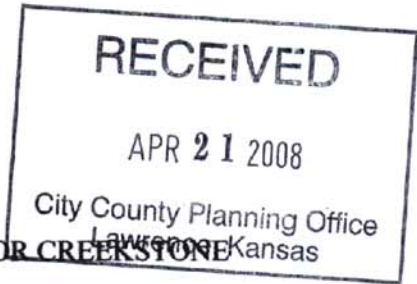


League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

April 20, 2008

Grant Eichhorn, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044



RE: ITEMS NO. 6A THROUGH 6E, REZONING AND PRELIMINARY PLAT FOR CREEKSTONE

Dear Chairman Eichhorn and Planning Commissioners:

There are several issues that require correction before these rezoning applications and preliminary plat can be reviewed and approved. We believe that their resolution now is vital to the proper future interpretation and administration of the new Land Development Code and our other planning documents.

1. Procedure: These zoning applications also include a preliminary plat. All of these applications should be reviewed as a single package; i.e., the rezoning requests should not be approved as separate items, but rather should be approved at the same time as the preliminary plat. This is essential, as illustrated by the other problems cited below.
2. There are two different zoning districts on one lot (Block 1, Lot 1) as shown on the Preliminary Plat. This has generally not been allowed by the planning department in the past. Unless the different zoning districts have been described in the zoning application by metes and bounds, their dimensions are not properly described for a map amendment independently of the Preliminary Plat. In addition, the Preliminary Plat should be reconfigured to provide separate lots that conform to the dimensions of the two separate residential rezoning applications.
3. Unless the two large residential lots are not intended to be subdivided and transferred to other owners as smaller lots, the plat must indicate how these large lots are to be subdivided. Please see quotation from the Subdivision Regulations below.

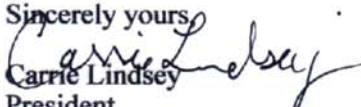
SECTION 20-810 SUBDIVISION DESIGN STANDARDS:


“(a)(3) Plans for Resubdivision

Whenever an area is divided into Lots with a lot area of one acre or greater, and there is a possibility that such Lots may eventually be re-subdivided into smaller Lots, consideration shall be given to the Street, and Lot arrangement of the original Subdivision so that additional Streets can be opened later to permit a logical arrangement of smaller Lots. Provision of Easements for the future opening and extension of such Streets and for gravity sewerage and storm water drainage shall, upon recommendation of the Planning Commission and approval of the Governing Body, be made a condition of Plat approval.”

4. The Applicant has indicated that there will be private streets as well as public streets. As the planning staff has pointed out, private streets are not permitted except in Planned Developments (Article 7 in the Land Development Code). Therefore, if the developers are intending this as a large lot development with private streets, they should be seeking rezoning to PD Overlay Districts rather than as conventional zoning districts.
5. In addition, the staff has pointed out that the commercial rezoning applications are not in conformance with Horizon 2020 and the Northwest Plan, and therefore should be denied. We sincerely thank them for this reason for their recommendation for denial of Items No. 6C and 6D and which recommendation we very much support.

We urge the Planning Commission not to recommend or accept for approval any of the applications for Items 6A through 6E for the Creekstone development until the design problems, procedural issues, and rezoning issues regarding conformance to Horizon 2020, the Northwest Plan, the Land Development Code and Subdivision Regulations have been resolved. These are critical issues in determining how the Comprehensive plan and our new regulations will be interpreted in the future.

Sincerely yours,

Carrie Lindsey
President


Alan Black, Chairman
Land Use Committee