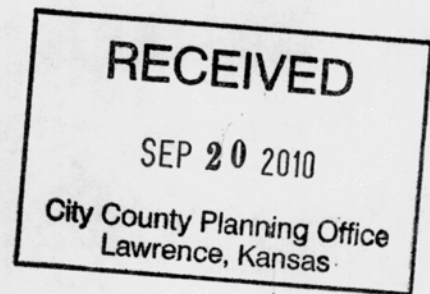


September 10, 2010



To: Members of the Lawrence Douglas County Planning Commission

As owners of a large percentage of the commercial agriculture acreage represented in the Northeast Sector Plan we strongly support Option #1 as presented in the memorandum from Dan Warner AICP, Long Range Planner, which will be considered at the September 20, 2010 Planning Commission meeting. These are the key reasons for our support.

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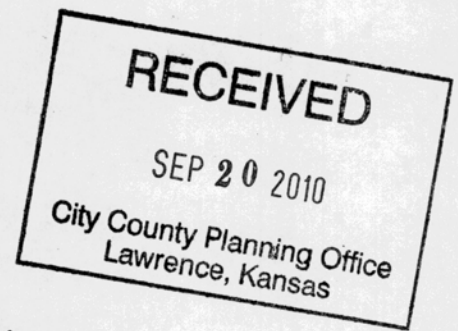
As landowners and citizens directly affected by this decision, we ask that the Lawrence/Douglas County Planning Commission approve option #1 as recommended by its Planning staff.

We will be present for the September 20 meeting and look forward to answering any questions you may have concerning our position on this issue.

Sincerely, *Leary Brothers Farms Inc.*
Grant Township Property Owners

39 Acres

September 10, 2010



To: Members of the Lawrence Douglas County Planning Commission

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Sincerely,

Grant Township Property Owners

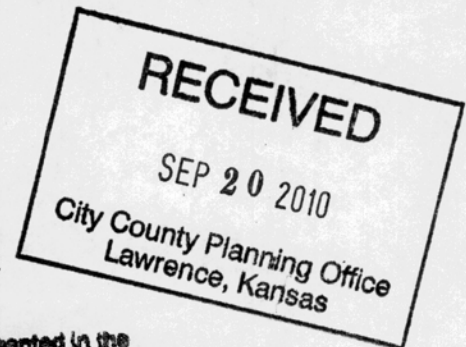
Emil W. Heck, Jr.
Bette L. Heck

150 acres

FROM : NUNEMAKER-ROSS INC.

PHONE NO. : 842 4360

Sep. 16 2010 01:14PM P2



September 10, 2010

To: Members of the Lawrence Douglas County Planning Commission

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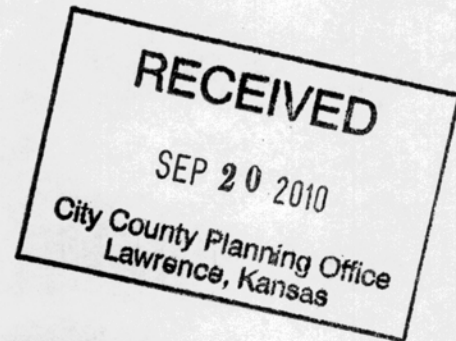
Grant Township Property Owners

Lawrence Farms LLC

A handwritten signature in dark ink, appearing to read "David L. Hylleberg".

324A.

September 15, 2010



To: Members of the Lawrence Douglas County Planning Commission

We are Grant Township property owners, and we are in favor of the letter dated September 10, 2010, in support of option #1 of the NE Sector plan.

A handwritten signature in cursive script that reads "Gary L. Black".

Gary L. Black

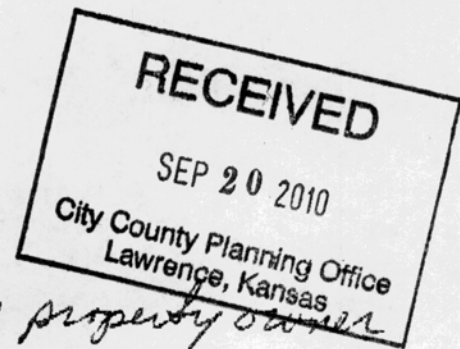
A handwritten signature in cursive script that reads "Larry D. Black".

Larry D. Black

17 acres owned in Grant Township

Sept 15, 2010

TO: Planning Commissions



I am a Grant Township property owner
and I am in favor of the letter dated Sept.
10, 2010, in support of option #1 of the
NE Sector plan.

Respectfully yours,

Larry Heck

Owner of approx 40 acres
in Grant Township

Address: 47 Hickory Ridge
Cicero, IN.
46034

Grant township letter

RECEIVED

SEP 20 2010

City County Planning Office
Lawrence, Kansas

I am a Grant Township property owner, and I am in favor of the letter dated September 10, 2010, in support of option #1 of the NE Sector plan.

Jane McCabe Jane McCabe

Acres owned in Grant Township aprox 35

RECEIVED

SEP 20 2010

City County Planning Office
Lawrence, Kansas

September 10, 2010

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Sincerely,

Grant Township Property Owners

Care E. Bauer
Julian V. Bauer
owners, 153 acres in Grant Township
9-16-2010

September 10, 2010

RECEIVED

SEP 20 2010

City County Planning Office
Lawrence, Kansas

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Sincerely,

Grant Township Property Owners

Clifford Harding

51 A

RECEIVED

SEP 20 2010

City County Planning Office
Lawrence, Kansas

September 10, 2010

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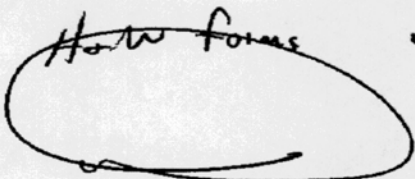
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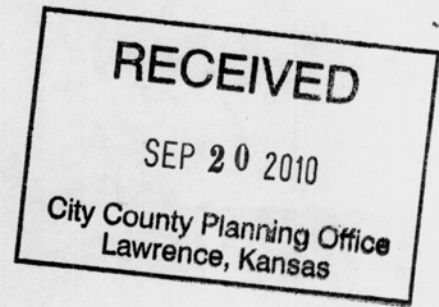
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Sincerely,

Grant Township Property Owners

How far 420 A. m.





September 10, 2010

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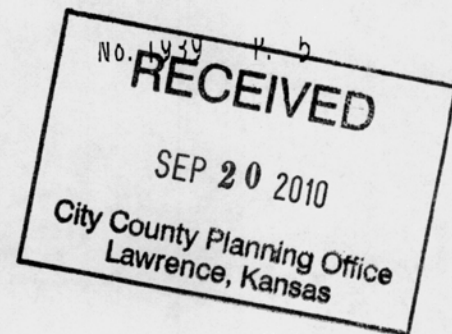
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Sincerely,

Grant Township Property Owners

Pine Family Investments
Roger & Sue Pine
Brian & Kathy Pine

Roger Pine 349 acres
Sue Pine
Kathleen R. Pine



September 10, 2010

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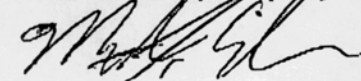
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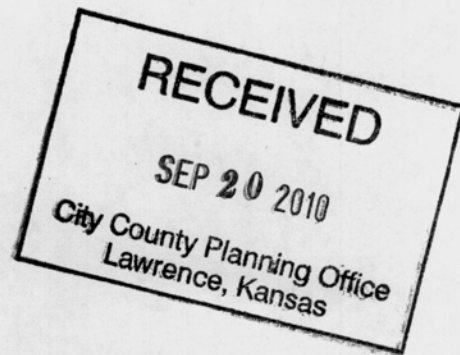
Sincerely,

Grant Township Property Owners



Matthew J. Eichman

420 acres



September 10, 2010

To: Members of the Lawrence Douglas County Planning Commission

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Sincerely,

Grant Township Property Owners

500+ Acres

Roger Kitzmiller - owner
Ralph Kitzmiller owner

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

September 19, 2010

Mr. Charles Blaser, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEM NO. 4: COMPREHENSIVE PLAN AMENDMENT FOR NORTHEAST SECTOR
PLAN.

Dear Chairman Blaser and Planning Commissioners:

We would like to present some comments on the new recommendations for inclusion in the
Northeast Sector Plan: a choice between the Options #1 and #2.

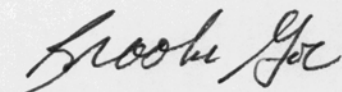
The important question addressed here is how to preserve the Class I and II Soils as a goal, but at
the same time accommodate some industrial development. After reviewing these options we
believe that the consequences of adopting either of these options at this stage would not achieve
the desired outcome.

We have attached our analysis of some of the problems involved in attempting to accommodate
both the preservation of these irreplaceable soils and at the same time accommodate industrial
development.

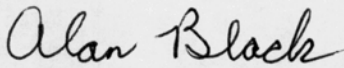
We suggest that before you incorporate either of these options into the Northeast Sector Plan that
you review our discussion and consider this particular issue further.

Thank you for your consideration.

Sincerely yours,



Brooke Goc
President



Alan Black, Chairman
Land Use Committee

RECEIVED

SEP 20 2010

City County Planning Office
Lawrence, Kansas

ATTACHMENT

PROBLEMS WITH SUGGESTED OPTIONS FOR PRESERVING CLASS I & II SOILS IN INDUSTRIAL AREAS

Option #1: The recommendation to incorporate into the *Northeast Sector Plan* suggested by staff for preserving Class I and II Soils in industrially designated areas is to “encourage” Agri-Industrial use in these areas.

Problem: With only “encouragement” there is no way to guarantee that Agri-Industrial uses will go into such areas. It seems to us that this would *not* be an effective method for saving these valuable soils. This is not recommended as a requirement nor is there recommended any incentive to do it. To be effective, there should be both a requirement and an incentive incorporated into the Land Development Code.

Option #2: The recommended suggestion here is to require a portion of an industrial development on Class I and/or II Soil to be set aside and permanently preserved for agricultural use. The suggested amount is half of the original tract. If this recommendation of Option #2 is incorporated into the Land Development Code and the Douglas County Zoning Regulations, the Agri-Industrial use would be a permitted use within the Industrial category.

Problems:

1. Implementation: There should be some mechanism for separating out the undesirable industrial permitted uses from the benign ones. Although there is one permitted use added—Agri-Industrial—there is no distinction in terms of the many choices for permitted uses available under the “Industrial” category in Option #2. Not all of these other industrial uses included here are equal in intensity and in possible negative effects on the set-aside farmland. There is a need to be able to select or condition uses, or to be able to do both.

- (a) One method used recently has been to allow conditioning of conventional zoning to eliminate all permitted uses other than agricultural-business uses. It could be applied to Agri-Industrial permitted uses in the Industrial category.
- (b) Another method would be to require a Planned Development.
- (c) A third method would be to establish all industrial uses in Class I and II soils as Special Uses with the ability to establish strict environmental controls through the Conditional or Special Use Permits.
- (d) A fourth method could be to create a new zoning district for Class I and II soils and then control uses individually under the Section 20-501 Use Regulations.

2. The size and configuration of the original tracts and their set-aside parcels is critical in preserving the set-aside land for its agricultural usefulness.

- (a) If half of the land of a single tract is set-aside for preserving Class I and II soils each parcel from the tract should be contiguous so that it is not preserved in separate small pieces. Set-backs and required open spaces between buildings or other normal “open space” requirements would not preserve sufficiently large tracts for usable agricultural land.
- (b) The original acreage of the industrial tract would determine how useful a set-aside parcel would be. For example, the parcels set-aside from small industrial tracts—under one acre—would generally be less agriculturally useful. You need to know what is considered economically and practically feasible to preserve.

3. Protecting the set-aside farmland area from pollution and runoff from the developed industrial parcel would have to be a condition placed on any industrial development adjacent to preserved farmland—an additional development expense and difficult to enforce.

4. An additional problem is that almost the entire Class I and II Soils are also subject to flooding.
Added problems and hazards of developing in the floodplain:

- (a) The cost/benefit to the city and county of industrial development in the floodplain is apt to be negative. Why?
 - (1) Both the flat North Lawrence area and the floodplain have a very high water table and minimal slope. This causes major engineering problems with sewerage and added costs of providing and maintaining it. Sewerage would likely need lift stations and because of the high water table, sump pumps would likely be necessary. A major public cost.
 - (2) Floodplain development requires high capital investment. Needed flood protection or raising building levels, generally with added soil, makes development cost higher than average.
 - (3) Raising soil levels adjacent to farmland can change the drainage patterns to the disadvantage of the farmland, marginalizing it and reducing its productivity.
- (b) Hazards are created with floodplain development because of the proximity of the airport. Raising soil levels may create ponds that attract waterfowl and other wildlife if fill dirt comes from the same floodplain area. This effect is due in part to the high water table.

5. Problems of jurisdiction.

- (a) If a development is not annexed and provided public utilities, it will likely be substandard; public benefit will likely be negative.
- (b) If a development is provided utilities and public services but not annexed, costs to the city will not be publicly compensated through taxes, resulting in lack of public benefit to city.
- (c) If development is annexed and provided public services, costs may still exceed public benefits in taxes because of above listed problems.

6. Cost implications: Farming is one of the land uses in the county that costs the county much less than the county regains from it in taxes. When the League made its study on county development, one of our sources was the Farmland Trust. The Trust found that for every dollar returned in taxes from open space and farmland, expenditures to counties averaged about \$0.50. On the other hand, for every dollar returned to the county in taxes from rural residential use, the county expenditures for this use were higher, up to \$1.50 per household. That was in 1999. The disparity now is likely more.

CITIZENS FOR RESPONSIBLE PLANNING

September 18, 2010

Dear Commissioners Blaser, Harris, Finkeldei, Carter, Burger, Hird, Dominguez, Rasmussen, Singleton, and Liese,

Citizens for Responsible Planning (CRP) remains in support of the 3rd Draft of the Northeast Sector Plan as presented at the Planning Commission meeting on July 21, 2010. This draft document skillfully and fairly represents public input from the beginning of the public document planning sessions that began in the Fall of 2009.

One of our primary concerns remains flooding and stormwater run-off associated with development and urbanization in the Northeast Sector. The "Option #1" alternative being presented clearly states, "The industrial category is expected to urbanize. " This statement is in direct conflict with the desires expressed through the public process. It will also increase the probability of catastrophic flooding within the area and the North Lawrence residential community. Urbanization within the Northeast Sector will force implementation of the costly North Lawrence Drainage Study recommendations. CRP would request that should any development proposal come forward it be reviewed through a cost-benefit analysis whenever public dollars are being used for infrastructure extension.

It is impossible to segregate the area's unique challenges to development. As stated on **Pg. 3-1 under Recommendations these unique challenges include:**

- o **Costly stormwater infrastructure needs as urbanization occurs**
- o **Significant amounts of regulatory floodplain**
- o **Significant amounts of Class I and II soils**
- o **FAA Regulations and Lawrence Municipal Airport Protection Zones**

The current draft states on: **Page 3-13 3.3 Implementation , Item 6. "Consider implementing regulations that promote no adverse impact for floodplain management."** CRP supports this statement of an **Implementation recommendation**. It is recognized that flooding is the number one natural disaster in the United States (FEMA). To identify flood hazards, the risks they pose to people and property, and the regulatory boundaries of floodplains, the Federal Emergency Management Agency (FEMA) develops flood hazard maps, officially known as Flood Insurance Rate Maps (FIRMs). **The Flood Hazard Area map shown on page 2-18 should be updated to reflect the new LiDAR - DFIRM County map dated August 5, 2010.**

http://www.douglas-county.com/depts/zc/docs/pdf/floodplainmap_080510.pdf

The map seen in the above link replaces the flood hazard map that dates back to November 7, 2001. Drainage patterns have changed dramatically due to land use, surface erosion, and other natural forces. As a result, the likelihood of riverine flooding in some areas has increased significantly. Moreover, the technology used to estimate risk has been much improved. Up-to-date maps will much more accurately represent the risk of flooding; they are an important tool in the effort to protect lives and properties in Douglas County. This statement is taken from the National Initiative for Flood Map Modernization.

This August 5, 2010 DFIRM Map indicates areas to be in the 1% chance floodplain or 100 year floodplain that are indicated on the Future Land Use Map Draft Pg. 3-12 for both Industrial and Soil-Conserving Agri-Industry. The new 100 year floodplain designations for these areas should require further detailed study prior to determining future land use possibilities within the Northeast Sector Plan.

Thank you for considering CRP's comments and requests.

As always, with great respect.

Citizens for Responsible Planning Steering Committee

September 10, 2010

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We will be present for the September 20 meeting and look forward to answering any questions you may have concerning our position on this issue.

Sincerely,

Grant Township Property Owners

Attachment to Grant Township Property Owners Letter

Trusted Management
By Carolyn Phillips 252 acres

Vogelland
By Nancy Vogel $\approx$ 170 acres

Kenneth R. Halladay MD. 40 acres

Kenneth D. Reiling 60+ acres

~~Michael Halley~~
Halley Farms $\approx$ 130 acres

Dorothy L. Congrove Trust 138 acres
by Dorothy Congrove

Gantz Land L.C.
by Neil Gantz, Mark Gantz 145 acres

Irene Vogel Trust
DOUGLAS COUNTY BANK TRUST
By: Jimmie Dale SAWATTO 510 ACRES

John Vogel Trust
Douglas County Bank, TRUST
By: Jimmie Dale SAWATTO

September 10, 2010

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As owners of a large percentage of the commercial agriculture acreage represented in the Northeast Sector Plan we strongly support Option #1 as presented in the memorandum from Dan Warner AICP, Long Range Planner, which will be considered at the September 20, 2010 Planning Commission meeting. These are the key reasons for our support.

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- We have worked the land and soils in this area for decades. Understanding the production capabilities, vulnerabilities, climate, erosion, water retention and production limitations has allowed us to maximize yields of tillable acreage for generations. It is how we make our living and is part of our lives.
- With proximity to major highways, rail and air transportation, this area serves the needs of Lawrence and all of northeast Kansas. We should not compromise access to industrial and commercial use in this critical transportation hub by placing severe limits on potential development nearby.
- The relatively undefined concept of soil conserving agri-industry opens the possibility that current agri-industry uses such as livestock feeding operations, turf and sod production, agricultural field stations and test plots could be jeopardized in the future.
- The proposed commercial use of land in no way conflicts with our ability to grow crops for our community or increase production to support local demands.

As landowners and citizens directly affected by this decision, we ask that the Lawrence/Douglas County Planning Commission approve option #1 as recommended by its Planning staff.

We will be present for the September 20 meeting and look forward to answering any questions you may have concerning our position on this issue.

Sincerely,

Grant Township Property Owners

Mary P. Ross

Patrick D. Ross

Herb E. Winkler

Debra A. Kewerake

Pauline M. Tunemaker

457 acres

10520 Inverness Ct
Fishers, IN 46037
September 13, 2010

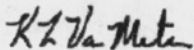
Lawrence-Douglas County Metropolitan Planning Commission
6 East 6th Street
Lawrence, KS 66044

Dear Planning Commission:

As the owner of 54 acres on the NW corner of the Midland Junction in Grant Township, I support Option #1 as presented in the memorandum from Dan Warner AICP, Long Range Planner, which will be considered at the upcoming September 20, 2010 Planning Commission Meeting.

I appreciate the opportunity to express my opinion. If you have any questions or would like to discuss this issue further, please contact me at 317-450-6242. Additionally, you may speak with my father, Earl Van Meter, who manages my property. He can be reached at 785-749-5956.

Sincerely,



Karen Van Meter

Cc: Earl Van Meter
621 Country Club Terrace
Lawrence, KS 66049

September 10, 2010

To: Members of the Lawrence Douglas County Planning Commission

As owners of a large percentage of the commercial agriculture acreage represented in the Northeast Sector Plan we strongly support Option #1 as presented in the memorandum from Dan Warner AICP, Long Range Planner, which will be considered at the September 20, 2010 Planning Commission meeting. These are the key reasons for our support.

- This language reflects almost directly the previously approved policies in Chapter 7 of Horizon 2020. All of our long-range plans for our farms and family homes were based on those policies.
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- The proposed commercial use of land in no way conflicts with our ability to grow crops for our community or increase production to support local demands.

As landowners and citizens directly affected by this decision, we ask that the Lawrence/Douglas County Planning Commission approve option #1 as recommended by its Planning staff.

We will be present for the September 20 meeting and look forward to answering any questions you may have concerning our position on this issue.

Sincerely,

Grant Township Property Owners

John S. Arnsperger (132 Acres)

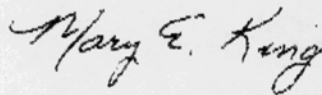
BILL & MARY KING
2231 GARFIELD
GREAT BEND, KS 67530

Tel. #620 793 6168
Fax # 620 793 8473
Cell # 620 791 7150
E-mail bking6@cox.net

September 12, 2010

Members of the Lawrence Douglas County Planning Commission:

I am a Grant Township property owner, and I am in favor of the letter dated September 10, 2010, in support of option #1 of the NE Sector plan. I own 170 acres in Grant Township.



Mary E King

September 10, 2010

To: Members of the Lawrence Douglas County Planning Commission

As owners of a large percentage of the commercial agriculture acreage represented in the Northeast Sector Plan we strongly support Option #1 as presented in the memorandum from Dan Warner AICP, Long Range Planner, which will be considered at the September 20, 2010 Planning Commission meeting. These are the key reasons for our support.

- 1 This language reflects almost directly the previously approved policies in Chapter 7 of Horizon 2020. All of our long-range plans for our farms and family homes were based on those policies.
- 2 We have worked the land and soils in this area for decades. Understanding the production capabilities, vulnerabilities, climate, erosion, water retention and production limitations has allowed us to maximize yields of tillable acreage for generations. It is how we make our living and is part of our lives.
- 3 With proximity to major highways, rail and air transportation, this area serves the needs of Lawrence and all of northeast Kansas. We should not compromise access to industrial and commercial use in this critical transportation hub by placing severe limits on potential development nearby.
- 4 The relatively undefined concept of soil conserving agri-industry opens the possibility that current agri-industry uses such as livestock feeding operations, turf and sod production, agricultural field stations and test plots could be jeopardized in the future.
- 5 The proposed commercial use of land in no way conflicts with our ability to grow crops for our community or increase production to support local demands.

As landowners and citizens directly affected by this decision, we ask that the Lawrence/Douglas County Planning Commission approve option #1 as recommended by its Planning staff.

We will be present for the September 20 meeting and look forward to answering any questions you may have concerning our position on this issue.

Sincerely,

Grant Township Property Owners

Don & Westheffer
Wanda L. Westheffer
306 acres in Grant townships

From: Barbara Clark, Maggie's Farm [mailto:maggiesfarm@sbcglobal.net]

Sent: Wednesday, July 21, 2010 3:11 PM

To: Chuck Blaser; Lisa Harris; Brad Finkeldei; Hugh Carter; Lara Adams Burger; Richard Hird; Charlie Dominguez; Stan Rasmussen; Kenzie Singleton; Bruce Liese

Cc: Dan Warner; Scott McCullough; Sheila Stogsdill

Subject: Fw: Possible "Best Practices" Examples

Dear Commissioners,

I am forwarding three very recent documents to you that may act as "best practices" guides. I believe at the last meeting on May 24th when the Northeast Sector Plan was discussed there was a statement that there should be communities that are engaged in the same issues we are here in Douglas County. I hope these will assist as we move forward.

Two are from Pennsylvania and one from Washington State.

The first link: http://www.tpl.org/content_documents/OkanoganValley_WhitePaper_LowRez.pdf

Agricultural Land Preservation and Land Conservation in Okanogan County: Challenges, Opportunities, and Recommendations for Moving Forward, January 2010.

This document addresses the need for "common ground" between divergent interests. From my perspective the process the planning staff undertook and skillfully facilitated for the Northeast Sector Plan fits within the recommendations of this white paper. While there are variances in the players involved in this county in Washington State, the critical natural resource at risk is high quality agricultural land. This document, if for no other value, clearly shows that the discussions and difficulties Douglas County is facing are common to many other communities in our nation.

The second link: <http://www.shrewsburytownship.org/Codorus%20Comprehensive%20Plan%20DRAFT.pdf>

Codorus Township Comprehensive Plan Update Draft, March 2010

This very recent Comprehensive Plan Draft has a strong focus on agricultural soils preservation, tools to achieve agricultural preservation, and valuation systems for implementation. On page 11, a lengthy discussion of soils begins and the various land use capabilities appropriate to various soil types. Page 38 begins a discussion of this county's preservation work.

The third link: http://www.ycpc.org/County_Long_Range_Pages/comp_plan.html

After opening this link, scroll down the page to the list of documents. Click on the first document: *York County Agricultural Land Protection Plan*

This planning document looks at agricultural land protection tools. One of the most important being good long-range comprehensive planning. There are other zoning and incentive tools referenced in this planning document. Soils play a very significant role in land use planning in this document and other township plans I've looked at from the York County Planning Department.

Thank you all for taking the time to review these documents. I know you are called upon by many groups to read volumes of text. Your time and dedication to our community is greatly appreciated.

Best,

Barbara Clark

Maggie's Farm

www.maggiesfarm-ks.com

CITIZENS FOR RESPONSIBLE PLANNING

July 21, 2010

Dear Commissioners Blaser, Harris, Finkeldei, Carter, Burger, Hird, Dominguez, Rasmussen, Singleton, and Liese,

Citizens for Responsible Planning (CRP) would like to express their gratitude for the diligence shown by the Planning Department Staff in their skillful and inclusive facilitation of the Northeast Sector Plan Draft development. From the initial "kick-off" meeting in the Fall of 2009 public attendance and public input has been carefully recorded and used to direct language currently represented in the 3rd draft of this document.

It is also our expressed opinion that the Q and A paper has been invaluable in clarifying and giving further elaboration on questions and concerns that were voiced at the May 24th Planning Commission meeting.

CRP recommends the following new language additions (**identified in black bold type**) to the 3rd draft.

Pg. 3-1 - Due to the *area's* unique challenges to development, including:

CRP's two overarching concerns for the Northeast Sector Plan have consistently been stormwater mitigation and the preservation of the largest contiguous tract of Capability Class 1 and 2 soils in Douglas County.

Pg. 3-1 - The plan recognizes ***the interconnectedness of*** these unique elements and proposes only limited development in the planning area.

The addition of “***the interconnectedness of***” gives recognition of how these deep, fertile soils are the best mitigation source for recurring stormwater issues facing this area. These soil's natural absorptive sponge capabilities offer both from a cost basis and highest and best land use perspective the greatest mitigation option available. These two concerns are best addressed in tandem.

Pg. 3-2 - 3.1.1.1.g Lawrence Urban Growth Area (UGA)

1. Consider adjusting Lawrence's Urban Growth Area boundary ***by limiting it*** to those areas of Grant Township feasible for the urban-type development through the analysis of the Sector Plan and the analysis of future water and wastewater master plans.

CRP supports the Plan Growth Area as defined by the Future Land Use map presented on pg. 3-14 of this draft.

In addition, we would like to use a transcribed reference from the May 24th Planning Commission meeting to further support CRP's thoughts on the limiting of the UGA.

"Commissioners, I guess there's one thing I'd like to leave you with while we go to work on these comments is --we've put this in the context of what are the planning efforts city/county wide. The reason we start with our cartoon of annexation is that there's a reason that this area hasn't developed substantially over the decades and those reasons have to do with the costs of development and public infrastructure and the storm drainage and those sorts of things. I think as planners we need to start thinking, or continue to think, about where are we going to put our limited resources in relation to development costs. We have / you all have planned a substantial amount of industrial employment center activity along with other areas of high density residential and commercial nodes and the like - Farmland Industries is one area, Farmers' Turnpike is another area, 6th Street and SLT is an area. There's room for all those things and areas of low

growth / low development and so as we talk more about the utilities master plan and come back with this plan for your review and consideration I think we need to think of it in terms of the county as a region and not just - It's easy to get into Grant Township and say, 'why aren't we pro-development here?' Why are we restrictive?' ...and those kind of things. We're trying to let the history and the land talk to us on this one and say, "there are reasons for this today; what do we reasonably anticipate?' We talk about expectations for the residents...is it fair to put out a plan for pro-growth if we're not as a city going to put any infrastructure in that area. We've got to talk about those things and come to some reasonable conclusions I think. We'll get to work on your comments and come back with those things in mind as well."

Scott McCullough, Lawrence/Metropolitan Planning Director - May 24, 2010

CRP agrees with Scott McCullough that good long-range, comprehensive land-use planning should consider the most effective allocation of limited public resources for the costly infrastructure necessary for industrial employment centers and high density residential areas. Our community already has identified these public investments for other areas. There are historically validated reasons why Grant Township has experienced limited development in significant part due to flooding and storm water drainage. Sustaining agricultural land uses within Grant Township complements best economic land use with storm water mitigation. We hope that you concur in your thoughts and actions.

CRP has consistently pressed for incentive mechanisms to aid in farmland preservation. Some "Best Practices" documents have been sent to you under separate cover. At this time we would like to suggest some other references that may aid in finding appropriate tools for Douglas County to incorporate into their practices. The first would be a link to the American Farmland Trust toolbox. This link is: http://www.farmlandinfo.org/documents/27761/fp_toolbox_02-2008.pdf

This fact sheet will give you a brief description of many of the planning and incentive tools available for farmland protection.

A second link is to the American Planning Association's Policy Guide on Agricultural Land Preservation. This link is:

<http://www.planning.org/policy/guides/adopted/agricultural.htm>

This is a frequently cited reference and in CRP's opinion reflects many of the planning guides set forth in the Northeast Sector Plan Draft.

As always, CRP is aware of the many factors that come to bear on your decisions. Our continued efforts have been to present reasonable, authoritative data to assist in your deliberations.

With great respect and appreciation for your tireless efforts on behalf of our community,

Citizens for Responsible Planning Steering Committee

Barbara Clark

Jerry Jost

Lane Williams

Ellen Paulsen

Lori McMinn

Chet and Deanna Fitch

cc: Dan Warner, Scott McCullough, Sheila Stogsdill

From: Nuts2sell@aol.com [mailto:Nuts2sell@aol.com]
Sent: Friday, July 23, 2010 12:01 AM
To: Dan Warner
Subject: Comment to Planning Commission, Northeast Sector Plan

July 22, 2010

Re: Draft Northeast Sector Plan

Dear Planning Commissioners:

Although we will be out-of-town for the next meeting on the Northeast Sector Plan, my wife and I wish to encourage your continued work on this and, in particular, your attention to storm drainage challenges and soils. As most of you know, we have a tree farm in the area and have made comments in the past.

In the past few days we have driven North 3rd street and watched as at least 6 feet of clay fill has been trucked in and compacted for the pad and parking lot of the new Dollar Store. It is a impressive, but typical, fill for North Lawrence. We have remarked how each development in the flood plain incrementally degrades the drainage for their neighbors who had previously built at the natural grade.

In the ten years since the last FEMA floodplain map was adopted, degradation of the Maple Grove drainage has now resulted in a new FEMA map with a greatly increased 100-year floodplain area. The new regulatory floodplain covers much more of our neighbors' lands and, for the first time, includes part of our orchard. The map reflects the cumulative effect of development over the past decade. Ironically, floodplain regulations encourage or require building on fill, which is invariably less permeable than the natural soil. New development is built on ever higher fill. Whoever is lower, whoever built before, is burdened with the runoff.

In North Lawrence the better agricultural soils are sponges of storm water. The higher Capability 1 soils are better sponges than the lower Capability 2 soils; loss of Capability 1 soils to development will impact area drainage more severely, although it is the lower soils that will flood more quickly.

We are encouraged by the fact that the Northeast Sector Plan articulates that drainage and agricultural soils are important planning considerations for the City of Lawrence. For us, as interested farmer landowners, drainage and prime soil preservation are paramount considerations for this particular area. We encourage your continued efforts to incorporate a reasonable reference respecting the best agricultural soils into the Northeast Sector Plan.

We appreciate your thoughtful efforts throughout this process.

Charles NovoGradac
Deborah Milks

Chestnut Charlie's
Organic Tree Crops

P.O. Box 1166
Lawrence, KS 66044
www.chestnutcharlie.com
nuts2sell@aol.com

Dan Warner

From: Scott McCullough
Sent: Wednesday, July 14, 2010 4:17 PM
To: 'Rasmussen, Stanley L NWK'
Cc: Dan Warner; Denny Ewert
Subject: RE: Northeast Sector Plan

Dan – for PC packet and file.

Scott McCullough, *Director* - smccullough@ci.lawrence.ks.us
Planning and Development Services | www.lawrenceks.org
City Hall, 6 E. 6th Street
P.O. Box 708, Lawrence, KS 66044-0708
office (785) 832-3154 | fax (785) 832-3160

From: Rasmussen, Stanley L NWK [mailto:Stanley.L.Rasmussen@usace.army.mil]
Sent: Wednesday, July 14, 2010 4:12 PM
To: Scott McCullough
Subject: Northeast Sector Plan

Scott,

After reviewing the 12 July 2010 draft of the Northeast Sector Plan, I am particularly concerned with the Soil Conserving Agri-Industry boundary designated on the Future Land Use Map 3-1 (see page 3-14). Specifically, the proposed boundary appears to be better suited for industrial development than to soil-preservation activities.

This area is bounded on the north and the east by the airport (as well as on the north by U.S. Highway 24/40), to the south by Interstate-70, and is essentially bounded on the west by US Highway 40/59.

In my opinion, an area such as this, with immediate access to multiple highways, the interstate, the airport, as well as close proximity to rail access, and an area which is essentially devoid of residential property, is naturally suited to industrial development as opposed to soil preservation. By looking at the soil classification map 2-13 (on page 2-24), better areas for soil conserving agri-industry can be readily identified. For example, while the draft designated area contains a mix of soil types, there are areas south of I-70 and north of the Kansas River that contain large swaths of Class I soil types, that are adjacent to existing industrial land, and that appear to be much better suited to soil conserving agri-industry activities.

I suggest that the Soil Conserving Agri-Industry classification be eliminated from the Future Land Use Map 3-1 (on page 3-14) and that this area be designated as Industrial. Second, I suggest that the last sentence in Section 3.2.1.4 be deleted (this is the sentence which reads: This use is identified south of highway 24/40...when a nodal plan is developed for that area). Alternatively, it may be appropriate to discuss the merits of designating the general area in the southeast portion of this Sector Plan as an area where soil-conserving agri-industry may be encouraged.

Please share my comments with my fellow Planning Commissioners, Planning Department staff, and other interested parties.

Stanley L. Rasmussen, Planning Commissioner

Dan Warner

From: Kelly Barth [ludditekel@earthlink.net]
Sent: Wednesday, May 26, 2010 3:47 PM
To: Dan Warner
Subject: Northeast Sector Plan

Dear Dan,

I wanted to take a moment to thank you for your lucid and strong articulation of the reasoning behind the Northeast Sector Plan at Monday's meeting.

Though I certainly realize the county can't please everyone with its documents, I want to express my concerns about the following:

- * Potential flooding of the area and the expense and logistical nightmare created by implementation of the North Lawrence Drainage study recommendations that would be needed to accommodate large-scale develop in the area.

- * Potential damage to irreplaceable Class 1 and 2 soils that have developed over millennia and represent one of Douglas County's most valuable cultural, environmental, and commercial assets.

I also appreciate the document's recognition that the development of aviation-related industry sited at the airport itself is an entirely appropriate development use for the area given the above two concerns.

Thanks for all your good work!

Best,

Kelly Barth

Dan Warner

From: Barbara Clark, Maggie's Farm [maggiesfarm@sbcglobal.net]
Sent: Wednesday, May 26, 2010 8:59 PM
To: Stan Rasmussen; Lisa Harris; Chuck Blaser; Brad Finkeldei; Richard Hird; Jeff Chaney; Kenzie Singleton; Greg Moore; Charlie Dominguez; Hugh Carter
Cc: Scott McCullough; Dan Warner; Sheila Stogsdill
Subject: Fw: Land Capability Classes
Attachments: class 2.pdf; class 1 and 2.jpg; class 1 and 2.pdf; class 1.jpg; class 1.pdf; class 2.jpg

Dear Commissioners Moore, Finkeldei, Harris, Blaser, Rasmussen, Hird, Chaney, Singleton, Carter, and Dominguez,

I'm forwarding information you requested at the Planning Commission meeting on Monday evening.

My intention has always been to submit objective, current data from authoritative sources concerning the soils in Douglas County. The majority of what I am forwarding to you in this document came from Cleveland Watts, State Agronomist with the USDA/NRCS out of the Salina offices. Mr. Watts has always been extremely helpful and generous with his time in assisting me with the generation of maps designating location and acreage of Capability Class 1 and 2 Soils in Douglas County. I am forwarding the actual communication received from Mr. Watts for your review.

On Tuesday of this week I called Mr. Watts to once again ask for his assistance in generating a map that will show Capability Class 1 and 2 Soils within the State of Kansas. I believe this was a question Commissioner Rasmussen posed. Mr. Watts told me he would have this data for me within 30 days. They are currently short staffed because of vacation schedules. So, my hope is that this time frame will be agreeable. I will forward this new information at the earliest possible date.

Under separate email I will forward the maps that show Capability Class 1 and 2 Soils within the county that are urbanized. This map and the corresponding acreage updates were created for me by DeAnn Presley, Associate Professor Environmental Soil Science/Soil and Water Management at Kansas State University - Agronomy Department. Professor Presley utilized a combination of GIS layers with Web Soil Survey data to create these maps and data tables.

Thank you for reviewing these documents. I would be glad to answer any questions, or secure answers from Mr. Watts or Professor Presley for any clarification you may want.

Respectfully,
Barbara Clark
Citizens for Responsible Planning

Maggie's Farm
www.maggiesfarm-ks.com

----- Forwarded Message -----

From: "Watts, Cleveland - Salina, KS" <cleveland.watts@ks.usda.gov>
To: maggiesfarm@sbcglobal.net
Cc: "Sabata, Larry - Topeka, KS" <Larry.Sabata@ks.usda.gov>
Sent: Thu, June 5, 2008 1:26:11 PM
Subject: Land Capability Classes

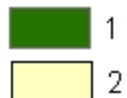
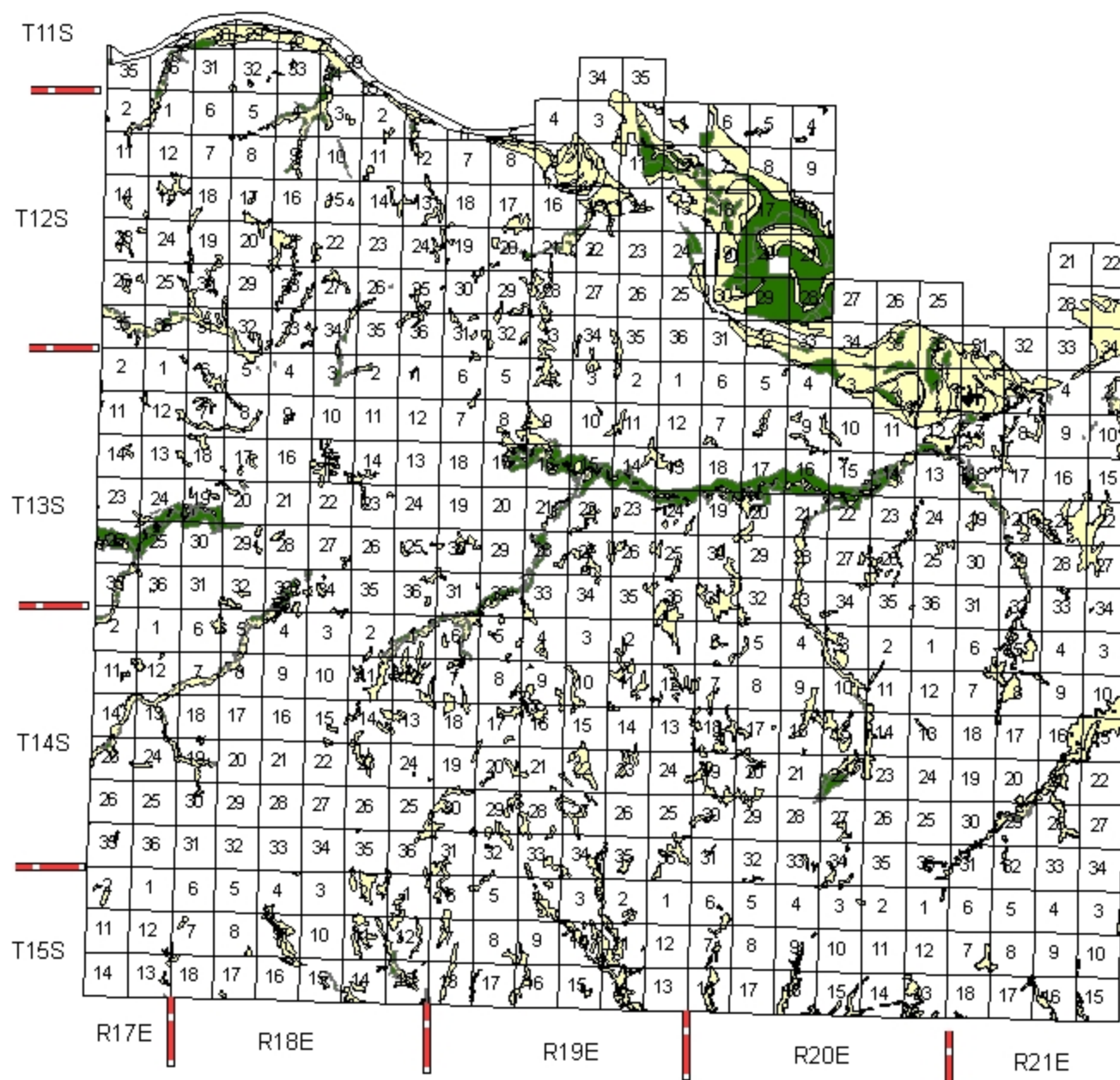
Mrs Clark

Larry Sabata submitted to me the request that you had made to him in regards to developing land capability interpretation map for Douglas county for class 1 and 2 land.

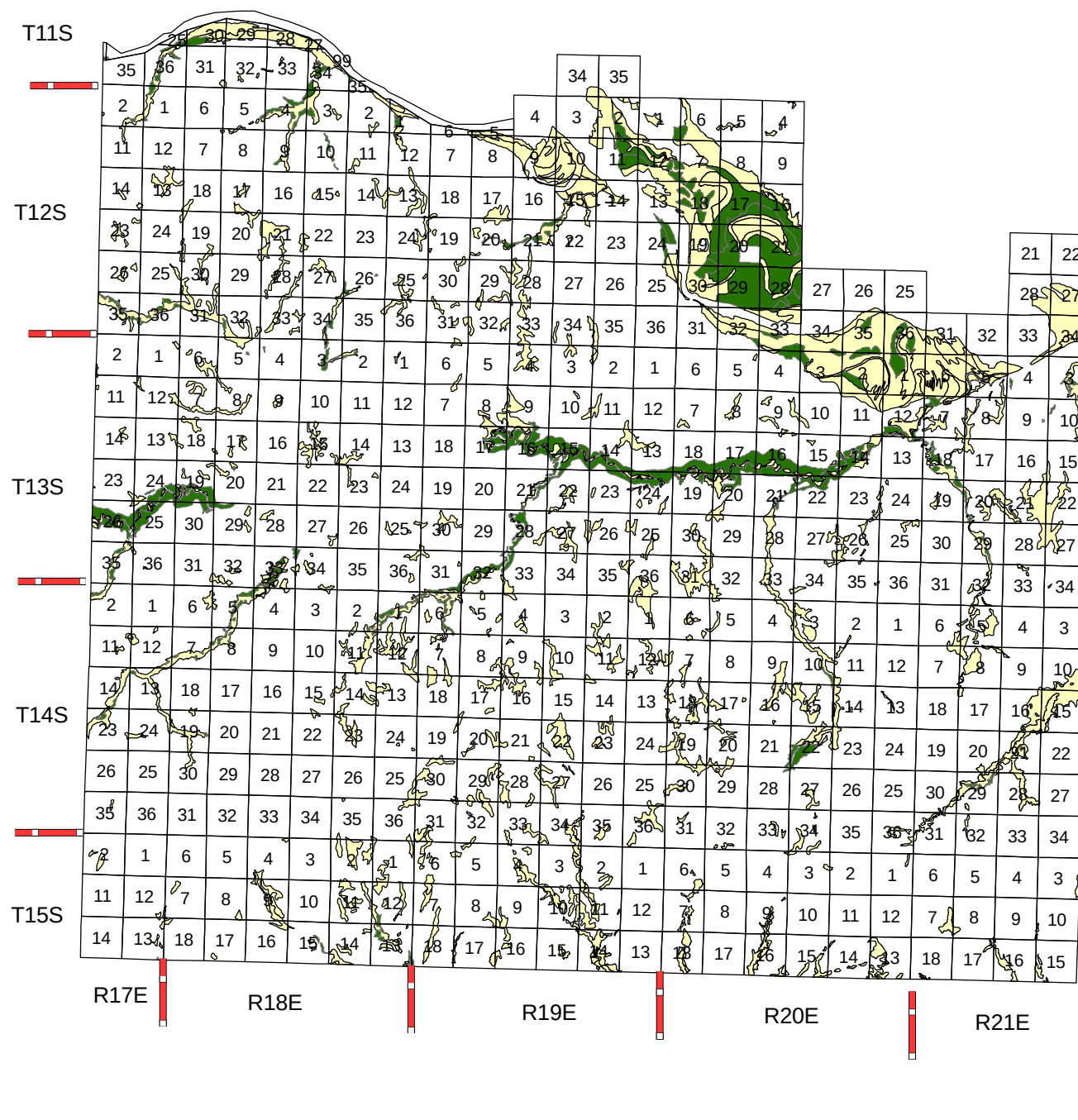
Attached is 6 maps related to this request. I developed maps for capability class 1 and 2 and also, with capability classes 1 and 2 combined. Each class is in a .jpeg and .pdf format.

If this information is not what you need, please feel free to give me a call at 785-823-4558.

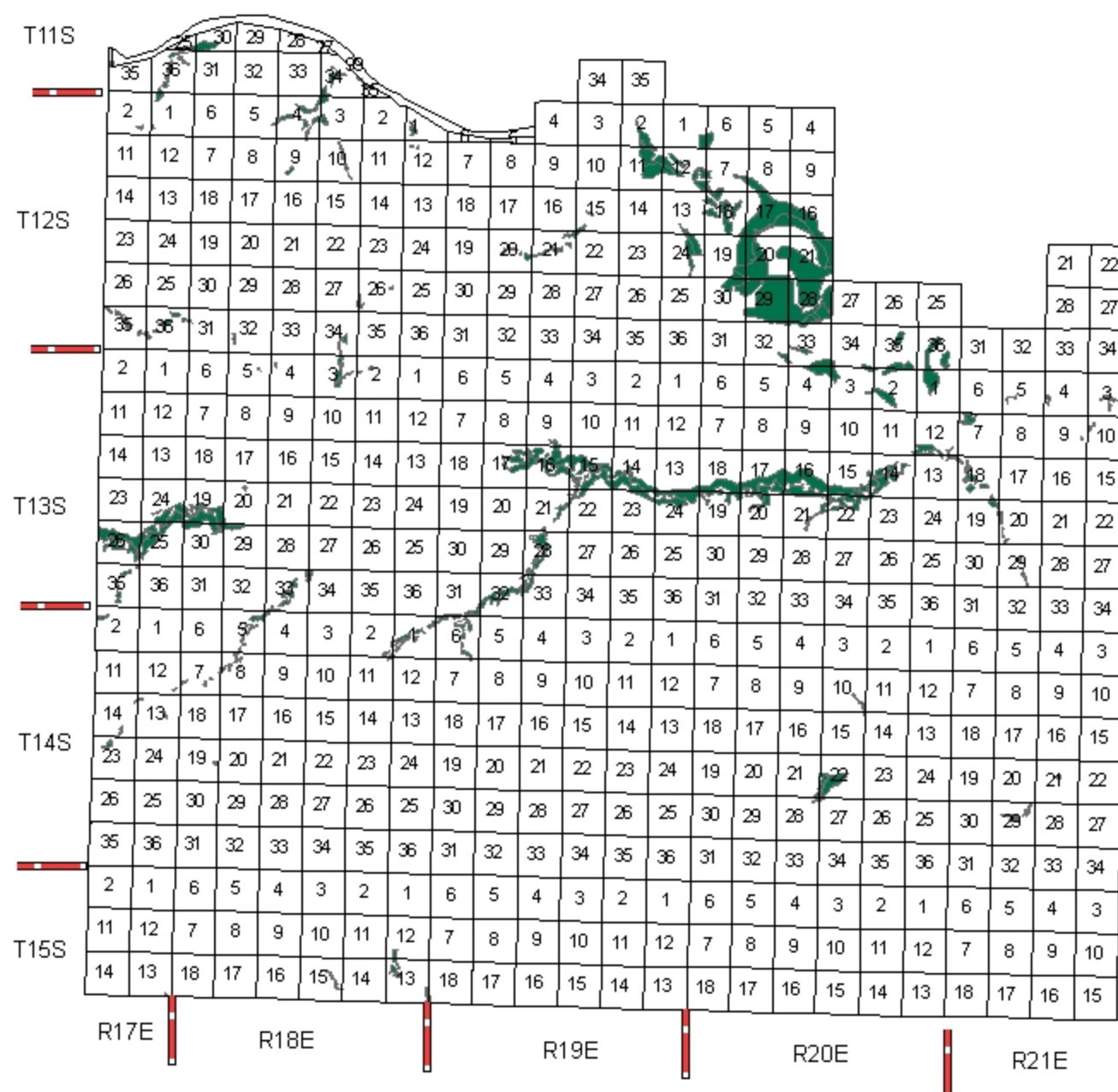
Land Capability Class 1 and 2 in Douglas County, Kansas



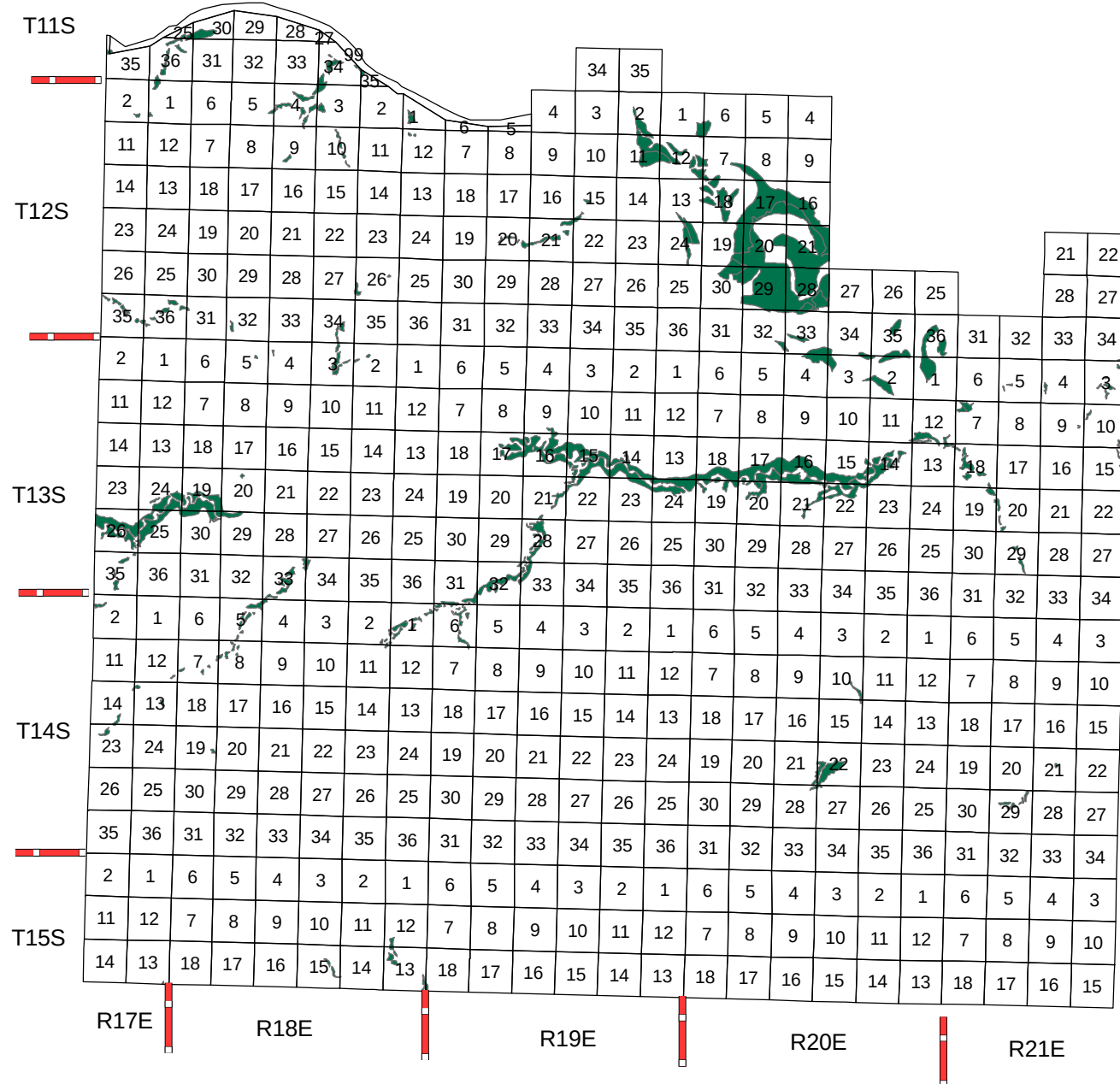
Land Capability Class 1 and 2 in Douglas County, Kansas



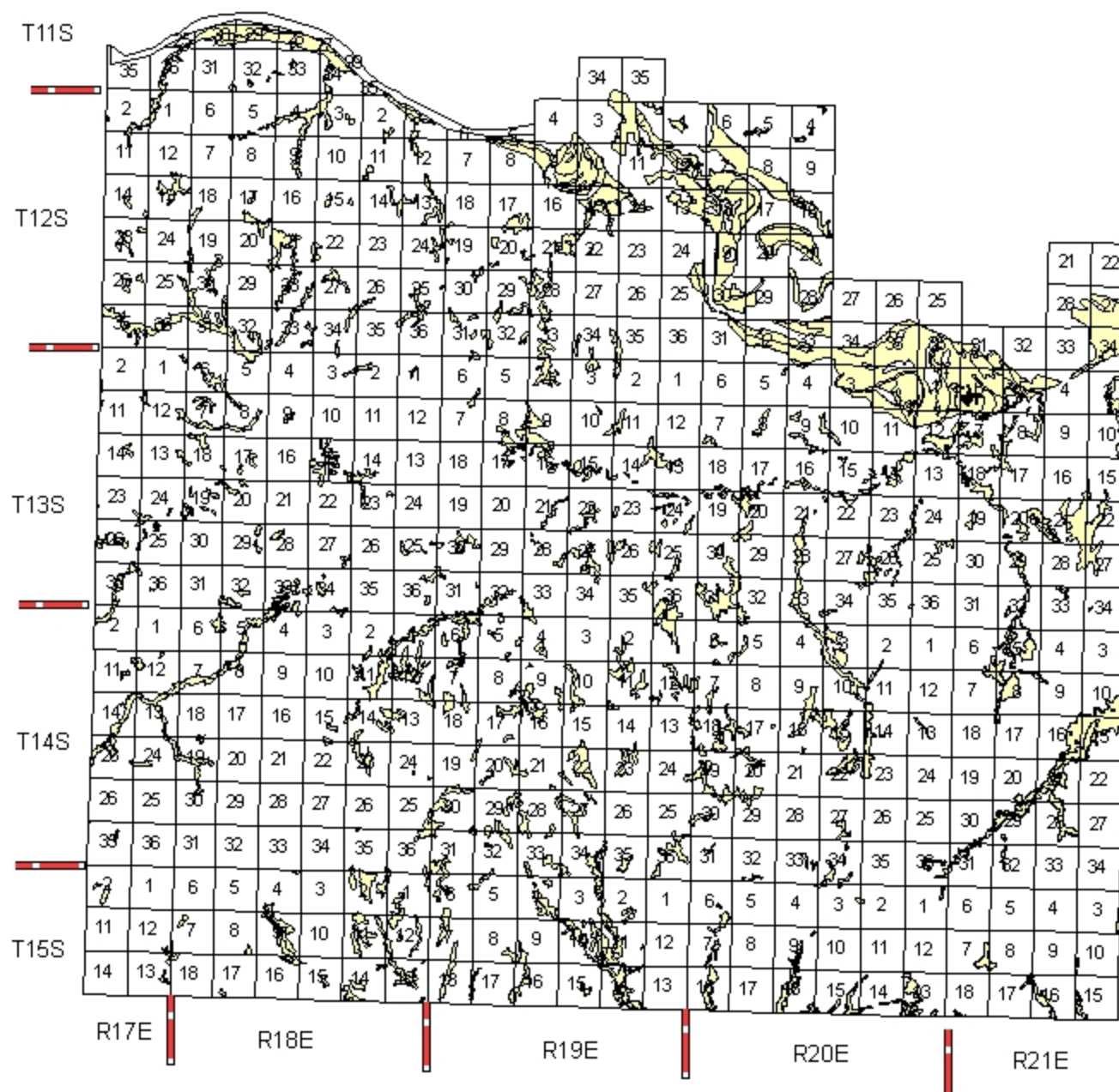
Land Capability Class 1 in Douglas County, Kansas



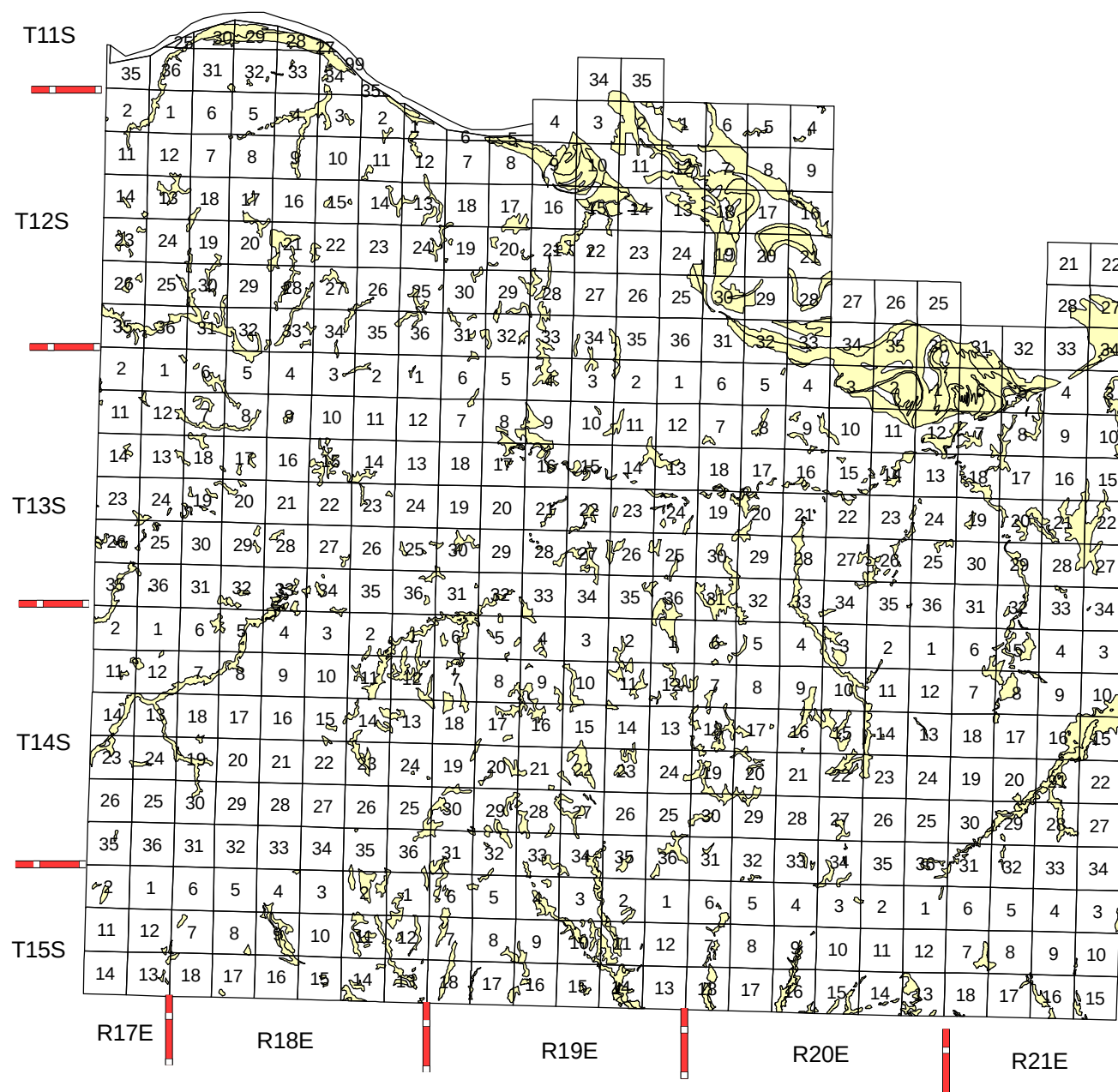
Land Capability Class 1 in Douglas County, Kansas



Land Capability Class 2 in Douglas County, Kansas



Land Capability Class 2 in Douglas County, Kansas



Dan Warner

From: Barbara Clark, Maggie's Farm [maggiesfarm@sbcglobal.net]
Sent: Wednesday, May 26, 2010 9:47 PM
To: Stan Rasmussen; Lisa Harris; Chuck Blaser; Hugh Carter; Greg Moore; Charlie Dominguez; Brad Finkeldei; Jeff Chaney; Kenzie Singleton; Richard Hird
Cc: Scott McCullough; Dan Warner; Sheila Stogsdill
Subject: Fw: Urbanized Capability Class 1 and 2 Soils Douglas County
Attachments: class_1_and_2_acres.xls; class_1_2_urban.jpg

Dear Commissioners,

Attached are the documents created by DeAnn Presley, KSU Agronomy Department. These files show the urbanized percentages and acres of Capability Class 1 and 2 Soils in Douglas County. I also believe these documents are included in early public comments associated with the Northeast Sector Plan. I might add this data is based on a 2005 dataset. So, any urbanization of Capability Class 1 and 2 Soils after that date would not be reflected in these percentages or acres calculations.

As always, I will be happy to answer any questions you may have or obtain further information for you.

With many thanks.
Barbara Clark

I have included contact information for DeAnn Presley

DeAnn Presley

Extension Specialist/Assistant Professor

Environmental Soil Science/Soil and Water Management

Kansas State University

Agronomy Department

2014 Throckmorton Hall

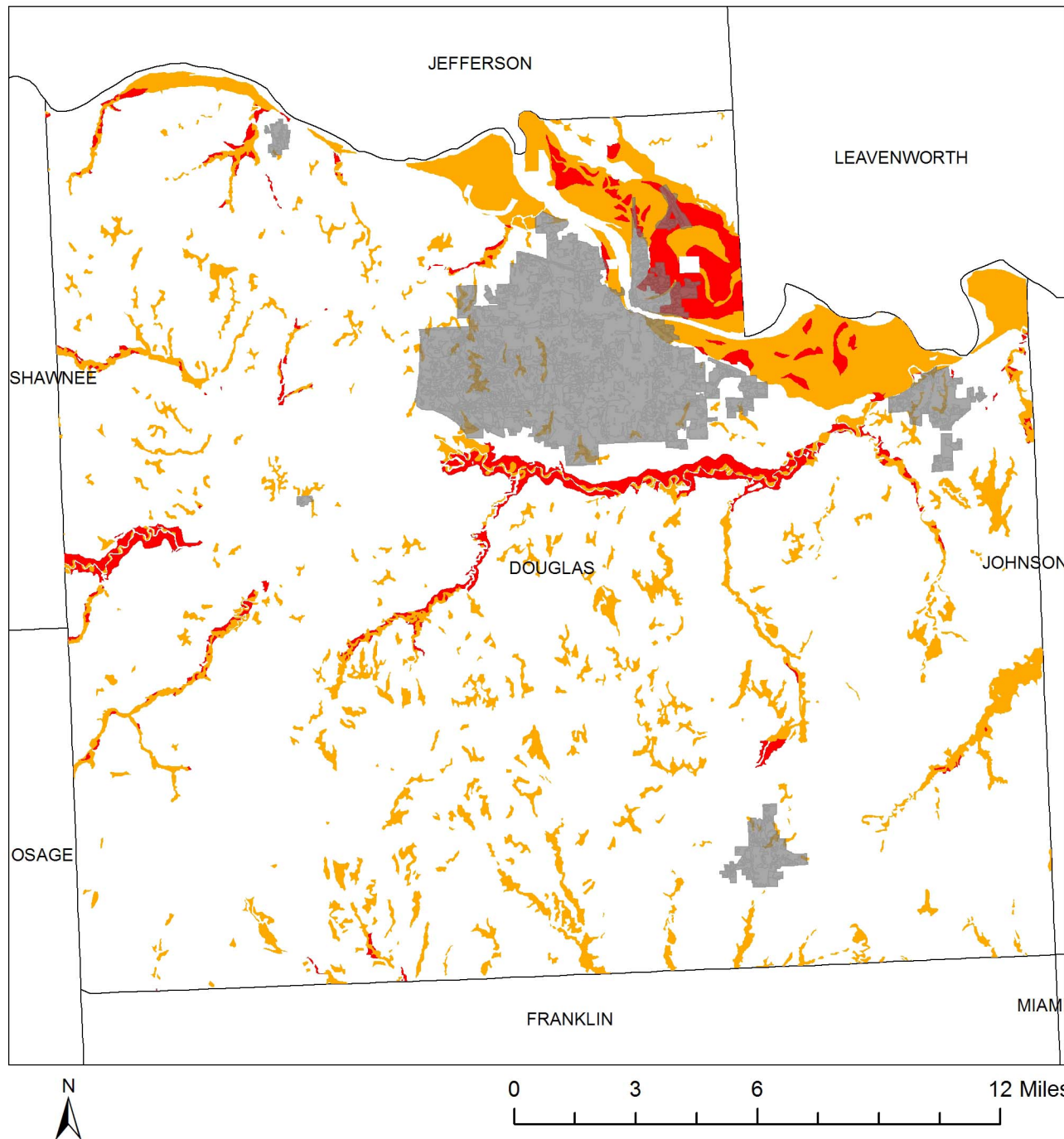
Manhattan , KS 66506

785-532-1218 (office)

785-313-4193 (cell)

deann@ksu.edu

Class 1 and 2 Soils, plus all Urban land types



- All urban land types
- Class 1 Soils
- Class 2 Soils
- County boundaries

	Acres
Class 1, Total	8,366
Class 1, Urban	2,009
Class 2, Total	33,053
Class 2, Urban	12,761
Urban, Total	21,298
Total Area	303,808

county	total county size in acres	total urban acres in county	acres of class 1	% class 1	acres of developed class 1	% of class 1 that is developed	acres of class 2	% class 2	acres of developed class 2	% of class 2 that is developed
Wyandotte	99700		1437	1.4			19972	20.0		
Wabaunsee	511827		842	0.2			48457	9.5		
Shawnee	355488		29518	8.3			57063	16.1		
Riley	398400		15878	4.0			66084	16.6		
Pott	551366		18305	3.3			119415	21.7		
Johnson	307066		3148	1.0			41199	13.4		
Jefferson	356429		2806	0.8			49349	13.8		
Leavenworth	300300		3460	1.2			60112	20.0		
Douglas	303808	21298	8370	2.8	2009	24.0	33053	10.9	12761	38.6
Geary	258611		13187	5.1			39329	15.2		
Jackson	420953		2779	0.7			89739	21.3		

Dan and Scott,

I'm forwarding two links to planning documents from communities that are currently addressing some of the same issues we are with the Northeast Sector Plan.

The first link: http://www.tpl.org/content_documents/OkanoganValley_WhitePaper_LowRez.pdf

Agricultural Land Reservation and Land Conservation in Okanogan County: Challenges, Opportunities, and Recommendations for Moving Forward, January 2010.

This document addresses the need for "common ground" between divergent interests. I think much of what you did through the use of inclusive, public process to begin the formation of concepts and language in the draft of the Northeast Sector Plan fits within the recommendations of this white paper. While there are variances in the players involved in this county in Washington State, the critical natural resource at risk is high quality agricultural land. This document, if for no other value, clearly shows that the discussions and difficulties Douglas County is facing are common to many other communities in our nation.

The second link: http://www.ycpc.org/County_Long_Range_Pages/comp_plan.html

After opening this link, scroll down the page to the list of documents. Click on the first document: *York County Agricultural Land Protection Plan*

This planning document looks at agricultural land protection tools. One of the most important being good long-range comprehensive planning. This is exactly what I heard you speak to at the last meeting of the Planning Commission. There are other zoning and incentive tools referenced in this planning document. Soils play a very significant role in land use planning in this document and other township plans I've looked at from the York County Planning Department.

Thank you both for reviewing these two documents. I know you are constantly called upon to read volumes of data. I would appreciate hearing your thoughts on what might be applicable for Douglas County from these two texts.

Best,
Barbara Clark

-Hello, I am Jim Congrove. Thank you for giving me some time to explain our position on proposed restrictions on use of Class I and II soils in the Northeast Sector plan. My wife and I own three tracts of land within the boundaries of the plan. One tract is located just Southeast of Midland within the plan growth area and is predominately Class II soils, another tract is located southwest of Midland, and is predominately Class I soils and then a tract where we live is just off Highway 24 on the Leavenworth-Douglas County on the hills overlooking the river valley.

In reviewing the draft Northeast Sector plan, a great deal of emphasis is placed on prohibiting or discouraging any industrial development on Class I and II soils. Please refer to map 3-13. The purple shaded area is designated as Soil conserving – Agri-Industry. Based on the definition of this designation on pages 3-10 and 3-11 I believe the result will be no business or industry. Much of this discussion is based on a concern that the potential for local food production could be greatly impaired if any Class I or II soils were allowed to be developed. While we strongly support the efforts to promote more local food that can be marketed at Farmer's Markets, grocery stores, restaurants or any other outlet, I am going to argue that there is sufficient land for local food production and also allow landowner's freedom to exercise their property rights if opportunities arise. If this plan is approved as drafted, we believe that our property rights and land values could be impaired.

Class I and II soils have similar physical properties. They both have potential for high productivity of crops and have less than 1% slope. The main difference in these two soil classes is that Class I has better permeability. Reference is made to map 2-22. The class 1 & 2 soils are cross-hatched. Please note there are some areas not cross-hatched. One area just north of the Kansas River along the eastern side of the plan and another area northwest of teepee junction along the river levee are class 3 because they are too sandy to be considered Class 1 or 2.

While studying at K-State I took several soils courses while obtaining my Bachelor's and Master's degrees in Agronomy. However, most of my remarks will be based on my experience growing various crops on these soils.

I believe too much emphasis has been placed on the Class I and II soils in the sector plan as being the only major soil resource for the production of local foods. First of all, we should be thinking more about regional food policies. For example there are more than 50,000 acres of Class I soils in the Kansas River valley between Manhattan and Kansas City. Back in the 30's and 40's about 6,000 acres of potatoes were grown in the Kansas River Valley and were marketed under a regional brand of Kaw Valley potatoes. Because of weather, storage and marketing problems, acreage gradually decreased and potatoes ceased to be a commercial enterprise in the valley after the 51 flood. We moved to this area in 1973 and had an opportunity to farm in partnership with the Pine family for 18 years. In 1974 we ventured into the potato business by growing about 40 acres. Over the 18 years the acreage had increased to around 300 acres which were marketed to chip companies in Topeka and Kansas City. Our market window was only about 3 weeks in July. As I recall we didn't look at soils maps to see what class of soils we would plant potatoes on. Today as I look at the map to see where the class I and II soils are located, I realize we planted at least half of the acreage on class III sandy soils located in Grant Township and Kansas River Valley land near Linwood in Leavenworth County. During wet years these class III

sandy fields could be harvested when fields of Class I were too wet. Being able to harvest during wet periods was essential to keep the factories supplied. I hope this points out there are other acres in the area that need to be included for potential to produce locally grown food. In fact many of the fruit and vegetable crops that can be grown for a local food program are better adapted to the sandier soils that are not included in Class I and II.

As mentioned earlier our home is located on the hills overlooking the river valley. The hillsides are designated class IV based on a majority of the soils having a slope of more than 4-6%. In addition the soil is sandy. Even on these soils we have areas that are excellent for growing any of the vegetable and fruit crops adapted to this climate. We are growing over 30 fruit and vegetable crops this year. When we purchased this farm in 1984, we learned from some oldtimers in the area that previous owners of the land had produced cantalope and watermelons commercially on this Class IV land. This is another example of land that should be included as potential for local food production. In fact I believe most of the current producers who participate in the local Farmers Market grow their crops on land outside the Kansas River Valley.

Another example of productive soils are the Class III and IV soils in Doniphan County, Kansas which is about 60 miles north. Here again, I believe that should be considered regional. These are soils that have that classification because of slopes greater than 2%. Other than the slope they have similar characteristics as Class I soils. According to information published by Kansas Agricultural Statistics the average corn yield in Doniphan County for the last five years on 82,000 acres was 164 bushels per acre while soybeans averaged 51 bushels per acre on 66,000 acres. The yield information from Kansas Ag Statistics is published on a county basis and therefore I was not able to obtain yields specifically for Class I and II soils in the Kansas River valley. Based on my work in the area as a crop insurance adjuster and from knowledge as a landowner, the yields from 148,000 acres* of these Class III and IV soils in Doniphan County compare very favorably with the Class I and II soils in the Kansas River Valley. I just want to emphasize there is much potential for all types of food production from soils in the region in addition to Class I and II.

I contend the limiting factor for vegetable and fruit production is climatic conditions not soil resources. Some climatic conditions which are limiting factors when compared to other areas include late spring freezes, early fall frosts, hot dry winds in summer and the possibility of excessive precipitation. Using my garden as an example, we have only harvested a few crops such as lettuce, spinach, asparagus and radishes so far this year.

Another example of potential food production is from areas not suitable for cultivation such as the area on our property where I have a forest improvement project on land classified as Class V. It is Class V as it is subject to periodic flooding along a stream. Over the past seven years I have removed undesirable trees and planted over 800 walnut trees. This is an example of potential local food production on soils that cannot be cultivated or developed. There are many acres along streams in Douglas County that could be utilized in this manner.

Dan Warner

From: Davis, Cynthia [tripoddog@ku.edu]
Sent: Tuesday, May 25, 2010 11:29 AM
To: Dan Warner
Subject: Good morning, RE: 936 N. 3rd Street

Hello,

I am an owner of 936 N. 3rd Street. I am deeply concerned with regard to the suggested plan to convert this property into "open space." I strongly fear if such a plan is adopted, this would likely decrease the value of the land, because any buyer would know that to obtain a building permit on the land, they would have to get approval for something contrary to the plan.

Thank you,
Cynthia Puckett-Davis

Dan Warner

From: Lisa Grossman [lgrossman@earthlink.net]
Sent: Thursday, May 27, 2010 10:06 AM
To: Dan Warner
Subject: Northeast Sector plan comments

Dear Mr. Warner,

I'm deeply concerned about the future of Douglas County's Northeast Sector. I know you're already well aware of the rich soils present there, so vital for current and future agricultural economy. I know you're aware of the flooding issues, and associated difficulties installing sewer and water infrastructure, as well as the importance of the Lawrence Municipal Airport and the need for open spaces surrounding it.

Please set your sights on long-term planning that values the future of sustainable food production for this county and region. Every day you see agriculture moving toward smaller, healthier, and more profitable production and I believe this land in Douglas County could be the center of such industry. This town is ripe for green industry job development, and we truly don't need more of the same kinds of big box business parks that render the priceless soils useless and benefit a very small segment of society.

Thanks so much for your consideration.

Lisa Grossman,
Lawrence, KS

Dan Warner

From: Samantha Snyder [snyder.samantha@rocketmail.com]
Sent: Friday, May 28, 2010 10:28 AM
To: Dan Warner
Subject: Northeast Sector Plan

Dear Mr. Warner,

I am writing today as a member of Citizens for Responsible Planning regarding the Northeast sector plan. I am highly concerned about the preservation of this space for agricultural needs. It is clearly highly valuable agricultural land, and should be put to it's best use for our local food economy.

Please support development of the aviation related industry at the Lawrence Municipal Airport PROPER and not over the incredibly valuable resource of Class 1 and 2 soils.

Thank you,

Samantha Snyder,
Lawrence

Dan Warner

From: Steven Stemmerman [sstemmer@usd497.org]
Sent: Thursday, May 27, 2010 12:19 PM
To: Dan Warner
Subject: The Northeast Sector Plan Draft

The Northeast Sector Plan Draft

I feel the concerns put forth by the Citizens for Responsible Planning are quite valid and deserving of much consideration. It's becoming ever more apparent the the loss of prime farm land near a municipality is a loss to that municipality. The owners of such land shouldn't be faced with the paving over of the land in which they've worked in order to provide for their retirement. Personally, I would support tax wise the city buying the land and leasing it out for food production, or other means that would preserve this resource.

Steve Stemmerman
315 Maiden Lane
Lawrence, Kansas
66044

Dan Warner

From: Steven Stemmerman [sstemmer@usd497.org]
Sent: Thursday, May 27, 2010 12:19 PM
To: Dan Warner
Subject: The Northeast Sector Plan Draft

The Northeast Sector Plan Draft

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Steve Stemmerman
315 Maiden Lane
Lawrence, Kansas
66044

The primary concerns put forward by CRP for the past three years since our initial opposition to the Airport Industrial Park are:

- * Concerns associated with flooding if development takes place without costly implementation of the North Lawrence Drainage Study recommendations.
- * Preservation of Capability Class 1 and 2 Soils for current and future agricultural needs of our community.
- * Recognition that development of aviation related industry should be focused at the Lawrence Municipal Airport proper. This should be the primary industry/economic development focus for the Northeast Sector.

Dan Warner

From: Laurie Ward [ltward@sunflower.com]
Sent: Monday, May 24, 2010 5:33 PM
To: Dan Warner
Subject: NE Sector Plan

Dear Mr. Warner,

I appreciate the process of involving the Grant Township neighborhood and am supportive of the Northeast Sector Plan currently under consideration by the Planning Commission.

In 2009, I wrote two successful grants to establish the Okanis Garden at the Prairie Moon Waldorf School. Located squarely in Capability Class I soils, this market garden--a part of the local food system for Lawrence and the surrounding areas--selling produce to area grocery stores, restaurants, and through an Okanis Garden Community Supported Agriculture (CSA). The garden's productivity, due to the high quality soils, is tremendous. The grant created an agriculture job in the form of a garden manager. Future plans call for more gardening and gardening/education jobs.

Thank you for your part in helping Lawrence and Douglas County plan for best and land-use, taking into consideration the excellent Class 1 and 2 soils, and guiding towards preserving and expanding agricultural use in this part of the Kansas River Valley.

Prairie Moon enthusiastically welcomes its new neighbor to the north on 1600 Road: the University of Kansas Native Medicinal Plant Research Program--a perfect example of appropriate activity in the area.

Laurie Ward
38 Winona Ave.
Lawrence, KS 66046