

Date: September 26, 2011

RE: PP-7-6-11 (Fifth Street Bluff Subdivision) Plat & Variances

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SEP 26 2011

City County Planning Office
Lawrence, Kansas

Honorable Commissioners:

The property owners and other residents of Grandview Heights have expressed unanimous opposition to approval of these variances. Those code departures would authorize and encourage unsafe, contrived access to West 5th Street at a point where common sense would prohibit it.

Sustained neighborhood opposition has grown stronger with steady increases in traffic volume, speed, and vehicle mix. Local road construction has diverted many truck drivers, motorcyclists, nearby apartment dwellers, and others onto West 5th Street. It has become an established, alternate route for impatient drivers rapidly headed elsewhere -- a familiar detour for traffic avoiding a congested 6th Street.

Newly posted signage appearing last week will not alter the above facts. Nor will these signs reduce the increased risks. (West 5th Street's curving hill has been posted on the east side at 10 mph for years. That signage has been, and is, disregarded routinely -- now by more drivers than ever.)

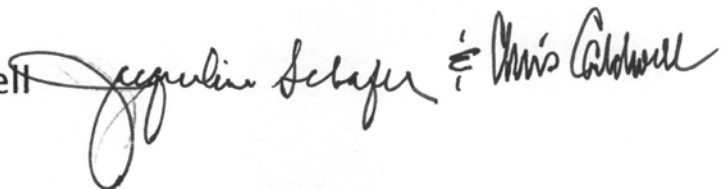
Before commissioners reach any decision on the variances, please consider the following measures:

1. Direct that a traffic study be conducted to reassess the risks now posed by the increased, rapid flow of diverse traffic transiting the subject curvy hillside.
2. Request that the findings of that study be reviewed by the Traffic Safety Commission in a public hearing with comment allowed.
3. Open any commission meetings on these variances, and the PP, to public comment.

We would welcome the chance to offer verbal comments and alternative solutions to the commissioners at tonight's meeting.

Respectfully,

Jackie Schafer & Chris Caldwell



May 9, 2009

Mary Miller
P O Box 708
Lawrence, Ks. 66044

Dear Ms Miller:

I need to add my objections to allowing another access to 5th Street in the west 1900 block. I have lived at 1912 for over 30 years.

Previous problems with traffic on this hilly, curvey area resulted in the city placing 10 miles per mile signs on both sides of the street at the bottom of the hill which are completely ignored. My drive is on a curve and my mailbox had been damaged at least 3 times and several times when entering my driveway I've had to slam on the brakes to miss being hit.

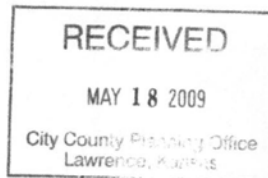
For some reason traffic on 5th has greatly increased. This proposed added access is also on a curve and adds a great hazard especially in winter ice and snow.

Very truly yours,

Mrs. H. Penfield Jones

Mrs. H. Penfield Jones
1912 W. 5th St
Lawrence, Ks. 66044

427 Country Club Ct
Lawrence KS 66044
785-691-9402



Dear committee members,

As the new owner of 427 Country Club Ct. (original lot, developed by JMC construction, the connecting and down hill lot to the proposed lot) I adamantly request that the drainage and erosion controls this plan be highly scrutinized and properly addressed. Even without the addition structure and removal of vegetation the drainage onto and from my lot and the neighborhood for that matter is terrible. After 6months of ownership I am still making correction to in an attempt to get the property to drain properly. Additionally, several of my neighbors have complained about having similar problems. New structures in the neighborhood can only make these matters worse.

Furthermore, based on my experience with this property I would highly suggest that the condition and capabilities of existing sewer system be looked at closely.

Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Wilson".

Mark Wilson
Property owner



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[neighborhoo....pdf \(1.9 MB\)](#) [Section 20-8...df \(50.6 KB\)](#)

TO: Lawrence City Planning Staff
Lawrence-Douglas County Planning Commission

FROM: **ALL PROPERTY OWNERS** of Grandview Heights Subdivision
(includes all Sallie Mae Hill W. 5th St. Residents)

SUBJECT: **Safety Tipping Point Overloaded:**
"Sight Distance Study" & Proposed Plat
for "5th Street Bluffs Subdivision"

DATE: April 20, 2009

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APR 20 2009

City County Planning Office
Lawrence, Kansas

We want to call planners' immediate attention to certain facts that may be unknown to nonresidents of the street and neighborhood directly impacted by the subject proposal. To foster understanding among those unfamiliar with this segment of West 5th Street, here is a common-sense description of what's being proposed at the outset:

ACCESS IS BEING SOUGHT ALONG A NARROW, RESTRICTING, UNLIGHTED CURVE ON A STEEP, TWISTING, OLDER STREET WITH NO SHOULDERS, OTHER SAFETY MARGINS, OR WIDTH TO PASS. Visualize a short, tight "chicane" with soft ditches, no direct street lighting, and no inviting escape path from any imminent collision.

The specific point of proposed access is inherently and especially dangerous for additional reasons including the following:

- ◆ **Young children** reside in adjacent property on 5th St. They have friends who visit. These children are unacquainted with "sight distance triangles" and may be expected to roam without regard to them. Their safety **must not be compromised**. Nor should that of other children, grandchildren, guest playmates, elderly pedestrians, or bicyclists who may visit or transit this sidewalk-free neighborhood.
- ◆ At present, no existing hillside driveway is closer than 80 feet to the next on the same side of this immediate, sloping section of West 5th St. Slashing that safe distance to under 40 feet at the location of the proposed driveway **would introduce added, near-certain collision probability over time** for drivers exiting the now two, too-close driveways. Further: Transiting traffic arriving westbound from above may not see cars with drivers hesitantly exiting either driveway in time to brake or evade collision. Darkness would increase probability of collision and the considerable likelihood of serious injury. "Sight distance triangles" do not provide nighttime illumination or quicker reaction times.
- ◆ In **severe winter conditions**, this steep hillside street section becomes snow-packed, ice-covered, and **acutely treacherous**. Cars sliding off-road, slipping into ditches and retreating backwards downhill (particularly from the point of proposed

access) have been common occurrences in recent years. Residents' consistent experience has been that this steep street is generally one of the last in its area to be plowed and cleared. "Sight distance triangles" do not provide traction or untangle wreckage.

Further: The existing plat for Grandview Heights omits the subject unplatted parcel entirely from its intended neighborhood planning. No stated intent for access is indicated. Indeed, the block-form "PLATE" appearing lower left on that subdivision plat **EXCLUDES** any access point whatsoever to the subject parcel along 5th Street. This suggests that the **exclusion from 5th Street was quite intentional and made visibly explicit by safety-minded, thoughtful planners of the past.**

It is reasonable to conclude that common-sense considerations prevailed during earlier, historic decisions to exclude the landlocked parcel from hazardous, narrow, alley-like access intruding between broad-frontage lots on 5th Street. Departing from these recorded precedents seems unwarranted, unwise, and manifestly unsafe. **Why diminish or endanger life in Lawrence?**

Please do not allow this proposed dangerous, intrusive access or undesirable plat proposal to proceed toward approval. Thank you for your serious review, your time, and your commitment to preserve and protect.

Jacqueline Schaffer
1930 W. 5th St.

Georgette Yost
1924 W. 5th Street

Betty
1924 W. 5th

Mrs. H.P. Jones
1912 W. 5th

Bob Radcliffe
1921 W. 5th

Mike S. Radcliffe
1921 W. 5th St.

Nancy Hernandez - 2008 W. 5th

Phil S. Hume
2003 W. 5th

Nicholas Evans
1930 W. 5th St

Deborah K. Johnston
1918 W. 5th Street

Joan Nass
1918 W. 5th Street

Tom Boxberger
2002 W. 5th St.

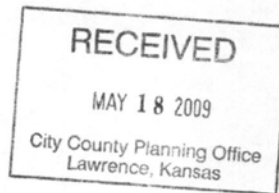
Shari Boxberger
2002 W. 5th St.

Mitchell Boxberger
2002 W. 5th St

Elyse Boxberger
2002 W. 5th St.

Louise Antle
1908 W. 5th St

TO: LDC Metro Planning Commission
(for 5/18/09 meeting inclusion)
DATE: May 15, 2009
RE: Inherent NONCONFORMANCE
of "5th Street Bluff Subdivision"



Commissioners:

Even with added right-of-way as proposed, this preliminary plat remains nonconforming. The plat does not and cannot provide required minimum "frontage," as defined in the Subdivision Regulations (pp. 88-89):

"Lot Frontage ... (is) That portion of the Lot or Residential Development Parcel which lies between the side lot lines and is adjacent to the Street or Road serving the Lot or Residential Development Parcel."

That definition states the specific requirements in clear, explicit language, underlined above. To be defined as "frontage," the subject "portion" MUST be ADJACENT to the street. The arc that is adjacent to the street is under 40 feet. It is therefore insufficient to meet the city's stated minimum 40' requirement for defined frontage. The plat is thus nonconforming.

(Note: ANY similar arc located farther back into the property cannot be physically ADJACENT to the street. Hence, such a repositioned arc cannot, under the city's definitive standard, be called "frontage." The ONLY adjacent frontage in the instance at hand is at the pinch point, or narrowest point, between the two side lot lines. Only this measurement can determine conformance with the city's stated requirements, as set forth by the definition. Adding right-of-way here does not add frontage, only square footage to designated right-of-way behind it.)

To repeat: This is a nonconforming plat. It calls for direct denial on grounds of insufficient frontage, on a curve where any added driveway would elevate risk from hazardous to dangerous.

Respectfully,

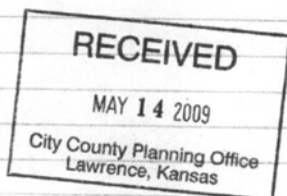
A handwritten signature in cursive script that reads "Jacqueline Schafer".

Jacqueline Schafer, adjacent homeowner (1930 W. 5th)

Dear Commision, I am writing in regard to this plat PP-04-01-08 at 427 Country Club Court. I live at 422 Iowa which is down hill from this property. I've lived here since 1984 and have always had problems with water draining down the hill and causing erosion on my property. I fear another house uphill would add to my drainage problems. Also, if the driveway entrance to this property is on 5th Street, that section is very steep and is right on a curve.

Thanks For your consideration,

George Bowen



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MAY 18 2009

City County Planning Office
Lawrence, Kansas

TO: LDC Metro Planning Commission
(for 5/18/09 meeting inclusion)
DATE: May 17, 2009
RE: Deviant Character & NONCOMPLIANCE
of "Fifth Street Bluff Subdivision"

Commissioners:

Is this what Horizon 2020 intends? This plat deviates from the long-established character, appearance, and flavor of the ENTIRE West 5th Street neighborhood on both sides within Grandview Heights. The jarring contrasts the plat represents are starkly clear to all neighbors.

First, the existing Grandview Heights neighborhood is characterized by broad-frontage lots with well-tended, visible yards and individualized, attractive landscaping. For emphasis: The homes are characterized at the street by their broad-frontage lots -- NOT the narrow, constricting, wedged-in intrusion this plat proposes, with its ambiguous entry. How could such a substandard, dangerous streetside approach possibly be considered "compatible" in any sense?

Second, existing homes along this section of West 5th Street are a unique blend of older architectural styles, typified by open, inviting facades directly facing the street. How can the prospects for an off-street, sublevel, declining, afterthought "lot" be considered compatible in such a well-designed and established subdivision of coherent properties?

Third, the plat indicates but cannot show the visible disregard for the neighborhood already demonstrated by the massive, violent slashing and removal of trees from this parcel. Extensive destruction of tree canopy, with its loss likely to worsen existing downhill drainage conditions, is already evident. How is this compatible with a neighborhood that values ornamental and naturalized plantings, and preservation? At present, the lot could be a poster portrait for "Green Be Gone." (Drive-by viewing of this travesty has increased traffic markedly.)

Fourth, in all respects important to the neighbors, this plat deviates to such an extent that it can only further degrade and devalue all nearby homeowners' quality of life, while likely diminishing the appeal, marketability, safety, and market value of their homes. The incompatible, intrusive, dangerous nature of this proposal fuels vigorous opposition from neighboring property owners. We wonder how commissioners would feel about such a deviant intrusion into their neighborhoods.

Finally, This plat proposes deviant, spot development of an island parcel that has served as a fenced-in back yard for a Country Club Court 'parent' lot for decades. The fact that this parcel has been untethered from a separate subdivision (Countryside) underscores its separate character, origin, history, and flavor.

If the Commissioners believe in Horizon 2020's recommendations to protect "the character and appearance of existing low-density residential neighborhoods," they will deny approval to this plat for NONCOMPLIANCE on all significant grounds of importance to existing Grandview Heights homeowners. The mere square footage of the platted property matters little, in terms of the preceding.

Respectfully,

Jacqueline Schafer

Tom Boxberger

Jacqueline Schafer and Mr. and Mrs. Tom Boxberger,
adjacent homeowners