

Citizens for Responsible Planning (CRP)
Revised Position Paper
January 14, 2008

AIRPORT BUSINESS PARK

Citizens for Responsible Planning (CRP), a local grassroots organization with members representing Grant Township, North Lawrence, and city residents asks the Lawrence City Commission to consider these concerns when deliberating annexation and re-zoning requests for the proposed 144 acre Airport Business Park:

1. **Lawrence needs farsighted planning:** The unanticipated future costs of the Airport Business Park are enormous. (North Lawrence Drainage Study: \$42 million for flood protection projects to protect property and people.)
2. **Locational criteria, Horizon 2020, and the Airport Business Park:** The land north of North Lawrence is not an optimal site for industrialization. Local traffic patterns, lack of access to rail, and specific loamy, silt soil type are serious problems to industrialization.
3. **High price of floodplain development:** Intentionally developing on floodplain and flood-prone land increases risks to public money and public safety.
4. **Lawrence has better industrial/employment center options:** Independent site comparison studies are needed. Potential for flooding and the quality of soil must be considered when selecting a site—not just proximity to transportation.
5. **Light industry: risky business for Lawrence:** Independent market analysis is needed to determine the best way to spend limited economic dollars. Light industry and manufacturing may not grow the desired tax base—especially from a North Lawrence perspective.
6. **Prime agricultural land must be preserved:** Current energy, food production and environmental concerns place a high value on open space and a particularly high value on prime agricultural farm land—a resource for future regional sustainability.

The following pages contain fuller explanations of these six principle concerns.

1. LAWRENCE NEEDS FARSIGHTED PLANNING

The Lawrence Airport Business Park, a joint project of Pine Family Farms and Diversified Concepts, LLC is the result of at least two years' preparation by the landowner and developer, now partners. Encouraged by the Lawrence-Douglas County Economic Development Board's pledge to bring 1,000 acres of industrial ground online in the next five to six years, Diversified Concepts announced its intention to develop an industrial park/employment center on 900 acres of agricultural land north of Lawrence, promising 20,000 new employees over 25 years. Light industry, heavy-transportation and trucking industry, distribution centers, aviation industry and warehousing were the aim of this future light industrial "lifestyle center."¹ However, on September 13, 2007, Diversified Concepts announced it would no longer pursue the 900 acre project because it could, for the moment, find no willing partners for the full scale plan. The developer's immediate attention remains on the first 144 acres of the Pine's nearly 350 acre farm.

Since learning about this ambitious proposal in the local newspaper, significant community opposition has arisen. Residents of Grant Township and North Lawrence have had a steep learning curve as they've quickly sought to understand the impact of such a development on both neighborhoods and the broader community. Too easily labeled a "not in my backyard" opposition, the members of Citizens for Responsible Planning remind the City Commission that any private development requiring generous city funds causes it to land squarely in the back yard of every tax paying citizen. The future of the Airport Business Park depends entirely on city funds.

The City Commission must then be forward thinking, even visionary, when it considers this request to annex and re-zone agricultural land north of North Lawrence for new industrial purposes. Though the original project is downscaled from 900 acres to 144, the smaller version is no less a commitment to opening up the North Lawrence watershed for full-scale development because once city infrastructure is in place, development pressure will surely follow. Horizon 2020 makes it clear that part of the city's responsibility in maintaining its industrial inventory includes evaluating "infrastructure service delivery and phasing plans."² Meaning, not only this first phase but future phases and even future projects on the northern watershed must be part of the Commissioners' deliberations as they impact the type, amount, and especially cost of the infrastructure the city will be committed to provide now and in the future. Committing to develop the watershed by building the Airport Business Park has far reaching implications carrying Lawrence into future costs unknown.

Case in point: Infrastructure cost estimates required for the full build out of the Airport Business Park were released on November 13, 2007. The estimated cost to the city and county is \$8,340,250. Of this figure, nearly \$6 million is dedicated to up-grading and widening 24/40 Highway and improving the intersection of Highway 24/40 at E.

¹ Lawrence Journal World, June 23, 2007

² Horizon 2020, Chapter 7, Policy 3.4, p. 118

1500 Rd.³ This substantial infrastructure investment may very well be wasted, though, should planners intend to further develop the watershed. Why? According to city stormwater engineer, Matt Bond, when development proceeds to the north of the business park or to the west of Highway 59 (meaning if development extends further onto the watershed) the “big ticket items” of the North Lawrence Drainage Study will come into play, necessitating raising 24/40 highway to act as a levee and installing a massive \$11 million pump station.⁴ Thus, the next project—literally up the road on E. 1500—may very well require the *deconstruction* of \$6 million worth of highway up-grades in order to *reconstruct* the same up-grades at levee height on a newly raised 24/40, with the additional cost of an \$11 million pump and other major flood protection projects.

Simply put, Lawrence cannot afford infrastructure “do overs” or unanticipated future costs. Short-sighted planning is costly and irresponsible. Therefore, Citizens for Responsible Planning asks the City Commission to take the long view when considering this first industrial project on the northern watershed. It would be naïve at best, and disingenuous at worst, to treat the Airport Business Park, No. 1 as anything less than what it is: the city’s first step toward what the North Lawrence Drainage Study calls the “full build out scenario” of the North Lawrence watershed. With no cost vs. benefit risk analysis, no site comparison study, no area plan, and very little room for error, City Commissioners risk too much going forward with this project.

2. LOCATIONAL CRITERIA, HORIZON 2020, AND THE AIRPORT BUSINESS PARK

Identified as a future industrial site by the yet to be adopted Chapter 7 of Horizon 2020, three key locational criteria are touted as reason for development around the airport: proximity to major highway transportation, railroad access and the airport. According to planners, these three features make the airport site desirable for industry. However, these criteria should be examined more closely:

PROXIMITY TO HIGHWAY: Interstate Highway 70 is undeniably within view of the proposed business park. But being *within view* of I-70 and having *actual access* to it are entirely different. Far from having easy access to I-70, trucks serviced by the Airport Business Park will access the interstate by crossing at least two local roads, meeting two to four signaled intersections, merging into heavy local and commuter traffic twice (at 24/40 and then again at US 59), and finally, *one and a half miles* later, entering the on ramp for Interstate 70. This circuitous route from business park to I-70 is problematic. The trucking industry discourages hubs that unduly mix heavy transit trucks with local traffic, local road crossings, and signaled intersections because these add hazard and delay to an industry that depends on safety and efficiency. If direct access to the major transportation corridor is key to the desirability of the industrial park, then the one and a half miles of traffic impediments puts the Airport Business Park at a

³ Memorandum of City Manager’s Office, Nov. 13, 2007

⁴ Airport Advisory Board Meeting, Nov. 14, 2007

disadvantage. Its access to I-70 is anything but direct.⁵ Other potential industrial sites (southeast and northwest sites) reveal choices with direct access to major interstate highways.

RAILROAD: There is no rail access on or near the land that would be the Airport Business Park, and no plans for creating rail access have been presented. A spur cutting through North Lawrence or crossing Highway 59 would be necessary. No such spur exists. Barring that, expansion of the North Lawrence train depot to service trucks coming to or from the park would be necessary. No plans for such expansion have been presented and it is doubtful North Lawrence residents would support a heavy trucking industry inside their densely populated neighborhood. Again, it is one thing to have *proximity* to railroad tracks, it is another thing to *have access* to them. (Of note: the proposed Farmland Industrial site and East Hills Business Park have direct access to the Santa Fe rail system *on site*.⁶)

AIRPORT: Except for the convenience of business executives who might use the Lawrence Municipal Airport for private flights to and from their offices at the Airport Business Park,⁷ the local airport has no bearing on the Airport Business Park's ability to do business. Because it is not large enough to handle air freight carriers, nor is it able to expand sufficiently in the future to do so, citing the airport as a valuable locational criteria for the hoped-for distribution hub is misleading. The maximum aircraft handled at the Lawrence Municipal Airport is the medium-size business jet or large twin turboprop class craft. Commercial air freight distribution will not be a factor now or in the future.⁸

Add to this the weight of Chapter 3 in Horizon 2020 which calls into question the presumption of inevitable industrialization north of North Lawrence. Look under "Key Features of the Plan:

- *The plan recommends the protection and preservation of extensive floodplains and riparian ways throughout the planning area. These resources often are a constraint to urban development.

- *The plan promotes the maintenance of a strong and clear distinction between the urban and rural characters of Lawrence-Douglas County.

- *The plan encourages the conservation of sensitive natural and environmental features and discourages development where two or more features exist in combination or would result in costly public improvement projects."⁹

Even stronger language is found in the proposed Revised Chapter 7 of Horizon 2020:

⁵ Jane Eldrige, attorney speaking at Planning Commission, December 17, 2007

⁶ Farmland Industries Redevelopment Draft

⁷ David Corliss, City Manager, speaking at a meeting with CRP representatives, Nov. 20, 2007

⁸ Rick Baker, Baker Aviation Services, LLC

⁹ Horizon 2020, Chapter 3, Key Features of the Plan, page 22

“6. Encourage industrial and employment-related development to locate on sites that are not considered prime agricultural farmland for cultivation or ranching.

8. Consider floodplain, wetlands, and drainageways. Avoid intensive industrial and employment-related development in flood prone areas. Encourage the retention of such areas for natural stormwater management and open spaces that can be used to buffer and/or connect adjacent development.

10. Review criteria should be designed in a weighed manner so that extraordinary costs or expenses to develop parcels are identified and used in the evaluation process for determining the eligibility of parcels for industrial land use and development.”¹⁰

Horizon 2020, though not “dispositive”—as Commissioners are often reminded—is important to the discussion of the Airport Business Park because it contains the guiding principles for comprehensive planning for our future. On the one hand it makes industrialization around the airport seem “inevitable” by the (yet to be adopted) historical placement of one dot on a map. On the other hand, Horizon 2020 makes that same dot ill-advised because in contradiction to good, comprehensive planning, industrializing land around the airport would mean developing the very kind of land Horizon 2020 warns against developing: flood plain and flood prone; full of sensitive natural and environmental features; arguably the best prime agricultural soil in the region; and subject to extreme cost if development is attempted.

Just a little over one year ago the Planning Commission voiced reluctance to industrialize this particular area. Minutes from the Planning Commission’s November 10, 2006 meeting reflect a conversation laden with concerns about drainage problems, lack of money for infrastructure investment, politically sensitive K.U. Endowment land, and the risks inherent in building on low lying land surrounded by rivers, creeks and aging levees.¹¹

Further making the point Commissioner Harkins, in reference to the airport discussion, indicated, “we need to be careful not to make mistakes that were made in New Orleans where the system was built on dikes and pumps.”¹² The end result of that discussion was the Commission’s recommendation to change the future land use map in this way: “Reduce the future industrial in North Lawrence and retain areas in agriculture.”¹³

The land use map was not changed while the risks inherent with the Airport Business Park remain the same. This development should not move forward based on the

¹⁰ Horizon 2020, Revised Chapter 7, policy 2.1: Utilize Locational Criteria for All Industrial and Employment-related Development

¹¹ Lawrence and Douglas County Metropolitan Planning Commission Minutes, November 10, 2006

¹² Ibid.

¹³ Ibid.

developer's belief that such industrial development is "inevitable."¹⁴ Lawrence's own comprehensive planning document and Lawrence's citizenry are not so clear on the matter.

3. HIGH PRICE OF FLOODPLAIN DEVELOPMENT

"Floods are 'acts of God.' But flood losses are largely acts of man."

Gilbert F. White, Geographer, 1942

Sometimes we are victims of our own audacity, building because we can, not because we should. The specter of large-scale development on flood prone and floodplain land north of Lawrence has the look of New Orleans in miniature. Gilbert F. White, considered the "father of floodplain management" voiced his land use concern many years ago as advances in engineering made building on the floodplain more and more palatable for developers. White argued that dams, levees, and other flood protections actually increase flood losses by spurring new development in the floodplain, incurring catastrophic losses when man-made flood protections fail. This floodplain development came to be known as the "levee effect".¹⁵

The Airport Business Park is the first step toward floodplain development on the North Lawrence watershed—a floodplain already relying on aging levees, dams, pumping stations and waterways. If the recommendation to raise Highway 24/40 as a levee is carried out, the floodplain development north of Lawrence will actually accomplish the most dangerous development scenario of all: building in a bowl.

Diversified Concepts expects the city and county to pay for all infrastructure costs leading up to the Airport Business Park, a cost now estimated to be over \$8 million. Landplan Engineering outlines what Diversified Concepts expects the city to provide: at least 5,000 feet of iron pipe for water, 4,900 feet of pipe for a temporary pump station, off-site storm sewer improvements, and 1,300 feet of roadway improvements to Highway 24/40 and 7th Street, along with annexation issues surrounding parcels of land not controlled by the developer.¹⁶

At first reading this laundry list of infrastructure expenses seems ordinary. But one item on the list is phenomenally important: "off-site storm sewer improvements." Anyone who knows North Lawrence knows that storm water improvements represent anything but an ordinary challenge. So significant are the problems of storm water and flooding for North Lawrence that the City of Lawrence commissioned a \$280,000 engineering study to determine what must be done to resolve current drainage problems,

¹⁴ Sen. Roger Pine, Lawrence Journal World, June 23, 2007

¹⁵ "New Orleans: A Perilous Future", National Geographic, August 2007, p 43

¹⁶ Phil Struble, Landplan Engineering correspondence to Dave Corliss, City Manager, August 2, 2007

and then what must be done to prevent future drainage problems in the event of development on the northern watershed. The North Lawrence Drainage Study, published in 2005 is the result.

The North Lawrence Drainage Study (NLDS) estimates the cost of fixing *existing* stormwater drainage problems in the interior of North Lawrence at \$16 million. That figure represents money the city must spend to correct ongoing drainage issues in North Lawrence before new development commences north of North Lawrence.¹⁷ Some of these capital improvements are included in the CIP but none are funded except for the 2nd Street Maple Grove Pumping Station. As industrial development presses outward onto the northern watershed, the NLDS outlines exterior projects with an estimated price tag of \$25 million to prevent development-related flooding in North Lawrence.¹⁸ The most substantial of these projects is the elevation of Highway 24/40 to serve as a levee, a project identified as “key” to the whole drainage plan¹⁹ and the \$11 million force pump to force the gathered water toward the river.²⁰

The North Lawrence Drainage Study is farsighted, looking to what extensive development of the watershed means for drainage issues and subsequent future costs: “The recommendation for future development in the watershed is to maintain the current conveyance levels in the 100 year floodplain. This will mean allowing no development in these areas that would reduce the capacity for floodplain storage, and may require the purchase of small parcels of land to set aside exclusively for ponding.

“As the area develops, it will become necessary to provide emergency services to the homes and businesses that populate the area. This will require the improvement of the major roads in the area and a significant improvement of the hydraulic structures which carry flow under the roads.”²¹

The City’s estimated \$8 million cost is just the beginning of a debt that will grow exponentially. Significant future expenditures not yet addressed but certainly worth noting include:

- *Purchasing land for annexation needed for infrastructure up-grades not controlled by the developer,
- *purchasing land for ponding,
- *raising roads,
- *improving hydraulic structures to move water over and around the raised roads, and
- *the provision of emergency services including a new fire station.

¹⁷ North Lawrence Drainage Study, Page 5

¹⁸ Ibid, page 4

¹⁹ Ibid, page 2

²⁰ Ibid, page 4

²¹ Ibid, page 8

It is also important to note the NLDS makes the disclaimer that all costs represented in it are only *estimates* and do not represent actual construction costs of the projects outlined. Add three years of inflation to that disclaimer and the actual costs for stormwater mitigation will easily exceed the estimated \$41 million total—possibly even eclipsing the \$54 million the developer believes this project will make for the city over 20 years.²²

Chad Voigt, former city stormwater engineer, offers this concise assessment of the situation: “The City is still burdened with \$40 million in stormwater projects needed elsewhere, at a cost of roughly \$6,000 per benefit acre. ...it’s critical that new developments add to the solution rather than adding to the problem. New developments in North Lawrence should fully fund their internal drainage systems, as well as the additional projects needed to offset downstream impacts. Public funds should be directed at correcting existing drainage problems, and should not be directed at managing conditions created by new development.”²³

While the Diversified Concepts development team may want to publicly minimize the flood risks this development poses, planners must take seriously the financial implications of taking the first step into full build out scenario. The City of Lawrence already finds itself in lean times where maintenance of current city infrastructure is a severe challenge, public service programs are on the chopping block, and life-enhancing projects such as a new library are on hold for lack of funds. It is not wise planning to commit our city and its taxpayers to pay for a speculative project on a risky site in hopes of a future return that likely will not equal the cost of the infrastructure investment.

4. LAWRENCE HAS BETTER INDUSTRIAL/EMPLOYMENT SITE OPTIONS

Along with the land around the Lawrence Airport, other sites are also identified by the city as well suited for industry. These include sites on the southeast side of Lawrence: The Santa Fe Railroad Corridor, the remaining acreage at East Hills Business Park, and the old Farmland Industries site. These sites go a very long way toward fulfilling the Economic Development Board’s desire for 1,000 more industrial acres.

- ALL of these southern sites have direct access to K-10 highway avoiding local crossings, stoplights, and residential hazards.
- ALL of these southern sites are in close proximity to the east Lawrence industrial corridor.
- All of these southern sites have ready rail transportation.
- ALL of these southern sites have city infrastructure in place or fairly easily made so.
- ALL of these southern sites are currently zoned for and surrounded by commercial and industrial development.

²² Jes Santaularia, Lawrence Airport Business Park Background Paper, page 6

²³ Chad Voigt, former Lawrence city stormwater engineer, 11/18/07 memo attached

- ALL of these southern sites take advantage of the new Wakarusa Water Reclamation Facility.
- NONE of these southern sites have significant stormwater drainage problems.
- NONE of these southern sites have the distinction of being “prime” agricultural river basin land, rated I-1, the best kind of topsoil in the world.
- ONE of these sites (Farmland Industries) has two substantial trust funds set aside to offset the cost of cleanup and redevelopment.

In no way does the Airport Business Park meet the Chamber of Commerce Economic Development goal to add large industrial lots of 100+ acres to Lawrence’s industrial inventory. The largest lot at the Airport Business Park will be 20 acres; the next largest, 12 acres; the rest three to five acres respectively. If the Chamber of Commerce is serious about its goal to acquire 1,000 acres of new, large industrial sites with special emphasis on 100+ acre sites,²⁴ then their goal is far better met by the aforementioned southern sites with less infrastructure cost to the taxpayer, less flood risk to property owner and public, and they actually meet the Chamber’s desire for large industrial sites in close proximity to the highway with access to rail.

5. LIGHT INDUSTRY: RISKY BUSINESS FOR LAWRENCE

The Airport Business Park project presupposes the advisability of building a light industrial center in Lawrence at this time. But the Kansas City based real estate investing firm of Grubb & Ellis/Winbury Group raises serious concern whether it’s wise for any new investor to step into the light industrial fray at this point when close by are two major inter-modal competitors well under way. Gardner, Kansas will by 2010 complete its mass-transit road and railway inter-modal super center. And another inter-modal development near Kansas City’s International Airport—the KCI Inter-modal Business Centre--is “anticipated to become a nearly 1,000 acre powerhouse in light industry including air cargo, air freight, light industry, and distribution centers.”²⁵

The Grubb & Ellis report continues, “Given the pending development of logistics parks with inter-modal capabilities by both CenterPoint Properties and BNSF, there will be some risk associated with going head to head with these developments.”²⁶ Grubb & Ellis gives us fair warning about the risk to investors of stepping into this highly competitive light industrial market. This raises the question: Can a 144 acre business park divided into 18 small lots compete with two major inter-modal mass transit, rail, and air freight facilities both within one hour’s drive? The Lawrence satellite branch of Grubb & Ellis (which represents the landowner) says yes. The Kansas City home office says doubtful.

²⁴ Laverne Squier, President, Lawrence Chamber of Commerce, Lawrence Journal World, June 23, 2007

²⁵ Industrial Market Trends, Grubb & Ellis Research, Second Quarter, 2007

²⁶ Ibid.

Another question is worth asking: When Lawrence has so few dollars to invest in economic development, should light industry, warehousing, and light manufacturing be what our city invests in? According to the Kansas Department of Labor, jobs in the light industry/manufacturing sector are shrinking across the nation as more manufacturing jobs are outsourced overseas. Lawrence's manufacturing sector shrunk from 12% to 8% from 1996 to 2002.²⁷ And in a city where the decision was made years ago to invest in high wage jobs, warehousing, which provides little property tax revenue, few jobs, little to no job growth, little to no upward mobility, and low wages is a questionable investment at best. In 2002, the average wage for truck transportation and warehousing employees was just over \$30,000.²⁸ What does that mean in Lawrence? An annual gross income of \$30,000 is barely enough for a family of four to qualify for a Habitat house.²⁹

But if city leaders are determined to invest in warehousing and heavy transit industry many such sites are already available such as the Davol, E & E, and Serological buildings on the south side. In North Lawrence a new, 65,000 square foot speculative structure sits largely empty. The three year old Maple Grove Industrial Park on Highway 59 North sits largely empty. Drivers entering the northern Gateway of Lawrence can see many light industrial and commercial buildings sitting vacant. Why not redevelop and infill these sites—a key principle of Horizon 2020—before venturing out onto prime agricultural land?

It is also the intention of the Airport Business Park to open a 60,000 square foot commercial retail center to service employees and North Lawrence shoppers. But Lawrence's own Inventory of Retail Space shows that 41% of North Lawrence's commercial retail buildings are vacant.³⁰ And though that number sounds high, a visual inspection of storefronts from Elm Street Midland Bend on Highway 59 N proves it out. "For Lease" and "For Sale" signs nearly equal signs advertising stores open for business. To be sure, there is debate whether Lawrence's retail space is overbuilt. But let there be no debate about the surplus of retail space in North Lawrence. Though there are pockets of promising redevelopment, empty storefronts, empty Morton buildings, empty strip malls, and empty offices are readily and easily seen from the road. With so much retail space sitting empty in North Lawrence it cannot be wise for the city to invest in a project which promises even more.

6. PRIME AGRICULTURAL LAND MUST BE PRESERVED

All farm land is not equal. Some is best for grazing animals; some is best for cultivating crops. The farm land of Pine Family Farms is cultivatable land of the highest order: "Judson silt loam" which is the very best kind of soil. According to the USDA county soil survey, "Judson" is less than one-tenth of its soil group, the "Eudora-Kimo

²⁷ Kansas Department of Labor Statistics, 2002 report

²⁸ Ibid.

²⁹ Habitat for Humanity Income Guidelines

³⁰ City of Lawrence, Inventory of Retail Space, 2007

association,” which, overall, comprises only 7 percent of Douglas County.³¹ It is deep soil, easily tilled, well drained, has an ideal pH, high fertility and high available water capacity. Stated clearly, the farm land that will be lost to speculative warehousing is rated “Capability I-1.” There is no higher topsoil rating and once it is gone we cannot get it back.

Over the years, tens of thousands of Douglas County agricultural acres have been given over to development, sometimes at a rate as high as 4,000 acres per year.³² Large suburban subdivisions, commercial retail centers, light and heavy industry now sit where true green space, pastures and cropland once existed. ECO², a consortium of development proponents and environmental experts was commissioned to assure some balance between two concerns: the need for nature, and the need for economic growth. In order to fairly assess which land is best left green and which land is best converted for industry the ECO² Commission established weights to be given various factors associated with the land in question. Factors given the most weight are: “proximity to transportation, total acreage, average slope, *extraordinary costs*, and existing plans for the area.”³³

Extraordinary costs require further discussion. One approach to “extraordinary costs” is obvious: the cost of stormwater mitigation projects. However, there is another “extraordinary cost” associated with this project not calculable in monetary terms. This is the social cost felt by our community when one of the last remaining rural fingers of Lawrence is turned over from agriculture to the warehousing and heavy transit industry. Lawrence has a great agricultural heritage that it stands to lose because of shortsighted economic development.

Thousands of acres of Douglas County’s most prime agricultural land are now at risk of development. The first 144 acres of the multi-phase Airport Business Park represent only a hundred of the thousands of agricultural acres slated for development on the city’s northern watershed. In decades past, when these green acres were identified as suitable for industrialization, there were few thoughts of preservation because there was no energy crisis, there were no hints of changing weather patterns with more and more frequent devastating floods, there was no 9/11 with local Homeland Security concerns and its directive for regional sustainability, there was no de-stabilization of the world’s food production chain.

Times have changed, and the opportunity now exists to think pro-actively about our future. We can take wise steps toward economic viability along with wise steps toward actual viability in a rapidly changing world. To intentionally reduce our best soil which could profitably produce local food in favor of subsidizing an industrial venture that is risky at best, is not only short sighted but might be viewed by future generations as

³¹ U.S. Department of Agriculture, Soil Conservation Service, Douglas County Soil Survey

³² Douglas County Preservation Alliance Newsletter, County Conservation, 1998

³³ Kansas Land Trust, Stewardship Notes, Summer 2007

blind. Wes Jackson says it best: “Good soil equals good agriculture equals prosperous civilization.”³⁴

Now is the time for our leaders to look far enough into the future to see that our remaining prime agricultural land is one of Douglas County’s most precious commodities—not something to be traded for a future of warehouses and strip malls. To push forward such ordinary development at a Gateway to our community overlooks the opportunity to display Lawrence’s extraordinary agricultural heritage and beauty. Surely one Gateway to Lawrence should be truly green.

IN CONCLUSION

A common business dictum says you have to spend money to make money. And when money is scarce, making money becomes an urgent agenda. That is where Lawrence finds itself today—in lean economic times with a strong urge to expand. Because economic development dollars are scarce, how we spend them, and where we spend them, becomes ever more important. The City of Lawrence cannot now afford a misadventure in development at the Lawrence Airport Business Park. Our leaders take a terrible risk if they invest large sums of taxpayer money on this speculative industrial development that may very well cost more to actualize than it will ever earn in return.

When tax-payer dollars must be spent to generate a viable economy for Lawrence, it is imperative that they be spent wisely. Tax-payer money should be spent where infrastructure already exists, where flood risks are low, and where industrialization is already part of the landscape. Citizens for Responsible Planning acknowledges the City Commission’s heavy responsibility as it weighs the pros and cons of this significant project. We ask for a thorough, transparent public dialogue on this land use issue that will result in a decision that is for the public good, now and for future generations. We believe that transparent dialogue will result in rejection of Diversified Concept’s request to annex and re-zone 144 acres of Pine Family Farms for the Airport Business Park, No. 1.

Respectfully submitted by Citizens for Responsible Planning, Steering Committee:

Nancy Thellman, Chairman, CRP	Jim Smith
Ted Boyle, NLNIA	Jerry Jost
Ron Schneider	Bob Lominska
Barbara Clark	Michael Almon
Mary Ann Stewart	Carey Maynard-Moody
Lane Williams	Rich Bireta

³⁴ Wes Jackson, The Land Institute, 12/18/07 letter attached

CITIZEN ENDORSEMENTS:

Scott Allegrucci
Katie Armitage
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Hilda Enoch
Chet Fitch
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Julie Vernon
Julie Waters
Carol Beth Whalen
Iris Wilkinson
Terry Wilkinson

Joyce Williams
Melvin Williams

November 18, 2007

To: Bob Lominska
From: Chad Voigt

ATTACHMENT

Bob,

These are my thoughts on the proposed Airport Business Park, and North Lawrence development in general. The North Lawrence Drainage Study identifies huge flood control projects that will be needed if the watershed develops as shown in conceptual land use plans. Developers will not be able to pay for these projects, so the development potential of this land should be reevaluated. The City's Comprehensive Plan should be updated to minimize the need for flood control projects. Land uses should be downgraded to minimize runoff, preserve soils and reduce public expense.

The Airport Business Park would be a leap toward the conditions forecast in the North Lawrence Drainage Study. If the development proceeds, these are the points that need more in-depth review and discussion:

Code Requirements

It seems there is a lack of understanding of the regulatory weight of the North Lawrence Drainage Study. All developments in the City are required (stormwater code and floodplain regulations) to provide studies and plans to prevent downstream stormwater impacts. For North Lawrence landowners, the scale of the floodplain and lack of viable management options mean that the required studies are beyond the resources of isolated developments. The North Lawrence Drainage Study, paid for by the public, gives developers the technical material needed to complete a valid development proposal. Developers can use the North Lawrence drainage Study, or provide an equivalent independent study. Either way, each development is required by code to prevent downstream impacts.

The North Lawrence Drainage Study identified \$16.2 million in reconstruction projects that are needed to provide a minimal level of service to existing residents. At an average of \$14,000 per acre, many of these projects will likely never be completed. (The City is still burdened with over \$40 million in stormwater projects needed elsewhere, at a cost of roughly \$6,000 per benefiting acre.)

The study also identified \$24.8 million in flood control projects that will be needed if the watershed develops as shown in conceptual land use plans. With this in mind, it's critical that new developments add to the solution rather than adding to the problem. New developments in North Lawrence should fully fund their internal drainage systems, as well as the additional projects needed to offset downstream impacts. Public funds should be directed at correcting existing drainage problems, and should not be directed at managing conditions created by new development.

The Airport Business Park proposal references the North Lawrence Drainage Study; however I could not find any discussion of downstream impacts or proposed flood control measures. In lieu of a discussion of actual impacts, the development should be expected to pay some share of the \$24.8 million grand total. Based on a proportion of the undeveloped watershed area, this development would need to contribute \$449,000. It appears that this amount would be lower if actual impacts are taken into account.

Maple Grove Drainage

58 acres of the proposed business park currently drains to the Maple Grove drainage channel; which flows south to the City's pump station on 2nd Street. This system is already overloaded, and additional runoff would increase flooding of surrounding properties. The business park development proposes to minimize this impact by diverting developed runoff east to the airport property. This will require significant fill along the west edge of the development, and construction of a drainage system to deliver flow to the east.

This intent should be clearly identified on the preliminary plat, including easements and proposed pipe layouts. The development should fully fund the drainage system needed within the platted area. The development should also fully fund the system needed to divert runoff to the east, to an acceptable point of discharge on the airport property. If there will be any discharge of developed runoff to the west, this should be specifically quantified so that impacts to the south can be determined and addressed by the developer.

Tributary A Impacts

Most of the proposed business park drains east to the airport, specifically to Tributary A which flows under Airport Road and East 1600 Road before flowing south under Highway 24/40 and Interstate 70. As with most North Lawrence drainage systems, Tributary A is very flat. Runoff from the business park development will increase the depth and duration of standing water adjacent to the airport runway. Further downstream, easements will eventually be needed where runoff increases standing water on existing farm land.

The North Lawrence Drainage Study identifies two bridge replacement needs on Tributary A, one at East 1600 Road and one at Highway 24/40. Flooding of East 1600 Road has been a concern in the past because it affects access to Grant School.

Based on land area, the proposed business park will generate 19% of the need for the \$477,000 bridge at E 1600 Rd, and 13% of the need for the \$326,000 culvert at Highway 24/40 (2005 cost estimates). The development should pay for its proportional share of these downstream improvements. If the business park is built prior to these improvements, the increased runoff will lead to more frequent flooding of both roads. The City should identify the intended schedule for completion of these projects.

Land Use Planning

In addition to the high cost of managing the North Lawrence watershed, landowners and the City should recognize the cost of a future catastrophic river flood. The Corp of Engineers designed the Kansas River levee and reservoir system in the 1960's to control a specific major flood, with the explicit warning that larger floods will eventually occur. Eventually the river will top the levee, and the impacts in North Lawrence will be similar to the aftermath of the 1951 flood. The reservoir system was never fully completed, and climate change will likely increase the magnitude of possible flood events. These facts should be recognized in the decision to invest public or private funds in the area.

Native soils are an asset to landowners in North Lawrence. The sandy-loam, high-infiltration soils reduce runoff and relieve flooding. Covering these soils with impervious surface increases the volume of runoff more dramatically than in heavy upland soils. Building on these soils also permanently eliminates their agricultural value. The Eudora silt loam and Rossville silt loam soil units are both identified by the USDA as crop capability class 1, prime farmland. These factors are not considered in current land use plans. The City should plan for the conservation of these natural resources wherever possible.

ATTACHMENT



2440 E. Water Well
Road
Salina, Kansas 67401

Phone 785.823.5376
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December 18, 2007

Lawrence City Commission
Lawrence, Kansas 66044

Dear Commissioners,

The Judson silt loam threatened to be covered by the proposed Airport Business Park, I'm told, commands only seven percent of Douglas County farmland. Its rated capability is right at the top, not just in Kansas, but in the world. I grew up a little west of Topeka in the Kansas River Valley, and so have strong affinity for these deep, easily tilled valley soils of high fertility and high water-holding capacity.

I hasten to add that it is not mere nostalgia from my boyhood on that Kaw Valley farm which causes me to oppose this Business Park. Having been trained (even somewhat educated) in a college of agriculture of a land grant university and having spent most of my professional life primarily devoted to an assured food supply, I am promoting the practical necessity to save this land from development. Good soil equals good agriculture equals prosperous civilization.

Agricultural production has increased dramatically over the last four decades, but were we to withdraw the fossil carbon additions from American soils and rely on natural fertility, today's bountiful harvests would plummet. For example, the Haber-Bosch process converts atmospheric nitrogen into fertilizer. Natural gas is the feedstock. According to energy and nitrogen scholar Vaclav Smil, without Haber-Bosch, 40 percent of humanity would not be here now. Kaw Valley soils would need less fossil fuel based fertility than naturally poorer lands.

This valley, the product of Pleistocene glaciers, is a gift from time, and as much a non-renewable resource as time-produced oil. For only two lifetimes, around a century and a half, has our valley known the European's agriculture.

Beyond compromising these fine soils, area residents might want to question the idea of commercial/industrial growth for the sake of growth, which after all is the ideology of the cancer cell. Will Lawrence be a better place to live with this ground covered? Will there be less traffic? How resilient will it be as we move through the early decades of this century and watch the changing relationship of energy, climate, water, soils and people? Thinking about the future, what is the highest and best use of this land? There is a simple answer. In a world with less oil and natural gas, cities and towns whose loops back to the farm are the shortest will be the most

prosperous. Truck farms were once a highly conspicuous feature up and down this valley and as fossil fuels prices rise they will begin to return.

Rather than limiting our options to hard concrete, let us keep concrete options open for a close-to-home food supply. The future will thank you. The mile-thick ice which ground its way from the north to stand over these hills and the glacial melt that carried useful atoms from the Canadian shield to this valley certainly have a higher long-term purpose than the limits of the two and a half century old industrial mind.

Sincerely,

Wes Jackson