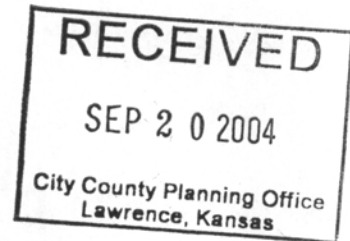


# League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

September 19, 2004

John Haase, Chairman  
Members  
Lawrence-Douglas County Planning Commission  
City Hall  
Lawrence, KS 66044



RE: ITEM NO. 7: RS-1 TO RS-E; 88 LOTS IN WESTERN HILLS NEIGHBORHOOD.

Dear Chairman Haase and Planning Commissioners:

The Western Hills addition is an example of some of the situations that will arise as other large estate developments are incorporated into the City. After they are annexed, estate-sized developments tend to be resubdivided into smaller lots. We believe that it is extremely important for the Planning Commission to adopt some system whereby large lots in the Urban Growth Area may be required to be designed for later resubdivision in a way that accommodates smaller lots, as well as utility and street easements. A simplified version of this concept is in our current subdivision regulations. It exists as an option, but is rarely applied.

Thank you for your consideration of this issue.

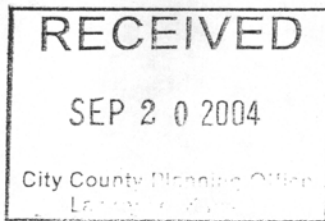
Sincerely yours,

A handwritten signature in dark ink, appearing to be "Caleb Morse".

Caleb Morse  
President

A handwritten signature in dark ink, appearing to be "Alan Black".

Alan Black  
Chairman, Land Use Committee



Item 7

K. Howick  
1221 Monterey Way  
Lawrence, KS 66049

Planning Commission  
City of Lawrence Kansas

Dear Commission,

I hereby urge you to NOT recommend approval to the City Commission of a proposed down-zoning of Western Hills for the following reasons:

It would be a change in the Horizon 2020 plan. The existing zoning has been in effect for some years. When the area was annexed into the City, a change in zoning was offered but rejected by the residents.

Lot size and layout on the original lots, in many circumstances, document by deed the intent to allow subdivision as the City approached the area.

Denial of further subdivision prevents expansion of the tax base and is regressive in nature.

The existence of sidewalks and storm sewers along Monterey Way supports the existing zoning density.

Subdivision of some lots has already occurred. A change in zoning would prevent property owners from subdividing in some blocks where subdivision was already allowed.

Some property owners in the area regard their property and the ability to subdivide as a major investment. The economic consequences to an individual property owner planning on sale or actual subdivision may not be miniscule. Is the City or the petitioning parties willing to reimburse those property owners for their loss?

In speaking with members of the Planning staff, I was informed that down-zoning of property does not occur without consent of the property owner. It is my understanding that not all property owners consent to this down-zoning.

I hereby request that you exempt my property from the proposed changes and maintain the zoning status as is.

Sincerely,

Kristin Howick

Cc: CC  
pa

RECEIVED

SEP 20 2004

CITY

Item 7

CHERYL HICKEY

JOHN KELLER

4201 W 13<sup>TH</sup> ST

LAWRENCE KS

LAWRENCE DOUGLAS CO.

PLANNING COMMISSION:

As a property owner in Western Hills, I am in favor of Z-08-41-04, the request to rezone from RS-1, to RS-E.

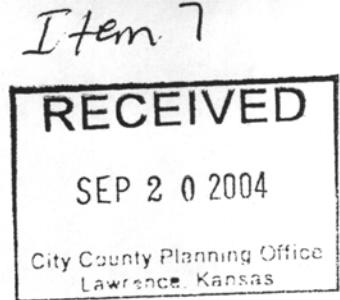
RS-E would be in keeping with the character of the neighborhood as it was when we moved here 18 years ago, and as we raised our son here.

Thank you for your consideration of this matter.

Sincerely,  
John R. Keller  
Cheryl A. Hickey

September 18, 2004

John Haase, Chair of Lawrence Douglas County Planning Commission  
Lawrence Douglas County Metropolitan Planning Office  
Sixth & Massachusetts  
Lawrence, KS 66044



RE: Proposed rezoning of the Western Hills neighborhood from RS-1 to RS-E

Dear Mr. Haase, City Planners, and City Commissioners:

I am writing on behalf of my wife, Linda, and I to express our opposition to the proposed rezoning of the Western Hills area from RS-1 to RS-E, and to ask that our site be excluded from the new zoning area.

We own the western-most property in the Western Hills area: 4211 W. 13<sup>th</sup> Street, which is located at the extreme west end of the vacated W. 13<sup>th</sup> Street (please refer to attached map). Our site borders six Stone Meadows sites, and only two Western Hills sites. We look out through our front and rear windows, and our west bedroom windows, and we see Stone Meadows homes, not Western Hills.

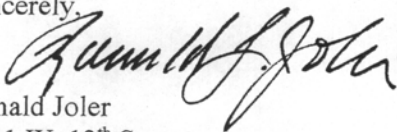
When we purchased our home in 1986, a major part of the appeal was that this site allowed for potential splitting in the future. As the attached survey shows, our home is situated on the extreme west end of our site, and it would be a natural split to have the west two-thirds of the site staying with the dwelling, and the east one-third (approx. 15,000 sq. ft.) for a new home. We have never desired to split our site, and have no plans to do so, but having the option available has been very important to us because it provides a potential economic option in the event of adversity (e.g., catastrophic health expenses, job loss). In the future, it could mean the difference between us being able to stay in our home, or being forced to sell. We feel it would be very wrong to take that option away from us.

We share our Western Hills neighbors desire to maintain the appeal that this neighborhood provides; however, we believe that a change in zoning is not necessary. Under current zoning, well over 50 Western Hills sites cannot be split because those homes and their improvements are situated in the center of their sites, or because of the creek area, or pond (actually, I count 58 sites that cannot be split under current zoning, which does not include 12 sites that have already been split). There are 10 sites that clearly could be split under RS-1 zoning without adversely affecting the appeal of the area (the dwellings are situated on one end of the site). The remaining sites are questionable on whether they could be split. We feel it is wrong for the majority of sites in the area (which cannot be split) to take away that option for those few of us whose sites would easily accommodate a split.

Again, we ask that our site be excluded from the proposed new RS-E zoning.

Thank you for your consideration.

Sincerely,

  
Ronald Joler  
4211 W. 13<sup>th</sup> Street  
Lawrence, KS 66049

Enclosures: area map and survey



JOLER: 4211 W. 13th St.

# Request for City Commission to Initiate Rezoning in Western Hills Suddivision from RS-1 to RS-E

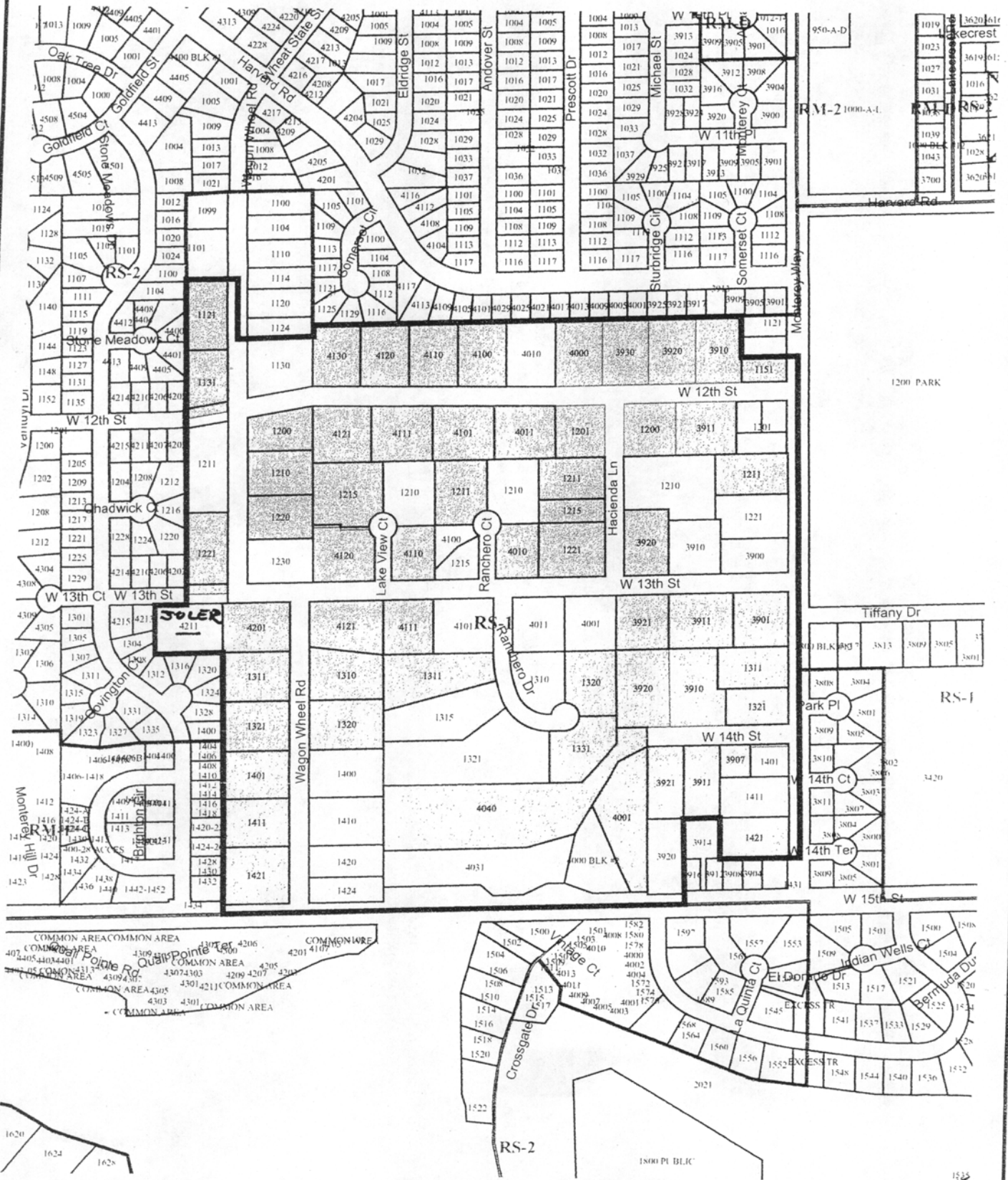


Scale:  
1 Inch = 500 Feet



Property Owner Requested

September 2004



# ILC OF LAWRENCE

P.O. Box 970, Lawrence, Kansas 66044 - 842-B447

## PLAT OF SURVEY

JOLER: 4211 W. 13th S

File No. 97-119

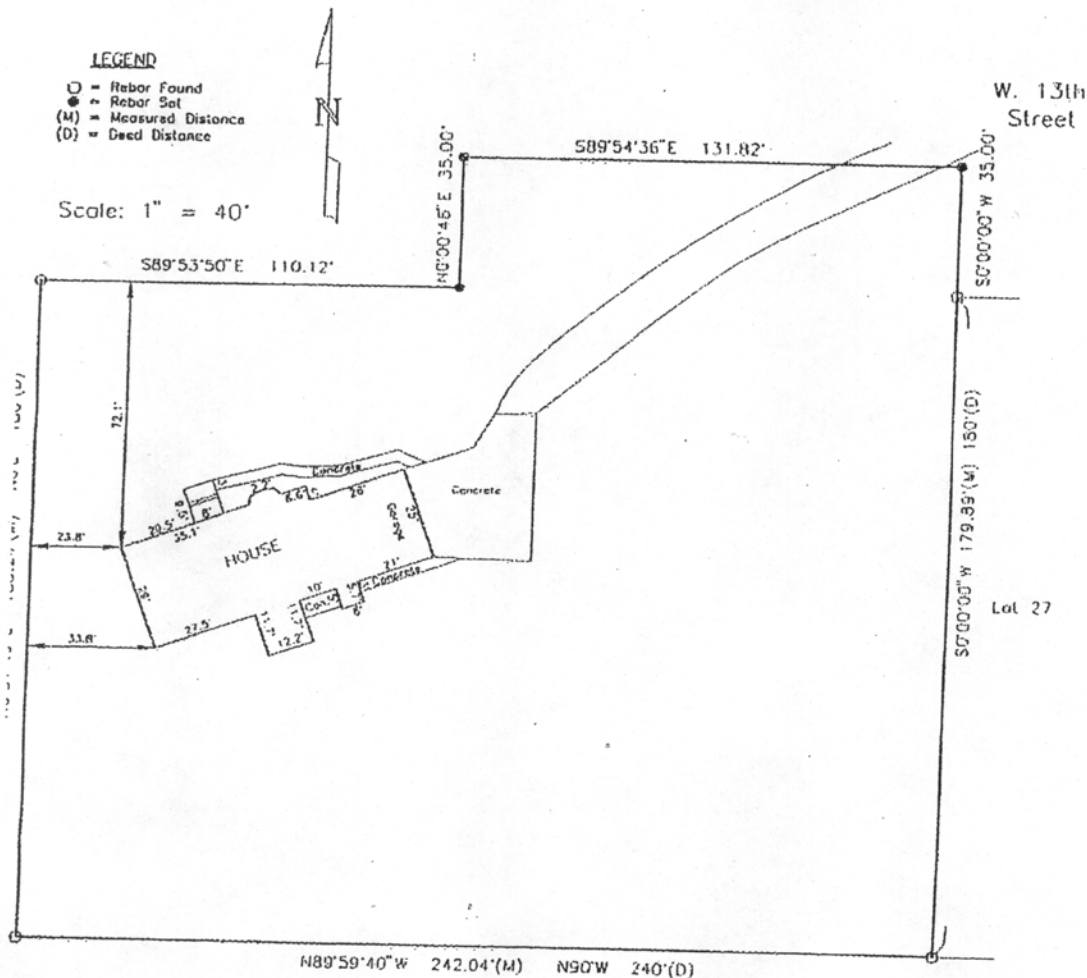
ORDERED BY Joan Hahn, First Savings Bank

SURVEY MADE November 1997

### DESCRIPTION:

A tract of land in the Southwest Quarter of Section 34, Township 12 South, Range 19 East of the Sixth Principal Meridian, Douglas County, Kansas, described as follows: Beginning at the Northwest Corner of Lot 27 in Western Hills Suburban Rancheros, a subdivision in Douglas County, Kansas; thence South 0 degrees 00 minutes 00 seconds West, (assumed bearing) along the West line of said Lot 27, 179.89 feet measured to an iron pin found; thence North 89 degrees 59 minutes 40 seconds West, 242.04 feet measured to an iron pin found; thence North 0 degrees 01 minutes 49 seconds East, 180.24 feet measured to an iron pin found; thence South 89 degrees 53 minutes 50 seconds East, 110.12 feet; thence North 0 degrees 00 minutes 46 seconds East, 35.00 feet; thence South 89 degrees 54 minutes 36 seconds East along the centerline of vacated 13th Street, 131.82 feet; thence South 0 degrees 00 minutes 00 seconds West, 35.00 feet to the point of beginning.

for Ronald and Linda Joler  
4211 W. 13th Street, Lawrence, Kansas 66049



HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE TRUE FINDINGS OF A SURVEY OF THE ABOVE DESCRIBED PROPERTY.

ANNIS L. HAND  
REGISTERED  
LS-786  
November 1997

Item 7

-----Original Message-----

From: Bruce Passman [mailto:bpassman@usd497.org]  
Sent: Monday, September 20, 2004 8:54 AM  
To: jhaase@sunflower.com; TRiordanmd@hotmail.com; D-BURRESS@ukans.edu;  
bojojohanson@hotmail.com; rockdoc@sunflower.com; sus@jerickson.com;  
hhk@ku.edu; geichhorn@earthlink.net; thomasjennings@hotmail.com  
Subject: Rezoning Western Hills

September 20, 2004

Lawrence/Douglas County Planning Commission

At your Wednesday, September 22nd meeting, you will be discussing a request from the neighborhood association of Western Hills to consider recommending rezoning the remaining lots in that area in order to limit further residential development. I apologize for not being able to be present to provide testimony to the Commission.

I understand that at least 58 of the 88 property owners have signed the petition in favor of rezoning. Of the remaining 30, I also understand that some were not available to sign the petition but are also in favor of the request. I own two lots in Western Hills; one at 1215 Lake View which is vacant and undeveloped; the other is my residence at 4120 W. 13th. I have signed the petition and am in favor of the request. With ownership of two of the lots (approximately 2.25 acres total), I would have much to gain from keeping the zoning as is. Considering that many home lots today are less than 10,000 square feet, our two properties could potentially be divided several times to accommodate new development. I am against such development of the Western Hills area for three reasons that I hope the Commission will consider in their final recommendation.

First, one of Lawrence's hallmarks is its interest in maintaining neighborhoods. Western Hills does not have the vintage homes of the West Lawrence area; however, it is a unique neighborhood within the city. Second, further development of the Western Hills area will create additional stress on the traffic flow and potential need for city services such as lights, sidewalks, and curbing that area residents currently do not require. Finally, with the continued growth in Lawrence, maintaining as much green space as possible through lower density housing will be a long term benefit to the beauty of our city.

I strongly encourage the commission to support the recommendation of the petitioners for rezoning of the Western Hills neighborhood.

Please feel free to contact me if I can be of help to the Commission in your deliberations about the proposed rezoning.

Thank you in advance for your consideration.

Sincerely,

Bruce Passman  
4120 W. 13th  
1215 Lake View  
bpassman@sunflower.com