

League of Women Voters of Lawrence-Douglas County

Items  
12A-E

P.O. Box 1072, Lawrence, Kansas 66044

April 16, 2006

Dr. Terry Riordan, Chairman  
Members  
Lawrence-Douglas County Planning Commission  
City Hall  
Lawrence, Kansas 66044

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City County Planning Office  
Lawrence, Kansas

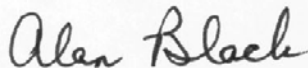
RE: ITEMS 12A and 12E, REZONING TO PCD AND RM-2, etc, MERCATO

Dear Chairman Riordan and Planning Commissioners:

In our letter dated February 14, 2006, we wrote to you concerning the Mercato development and its failure to conform to the adopted West 6<sup>th</sup> Street and K-10 Nodal Plan, especially regarding the amount of requested commercial acreage. Although the developers have reduced the commercial acreage, a change which we commend, the amount requested still is in excess of that recommended by the Nodal Plan and challenges the validity of this Plan, not only for this corner but for the remaining corners of this node. We suggest that rather than ignoring the recommendations in the adopted Nodal Plan by approving a development that does not conform to it, it would be better to determine whether or not the zoning requests that do not conform to the plan are justified. If they are justified, the Nodal Plan should be restudied and changed. If the amount and type of rezonings are not justified, then they should be denied. Simply ignoring an officially adopted plan has the effect of jeopardizing the planning process in general.

With regard to the staff report on this proposal, we support the recommendation to reduce the requested RM-2 rezoning to a lesser density and the other staff recommendations based on the Lesser Change Table. However, we again ask that you zone the area proposed for an RM district to a PRD or wait for the new code, so that it can be rezoned to an RM12 District with a PD Overlay. This would allow the development plan to provide a step-down buffer between the RS district and the multiple-family use. Because RM districts are conventional, under both our current and newly adopted Land Development Codes, there is no way to require appropriately scaled buildings or adequate buffering between large-lot RM developments and the smaller-scale RS districts.

Sincerely yours,



Alan Black, Chairman  
Land Use Committee



Caleb Morse  
LWV L-DC Board

Items 12A-P

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April 17, 2006

Jane M. Liddridge  
E-Mail: [jeldredge@barberemerson.com](mailto:jeldredge@barberemerson.com)VIA FACSIMILE AND HAND DELIVERYMs. Sheila Stogsdill, Interim Director  
Lawrence - Douglas County Metropolitan Planning Commission  
Sixth and Massachusetts Streets  
Lawrence, Kansas 66044Re: Planning Commission April Agenda  
Items No. 12A, B, C, D, E, and F

Dear Ms. Stogsdill:

Thank you for taking the time to meet with Mr. Fritz and Mr. Schwada on Friday about the Mercato project. I understand you will write an addendum to the staff report noting the fact that the Nodal Plan does not include specific acreage amounts for proposed land uses. Both the Nodal Plan map and the narrative contain proportional amounts of proposed land uses. However, it is abundantly clear that the northeast quadrant (Mercato) contains larger designations of commercial, office, and multi-family than is shown in the southeast quadrant. The same can be said for the land use designations in T2025 Plan and the previous Northwest Area Plan.

At its April 11, 2006, the City Commission meeting, the City Commission gave the go ahead to the sewer improvements necessary to service Mercato and the other projects in northwest Lawrence, with the upgrade of the pump stations and the down stream improvements. Mercato and all of the other projects within this area will not overload the sewer system and therefore references to phase lines on the Preliminary Plat or restrictions pending adoption of an updated waste water master plan are no longer necessary and should be removed.

You also asked for a written explanation of why the Condition 2 must be deleted from Item 12A, the PCID-2 zoning request. We were surprised to see this new condition. It had not been discussed with any of the owners before the staff report was published. There are no ordinances that require such a deadline for submission of a preliminary development plan. It serves no practical purpose, since the zoning is not effective until a preliminary development plan is approved by the City Commission.



*Stogsdill, Sheila*

April 17, 2006

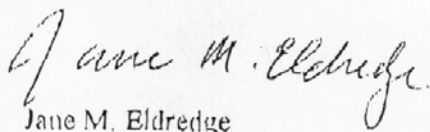
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To have a meaningful preliminary development plan, specific knowledge of the needs of the desired tenants is required. No discussions have been had with any prospective tenants. It took Northgate, on the south side of Sixth Street, approximately three and one-half years from the approval of its preliminary plat to submit the preliminary development plan that was approved last month.

Please eliminate Condition 2 of Item 12A because it is counter-productive.

Messrs. Fritzel and Schwada appreciate the time and efforts of the you and other members of the planning staff in working with them on Mercato. If you have any additional questions please contact one of the owners or me at your earliest convenience.

Sincerely,



Jane M. Eldredge

JME/kib