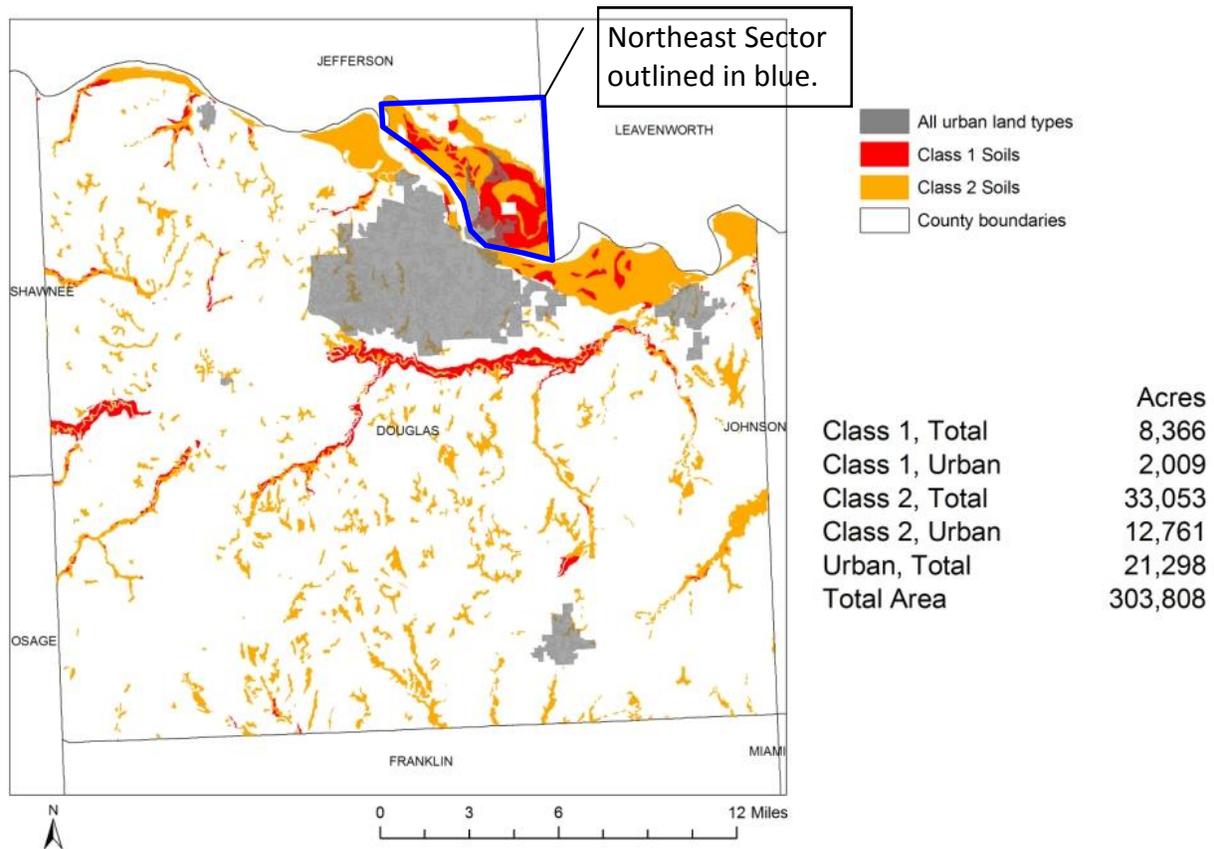


Dear Lawrence City Commission,

Citizens for Responsible Planning has been actively engaged in the planning process for the Northeast Sector Plan. We appreciate the intensive efforts to build community input into this planning process. We believe there are some core strengths to this plan and wish to emphasize these fundamental policy guidelines.

Historically the Northeast Sector has been shaped by the repeated flooding of this river valley. This movement of water has deposited some of the finest soils and created some of the best agricultural land in Kansas and concentrated this rich natural asset in the Northeast Sector. Horizon 2020, Chapter 7 Industrial and Employment Related Land Use states “The preservation of high-quality agricultural land, which has been recognized as a finite resource that is important to the regional economy, is of important value to the community.” This unique feature is illustrated in the following map.

Class 1 and 2 Soils, plus all Urban land types



Situated close to Lawrence, this sector naturally faces development pressure. Surprisingly, and for understandable good reasons, this area has experienced limited development. As the draft Northeast Sector Plan states in Section 3 – Recommendations (page 3-1):

“Compared to other areas of the fringe area of Lawrence, this area is not anticipated to be significantly urbanized.

Due to the unique challenges to development, including:

- Costly stormwater infrastructure needs as urbanization occurs
- Significant amounts of regulatory floodplain
- Significant amounts of Class 1 and 2 soils
- FAA Regulations and Lawrence Municipal Airport Protection Zones”

Critical to future land use planning is flooding and stormwater management in the Northeast Sector. This is of paramount importance to the residents of North Lawrence and Grant Township, area businesses, transportation, and the airport. Wisely, Lawrence commissioned the North Lawrence Drainage Study in 2005. As stated in the draft Northeast Sector Plan (page 2-16):

“Tens of millions of dollars of cost were identified to accomplish the recommendations of the study for dealing with the existing stormwater issues and future ones that will be created with development.”

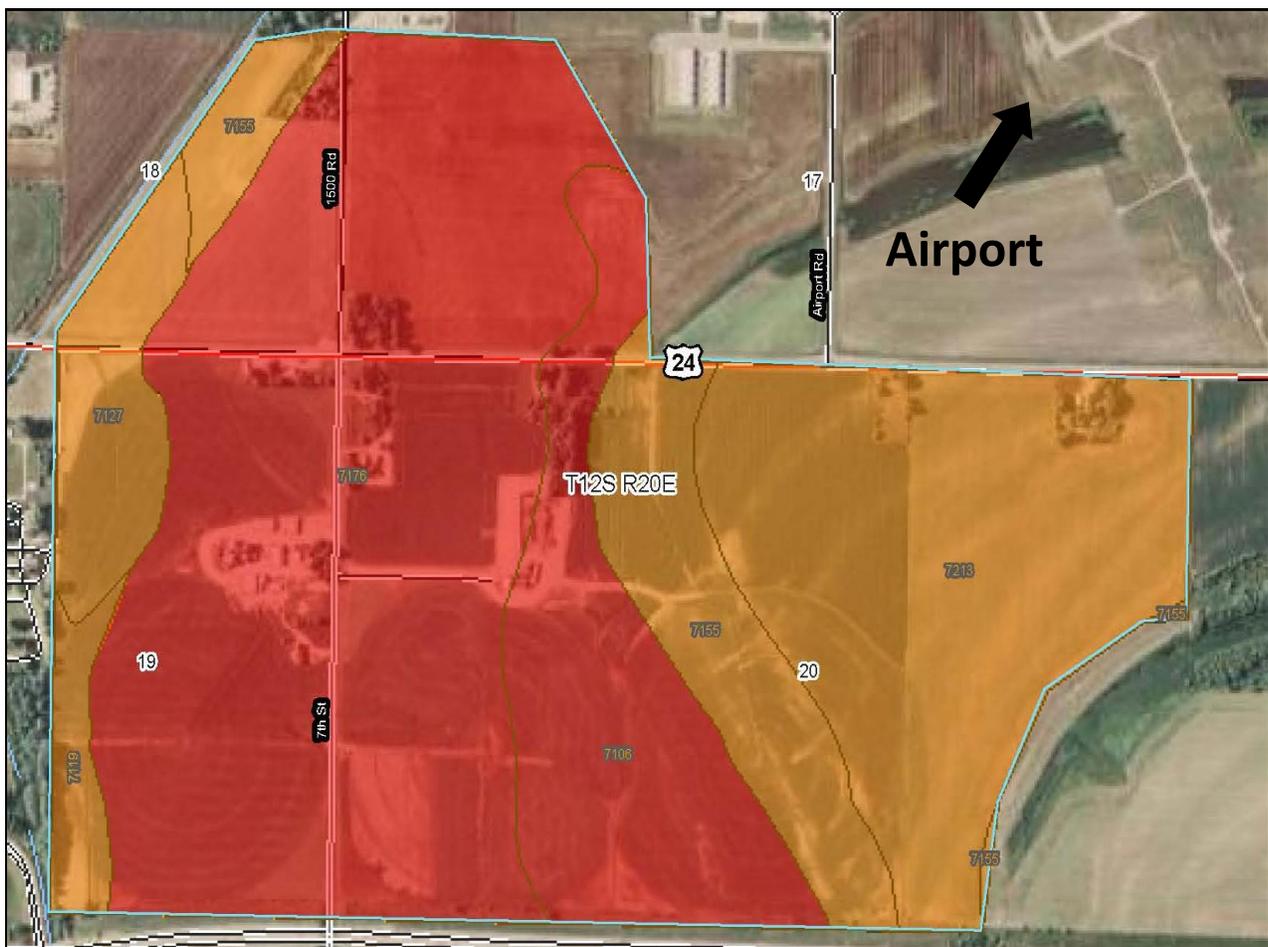
In response to these development limitations, Horizon 2020 states that development shall not be permitted in “regulatory floodplains or other environmentally sensitive areas.”

These flooding and stormwater limitations are intertwined with the unique soils of the Northeast Sector. As the draft Northeast Sector Plan (page 2-17) states “these soils are highly permeable and assist in stormwater management.” These unpaved soils act as a sponge absorbing water, mitigating stormwater damages, and recharging our valuable groundwater aquifers. These soils in their undeveloped state form our community’s greatest and most cost effective stormwater mitigation device.

Citizens for Responsible Planning wishes to emphasize the implementation of the long-view recommendations in Section 3.3 (page 3-14):

- Reduce the Lawrence Urban Growth Area to the area identified in Map 3-1 (page 3-13) to minimize stormwater mitigation costs, conserve prime farm land, preserve area farms, and protect the rural heritage surrounding Lawrence for both local residents and visitors.
- Implement regulations that promote no adverse impact for floodplain management.

The early planning process for the Northeast Sector Plan involved broad and respectful community participation contributing to early drafts of this Sector Plan. The Lawrence Planning Commission approved a recently revised draft (the first of three options presented) Northeast Sector Plan by a contested 5-4 vote. We believe this last draft option does not adequately respond to the earlier community input and creates troubling contradictions between the recommendations to protect Class 1 and 2 soils and the concluding Map 3-1 Future Land Use (page 3-13). Please note the industrial section south and west of the airport and the following USDA/NRCS map of the same area which identifies this area as the heaviest contiguous concentration of Class 1 and 2 soils. The red shaded area is Class 1 soils and the yellow shaded area is Class 2 soils.



We recommend that Industrial Section 3.2.1.4 (pages 3-10, 11) conform to the third draft of this plan and identify the above area as a “soil conserving agri-industry” category of land use. We believe this land use would conform to the stated goals within the plan and best represent the community planning process.

In conclusion, Citizens for Responsible Planning has consistently recognized private property rights as a critical factor in land use determinations. Weighting these rights must be accomplished in an equitable manner. We believe the third draft of this Sector Plan best balances the private property rights of the diverse interests of both farmland owners and homeowners within our community.

Thank you for your consideration of these recommendations.

Sincerely,

Jerry Jost	Hilda Enoch	Lori McMinn
Barbara Clark	Jim Fischer	Dan McMinn
Ted Boyle	Marcia Fisher	Lowen Millspaugh
Chet Fitch	Madeline Finch	Rick Mitchell
Deborah A. Milks	Deanna Fitch	Nancy O'Connor
Charles K. NovoGradac	Bob Gent	Ellen Paulsen
Lane Williams	Margot Gray	Dan Phelps
Scott Allegrucci	Crystal Hammerschmidt	Kevin Prather
Michael Almon	Susan Harper	Wayne Propst
Deborah Altus	Bob Harper	Daniel Poull
David Baird	Kim Heck	Vanessa Sanburn
Bruce Barlow	Lauretta Hendricks-Backus	Carol Schmitt
Kris Barlow	Doug Hitt	Ronald Schneider
Kelly Barth	Shirley Hitt	P. Simran Sethi
Leo Beier	Maryam Hjersted	Margaret Shirk
Sheryl Beier	Lisa Grossman	Frank Shopen
Pat Benabe	Hugh Janney	Jim Smith
Sandy Beverly	Pat Kehde	Jerry Sipe
Marilyn Brune	Joshua Kendall	Mary Ann Stewart
Judy Burch	Kevin Kennedy	Dan Parker-Timms
Jan Butin	David Lambertson	Denise Parker-Timms
Kathryn Compton	Sacie Lambertson	Pat Petrovits
Cole Cottin	Eileen Larson	Julie Trowbridge-Alford
Linda Cottin	Cheryl B. Lester	Sarah Trowbridge-Alford
Courtney Crouch	Jim Lewis	Jordan Wade
Janet Dehnert	Bob Lominska	Maurice R. Woolsoncroft
Joseph M. Douglas, MD	Jake Lowen	Jim Yonally
Victoria B. Douglas	Janet Majure	Nancy Yonally
Donna Eades	Carey Maynard-Moody	Rita York
Jill C. Elmers	Sally McGee	

NORTH LAWRENCE IMPROVEMENT ASSOCIATION

LAWRENCE, KANSAS

RECEIVED

DEC 09 2010

City County Planning Office
Lawrence, Kansas

December 9, 2010

Dear City Commissioners:

The North Lawrence Improvement Association has been working with Citizens for Responsible Planning and Grant Township residents on the drafting of the NE Sector Plan. NLIA appreciates the work the Planning Department has devoted to this project in the last year. The NLIA, CRP and the Planning Department were all in consensus until the next to last time the plan came before the Planning Commission. At that meeting the Commission asked for a definition of agricultural related industry as it was never defined in the document. At the end of that meeting Planning Director Scott McCullough made his assessment of why slow development or no development has occurred in North Lawrence and the Grant Township. A copy of his statement is attached. The NLIA agrees with this statement.

When the NE Sector Plan was next on the agenda of the Planning Commission, there were two more options that were not publicly discussed and the option (#3) that all of the stake holders worked on for over a year and supported was not discussed.

The NE Sector Plan is a very important planning project, but the NLIA feels there are enough choices for industrial development in and around Lawrence without allowing that type of development to occur in the area covered by the NE Sector Plan. If industrial development is allowed in this area the storm water flooding problems in North Lawrence and the Grant Township will be exacerbated. I have attached a storm water survey that the City conducted in June 2004. About 100 residents responded to the survey regarding the storm water flooding issues that occurred on their property.

The NLIA also believes that Type 1 & II soils that make up a significant portion of the NE Sector Plan area should be protected from development. These soils are not only an invaluable resource for agriculture, but serve as a natural storm water resource. If this land is allowed to be covered with asphalt, concrete and rooftops, the storm water from this land will be flowing into North Lawrence. The pump on North 2nd is at it's maximum and the planned upgrade of the pump at 5th & Maple is designed to only take care of the current existing storm water problem in North Lawrence. We have been waiting fifteen plus years for the upgrade of this pump.

North Lawrence did not have storm water problems until residential housing development was allowed and 100 plus new homes were built. Much of the vacant property that existed in North Lawrence that served as a natural runoff turned into concrete and rooftops. These homes were built in a flood plain or flood prone area. The City and the developers assured us that this development would not adversely affect our neighborhood with flooding. The NLIA disagreed with that assessment.

The Grant Township is also a flood plain/flood prone area. The NLIA is in full agreement with Citizens for Responsible Planning and want to see Option 3 restored to the NE Sector Plan.

Sincerely,



Ted Boyle, President
North Lawrence Improvement Association

CC: David Corliss, Lawrence City Manager
Scott McCullough, Planning Department

noted. Recurring concerns related specifically to development patterns, current stormwater management practices and future construction impacts, as well as a desire to limit new development. With those comments came concerns about enforcement of stormwater management controls with new development and construction. The concerns were both in terms of fears of too great of restrictions and desires for stringent development controls.

Survey questions and responses:

How often in the past 10 years have you had a problem with stormwater on your property?

[32] – 0 times

<u>Address</u>	<u>Frequency</u>
1567 Hwy 40	Yes
1728 E. 1500 Road	Twice really bad, but every time with a heavy rain
1804 E. 1600 Road	15
1480 N. 1700 Road	Too many to count
1662 N. 1700 Road	3 or 4
792 N. 2 nd	Several
645 N. 3 rd	Frequently
1001 N. 3 rd	1993 & 1997
624 N. 5 th	1
725 N. 5 th	8
649 N. 6 th	Every time it rains
625 N. 7 th	Every time it rains
227 N. 8 th	1
625 N. 8 th	2-3 times over the last two years
769 Ash	5
600 Center	When it rains
310 Elm	20
411 Elm	Every time it rains
761 Grant	When it rains more than 1 day
711 Maple	2
819 Maple	Every time it rains
321 Maiden Lane	2
403 Lincoln	4
624 Lincoln	During heavy rains
641 Lincoln	Continual erosion; habitual standing water
628 Locust	Ongoing
788 Locust	Every time it rains
806 Locust	Continuous
818 Locust	Yearly
836 Locust	10
520 Lyon	2
835 Lyon	20
711 North Street	Often
732 North Street	Every time it rains

501 Perry	Every 1" or more
517 Perry	2
304 Pleasant	Too many to count
786 Walnut	Every time it rains

What types of problems have you had?	Never	Sometimes	Often
Erosion	[37]	[20]	[5]
Home or business flooded	[45]	[10]	[4]
Over flowing ditches/culverts	[22]	[23]	[26]
Standing water outside	[22]	[28]	[30]
Street or driveway access flooded	[32]	[24]	[21]

Other:

- 1480 N. 1700 Road – pasture flooded/electric fences out of service
- 1567 Hwy 40 – Farm fields due to inadequate landscaping and car accidents in Hwy 24/40 due to flooding
- 1662 N. 1700 Road – Water runs across road into our field
- 1735 E. 1500 Road – Front ditch plugged
- 411 Elm Street – Alley always floods
- 625 Lake Street – Up the street the water stands
- 628 Locust – Curb water does not flow off, drainage easement not graded properly
- 800 Walnut – Water does not pass through culvert under drive
- 818 Locust – Storm runoff from several nearby properties, mainly from the east of our property
- 827 Maple – some ditches do not drain
- Ditches and culvert need to be cleaned
- Fields with standing water
- I have noticed the (train) underpass flooded on 2nd Street
- Mainly standing water in culverts
- Mosquitoes
- Mosquitoes due to standing water (health hazard)
- Mosquitoes heavy/standing water
- No curbs on streets
- Problem corrected with cleaning ditches and culverts
- Water backing up in basement
- Water crosses road and erodes ditches that we mow; I've seen 6" – 8" of water pooled at Roanoke and 7th Street.

What do you see as major storm water problems in your area? (Check all that apply)

- [61] Poor drainage
- [37] Excessive run-off from streets
- [35] Loss of property values
- [31] Flooding
- [13] Trash removal/odors
- [12] Loss of property through erosion
- [8] Poor water quality
- [7] Loss of natural habitat
- [4] Unsafe stream/stream bank conditions

Other:

- 1662 N. 1700 Road – Road contour to keep water from running into our field
- 1804 E. 1600 Road – Runoff from airport
- 800 Walnut – Redo the ditch created in my yard, which was not done properly anyway; also do something about the property across the street

NORTH LAWRENCE IMPROVEMENT ASSOCIATION

LAWRENCE, KANSAS

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, Farmer's 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.

Transcript of Scott McCullough's closing statement from Planning Commission Meeting of May 24, 2010, concerning Northeast Sector Plan.

Dan Warner

From: Bobbie Walthall
Sent: Monday, December 13, 2010 5:06 PM
To: Jonathan Douglass
Subject: FW: Northeast Sector Plan

From: pssethi@gmail.com on behalf of P. Simran Sethi [SMTP:SIMRAN@KU.EDU]
Sent: Monday, December 13, 2010 5:05:28 PM
To: Aron Cromwell; Bobbie Walthall; Lance Johnson; Michael Dever; Mike Amyx; Rob Chestnut
Cc: Lieberman, Alice; Matt Lehrman; Sarah Smarsh; Jordan Tucker; Tom McDonald; Margit Hall; Rick Martin; Lillian Siebert
Subject: Northeast Sector Plan
Auto forwarded by a Rule

Mayor Amyx and esteemed Commissioners,

Last month's Kansas Drought Report (from the Kansas Water Office) indicates, "The range of precipitation and warmer than normal temperatures has expanded the area of abnormally dry and moderate drought conditions in the latest Drought Monitor. The western third of the state is mostly in moderate drought conditions and an area of abnormally dry conditions has developed in the Southeastern division. The percentage of the state in abnormally dry to moderate drought conditions has increased from 31.6 % at the beginning of November to the current 47.3 % on November 30."

We believe that this data further emphasizes the need to protect the Capability Class I and II soils in our region. Cycles of drought and flooding are intensifying. Our fertile, deep alluvial soils have a greater capacity to absorb water and present a unique opportunity to develop a strong agricultural base in Douglas County. Although industrial development offers viable short-term opportunities, impervious surfaces placed over our Class I and II soils intensifies flooding to adjacent properties and will adversely impact both residential and agricultural neighbors.

Development in the area should reflect the most efficient use of resources and reap the greatest benefit to our community. Agriculture can better sustain periods of flooding that heavy industry devastated by floods cannot. We urge you to consider this capacity as you review the Comprehensive Plan Amendment, CPA-6-5-09, to Horizon 2020 (Chapter 14) and seek to adopt an option that supports soil preservation and protection on contiguous tracts of land.

Thank you for your attention,

Simran Sethi
Matt Lehrman, SmartStar Lawrence Program Analyst, Westar Energy
Alice Lieberman, Distinguished Professor of Social Welfare, KU
Tom McDonald, Associate Dean & Professor, School of Social Welfare, KU
Sarah Smarsh, Assistant Professor of English, Washburn University
Jordan Tucker, Graduate Student, KU
Rick Martin, Executive Chef, Free State Brewing Company
Richard Heckler
Lily Siebert, Education Outreach Assistant, The Community Mercantile

Courtney Crouch, Produce Buyer, The Community Mercantile
Margit Hall, Owner and Farmer, Prairie Star Farms

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Simran Sethi

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