1 designates a portion of land on the SW corner of Sixth Street & K-10 as being for “Public /Institutional” use. This appears appropriate for the land owned by the First United Methodist Church; however, there is a tract of land east of the church property that would appear to be better suited for a use such as Office/Industrial/Warehouse as most of the surrounding land is designated.
7. On page 35 in the Co-Located Facilities section the school district is misidentified as USD 457. It should be USD 497.
8. On page 36 the Water section refers to the “West Hills Service Level”. What is that?

Dan Warner

From: Busch, Daryle H [busch@mail.ku.edu]
Sent: Sunday, July 06, 2008 11:00 PM
To: Dan Warner
Subject: West of K10 Plan (and East of K10 as well)

Daryle H. Busch, Chemist

1492 East 902 Road

Lawrence, KS 66049

Phone: (785) 749-5888; FAX: (785) 749-5888 (call first)

E-mail: Busch@ku.edu

July 6, 2008

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Dear Mr. Warner:

My address will inform you of the purpose of this letter. As 20 year residents of this marvelous low density neighborhood, my wife and I are not pleased to learn that a plan (West of K10 Plan) is being made to annex our entire neighborhood and, it seems, the intent is to zone all of the area for high density housing. While I love to see my real estate increase in value, profit alone does not determine the quality of life. One of the main reasons I moved from the Ohio State University in Columbus, OH, to the University of Kansas was the opportunity to live close to nature while being only minutes from my students and laboratories. My utopian setting has already been changed by recent conversion of other nearby rural home places and farmland into neighboring multifamily units. Sounds of the night have changed in sad, occasionally alarming ways, and privacy has been replaced by occasional careless use or inappropriate use of parts of our property not always near our new neighbors. Of course development and growth of Lawrence must and will continue, but it is important to retain much of the region's character as a place where all kinds of housing are possible. I have tried to find a place that is comparable to ours for several years with essentially no success. Travel time triples or quality drops too much. With this message we want it clearly understood that Geraldine and Daryle Busch are opposed to the annexation and multifamily rezoning of the broad area of land that is our neighborhood. Such a change is inconsistent with the history of the area and not in the best interest of the community. This position reflects our deep personal feelings.

I want to mention related matters that are worthy of consideration. Whatever changes must be made in this case, we sincerely hope that we can continue to live in this area without unfair burdens such as taxing that would limit the amount of land we could hold and new restrictions on land use. Our

homeplace has long been a place for animal lovers and, although we no longer have grazing animals, our land is best for that use and among the few remaining places of that kind and quality close to the city.

It seems fairly clear that certain of our neighbors have very good reasons to favor annexation and rezoning and I fully understand how appropriate that can be. For the rest of us, who are more or less trapped by a situation that we do not view as favorable, it would be desirable to cause as little change as possible. By that I mean, if the previously farmed areas and adjacent homes toward the East and South (but within the neighborhood) can be treated separately (annexed and rezoned) from most of the homes in the neighborhood (not annexed and not rezoned), many of us would feel that we could continue our lives without extreme cause for distress.

We are concerned that a large population increase in this general area will create major problems for all residents if the original plans for highway 10 are not completed. Minimally, the cloverleaf intersection between Bob Billings Way and K10 absolutely must be built before the population in this area is increased by the kinds of development that we are hearing about with respect to the West of K10 Plan. It must have been something like 15 years since we were required to sell part of our land and rebuild our fences, etc., in order to accommodate this K10/Bob Billings Way highway/city street junction. Ever since, we have been obliged to travel either a mile North or South in order to go due East. This intentional traffic plugging must be alleviated. Perhaps there is an even lower minimum; could Bob Billings Way be opened to 902 road?

Lawrence, KS, is a great place to work and a great place to live, thanks to you and the other public servants who attend to these matters. I am proud of the fact that open discussion is welcomed in this city/county matter, but must apologize for not being available for the meeting this week. For the record, I'll be speaking at an NSF sponsored workshop on means of recycling or controlling carbon dioxide, an issue of importance to the viability of planet earth.

Sincerely,

A handwritten signature in cursive script, appearing to read "Doyle B. Beach". The signature is written in dark ink on a white background.

Dan Warner

From: Berniece Garber [berniece.garber@gmail.com]
Sent: Wednesday, July 09, 2008 4:01 PM
To: Dan Warner
Subject: Re: West of K-10 Plan

Dan,

Thank you for this information!

This email is in response to the meeting that we had yesterday and in reference to the properties owned by Doug Garber Construction, Inc. We would like to see the following changes to the "West of K10 Draft Plan":

- 1) 1644 E. 800 Rd is in a low density residential area. This should be medium to high density.
- 2) 1619 E. 818 Rd (the corner of 800 and 6th) should be changed from low density area to a commercial center based off of what has benefited the community best on the east side of K10.
- 3) 822 N 1500 Rd. should be changed from Low Density to Medium Density because it is close to the bypass and school.

Then in regards to the property owned by Doug and A. Berniece Garber located at 1445 E 920 Rd. we would like to agree with the neighbors that the corner would be best used for a Commercial Corner, due to location on the Clinton Lake, 10 highway and Clinton Parkway, the GOLF course, bike paths, walking trails, camping, boating, and all other outdoor recreational activities that are available to enjoy.

Thank you all for your consideration of these changes.

Berniece Garber

On Tue, Jul 8, 2008 at 12:44 PM, Dan Warner <dwarner@ci.lawrence.ks.us> wrote:

Bernice,

Attached is a file with the property owners we highlighted while you were here.

Information about the Creekstone rezoning at 6th and Queens Road can be found here:

http://www.lawrenceks.org/web_based_agendas/2008/06-03-08/06-03-08h/06-03-08_agenda_click_here.html

It's item #3 on the regular agenda.

Take care.

8/27/2008

Dan Warner, *Long-Range Planner, AICP* - dwarner@ci.lawrence.ks.us

Planning and Development Services Department | www.lawrenceplanning.org

City Hall, East 6th Street, PO Box 708

Lawrence, Kansas 66044-0708

785-832-3162. phone

785-832-3160. fax

Dan Warner

From: bobvoth@aol.com
Sent: Tuesday, August 12, 2008 10:35 PM
To: Dan Warner
Subject: Re: West of K-10 Plan

Dave:

I have been out of town and was not able to attend the most recent meeting or follow changes to the West of K-10 Plan.

I am the owner of the 53 acre Windover Community at Lawrence tract, near the intersection of K-10 and Clinton Parkway.

The last plan I saw, per our emails below, had this with a corner of commercial zoning, frontage of high density and the remainder of medium density. Is this still the case?

If this is still the case, I support the plan. If not, I am opposed to it. Could you please let me know. Thanks.

**Bob Voth
841-6868 or 843-2888**

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

From: bobvoth@aol.com
To: dwarner@ci.lawrence.ks.us
Sent: Thu, 10 Jul 2008 10:11 am
Subject: Re: West of K-10 Plan

Dave,

Thank you. If that is the case, I have no objection to the plan and support it.

Sorry about the email problem; I'll have to look into it.

Bob Voth
(785) 841-6868

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

From: Dan Warner <dwarner@ci.lawrence.ks.us>
To: bobvoth@aol.com
Sent: Thu, 10 Jul 2008 209:56 am
Subject: West of K-10 Plan

Bob,

I've been having all my emails to you bounce back as undelivered. I'm trying again by sending you a new email and not responding to the ones you sent. Hopefully this will work.

8/27/2008

You are correct. A portion would be commercial, part of it high density residential and part of it medium density residential.

Thanks.

Dan Warner, *Long-Range Planner, AICP* - dwarner@ci.lawrence.ks.us
Planning and Development Services Department | www.lawrenceplanning.org
City Hall, East 6th Street, PO Box 708
Lawrence, Kansas 66044-0708
785-832-3162. phone
785-832-3160. fax

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July 2, 2008

Re: West K-10 Sector Plan

It was noted by the planner conducting the meeting that it was the intent to utilize section lines as intended boundaries for this Sector Plan. There are adequate resources available in the County that would illustrate these lines, i.e. County appraiser's office, Soil conservation office all have aerial maps.

We find it interesting to note that 779 Road (which is a private driveway), labeled as such for emergency dispatch services, was used as a boundary. It is not a section line nor is it a half section line. This line should be moved either East or West. Perhaps we should point out to you where the half section line is. That line would be the fence line immediately West of the Kanwaka township hall. That line denotes the East one half of section 25. One fourth of a section is 160 acres. Kanwaka township hall sits on West ½ of 160 acres, i.e. being 80 acres. The original 80 acres (West ½ of the SE corner of section 25) was owned by a farm family, less 1 acre for Kanwaka township hall, leaving 79 acres more or less. The driveway now labeled 779 serviced the two generation farm family.

It is ironic you would choose 779 as a West boundary given the fact that the County with neighboring protest, (in 1996?) granted a conditional use permit for light industrial usage for the tract immediately behind Kanwaka corners and has since renewed that permit with expanded commercial use, again with neighboring protest, since it's inception. That line puts this commercial entity outside this sector plan. **This is clearly not compatible with low density residential.**

Current land use on Sixth Street in the city West of Iowa would certainly indicate that a strip would become commercial. To develop a plan that stops commercial at 800 Road is naïve and probably poor planning.

As represented, there are no buffers or transition from high to low density use. High density residential is literally dropped in the middle of low density residential. Reason cited at the meeting "that is what the landowner's wanted" If that is the reason, why develop a plan at all?

Revision is needed for sound planning principles and a public meeting should be held before any draft is presented to the planning commission for review.

Respectfully submitted,

Olene Sturdevant Tilley, Certified Real Estate Appraiser, Pittsburg State University
Gary Tilley, former planning commissioner, Rock County, Wisconsin, University of
Whitewater

Section 25, Township 12 South, Range 18 East, Douglas County, Kansas
780 Hwy 40, infamous site for drop of "murdered hip hop artist", October 15, 2006

FRANÇOIS G. HENRIQUEZ, II
LAURA A. STEPHENSON
1436 E. 920 Road
Lawrence, Ky 66049
(785) 841-1017

August 11, 2008

Mr. Dan Warner, Long-Range Planner, AICP
Planning and Development Services Department
Lawrence City Hall
P.O. Box 708
Lawrence, Kansas 66044-0708
dwarner@ci.lawrence.ks.us

Re Draft Plan West of K-10, Second Draft

Dear Mr. Warner

Once again, my wife, Laura Stephenson, and I appreciate the opportunity to comment on the second draft of the West of K-10 Sector Plan (the “Plan”), as proposed by the Lawrence-Douglas County Planning and Development Services Department (the “Department”). We have the following comments

1. ***No unilateral annexation within the Eastern Sector*** – Although the Plan nominally covers the area that lies to the west of K-10, it also covers the land east of K-10 that has not been annexed into the City (referred to herein as the “Eastern Sector”). We join many other residents in the Eastern Sector in strongly objecting to our property being annexed into the City of Lawrence. It is our strong preference that our property never be annexed. The City of Lawrence has a long history of avoiding unilateral annexation. We agree with this historical aversion because we believe the City should not annex property against the consent of the property owners. We urge the Department to include a clear statement in the Plan that, with respect to the Eastern Sector, the City will remain committed to its long-standing policy, preference, and practice of refraining from unilateral annexation.
2. ***Density within the Eastern Sector should remain “Low” to “Very Low”*** – Nearly all of the property within the Eastern Sector is single family residential dwelling on lots ranging from one acre to more than 30 acres. We join the majority of our neighbors who live within the Eastern Sector in strongly urging that all of the land within the Eastern Sector be designated as either low density residential or very low density residential. This allows us as property owners to preserve both the character and value of our properties. When and as property is annexed, the property owners requesting annexation would have the right to request rezoning to a higher density if they saw fit. Thus, the property rights of

Mr. Dan Warner, Long-Range Planner, AICP

August 11, 2008

Page 2

current landowners do not have to be compromised in order to allow for future uses that would be appropriate at the time.

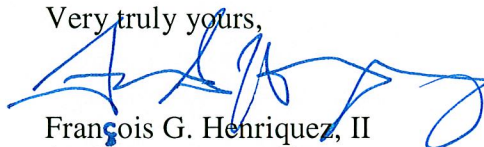
3. ***Traffic safety will be threatened by increased density within the Eastern Sector*** – We strongly object to the Plan’s calling for densities greater than very low density residential and low density residential within the part of the Eastern Sector that is bounded by the City limits on the south, K-10 on the west, N 1452 Road on the north, and E 920 Road on the east (the “Limited Area”). As the Department is aware, the only traffic access into and out of the Limited Area is via the intersection of N 1500 Road and E 902 Road. This intersection is already extremely dangerous with the currently traffic level notwithstanding the fact that the Eastern Sector currently has a very low residential density. **Any** additional density within in the Limited Area will significantly exacerbate the danger at this already over-burdened intersection. Accordingly, the Plan should not contemplate any increase in density within the Eastern Sector and should, instead, designate the entire area either as very low density residential or low density residential, as it is today. If the Department will not agree to this limitation, we urge the Department to condition any annexation or rezoning within the Limited Area on the completion of suitable traffic access, presumably by converting E 902 Road into a collector road, as contemplated by *Transportation 2025*.

4. ***Drainage problems will be exacerbated by increased density within the Eastern Sector*** – The Department may not be aware that there is a considerable limestone shelf a mere few feet below the surface of most of the properties in the Limited Area. As a result, with only a limited amount of rainfall, the topsoil quickly becomes saturated and many of the neighbors in the Limited Area face drainage problems. Additional density within in the Limited Area will significantly aggravate these drainage problems. Because of this, we again urge that that Department revise the Plan to designate the entire area either as very low density residential or low density residential, as it is today.

5. ***Lake Alvarado*** – The Plan should be revised to specifically provide that the area surrounding Lake Alvarado will be preserved as green space, unavailable for development of any sort. The area surrounding Lake Alvarado, which is a floodplain, is critical to drainage for the entire area covered by the West of K-10 Plan.

Again, we appreciate this opportunity to comment on the proposed Plan.

Very truly yours,



Francois G. Henriquez, II

(913) 227-6035 – Office

(913) 220-7301 – Mobile

(913) 319-3217 - Fax

fhenriquez@uscentral.org

Dan Warner

From: naturalway@mindspring.com
Sent: Wednesday, August 13, 2008 8:48 PM
To: Dan Warner
Subject: k 10 draft 2 comments

Mr. Dan Warner, Planner, AICP
Planning Department
P.O. Box 708
Lawrence, Kansas 66044-0708

dwarner@ci.lawrence.ks.us

Re: Draft Plan: West of K-10, Second Draft

Dear Mr. Warner:

We appreciate the opportunity to comment on the second draft of the West of K-10 Sector Plan and appreciate all the time you have spent on our meetings.

1. We realize that annexation within the Eastern Sector, may be inevitable. We join many other residents in the Eastern Sector in objecting to our property being annexed into the City of Lawrence, at this time. We have grave concerns about rising property tax. It is our strong preference that our property not be be annexed at this time. We believe the City should not annex property against the consent of the property owners. We do not totally understand Urban Reserve, and can you comment on the impact on the property taxes.
2. Traffic safety is of great concern with increased density within the Eastern Sector This intersection at k-10 and 902 is already extremely dangerous, with the currently traffic level. Any additional density within in the Limited Area will significantly increase the danger at this intersection. The Plan should not be put into place until the intersection of 15th Street and K-10 is on the books and ready to go. In the previous rezoning I have expressed concerns about the viability of the round about on 23rd Street. PLEASE STUDY THIS CAREFULLY AS part of your process, I believe this should be redesigned and expanded for the amount of traffic that will be generated.
3. Drainage problems must be strongly considered and well planned. In our meetings, we have made you aware of a limestone shelf a few feet below the surface of most of the properties. With only a limited amount of rainfall, the topsoil quickly becomes saturated above this shelf. Many of us already have drainage problems, so please take this into consideration.
4. Green Space- The Plan should be revised to specifically provide that the area surrounding Lake Alvamar will be preserved as green space. The area surrounding Lake Alvamar, which is a floodplain, is critical to drainage for the entire area, and should remain "green."
5. Density within the Eastern Sector should remain, in as many cases as possible, remain "Low." We join the majority of our neighbors who live within the Eastern Sector in strongly urging that as much land as possible, within the Eastern Sector be designated as low density residential. When and as property is annexed, the property owners requesting annexation would have the right to request rezoning to a higher density if they see fit. Thus, the property rights of current landowners do not have to be compromised in order to allow for future uses that would be appropriate at the time.

Thank you again for all your work on on the proposed Plan. We believe that good planning is the key to a great future.

Sincerely,

George F. Paley

RECEIVED

On behalf of the property owners on 902 Road at the corner of K-10 and Clinton Parkway, we thank the planners for changing our designation to high density in regards to the West of K-10 Plan. **We would like to put in one more request however to change our designation to commercial for all or at least some of our 902 Road neighborhood.**

AUG 13 2008
City County Planning Office
Lawrence, Kansas

If you visit this area, you will see there is a lot of potential for commercial businesses with the lake being so close. There is a wonderful view of Clinton Lake from the second floor or roofs of many of our houses, so depending on the type of commercial business, this view could be a wonderful and very unique asset to have in Lawrence. There are many commuters and drivers that travel this corner of Lawrence either coming from Highway 59 or coming off I-70 and also entering and exiting off Clinton Parkway. A commercial center geared toward community needs as well as lake-oriented needs would be very visible to many potential customers.

Clinton Lake in itself is a great asset of Lawrence and by commercializing this area it could be a much more attractive draw to bring community members and visitors to the lake and this part of town. By making the northeast corner of K-10 and Clinton Parkway commercial, you are at least putting the possibility out there for developers to present a plan. The area can always be designated down to high density once again, but it would be difficult to push it to commercial once a plan is approved.

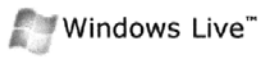
A few ideas of what could be done: hotel or B&B inn, family fun center, restaurants, lake-oriented specialty shops or gift shops, grocery store for convenience of lake visitors and expected growth of the neighborhoods around K-10, a shopping type area incorporating many of these ideas, and probably many more ideas that someone with experience would be able to develop.

There are currently only a few restaurants remotely close to the lake area with the closest, besides the marina, being approximately 2 1/2 miles away. The idea of a restaurant in this area, especially with the potential of future housing growth, seems a natural fit.

The current draft of the plan also shows a road coming off Clinton Parkway into this 902 Road neighborhood. This road would allow easy access to a commercial center and would also allow for another route of entrance/exit for this corner surrounded by a major intersection of roads (K-10 and Clinton Parkway). Currently the only other exit from this area east of K-10 is at 1500 Road, which is not the safest of intersections. Until an interchange is built for K-10 and 15th Street, the road coming off Clinton Parkway into this neighborhood or future commercial center could be a much more controlled and safe route.

We hope you will consider the change from high density to commercial for the 902 Road properties. As property owners, we feel moving from the area to start over in new homes is inevitable with the growth in Lawrence moving in our direction. We are all willing to make the move and start over, but for a price. With the long connection many of the neighbors have had to this area, nobody is willing to move just to move. It has to be worth our while. We feel that designating our land as commercial will give each of us as property owners the best chance at being bought out by developers for the dollar amount we feel comfortable with to pack up and start over. It would also allow Lawrence to develop this 25+ acres into a very nice commercial area in a very unique lake-view setting.

Glenn and Brenda Breithaupt, 1412 E 902 Rd Brenda Breithaupt
Jeri and Paulette Breithaupt, 1416 E 902 Rd Jeri Breithaupt
Paulette Breithaupt
Don and Janet Breithaupt, 1420 E 902 Rd Janet Breithaupt
Breithaupt family home, 1424 E 902 Rd Jeri Breithaupt
Mike and Jeanie Bronoski, 1428 E 902 Rd Jeanie Bronoski
Michael Bronoski
Mike and Kristel Lewis, 1430 E 902 Rd Kristel
Patty Haake, 1432 E 902 Rd Patty Haake
Mike Fletcher, 1434 E 902 Rd Mike Fletcher
Kenny Breithaupt, E 902 Rd see attached email signature
George and Eleanor Woodyard, E 902 Rd George Woodyard
Eleanor Woodyard
Gary and Karen Vespestad, 1435 E 902 Rd Gary Vespestad
Karen Vespestad



Hope this is o.k.

From: **Kenneth Breithaupt** (kennethbreithaupt@yahoo.com)

Sent: Wed 8/13/08 11:12 AM

To: ktel30@hotmail.com

I, Kenneth Breithaupt, agree to the 902 Rd. neighborhood letter for rezoning our property to "Commercial Zoning. Kenneth Breithaupt 1438 E 902 Rd. 785-843-2665

Mr. Dan Warner, Long-Range Planner, AICP
Planning & Development Services Department
Lawrence City Hall
PO Box 708
Lawrence, KS 66044-0708

Dear Mr. Warner,

My comments below are responding to the second draft of the West of K-10 Plan. My comments regarding the first draft of the Plan were submitted via e-mail on July 8, 2008.

As a home owner at 916 N. 1452 Road, I had significant concerns regarding the first draft and unfortunately my concerns are even greater after reviewing the second draft. Although some of my concerns do include the larger area, my primary focus is on the section of properties bordered roughly by Clinton Parkway, K-10 Hwy, N 1452 Rd & E 920 Rd. My home is on approximately 3 acres of land and my property happens to be the lowest in the area. My primary concerns are as follows:

- 1) According to prudent city planning, the density of properties in a given area should graduate with adequate room for the flow of graduation from one density level to the next. My property falls within the designation of Very Low Density as do neighboring properties along the North & East sides of N 1452 Rd & E 920 Rd. Within a relatively small area, the 2nd draft proposes a graduation from Very Low Density to Medium Density to High Density. I propose that this amount of graduation is

- A) too rapid given the small size of the area and
- B) not in keeping with acceptable planning standards of moving from one level to the next and not "leap frogging."

The jumping occurs across N 1452 Rd & E 920 Rd moving from Very Low Density to Medium Density (skipping Low Density) & across 910 N 1452 Rd moving from Very Low Density to High Density (skipping two levels). I would propose a Graduation from Very Low Density along the North side of N 1452 Rd and East side of E 920 Rd to Low Density directly across from these properties to Medium Density along E 902 Rd. This pattern of graduation would be much more in keeping with the current character of the area and in keeping with my understanding of the "conventional development option" as stated in the Plan.

- 2) As noted in my first comment letter, I am highly concerned about safety issues at the intersection of K10 Hwy (East side) & N 1500 Rd with no above grade entry onto K10 Hwy and no funding for this in the foreseeable future. Adding high density units to this tiny road will exacerbate the safety issues already prevalent at this intersection.
- 3) As the property owner of the lowest elevation in the indicated area, I am highly concerned about the flow of storm water onto my property if the density of living units is dramatically increased above me. Longtime residents on the higher ground indicate that a limestone ledge exists about 7 feet underground & that the general soil drainage is poor. My property already has a drainage way cutting through it which runs very full when we have ample rain. In my opinion, the

Page 2

city has not thought through storm water issues in proposing significantly higher density for the higher ground. I do not believe the lower ground can handle it. (p.20 of 2nd draft: "Neighborhoods should be built in ways that protect existing natural drainage & ecosystems.")

- 4) The neighbors who are advocating for the higher density designations are the leaving neighbors. They no longer have a vested interest in the property they will leave behind. On the other hand, I am a staying neighbor & my interest is very personal as well as communal. I care a great deal about the land I live on as well as my neighborhood and about protecting its value & beauty. I would appreciate a greater balance of support from city planners.

Sincerely,

Lee L. Rader
916 N. 1452 Rd.
Lawrence, KS 66049
Hm# 842-3399
E-mail: LeeLRader@sbcglobal.net

Dan Warner

From: Steve Glass [sglass@lrindust.com]
Sent: Thursday, August 07, 2008 9:11 AM
To: Dan Warner
Subject: West of K-10 Plan

Dan,

I will not be able to attend the public meeting tonight, but wanted to offer the following comments concerning the revised plan:

1. Map 2-1 needs to be revised to show the correct table in the upper right hand corner. The map is intended to show land uses, but the table shows highways.
2. Page 19, Public Facilities & Infrastructure – One of the principals is that “Sewer and water capacity shall be available prior to urban development.” My concern is that “available” can be interpreted in several different ways some of which may serve to delay the development process. Historically infrastructure development such as streets and site grading have been allowed to proceed prior to or simultaneously with sewer and water lines being brought to a site which expedites the development process. Actual building construction typically isn’t allowed to begin until at least water is available to the site for fire protection reasons. I would prefer to see wording included that would clearly continue to allow the historical development process continue.
3. Page 40, Water – The description of the existing water lines does not match the Map 2-3 which shows the existing waterline extended across K-10 to the west side of the road.

Thanks,
Steve Glass

AD - Crabtree, Robin

From: naturalway@mindspring.com
Sent: Thursday, January 15, 2009 4:20 PM
To: AD - Crabtree, Robin
Subject: letter to the commission

Dear Ms. Crabtree;

I hope this comes through

Thank you

George F. Paley

January 14, 2009

County Commission
Douglas County, Kansas
c/o Ms. Robin Crabtree, Executive Assistant to the County Administrator
1100 Massachusetts
Lawrence, Kansas 66044
rcrabtree@douglas-county.com

Re: Draft Plan: West of K-10

Dear Commissioners:

I appreciate the opportunity to comment on the draft of the West of K-10 Sector Plan (the "Plan"), as forwarded to the Douglas County Commission for review and formal adoption. We live in the area bounded on the north by N. 1464 Road; on the west by K-10; on the south by the existing City Limits; and on the east by Lake Alvamar (the "Subject Area").

The roadways are not designed for increased density within the Subject Area - We believe that our area should be designated as very low density residential and low density residential within the Subject Area. The only traffic access into and out of the Subject Area is via the intersection of N 1500 Road and E 902 Road. These roads is not designed for any increases in traffic density.

Our ideal would be designated low density or very low density development. Thank you for your attention to this issue.

Very truly yours,

George Paley
1448 east 920 Road
Lawrence, KS 66049

AD - Crabtree, Robin

From: AD - Crabtree, Robin
Sent: Monday, January 12, 2009 2:21 PM
To: County Commissioner - Jones, Charles; County Commissioner - Jones, Charles; County Commissioner - Flory, James; 'Nancy Thellman'; County Commissioner - Thellman, Nancy
Cc: AD - Weinaug, Craig
Subject: FW: West of K-10 Plan; County Commission Meeting, Jan. 21st

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

From: Francois Henriquez [mailto:FHENRIQUEZ@uscentral.org]
Sent: Monday, January 12, 2009 2:10 PM
To: AD - Crabtree, Robin
Cc: Dan Warner; laura.stephenson@washburn.edu; Lee Rader; George & Judy Paley; Judy Paley; Jerry & Susan Potter
Subject: West of K-10 Plan; County Commission Meeting, Jan. 21st

Dear Ms. Crabtree,

Please accept the attached comment letter to the Board of County Commissioners in opposition to the Board's approval of the "West of K-10 Plan" which I understand will be discussed at the Board's January 21st meeting.

Please let me know if you have questions or if I can provide clarification.

Respectfully,

François Henriquez

FRANÇOIS HENRIQUEZ
1436 E 920 Road
Lawrence, KS 66049
Office: 913.227.6035 **Fax:** 913.319.3217
Cell: 913.220.7301 **Home:** 785.841.1017
E-mail: fhenriquez@uscentral.org

FRANÇOIS G. HENRIQUEZ, II

LAURA A. STEPHENSON

1436 E. 920 Road
Lawrence, KS 66049
(785) 841-1017

January 12, 2009

Board of County Commissioners
Douglas County, Kansas
c/o Ms. Robin Crabtree, Executive Assistant to the County Administrator
Douglas County Courthouse
1100 Massachusetts
Lawrence, Kansas 66044
rcrabtree@douglas-county.com

Re: Draft Plan: West of K-10

Dear Commissioners:

My wife, Laura Stephenson, and I appreciate the opportunity to comment on the draft of the West of K-10 Sector Plan (the "Plan"), as forwarded to the Douglas County Commission for review and formal adoption. We live in the area bounded on the north by N. 1464 Road; on the west by K-10; on the south by the existing City Limits; and on the east by Lake Alvamar (the "Subject Area"). We appreciate the effort that both the Planning and Development Services Department and the Planning Commission have made to balance the interests of the residents within the Subject Area, some of whom want to stay and preserve as much of the original character of their property as possible. Meanwhile, other residents appear to be eager to obtain the highest possible prices for their property, without regard to the character and use of the land and the effects on the neighbors that they plan to leave behind.

Although the residents' competing perspectives are arguably worth consideration, neither side's view should override sound planning principles or public safety. In both regards, the proposed Plan falls short and should not be adopted without further modification.

Because the Subject Area is a relatively small area, it is extremely difficult to make reasonable land use density transitions. The Subject Area is simply too small to reasonably accommodate appropriate transitions from the Very Low Density to the east and north to High Density to the south and west. Specifically, Map 4-1 of the proposed Plan calls for a transition from Low Density to High Density, without any buffering Medium Density whatsoever. A more logical transition would be for the property on east side of E. 902 Road (and abutting properties on the west side of E. 920 Road) to

be reflected as Medium Density. This would leave the remaining approximately 10-acre area on the west side of E. 902 Road (and abutting K-10) as the only area that logically would be available for High Density residential land use.

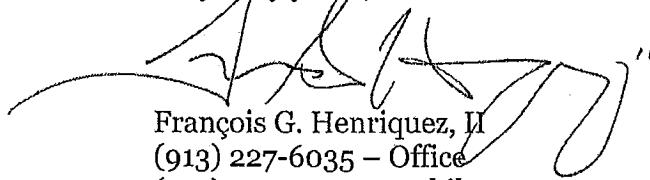
Meanwhile, the Plan calls for ample High Density development indicated across from the Subject Area to the West of K-10. As a result, one must question how reasonable or necessary it is at all to cram a few acres of High Density Zoning into the Subject Area.

Traffic safety will be threatened by increased density within the Subject Area – We strongly object to the Plan's calling for densities greater than very low density residential and low density residential within the Subject Area. The only traffic access into and out of the Subject Area is via the intersection of N 1500 Road and E 902 Road. This intersection is already extremely dangerous at current traffic levels notwithstanding the fact that the Subject Area currently has a very low residential density. ***Any*** additional density within in the Limited Area will significantly exacerbate the danger at this already over-burdened intersection.

Accordingly, we respectfully recommend and request that the Plan be further amended to reflect the entire area as transitioning from Very Low Density to the east and north to Low Density to the west and south.

Again, we appreciate this opportunity to comment on the proposed Plan.

Very truly yours,



François G. Henriquez, II
(913) 227-6035 – Office
(913) 220-7301 – Mobile
(913) 319-3217 - Fax
fhenriquez@uscentral.org