

Brook Creek Neighborhood Association

1315 Haskell Ave.
Lawrence, KS 66044

21 March 2008

Lawrence-Douglas Co. Metropolitan Planning Commission
Lawrence-Douglas Co. Planning Office
Lawrence City Hall
6 East 6th St.
Lawrence, KS 66044

re: 24 March 2008 agenda items #6B – Z-01-04-08, and Miscellaneous #4

Dear Chairman Eichhorn & Commissioners:

The Brook Creek Neighborhood Association is requesting that item #6B – Z-01-04-08 be deferred until after consideration of item Miscellaneous #4 (a text amendment to change the permitted uses in the GPI district). We have met with Mary Miller, the Planner in charge of both these items, and she concurs with our request.

Item #6B is a request to rezone the East Heights School property from RS-7 to GPI so that the zoning correlates with the use. In general, our Neighborhood Association agrees with this in principle. But when we studied the use groups for GPI, we found some incongruous and disturbing permitted uses in that category - uses such as: Manufactured home, Mobile home, Multi-dwelling structure, Postal and parcel service, Commercial parking facility, and Wholesale storage and distribution.

Our concern is two-fold. First, we would not want any of these uses to be permitted on that site regardless of the ownership (it is fully within the realm of possibility that USD497 could sell the property). Some years ago, USD497 proposed using the property for their district-wide distribution center. We fought it off then, and we don't want that or similar as permitted uses for anyone – parcel service, distribution center, parking facility. And we are opposed to a multi-dwelling structure (dormitory) on site, because if USD497 sells the property, such a building would logically become an apartment building. Ten years ago, Brook Creek petitioned the City to downzone 4 1/2 square blocks from multi-family to single family, and we don't want to reverse that either.

Secondly, if a school or public facility wanted to have modular classrooms on site, the zoning code should be worded to allow such a classroom use as accessory with the mobile or modular technology, but specifically disallow that same technology for residential use. In other words, the term "home" as applied to mobile or modular, must not convey the use as a home in the GPI district (and for a future potential buyer).

Writing a text amendment to resolve these troubling implications will prove a challenge. Brook Creek Neighborhood Association looks forward to working with the Commission and staff to craft the appropriate wording. So rather than putting the cart before the horse, we request the rezoning of East Heights School property be deferred for a later meeting, so that a carefully worded text amendment can be written and adopted first.

Sincerely,

Michael Almon
Land Use Chair