

League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

January 25, 2009

Brad Finkeldei, Chairman
Lawrence-Douglas County Planning Commission Members
City Hall
Lawrence, Kansas 66044



RE: ITEM NO. 4: RS7 TO RMO: 140,090 SQ FT LOCATED AT 2141 MAPLE LANE

Dear Chairman Finkeldei and Planning Commissioners:

The Sunshine Acres preschool center has been a long-time benefit to the neighborhood and it is encouraging that they are intending to use the proposed offices in a manner related to the school. However, we have some concerns about this proposal.

1. This proposal involves a platted lot that provides for more than one building structure on this single lot.

All of our *conventional zoning* districts and subdivision regulations in previous codes as well as our current Land Development Code have been written to accommodate one principal building on a lot, but not more than one. In the RMO District, except for accessory buildings, there are no zoning regulations that apply to spacing between more than one building, substitute set-backs, or separate access with shared maintenance responsibilities for interior common access (driveways) for multiple buildings. Shared driveways for access are not permitted except in "campus-like" settings for commercial and industrial uses. Regulations for multiple buildings on a lot are found in the PD Overlay District, but not in conventional RM Districts. We are concerned that site planning is being used as a substitute for the missing regulations and does not anticipate future problems that could result with subdivision of this lot.

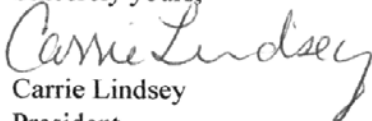
2. We believe that anticipating subdivision of this lot would be wise and some of the resulting questions should be answered now.

In this case of Sunshine Acres the main problems that we see for the current owners will come in the future. Where the different uses and buildings are under one ownership as here, the maintenance of the commonly-owned facilities such as the driveway access and grounds is assured. Should these buildings be transferred to separate ownerships, however, they would be in non-conformance with our Chapter 20, Article 8 Subdivision Regulations without the property being replatted. Should this take place, the southern lot would be land-locked without proper access to a dedicated public street.

- a. The street that connects the southern portion of the lot to a public street is East 22nd Street. However, only half of the connecting portion has been dedicated. Will it be feasible for the connecting southern half of East 22nd Street to be dedicated in the future so as to allow legal access to a potential future lot that would surround the office building if it is transferred to a different owner? If not, what legal access would such a lot have?
- b. Will the current placement of the southernmost building conform to the Subdivision Regulations in the event the existing lot must be subdivided into two?

These are questions that you should be anticipating with large lot rezoning. Also, if you intend continuing to approve developments that will have more than one principal building on a lot in conventional districts we ask that you give serious thought to future solutions to such problems. Thank you.

Sincerely yours,


Carrie Lindsey
President



Alan Black, Chairman
Land Use Committee