PC Staff Report – 7/22/15
PP-15-00246

PLANNING COMMISSION REPORT
NON-PUBLIC HEARING ITEM

PC Staff Report
7/22/2015
ITEM NO. 7E PRELIMINARY PLAT FOR LANGSTON COMMONS; BOB BILLINGS PKWY & LANGSTON WAY (SLD)

PP-15-00246: Consider a Preliminary Plat for Langston Commons, located northwest of Bob Billings Pkwy and Langston Way. This subdivision includes 17.5 acres for neighborhood commercial development and 48 lots for residential development. Submitted by BG Consultants, for RSR Holdings LLP and KS Secretary of Transportation, property owners of record.

STAFF RECOMMENDATION:
Staff recommends approval of the Preliminary Plat of the Langston Commons.

KEY POINTS
• Proposed preliminary plat reflects an overall gross density of 5.3 dwelling units per acre consistent with low-density development of the comprehensive plan.
• Proposed density is reduced from 5.5 to 5.3 dwelling units per acre from previous approval.
• Proposed preliminary plat concurrently with rezoning applications removes duplex and multi-dwelling development within this area. All residential development within boundary of the Preliminary Plat is for single-dwelling, detached residential development.
• The proposed preliminary plat represents the proposed zoning boundaries.
• This property was evaluated for compliance with the preservation of natural areas through the Sensitive Lands regulations outlined in Article 11 of the Development Code. A sensitive lands site plan and required preservation of open space is not applicable to this property.

SUBDIVISION CITATIONS TO CONSIDER
• This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 10, 2012.

ASSOCIATED CASES/OTHER ACTION REQUIRED
Original Applications 2013
• Z-13-00251: 4.712 AC from UR to RS7
• Z-13-00252: 2.674 AC from UR to RS5
• Z-13-00253: 3.195 AC from UR to RM12D
• Z-13-00254: 3.349 AC from UR to RM12
• Z-13-00255: 4.182 AC from UR and PD (Bob Billings Parkway Center PCD) to OS
• Z-13-00256: 16.619 AC from UR and PCD Planned Commercial District to CN2
• PP-13-00257: Langston Commons approved by the Planning Commission on 8/26/13.
  ➢ Preliminary Plat included 29 detached residential dwelling lots,
  ➢ 7 duplex lots,
  ➢ 1 multi-dwelling lot,
  ➢ 1 neighborhood commercial lot, and
  ➢ 2 tracts for open space.

New Applications 2015
• Z-15-00244: 0.193 acres from CN2 (Neighborhoood Commercial) District to OS (Open Space),
• Z-15-00245: 0.992 acres from OS (Open Space) to CN2 (Neighborhood Commercial) District

PLANS AND STUDIES REQUIRED

• Traffic Study – Study provided and accepted.
• Downstream Sanitary Sewer Analysis - 1. As indicated in the May 13, 2015 downstream sanitary sewer analysis, the proposed rezoning at Langston Commons will result in a lower wastewater design flow than that approved for the development in the August 7, 2013 DSSA. The DSSA is accepted for this project to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76.
• Drainage Study – The drainage letter dated 5-15-2015 meets the specified requirements and is approved.
• Environmentally Sensitive Lands Study – Evaluation of existing trees was completed by applicant and reviewed by staff per PP-13-00257. The existing trees did not meet the minimum size requirements defined in Article 11 of the Development Code. Active development on the property has not altered this finding.
• Retail Market Study – Refer to Z-13-00256. Study provided and accepted. A new study is not required

ATTACHMENTS

• Preliminary Plat
• Sidewalk exhibit

PUBLIC COMMENT

• Complaints from residents regarding construction traffic.
• Michael Kelly regarding pedestrian connections to Langston Heights Hughes Elementary School

<table>
<thead>
<tr>
<th>GENERAL INFORMATION</th>
<th>Current Zoning and Land Use:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surrounding Zoning and Land Use:</td>
<td>RM24 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RS7 (Single-Dwelling Residential District (RS5 Multi-Dwelling Residential District, CN2 (Neighborhood Commercial) District, OS (Open space) District and TC (SLT/K10 Major Transportation Corridor Overlay) District; undeveloped property. See related zoning applications for changes in the proposed zoning district boundaries within limits of proposed Preliminary Plat.</td>
</tr>
<tr>
<td>To the north:</td>
<td>RM12, RM12D (Multi-Dwelling Residential) Districts and RS7 (Single-Dwelling Residential District; developing land in Langston Heights Subdivision.</td>
</tr>
<tr>
<td>To the east:</td>
<td>RS10 (Single-Dwelling Residential) District; unplatted and undeveloped land owned by USD 497.</td>
</tr>
<tr>
<td>To the south:</td>
<td>A (Agricultural) County District, RS7 (Single-Dwelling Residential and RM12 (Multi-Dwelling) K-10 Highway, undeveloped land and existing multi-dwelling development located along south side of Bob Billings Parkway.</td>
</tr>
<tr>
<td>To the west:</td>
<td>A (Agricultural) County District; K-10 Highway.</td>
</tr>
</tbody>
</table>
STAFF REVIEW
This property is proposed for residential and non-residential development as noted in the related rezoning staff reports. The residential use is limited to detached dwellings on individual lots within this proposed subdivision. The subdivision extends existing local streets between K-10 Highway to the west and George Williams Way to the east and between Bob Billings Parkway to the south and W. 6th Street to the north. This property is located along K-10 Highway and is subject to specific development standards for buffering along the west property line as they pertain to Transportation Corridor Overlay District requirements. There are no variances proposed for this Preliminary Plat.

<table>
<thead>
<tr>
<th>Approved Preliminary Plat - Langston Commons 2013</th>
<th>Proposed Preliminary Plat - Langston Commons 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key:</strong></td>
<td><strong>Key:</strong></td>
</tr>
<tr>
<td>Residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Light Yellow = Low Density RS7</td>
<td>Dark Yellow = Medium Density RS5</td>
</tr>
<tr>
<td>Dark Yellow = Medium Density RS5</td>
<td><strong>Non-Residential</strong></td>
</tr>
<tr>
<td>Orange = Low Density – Duplex RM12D</td>
<td>Green = Open Space</td>
</tr>
<tr>
<td>Brown = Medium Density RM12</td>
<td>Red = Neighborhood Commercial</td>
</tr>
<tr>
<td><strong>Non-Residential</strong></td>
<td></td>
</tr>
<tr>
<td>Green = Open Space</td>
<td></td>
</tr>
<tr>
<td>Red = Neighborhood Commercial</td>
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**Site Summary PP-13-00257**

<table>
<thead>
<tr>
<th>District</th>
<th>RS7</th>
<th>RS5</th>
<th>RM12D</th>
<th>RM12</th>
<th>CN2</th>
<th>OS</th>
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<tbody>
<tr>
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<td>3.195</td>
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<tr>
<td>ROW</td>
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<td>Net Area</td>
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<td>14</td>
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<td># units</td>
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<td>14</td>
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<td>34</td>
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**Site Summary PP-15-00246**

<table>
<thead>
<tr>
<th>District</th>
<th>RS7</th>
<th>RS5</th>
<th>RM12D</th>
<th>RM12</th>
<th>CN2</th>
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<tr>
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<tr>
<td>Net Area</td>
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<td># lots</td>
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<td>0</td>
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<td>Tract A = 2.962</td>
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<tr>
<td># units</td>
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<td>0</td>
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<td>0</td>
<td>0</td>
<td>-</td>
<td>Tracts Not Lots</td>
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</table>

**Zoning and Land Use**
The property is proposed for RS5 residential zoning and CN2 and OS non-residential zoning. This application is being reviewed and considered concurrently with the associated zoning applications. Each proposed zoning district is discussed separately.
The property is currently undeveloped. Langston Way, located along the east side of the property separates the commercial area from the school district property to the east. The residential lots are oriented to abut the rear yards to the school district property north of Renaissance Drive.

The proposed subdivision design and interior and boundary street network establish the framework for the district boundaries. The proposed subdivision design is similar to the 2013 application with the exception of the proposed lots along the west side adjacent to K-10 highway and the changes to the open space and commercial boundary at the south end. Minor changes to the remaining residential lots account for smaller lots consistent with RS5 zoning. Lots meet the minimum area and size requirements per the proposed district boundaries with the exception of Lot 13, the proposed CN2 District property. The previous development concept included multi-dwelling residential development options. This application includes a single type of residential housing – detached dwellings on individual lots.

The CN2 District is restricted by the Land Development Code to not exceed 15 acres. The configuration of the lot due to the location of the three streets that abut the property resulted in a request for a variance that allows the CN2 District to exceed 15 acres [B-15-00156]. The Board of Zoning Appeals granted this variance on May 7, 2015 which permits the creation of a CN2 District in excess of 15 acres. Retaining this property as CN2 would require a reduction in the district size in some other location to maintain the maximum size approved by the Board of Zoning Appeals (BZA). The Preliminary Plat graphically reflects the lot boundaries.

The west portion of this property is encumbered by a Major Transportation Corridor Overlay District for the SLT/K10 Highway. Several other major corridors are also subject to an overlay district. These districts are listed in Section 20-307 of the Development Code. At this time, only the SLT/K10 Overlay District includes development standards.

The boundary of the SLT/K10 Overlay District extends 500 feet on either side of the centerline of the right-of-way within the City of Lawrence. The overlay does not, at this time, extend into unincorporated areas. The preliminary plat shows this boundary as extended to the east side of Renaissance Drive and into the adjacent lots approximately 45’. The standards include an extraordinary setback of 50’ as shown on the preliminary plat. Buildings and improvements are prohibited in this setback. Additional standards will be considered with future building permit and site plans for affected properties. This setback is an extension of the same setback applicable to the recently approved subdivision, Langston Heights, to the north.

<table>
<thead>
<tr>
<th>SLT/ K10 Overlay District Boundary</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Overlay district = 500’ wide from Center line of highway.</td>
</tr>
<tr>
<td>• Building Setback = 50’ from property line.</td>
</tr>
<tr>
<td>• Landscape standard applicable to lots within overlay District, abutting the highway.</td>
</tr>
</tbody>
</table>
Lot and Block Arrangement
This subdivision extends a modified grid street pattern to the south from the approved subdivision of Langston Heights. A cul-de-sac is used to orient lots internally in the central portion of the subdivision and provide a transition between the commercial to the south.

This proposed subdivision also includes area for non-residential uses. Area for open space and neighborhood commercial development is proposed. The Open Space District does not require a minimum lot area. There is no residential density associated with the OS District. The OS District reflects drainage required for this development. The area is used as a buffer for the development from the Highway and a method for the connection of pedestrian pathways and trails to the public sidewalk and multi-use path system.

The CN2 District is currently proposed as a single lot with access to the internal street network. It is likely the lot will be further subdivided as more detailed development plans of the area are developed. Development at the north end of this lot will need to include buffer yard improvements to create a transition area between the residential areas to the north. Staff will continue to review this element as part of the final plat for the property and with related site plans for site specific development.

Streets and Access
The proposed subdivision extends the local street network for the area south to Bob Billings Parkway. The plat shows a future access to Langston Hughes Elementary School. This is a conceptually located access intended for a future driveway connection between the elementary school and the public street network. This improvement is not proposed as a public street but as an interior driveway/access for the school. Designs will need to include pedestrian access discussed later in this report.

The plat also shows conceptual access driveway locations from Renaissance Drive to the proposed commercial lot across from the residential lots. These driveways will be further evaluated with the submission of a site plan for future development.

The plat graphically shows “no access hatch marks” along the south property line adjacent to Bob Billings Parkway and the west property line along K-10 Highway. Access along Langston Way may be restricted at the intersection some distance north of Bob Billings Parkway to protect the intersection. This element will be reviewed with the submission of the Final Plat.

The proposed subdivision does not modify the right-of-way for the South Lawrence Trafficway.

Pedestrian Connections
This subdivision, like Langston Heights Subdivision to the north, will require public sidewalks on both sides of the streets. The existing Diamondhead Subdivision to the northwest was constructed under regulations that only required sidewalks on one side of the street. A recent improvement to Langston Hughes Elementary School includes a connection from Diamondhead Drive to the school on the north side of the property.

Development of this subdivision and Langston Heights Subdivision also include pedestrian connections from the multi-use path along K-10 highway and the development. The following image shows the constructed connection in Langston Heights. A similar connection will be made in Langston Commons just north of Rockaway Drive.
A comment provided by the public suggested that the development be required to provide a connection between the proposed subdivision, Langston Commons and the elementary school. Staff has also consulted with the School District regarding plans for the undeveloped property surrounding the school. The area located west of Langston Hughes Elementary School is currently used as an outdoor field. The distance between the south side of Palisades Drive and the north side of Renaissance Drive is just under 800’. Extending a pedestrian connection mid-block would result in bisecting the play field and creating inefficient use of the space for the school.

A planned connection to the school will be provided with the construction of an access driveway from Renaissance Drive to the school property with a sidewalk in the future. This improvement is estimated by the school district to occur in the 2017 budget year. The planned sidewalk would provide the connectivity between the proposed residential subdivision and the school property in a manner that facilitates pedestrian use and does not conflict with future use of the school property.
Utilities and Infrastructure
Utilities can be extended to serve this development. The proposed preliminary plat includes the necessary easements to accommodate infrastructure needs for the proposed development.

Conformance
The proposed preliminary plat modifies the lot sizes for future residential development for detached dwellings and reconfigures the boundary of the open space and neighborhood commercial districts within this property. The proposed preliminary plat is in conformance with the recommendations in Horizon 2020. The preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code with the approved BZA variance related to the CN2 District size.
This comment regards the pedestrian service challenges posed by property development west and northwest of USD 497’s Langston Hughes Elementary School.

Construction on Langston Heights residential lots is underway

RM-24 zoned parcel to north of Langston Heights remains unbuilt

Langston Commons residential lots remain unbuilt

Unless pedestrian easements shown are built, school children residing in RM 24 apartments, Langston Heights, and Langston Commons will have no direct walking path to school

This violate Transportation 2040 Chapter 5, Table 5.5

“Whereas it is not necessarily critical for routes to schools to be picturesque and visually captivating, there are basic pedestrian needs for the student, including a safe and secure continuous sidewalk with safe street crossings and direct connections to neighborhoods. Cities in the region have been participating in the federal “Safe Routes to School” program which funds studies that address these issues.”

Requested rezoning does not comply with Transportation 2040 plan and should not be approved absent additional pedestrian easement and sidewalk provided at Rockway Drive and Silver Rain Road intersection east to USD 497 boundary

Unbuilt pedestrian easement at Andrew John and Palisades needs to be built to provide proper elementary school level of service

No exceptions to Lawrence Complete Street Policy Section 5 paragraph (b) exist that would preclude the construction on either pedestrian easement shown.

Mike Kelly
Langston Heights Residences under construction and future unbuilt RM-24 Site

Diamondhead Development Lot
Langston Commons Block 3 Lot
Langston Hughes Parking Lot

W. Harvard Road

Langston Hughes ES

Pedestrian Easement Missing at Rockaway Drive and Silver Rain Road

Pedestrian Easement Recorded but unbuilt at Palisades Drive and Andrew John

USD 497 Unbuilt Renassaince Drive Extension

Langston Commons unbuilt residential lots

North
July 21, 2015

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

Dear Planning Commission,

USD 497 administration has been in contact with the developer and a neighbor in the new Langston Heights neighborhood concerning easements and sidewalks connecting to Langston Hughes Elementary School. We do not support an easement off of Silver Rain Road that could connect to a district-built sidewalk across the school’s greenspace/playground.

In the near future, the district will build an access drive, with sidewalk, that will connect the neighborhood to the school on the south. This drive will connect with the existing driveways. Students and families will also be able to walk to school via Silver Rain Road to Palisades Drive to Diamond Head. A sidewalk connecting Diamond Head to the school from the north has already been constructed. These two sidewalks provide more than enough walking access to school. Quite honestly, adding another route almost feels like “privilege.”

Any proposed sidewalk across the greenspace/playground would not be lighted, causing some safety concerns. Also, the sidewalk would cut across the existing greenspace, limiting its use. This issue has been discussed with our Facility Planning Committee, which is a subcommittee of the Board of Education, and its members do not support this proposed access either.

Because USD 497 does not support another sidewalk access to Langston Hughes Elementary School from the Langston Heights neighborhood, we do not support an easement on Silver Rain Road.

Sincerely,

Dr. Rick Doll  
Superintendent of Schools
All-

Below is what I propose to say to the Planning Commission later tonight as they consider their agenda item on the development of the property west of Langston Hughes ES.

The Planning Commission meets at 6 pm at City Hall, 6 East 6th ST.

If you can attend the meeting, that would be great! If you wish to contact the Planning Department with comments, Scott McCullough and Sandra Day are the key individuals. They can be reached by phone at 832-3150.

I will be speaking for myself and not for PTO or Site Council.

Thank you,

Mike Kelly
Safe Routes to School Committee Chair
LHES PTO

Statement to Planning Commission

As submitted this neighborhood design does not conform to national best practices for pedestrian facility design, Transportation 2040 plan, or the Horizon 2020 plan. One example from Transportation 2040 (Table 5.5, page 55) is: “There are basic pedestrian needs for the student, including a safe and secure continuous sidewalk with safe street crossings and direct connections to neighborhoods.”

Langston Hughes Elementary School (LHES) does not have direct pedestrian access from Diamondhead Subdivision, north of the school site despite recent improvements to sidewalks on south side of Diamondhead Drive and on school property. Unfortunately, this circumstance has a negative impact for residential lots in the northern and central portions of Langston Heights in the achievement direct pedestrian access to LHES.

A pedestrian walkway compliant with ADA has never been built on the pedestrian easement recorded on south side of Palisades Drive and Andrew John Drive intersection. Recorded in 2004, this easement abuts 6121 and 6125 Palisades Drive. Note: Palisades Drive block length exceeds 800’. This unused opportunity also creates a negative impact for residential lots in the northern and central portions of Langston Heights in the achievement direct pedestrian access to LHES for neighborhood students.

Plat described in this agenda item does not provide direct pedestrian access from new residential lots to LHES from the west. Only access envisioned is to be provided by future USD 497 Capital Improvement Plan Project from southeastern-most vertex of the residential portion of the parcel at Klein Drive and Langston Way intersection onto LHES property. Apparently the USD 497 project remains in conceptual, pre-design stage. Completion is not assured due to litigation arising from school funding political disagreements at the state level. In any event, this USD 497 potential project will not provide direct pedestrian access except for those lots near Klein Court cul-de-sac.
Plat described in this agenda item contains a local street block length of more than 800’ along Silver Rain Drive south of Palisades Drive and north of Klein Drive. Lawrence Land Development Code (Subdivision Design Standards) requires pedestrian easements in such cases to provide pedestrian connections between the neighborhood and the school. Before approving this agenda item, the Commission must address this shortfall.

On Page 62 of Transportation 2040, the MPO states: “It is almost always easier to include space for bicycles and pedestrians in the development project before things are built than to come back years later and try to add bicycle and pedestrian facilities.”

I urge the Planning Commission to approve this submission only with the design change to provide a pedestrian easement across the Block 3 lots and the following condition: Developer construct a 10’ wide, ADA-compliant pedestrian walkway upon the easement to abut the west edge of the LHES site. Further the condition should specify, the azimuthal alignment of this walkway should project eastward to align with the western courtyard of LHES building.
Good morning Scott, Sandra, and Jessica-

I reviewed the Staff Report for the Langston Commons Preliminary Plat (PP-15-00246) recently posted online. The url for the staff report is:

http://www.lawrenceks.org/assets/pds/planning/July15_Item7E.pdf

Please refer to the following text on page 6:

The area located west of Langston Heights is currently used as an outdoor field. The distance between the south side of Palisades Drive and the north side of Renaissance Drive is just under 800’. Extending a pedestrian connection mid-block would result in bisecting the play field and creating inefficient use of the space for the school.

First, I believe where the report says “Langston Heights” it should read "Langston Hughes Elementary School.”

Some of the land west of LHES and east of Langston Heights Addition Block Three is an outdoor play field used for PE and other outdoor recreation. Some of the land has been excavated by the Langston Commons developer with the knowledge and agreement of the School District staff. The land west of Langston Heights and Langston Common developments is the SLT/ K-10 right of way. Correcting this description for the sake of accuracy should not be contentious.

Second, as you are well aware Article 8, Section 20-810(h)(4)(i-ii) of the City of Lawrence Land Development Code effective July 1, 2006 states:

(i) Pedestrian Easements shall be required when Block lengths for Local Streets exceed 800 feet in length. Such Easements shall extend entirely across the width of the Block at approximately the midpoint of the Block.

(ii) Additional Pedestrian Easements should be required within the City and Urban Growth Area to provide pedestrian connections from a Subdivision to schools, parks, shopping, employment or other nearby uses and to link pedestrian routes in adjacent Subdivisions or neighborhoods, including a pedestrian connection at the terminus of each Cul-de-sac. (page 72, emphasis added)

Additionally, the Subdivision Design Standards (specifically Article 8, Section 20-810(d)(2)(i)) defines block length from "centerline to centerline of streets.” (page 63) Therefore, the statement "The distance between the south side of Palisades Drive and the north side of Renaissance Drive is just under 800’.” is consistent with the relevant preliminary plat and Diamondhead Final Plat documents. Unfortunately, in my view, this statement does not accurately describe the relevant block length. To calculate the block length one must add lot line to right-of-way centerline lengths on both the north and south ends which adds 60 feet. Therefore, I calculate the block length from the centerline of Palisades Drive to the centerline of Renaissance (or Klein?) Drive as 827.78 feet. (Calculation detailed below.) As I have pointed out in my earlier comments, there is no intervening
pedestrian easement permitting construction of a pedestrian walkway in this block (Langston Heights Addition Block 3) directly connecting residences to USD 497 property.

Because the block length is greater than 800 feet and no pedestrian easement is documented in the submittal your staff report concluding conformance statement appears to be incorrect when it states: "The preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code." As I have documented above, this conformance statement does not appear to be true and should be changed accordingly.

I respectfully request you correct the staff report in both the first and second instances I have cited above.

I recall the e-mailed information provided by the School District staff to the Planning and Development Services Staff. Establishing the pedestrian easement in the preliminary plat and setting the condition of constructing a shared use path or sidewalk on the easement does not compel the School District to budget for a sidewalk across the outdoor play field west of LHES. That discussion can occur later when the site plan for the Renaissance (Klein?) Drive extension is submitted to your office circa 2017 by School District staff. Also, future School District funding remains turbulent and there exists a significant chance the 2017 capital improvement project for future access to LHES from the west will be deferred or cancelled.

Thank you for your professionalism, courtesy, and careful consideration of my views throughout.

Best wishes,

Mike Kelly
1123 Brynwood Court
785-424-7527

Calculation of block length details:

North to South depth of Diamondhead Lot 1 is 130 feet per Diamondhead Final Plat filed for record on November 29, 2004
R/W of Palisades Drive is 60 feet per Diamondhead Final Plat. Northern lot 1 boundary to R/W centerline is 30 feet.
R/W centerline at south end of block is likewise 30 feet.
Sum of east boundaries of lots comprising Block Three Langston Heights Addition is 637.78 feet per BG Consultants Preliminary Plat revised July 7, 2015

30' + 130' + 637.78' + 30' = 827.78'

827.78' > 800'