

Neighbors on Terrace Road

March 13, 2008

Paul Patterson, Current Planner
Lawrence-Douglas County Planning Department
Lawrence City Hall
Lawrence, Kansas 66049

RECEIVED

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City County Planning Office
Lawrence, Kansas

Dear Paul,

Inclosed is a letter of our concerns signed by most of the residents in our Terrace Road neighborhood. We want you to know that we are able and willing to meet with you to discuss any of these issues.

Sincerely yours,

Susan Brosseau

Susan Brosseau
William Kalinich

William Kalinich

c.c. Planning Commissioners

Grant Eichhorn, Chair

Brad Finkeldei, Vice Chair

Lisa Harris

Tom Jennings

Dennis Lawson

Hugh Carter

Richard Hird

Jeff Chaney

Greg Moore

Charles Blaser

To: Paul Patterson,

We as property owners on Terrace Rd have concerns and objections to the University Park Development. In general, we are concerned that the addition of 41 new homes will negatively affect our neighborhood's quality of life and property values. We do not oppose development, but we oppose this development. We feel that the developer is using the Planned Development concept to achieve maximum density and not for what it is meant to do which is to preserve sensitive lands. We are also concerned that the numerous departures from the development code will set precedents that will negatively affect the town as a whole, as well as negatively impact our neighborhood. We realize that some departures may be necessary, but in this case the number is excessive. Listed below are some, but not all of these departures.

1. The Covenant: The Rockledge Addition Covenant was changed in 2007, signed by all property owners. This is the provision that allows the University Park to develop Rockledge Addition land. The Covenant states in part: "FIRST: That no portion of the above-described tract of land shall be built upon, used or occupied for other than residential purposes; that there shall not be erected or maintained on any separately platted lot of Rockledge Addition, as such lots may be subdivided or combined, more than one single detached dwelling house, constructed for one family only, either with or without a garage. Each dwelling shall be on its own individual platted lot fronting on a public street; and the term family shall be defined as consisting of not more than three unrelated adults." [The covenant requires that development must also conform to specific setbacks and number of stories.] (a) This Covenant must be incorporated as a statement into the Preliminary Plat and Final Plat and stated in the Conditions for this development that are adopted by the City Commission as a part of the PD-RS7 Zoning District ordinance change and map amendment. (b) The proposed development must be modified to conform to the Covenant. The three lots which take access from a public alley and do not front on a public street are in violation of the Covenant as well as the Lawrence Development Code Subdivision Regulations. This is not something that can be granted a waiver. Also, the "Estate" lot, which is not labeled as a block, is connected to a private street. The Covenant does not allow private streets, but the Code does in a PUD.
2. Screening on Quarry Lane: The new Quarry Lane which intersects with Terrace Road and extends east to intersect with Iowa needs screening, buffering and a wider setback to provide protection from traffic for the southern contiguous lots and their houses—the Kitos' house and the two houses east of theirs. Quarry Lane's pavement is much too close to these lot lines and houses.
3. Storm Drainage: (a) It appears that the storm drainage flow pattern from the northeast will bypass the detention system. The surface runoff that flows onto the lots in Tillable Acres and the Brosseau/Kalinich house already causes trouble and needs to be accommodated. The Quarry Park detention system based on the drainage pattern does not appear to receive all of the runoff that will be flowing from the new development. (b) The stormwater runoff from the stub street extension to the south emptying onto the driveway in Tillable Acres needs accommodation, or that street stub needs to be removed. If the stormwater flows onto this driveway, this will divert almost half of the storm drainage from University Park onto Terrace Road and into the storm sewer in the Manahan/Lichtwardt R-O-W. This storm sewer overflows frequently already. (c) Stormwater from Iowa Street should not flow onto Quarry Lane. It needs to be blocked and diverted south on Iowa to the Iowa/15 th Street flow system. (d) There does not appear to be adequate storm water inlets on Quarry Lane, the public alley, or Gillis Lane.. How will overflow from Quarry Lane be prevented from entering the Brosseau/Kalinich driveway? (e) At present, the quarry acts as a detention pond by draining horizontally through the limestone (sandstone) layers exiting in several places in the Brosseau/Kalinich yard. When the quarry has water in it, water bubbles up

in these "springs" and then drains down through the ravine. When the development with all of its impervious surfaces significantly multiplies the amount of run off entering the quarry, these "springs" will be much stronger and cause damage to their yard. After the dam is built, the plan indicates that the level of water will be 3 feet higher. There may be other outlets in the limestone layers that never have been in play before, and that water will come out in unforeseeable places like the Brosseau/Kalinich basement or driveway. So it is important to consider what would be the highest elevation of the water in the detention pond and the lowest elevation of the Brosseau/Kalinich home. Also, Kalinich and Brosseau have noticed that the ten year calculation for rain water levels can be reached with rainfall of about two thirds of an inch. They suspect this discrepancy is caused by the silting in of the quarry floor. Excavation may be necessary and maintenance in the future certainly will be. Will the developer be paying for this?

4. Street and traffic reorientation: (a) The connection to Iowa Street from Quarry Lane will be congested and dangerous. A protected zone on Iowa might alleviate some of this problem. (It is too close to Orchard Lane on the west side and to University Drive on the east side.) A three-lane entry (one lane in and a lane for left and right turns) would be helpful to keep the traffic from backing up as much. (b) The Gilles Lane/ Quarry Lane street stub should not connect to the driveway immediately adjacent to it because the driveway is not a public street. This existing driveway was incorporated into the plat to give internal access to Terrace Road for these two houses fronting on Iowa when these lots were replatted in the early 1970s. (c) The driveway in Tillable Acres opening onto Iowa immediately south of the Quarry Lane-Iowa intersection needs to be closed and internally integrated into the access system to Terrace Road. It is too close to the Quarry Lane/Iowa Street intersection.

5. Common open space: (a) Quarry Park is a public park and should not be considered in calculating the amount of open space required by the development. (b) We believe that the privately-owned landscape easements do not qualify as common open space. (It is questionable if they should be considered as part of the open space calculation based on the Code.) They are a part of privately-owned lots. How will they be maintained?

6. Preservation of sensitive land and the historic building: (a) How will the remainder of the sensitive land be preserved that has not been identified as common open space? We have many suggestions on how to save more of this land. Reducing the number of houses built would help greatly. Eliminating the excess driveway paving would also help. (b) There is a little historic stone building immediately east of Quarry Park that must be preserved. We have been told that it was the weighing station for quarried rock that was used in many of the early Lawrence stone houses. (c) Important information needs to be known before the development is approved. A sensitive land and historic preservation site plan needs to be presented before the Planning Commission reviews this project.

7. Financing: The manner of financing this development should be known in advance. Benefit district financing should not be used here. The development should bear the total cost and risk. The street patterns and storm drainage will be altered because of this development, and the new development should bear the cost. If a benefit district is used, the city would be taking a financial risk in taking out municipal bonds to pay for the utilities, streets and storm drainage improvements. We are all aware of the troubles the real estate market is in right now. If the developers want to take this risk, that is their business, but the city should not assume this risk with a benefit district.

8. Other code deviations that trouble us: (a) Joint use driveway/alleys are not allowed where the lot does not have street frontage on a public street. (b) Dead end alleys are not allowed. (c) Driveways on top of utility easements. (d) A limited local street (50' right-of-way width) should provide access to nor more than 8 lots. Local streets need a 60' right of way. (e) The eaves of these houses are a minimum of 16." That would make most of the house setbacks only 3' 8" and contrary to both the Development Code and the

Covenant for Rockledge Addition.

We ask you to require that these deficiencies and violations be corrected before you consider this development. This is a sensitive location in an area important to the city as a whole, and if it is not built as a desirable place for families to live, it could negatively impact the Sunset Hills Neighborhood and the City as a whole. Please solve all these issues before a decision is made to go ahead with this development.

Rudolf and Ursula Zander
2105 Terrace Rd

Susan Bronson
2133 Terrace Rd
William Kahnick

H. E. Manahan MD
2129 Terrace Rd.

Kyle Manahan
2129 Terrace Rd.

Joe Mehl
2115 Terrace Rd.

Kathy Mehl
2115 Terrace Rd

Sybil E. Millar
2124 Terrace Road

William A. Millar
by Sybil E. Millar POA
2124 Terrace Road.

Paul A. Kites
2136 Terrace Rd.

Gwyneth L. Kites
2136 Terrace Road.

Virginia B. Adams
2145 Terrace Rd,
Daniel J. Samenberg
2702 University Dr.,
SHWA, Representative
to Lawrence Assoc. of
Neighborhoods

Betty Lichtenstadt
Bob Lichtenstadt
2131 Terrace Rd.

Keith A. White
1319 Iowa

Fuey White
1319 Iowa St.

Kathryn Janning
2120 Terrace Rd.

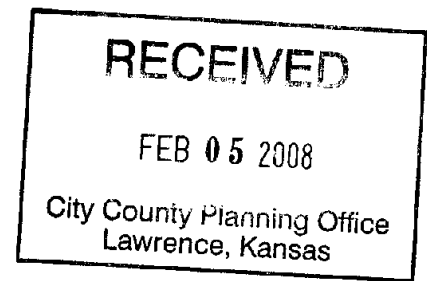
Richard Ring
2130 Terrace Rd

Joan Ring
2130 Terrace Rd.



2136 Terrace Road
Lawrence, KS 66049
February 2, 2008

Paul Patterson, Planner II
Lawrence/Douglas County Planning Office
City Hall, 6 East 6th St/
Lawrence, KS 66044-0708



Re: Proposed University Park development

Dear Paul:

Thank you and Dave Gunther for talking to us on Friday about the proposed University Park development. We greatly appreciate the information you provided and the courtesy you showed us.

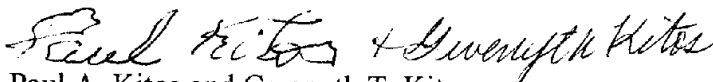
We have lived in the small Terrace Road community, just south of the proposed University Park development, for 42 years and are anxious that the new development not destroy the unique character of our area. With a little foresight, many of the possible negative consequences on our neighborhood and University Park could be mitigated. In a brief letter we couldn't possibly explore all such matters. However, a major concern of ours is traffic on Terrace Road, particularly at its intersection with Iowa St.

Currently, virtually all traffic on Terrace Road is local, making it a safe environment for children and others, even without sidewalks. The current light circulation on Terrace Road would increase substantially with movement to and from University Park and beyond to Meadowbrooke. The street is only wide enough for 3 cars abreast. With cars parked on both sides of the street two-way traffic would be precluded; the character of this beautiful neighborhood would be seriously jeopardized.

Access to and from Iowa Street is a major problem, especially at certain time of day. Our residents have learned to cope with the problem by adjusting travel times and avoiding left turns. It is frightening to think how this on-off challenge would be magnified by cars traversing Terrace Road to and from University Park and Meadowbrooke and by southbound cars attempting escape from the intractable traffic congestion that frequently builds up north from 15th street as far as Harvard Road. This issue needs urgent attention.

Again, we appreciate the information you have provided in these regards and look forward to further conversations with you as the Planning Commission progresses with its review of the plan.

Sincerely yours,


Paul A. Kitos and Gwentyth T. Kitos
chum@ku.edu

cc: Dave Gunther