

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, AUGUST 8, 2018

6:00 p.m.

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval of Spillman annual maintenance agreement (Randy Roberts)

REGULAR AGENDA

- (2) Public Hearing to receive public comment on the 2019 Budget and consider approval of a County resolution expressing the property taxation policy of the Douglas County Commission with respect to financing the annual budget for 2019.
- (3) Approve the 2019-2023 five-year Capital Improvement Plan (Sarah Plinsky/Keith Browning)
- (4) Consider approving a Comprehensive Plan Amendment, CPA-18-00168, to Horizon 2020, Chapter 8 Transportation. (PC Item 4; approved 9-1 on 6/28/18) (Jeff Crick) -backup to follow
- (5) Appeal of Administrative Approval of a Certificate of Survey, CSU-18-00011, for a cluster development in the urban growth area of the City of Lawrence, for approximately 76.86 acres located in the Northeast Quarter of Section 30, Township 13 South, Range 20 East; in the southwest corner of intersection of E. 1500 and N. 1100 Roads. (Mary Miller is the Planner)
- (6)
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Board of Zoning Appeals (1) positions 10/17
 - (d) Building Code of Appeals Board (2) positions 12/16
 - (e) Community Corrections Advisory Board (1) position open (edu); (1) 08/31/18
 - (f) Fire District No. 2 (2) positions
 - (g) JAAA Advisory Council (2) position
 - (h) JAAA Board of Directors (1) position
 - (i) Joint Economic Development Council (2) positions
 - (j) Lawrence-Douglas County Advocacy Council on Aging (2) open positions
 - (k) MPO Bicycle Advisory Committee (1) position
 - (l) Mental Health Board (1) position 04/18
 - (m) Property Crimes Compensation Board (1) position
 - (n) Senior Resource Center (1) position 12/31/18
 - (c) Public Comment
 - (d) Miscellaneous
- (7) Adjourn

WEDNESDAY, AUGUST 15, 2018

-Commission discussion on funding mechanism for mental health initiative

THURSDAY, AUGUST 16, 2018

-9:00 a.m. Election Canvass

WEDNESDAY, AUGUST 22, 2018

-Consider approval of ballot language on behavioral health initiative for November election.

WEDNESDAY, AUGUST 29, 2018 – cancelled

WEDNESDAY, SEPTEMBER 5, 2018

6:00 p.m.

-Proclamation for First Responder Appreciation Week

-Extension request for a Conditional Use Permit, CUP-15-00613, for Calcio Village, an Athletic Field complex for youth soccer on approximately 80 acres, located at the intersection of E 1750 Rd & N 1300 Rd. Submitted by Calcio Village on behalf of John Pendleton for Lorita H Pendleton, Trustee, property owner of record. (Approved by the Board of County Commissioners on 2/10/16) Mary Miller is the Planner.

CUP-18-00239: Consider a Conditional Use Permit for Wakarusa Boat & RV Storage LLC, located at E 550 Rd & N 1190 Rd. Submitted by Jason Fike on behalf of Sharon Anderson, property owner of record. Becky Pepper is the Planner.

WEDNESDAY, SEPTEMBER 12, 2018

-Tobacco 21 featuring youth from the Boys & Girls Club of Lawrence

WEDNESDAY, SEPTEMBER 19, 2018

-3:30-5:30 p.m. – City/County/School District meeting. Location to be determined.

FRIDAY, OCTOBER 19, 2018

-12:00-2:00 p.m. - The Lawrence – Douglas County Planning Commission annual orientation with City and County Commissioners in attendance.

***Note:** The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and/or 6:00 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*

111 East 11th Street, Unit 200
Lawrence, KS 66044
phone: (785) 832-5237
fax: (785) 330-2801



email: eccdept@douglas-county.com
website: www.douglas-county.com

RANDY L. ROBERTS
Director

RICHARD L. BARR
Assistant Director

MEMORANDUM

To: Board of County Commissioners

From: Randy L. Roberts, Director

Re: Consent Agenda Item to approve the annual service and maintenance contract for DGCO Emergency Communications.

Date: August 8, 2018

Re: Consent Agenda item waiving formal bidding process and authorize staff to access the State of Kansas, Western States Contract Alliance, and related MARC (Mid America Regional Council) contracts for the annual service agreement with Spillman Technologies, Inc.

Spillman Technologies, Inc. (August 1, 2018-July 31, 2019) \$112,902.72

The funds for this service agreement are allocated in the E911 Tax Fund, and are not obligated through the General Fund as an operating cost. This annual service agreement covers the CAD Dispatch computer operating system from August 1, 2018 to July 31, 2019.

Action Required: Consent agenda authorization for Emergency Communications Director to approve this 2018 Service and Maintenance agreement.

911 ADVISORY BOARD

SHERIFF KENNETH MCGOVERN
Douglas County
Chairman

CHIEF MARK BRADFORD
Lawrence Douglas County
Fire-Medical Services
Vice Chairman

CHIEF TARIK KHATIB
Lawrence Police Department

INTERIM CHIEF CHRIS KEARY
Kansas University
Public Safety

CHIEF KEN KEITER
Eudora City Fire
Department

Douglas County

certify that: (1) the hearing mentioned in the attached publication was held; (2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditure for the various funds for the year 2019; and (3) the Amount(s) of 2018 Ad Valorem Tax are within statutory limitations.

Table of Contents:		Page No.	2019 Adopted Budget		
			Budget Authority for Expenditures	Amount of 2018 Ad Valorem Tax	County Clerk's Use Only
Computation to Determine Limit for 2019		2			
Allocation of Vehicle Taxes		3			
Schedule of Transfers		4			
Statement of Indebtedness		5			
Statement of Lease-Purchases		6			
Fund	K.S.A.				
General	79-1946	7	55,390,864	40,550,120	
Debt Service	10-113				
Road & Bridge	68-5,101	9	6,668,659	3,567,128	
Ambulance	65-6113	10	8,167,737	5,223,177	
Employee Benefits	12-16,102	10	11,950,439	9,748,463	
Special Building	19-15-116	11	1,660,907	702,132	
Special Liability	75-6110	11	748,030	702,554	
Criminal Justice Services	38-546	12	3,442,544	3,107,459	
Emergency Telephone		13	1,043,284		
Motor Vehicle Operations		13	975,615		
Special Alcohol		14	53,542		
Special Parks & Recreation		14	67,925		
Local County Sales Tax		15	6,680,054		
Non-Budgeted Funds-A		16			
Non-Budgeted Funds-B		17			
Non-Budgeted Funds-C		18			
Totals		xxxxx	96,849,600	63,601,033	
Budget Summary		19	County Clerk's Use Only		
Budget Summary2					
Neighborhood Revitalization Rebate					
			Nov 1, 2018 Total Assessed Valuation		

Assisted by:

Tax Lid Limit (from Computation Tab)

64,038,310

Does the County need to hold an election?

NO

Address:

Email:

Attest: _____ 2018

County Clerk

Governing Body

CPA Summary

RESOLUTION NO. _____

A resolution expressing the property taxation policy of the Douglas County Commission with respect to financing the annual budget for 2019

Whereas, K.S.A. 79-2925b, as amended, provides that a levy of property taxes to finance the 2019 budget of Douglas County exceeding the amount levied to finance the 2018 budget of Douglas County, as adjusted to reflect changes in the Consumer Price Index for All Urban Consumers for calendar year 2017, be authorized by a resolution adopted in advance of the adoption of a budget supported by such levy; and

Whereas, K.S.A. 79-2925b, as amended, also provides that current year revenue that is produced and attributable to the taxation of (1) new improvements, (2) increased personal property valuation other than increased valuation of oil and gas leaseholds and mobile homes, and (3) property which has changed in use shall not be considered when determining whether revenue produced from property tax has increased from the preceding year; and

Whereas, Douglas County provides essential services to its citizens; and

Whereas, the cost of providing these services continues to increase.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Commission that a levy of property taxes in support of the 2019 budget exceeding the amount levied in 2018, as adjusted pursuant to K.S.A. 79-2925b, as amended, is hereby approved.

Adopted this 8th day of August, 2018 by the Douglas County Commission.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Nancy Thellman, Chairman

ATTEST:

Michelle Derousseau, Member

Jameson D. Shew, County Clerk

Mike Gaughan, Member



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Douglas County Courthouse
1100 Massachusetts Street, Unit 204
Lawrence, KS 66044-3064
(785) 832-5329 Fax (785) 832-5320
www.douglas-county.com

Sarah Plinsky

Assistant County Administrator

MEMORANDUM

TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Keith Browning, Director of Public Works
Sarah Plinsky, Asst. County Administrator

SUBJECT: 2019 – 2023 Five year Capital Improvement Plan

DATE: August 3, 2018

Attached is the proposed Capital Improvement Plan (CIP) for 2019-2023. This plan was reviewed by the Commission during the FY 2019 Budget Development process. Additional summary documents have since been prepared and are attached. Please let us know if you have any questions or concerns.

2019 Capital Improvement Plan

8/3/2018

CAPITAL IMPROVEMENT PLAN FUNDING SUMMARY

	2018	2019	2020	2021	2022	2023
Facilities budget allocation	\$1,756,631	\$1,391,817	\$1,395,000	\$1,395,000	\$1,395,000	\$1,395,000
R & B budget allocation	\$3,400,000	\$2,584,804	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000
Total allocation	\$5,156,631	\$3,976,621	\$3,995,000	\$3,995,000	\$3,995,000	\$3,995,000

Facilities funds in reserve	\$5,786,762	\$6,351,436	\$7,008,098	\$8,363,098	\$9,718,098	\$6,073,098
R & B funds in reserve	\$13,513,338	\$11,291,884	\$9,650,688	\$9,335,688	\$4,350,688	\$3,650,688
Total funds in reserve	\$19,300,100	\$17,643,320	\$16,658,786	\$17,698,786	\$14,068,786	\$9,723,786
Total available	\$24,456,731	\$21,619,941	\$20,653,786	\$21,693,786	\$18,063,786	\$13,718,786

Facilities total expenditures	(\$1,251,957)	(\$795,155)	(\$100,000)	(\$100,000)	(\$5,100,000)	(\$3,600,000)
R & B total expenditures	(\$5,821,454)	(\$4,855,500)	(\$3,415,000)	(\$8,035,000)	(\$3,750,000)	(\$3,560,000)
Total expenditures	(\$7,073,411)	(\$5,650,655)	(\$3,515,000)	(\$8,135,000)	(\$8,850,000)	(\$7,160,000)

Facilities deposits	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
R & B deposits	\$200,000	\$629,500	\$500,000	\$450,000	\$450,000	\$500,000
Total deposits	\$260,000	\$689,500	\$560,000	\$510,000	\$510,000	\$560,000

End balance	\$17,643,320	\$16,658,786	\$17,698,786	\$14,068,786	\$9,723,786	\$7,118,786
--------------------	---------------------	---------------------	---------------------	---------------------	--------------------	--------------------

2019 Capital Improvement Plan
Facilities Project Funding Summary

8/3/2018

	2018	2019	2020	2021	2022	2023
CIP Budget Allocations	\$1,756,631	\$1,391,817	\$1,395,000	\$1,395,000	\$1,395,000	\$1,395,000
CIP Funds in reserve	\$5,786,762	\$6,351,436	\$7,008,098	\$8,363,098	\$9,718,098	\$6,073,098
Total Available	\$7,543,393	\$7,743,253	\$8,403,098	\$9,758,098	\$11,113,098	\$7,468,098

Building Improvements	(\$407,400)	(\$584,350)				(\$3,500,000)
Construction Contracts	(\$434,883)				(\$5,000,000)	
Equipment						
Miscellaneous Expenditures						
Professional Services	(\$309,674)	(\$110,805)				
Shared Agreement Projects	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)
Total Expenditures	(\$1,251,957)	(\$795,155)	(\$100,000)	(\$100,000)	(\$5,100,000)	(\$3,600,000)

Sale of Land						
Interest	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Lease of County Property	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Transfers In						
Intergovernmental Revenue						
Miscellaneous Revenue						
Total Deposits	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000

End Balance	\$6,351,436	\$7,008,098	\$8,363,098	\$9,718,098	\$6,073,098	\$3,928,098
--------------------	--------------------	--------------------	--------------------	--------------------	--------------------	--------------------

**2019 Capital Improvement Plan
Facilities Project Expenditures**

8/3/2018

CIP Project	CIP Number	Constr YR	Project Total	2018	2019	2020	2021	2022	2023
Jail Expansion Design Studies	FAC0002	2014	\$766,650	(\$120,433)					
JLE Chiller	FAC0003	2014	\$131,280						
Jail Roof Repair	FAC0004	2015	\$88,433						
Jail Temp Control	FAC0005	2015	\$145,000						
Public Works Facility	FAC0006	2014	\$13,343,427						
Douglas County Fairgrounds	FAC0008	2015	\$7,944,909	(\$434,883)					
LEC Air Handlers	FAC0009	2016							
Fire Station No 1	FAC0010	2016	\$1,868,860	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)
Jail Chiller Replacement	FAC0011	2018							
Downtown Space Needs	FAC0012	2019	\$5,000,000					(\$5,000,000)	
Courthouse Stonework Renovation	FAC0013	2019	\$3,500,000						(\$3,500,000)
Courthouse Security Update	FAC0014	2019							
Fairgrounds Community Building Unit Heaters	FAC0023	2019	\$100,000		(\$100,000)				
Mental Health Crisis Center Studies	FAC0016	2018	\$640,000	(\$189,241)	(\$110,805)				
Community Health Center Improvements	FAC0017	2018	\$907,247	(\$307,400)	(\$294,350)				
LEC Chiller	FAC0018	2019	\$190,000		(\$190,000)				
LEC IT Computer Room AC	FAC0019	2018	\$100,000	(\$100,000)					
Community Health Center Parking Lot	FAC0021	2020							
Community Health Center Elevator Rehab	FAC0022	2020							
CIP General Contingency	FACGENCONT	ANNUAL							
Annual Totals				(\$1,251,957)	(\$795,155)	(\$100,000)	(\$100,000)	(\$5,100,000)	(\$3,600,000)

ROAD AND BRIDGE PROJECT FUNDING SUMMARY

	2018	2019	2020	2021	2022	2023
CIP budget allocation	\$3,400,000	\$2,584,804	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000
CIP funds in reserve	\$13,513,338	\$11,291,884	\$9,650,688	\$9,335,688	\$4,350,688	\$3,650,688
Total Available	\$16,913,338	\$13,876,688	\$12,250,688	\$11,935,688	\$6,950,688	\$6,250,688

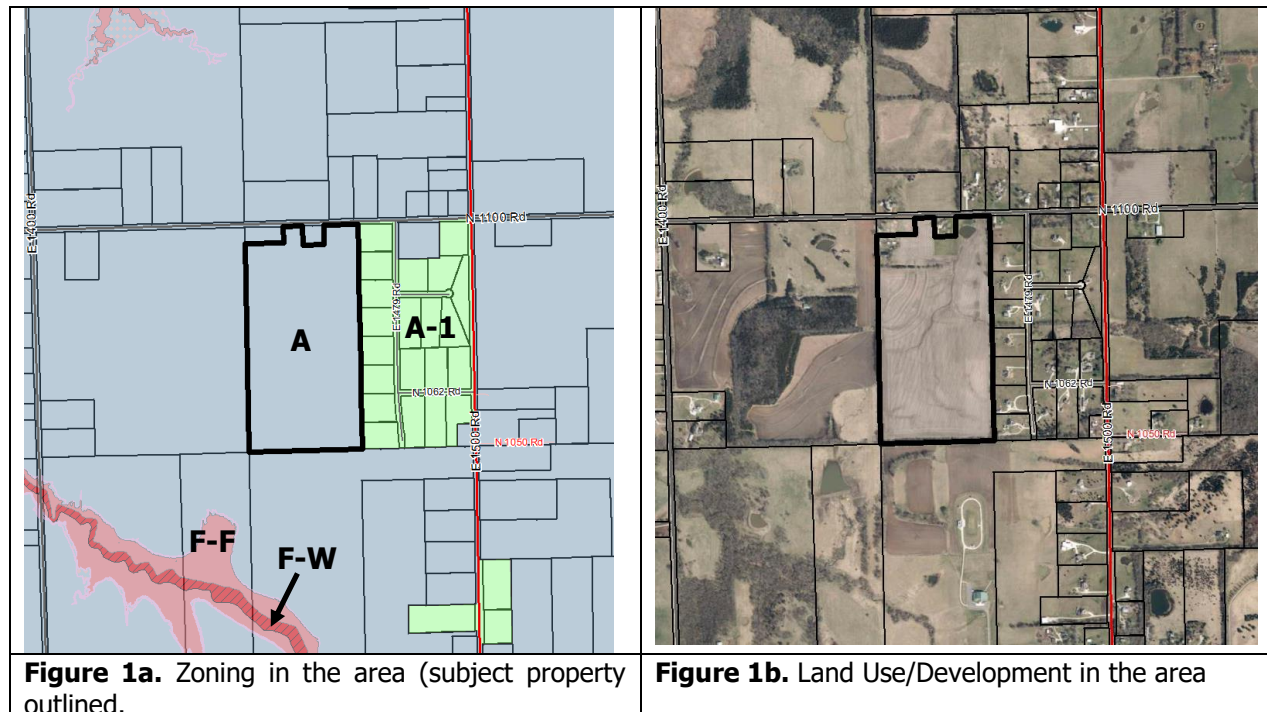
Construction	(\$5,147,000)	(\$4,445,000)	(\$2,650,000)	(\$7,480,000)	(\$3,410,000)	(\$3,210,000)
Dust Control	(\$25,000)	\$0	(\$25,000)	\$0	\$0	\$0
Engineering	(\$136,454)	(\$55,000)	(\$410,000)	(\$40,000)	(\$130,000)	(\$70,000)
Right-of-way	(\$108,000)	(\$50,500)	(\$200,000)	(\$170,000)	(\$80,000)	(\$180,000)
Utility Reloc	(\$405,000)	(\$305,000)	(\$130,000)	(\$345,000)	(\$130,000)	(\$100,000)
Total Expenditures	(\$5,821,454)	(\$4,855,500)	(\$3,415,000)	(\$8,035,000)	(\$3,750,000)	(\$3,560,000)

Deposit KDOT FFE	\$200,000	\$300,000	\$450,000	\$450,000	\$450,000	\$500,000
Deposit KDOT funding	\$0	\$0	\$0	\$0	\$0	\$0
Deposit partner funds	\$0	\$279,500	\$0	\$0	\$0	\$0
Deposit USFWS	\$0	\$50,000	\$50,000	\$0	\$0	\$0
Total deposits	\$200,000	\$629,500	\$500,000	\$450,000	\$450,000	\$500,000

End balance	\$11,291,884	\$9,650,688	\$9,335,688	\$4,350,688	\$3,650,688	\$3,190,688
-------------	--------------	-------------	-------------	-------------	-------------	-------------

ROAD AND BRIDGE PROJECT EXPENDITURES

Project	CIP Number	Constr YR	Total Cost	2018	2019	2020	2021	2022	2023
Culvert 1500-1624 and 1540-1622 Replacement	2015-61	2017	\$719,036	(\$90,000)					
Rte 458 Improvements, E800 thru E1000	2015-05	2017	\$6,365,123	(\$2,700,000)					
Lone Star Dam - Slope Modifications	2017-30	2018	\$340,000	(\$335,700)					
Lone Star Community Bldg Dock and Pier Replacement	2018-18	2018	\$100,000	(\$90,004)					
Bridge 1215-1750 Replacement	2014-66	2018	\$458,575	(\$457,000)					
Rte 458 Improvements, E1800 to E2000 [HRRR]	2015-17	2018	\$1,018,200	(\$982,000)					
E 1750 Road Improvements, N 400 Baldwin City	2019-12	2019	\$430,500		(\$430,500)				
Bridge 0532-0300 Replacement	2018-31	2019	\$520,000	(\$50,000)	(\$470,000)				
Wells Overlook ADA Viewing Platform	2018-20	2019	\$40,000		(\$40,000)				
Culvert 0900-1043 Replacement	2017-53	2019	\$380,000	(\$20,750)	(\$355,000)				
Bridge 1267-1200 Replacement	2017-51	2019	\$357,100		(\$355,000)				
Rte 1055 Improvements, N1000 to N1180	2014-21	2019	\$2,250,000	(\$75,000)	(\$2,175,000)				
Bridge 1180-1400 Repairs	2019-31	2020	\$400,000		(\$25,000)	(\$375,000)			
Rte 1055 Improvements / Bridges 0700-1665 and 0714-1650	2016-18	2020	\$1,451,000			(\$1,450,000)			
Culvert 0990-1000 Replacement	2019-56	2020	\$290,000			(\$290,000)			
E 1050 RD Extension, N1200 to Hwy K-10, Wakarusa River Bridge	2018-11	2021	\$6,200,000			(\$300,000)	(\$3,350,000)	(\$2,550,000)	
Bridge 0964-1000 Replacement	2020-31	2021	\$1,800,000			(\$125,000)	(\$1,675,000)		
Rte 458/1055 Improvements, E1500 thru E1600	2016-17	2021	\$2,275,000			(\$125,000)	(\$2,150,000)		
Bridge 0900-1088 Replacement	2021-31	2022	\$390,000				(\$40,000)	(\$350,000)	
Bridge 0600-0172 Replacement	2021-32	2023	\$870,000					(\$80,000)	(\$790,000)
Rte 1061 / Rte 460 Intersection Improvements	2019-11	2023	\$1,600,000					(\$50,000)	(\$1,550,000)
Rte 1055 (E1650 RD) Improvements	2022-15	2024	\$2,025,000						(\$200,000)
Bridge Painting Projects	BRPAINT	ANNUAL		(\$165,000)					(\$200,000)
Annual Bridge and Culvert Contingency Funds	BRPIPECONT	ANNUAL							
Annual Culvert Replacement and Repairs	CULVREP	ANNUAL		(\$581,000)	(\$480,000)	(\$400,000)	(\$345,000)	(\$345,000)	(\$345,000)
Bridge Deck Patch and Overlay Projects	DECKOVR	ANNUAL			(\$175,000)		(\$300,000)		(\$300,000)
Annual Contract Pavement Maintenance	RDPAVEMANT	ANNUAL		(\$225,000)	(\$300,000)	(\$300,000)	(\$100,000)	(\$300,000)	(\$100,000)
Annual Road Contingency Funds	ROADCONT	ANNUAL							
Annual Rock Road Stabilization	RKROADSTAB	ANNUAL		(\$50,000)	(\$50,000)	(\$50,000)	(\$75,000)	(\$75,000)	(\$75,000)
TOTALS				(\$5,821,454)	(\$4,855,500)	(\$3,415,000)	(\$8,035,000)	(\$3,750,000)	(\$3,560,000)



Site Summary

Acreage of Original Tract:	76.86 acres
Acreage of Parent Parcel:	76.86 acres
Immediate Development Area: (Maximum of 60% permitted)	45.29 acres (58.9%)
Future Development Area: (Minimum of 40% required)	31.57 acres (41.1%)

Residential Development Parcels (RDP):

Number of RDPs Proposed	13
Minimum RDP area	3.01 acres
Maximum RDP area	7.97 acres

B. CONFORMANCE WITH SUBDIVISION REGULATIONS

The development property is located within the City of Lawrence's urban growth area and is being divided through the cluster development process provided in Section 11-104 of the Subdivision Regulations [20-804 City Code] to create 13 Residential Development Parcels (RDP).

Future Development Area

The Subdivision Regulations require that a minimum of 40% of the site be placed into a future development area. This area cannot be developed until the property is annexed. Environmentally sensitive lands identified in Section 11-110(k) of the Subdivision Regulations [20-810(k), City Code] should be located in the future development area. The future development area shown on the certificate of survey is compliant with this requirement.

Immediate Development Area

The immediate development area is limited in Section 11-104(c)(1) of the Subdivision Regulations [20-804, City Code] to no more than 60% of the total area of the Cluster Development. All residential development parcels must be located within the immediate development area, contain a minimum area of 3 acres outside of the floodplain, and take access to the road system through a cross-access easement. The residential development parcels meet these criteria.

Build Out Plan

Per Section 11-107(d)(5)(ii) of the County Code [20-804(d)(5)(ii), City Code], a build out plan showing a probable future subdivision of the subject property into platted blocks at an urban density commensurate with the zoning and subdivision regulations of the City of Lawrence is required. The build out plan shows a future division of the property into urban blocks and shows future streets that connect to adjoining properties.

Building envelopes have been established based upon the cross access easement, utility easement, future build out streets, and the required setbacks (30 foot rear, 10 foot side, 25 foot fronting on the cross access easement).

Utility – Water

Per Section 11-104(c)(1)(ii) of the Subdivision Regulations [20-804(c)(1)(ii), City Code] , residential development parcels in the urban growth area must be served by a publicly treated water source. The property was recently annexed into Rural Water District No. 5's territory.

Rural Water District No. 5 provided documentation that water meters are available to serve the residential development parcels but noted that the developer is responsible for extending lines to the property. The water district noted that lines to serve this area are not in service at this time, but are expected to be in service by late fall of 2018. The water lines will need to be in service and the meters purchased prior to the issuance of a building permit. The certificate of survey notes that building permits cannot be obtained until a meter has been purchased for the subject residential development parcels.

Public Wholesale Water Supply District No. 25 has obtained easements throughout the property. These are shown on the Certificate of Survey. A 15 foot wide utility easement for the extension of electricity and other utilities to the residential development parcels is being provided. These easements are, or will be, dedicated by separate instrument and the recording information, Book and Page Number, shall be noted on the face of the plan.

Utility - Wastewater

The residential development parcels all contain at least 3 acres outside the floodplain. The residential development parcels will be served by on-site sewage management systems as approved by the Lawrence-Douglas County Health Department. The Lawrence-Douglas County Health Department must approve the on-site sewage management system prior to a building permit being issued and this is noted on the certificate of survey.

Access

As required in Section 11-104(c)(1)(viii) of the Subdivision Regulations [20-804(c)(1)(viii), City Code], the cluster development will have direct access to a road that meets or exceeds the County's rock road standard, N. 1100 Road, a major collector.

Steep Slopes

The residential development parcels do not contain slopes that are greater than 15%.

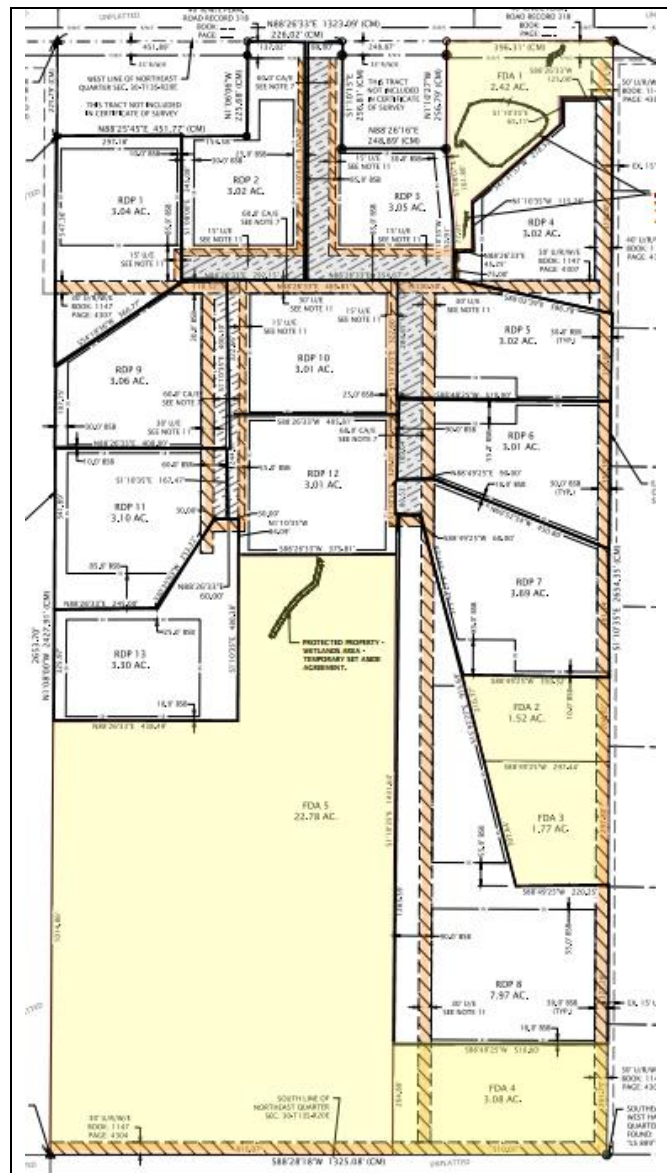


Figure 2. Proposed configuration of Parent Parcel

- Residential Development Parcels (outlined in bold) and Future Development Area (highlighted in yellow).
- Cross Access Easement (highlighted in gray), and Utility Easements (highlighted in orange)

Minimum Road Right-of-way

The Subdivision Regulations require 80 feet of right-of-way for major collector roads, with 40 feet being dedicated on each side of the centerline. This right-of-way has been dedicated by separate instrument and is shown on the certificate of survey with the recording information, book and page number.

Minimum Frontage & Entrance Spacing Requirements

The Access Management Standards and the Zoning Regulations set the frontage requirement for a major collector road at 500 feet or 660 feet, depending on the posted or design speed limit of the road. The County Engineer indicated that the speed limit of the road is not posted, but it is not designed as a 55 mph road; therefore, the minimum frontage required is 500 feet. Adequate frontage is provided with this certificate of survey.

Floodplain

The parent parcel is not encumbered by FEMA designated regulatory floodplain.

Restrictive Covenants

Per Section 11-104(d) of the Subdivision Regulations [20-804(d), City Code], the immediate and future development areas shall be restricted by a separate instrument satisfactory to the County Counselor which shall incorporate by reference and have attached as an exhibit the build out plan; require future division of the residential development parcels to conform to the build out plan, subject to the requirements of the Subdivision Regulations; limit each residential development parcels to one principal dwelling and accessory buildings until annexation into a city and municipal water and sanitary sewer service are extended to the property; prohibit any further division of the future development area until property is annexed or until an amended certificate of survey is approved and filed with the Register of Deeds; and be binding upon the owner and all of its successors and assigns. The covenants shall expire at the time the subject property is annexed by a city and must be recorded with the Register of Deeds. The Restrictive Covenants provided with this Certificate of Survey comply with this requirement.

Agreements

Environmentally sensitive lands, in the form of wetlands, are present on the property; therefore, a temporary set-aside agreement is needed. Other agreements required prior to the recording of the certificate of survey include: an annexation agreement, a consent to annexation, and a cross access easement and maintenance agreement is required for the shared drive. These have been provided and will be recorded prior to the recording of the certificate of survey.

Restriction on Subsequent Divisions

Any further division for development purpose is prohibited until the property is annexed into a city or until an amended certificate of survey is approved and filed with the Register of Deeds. The certificate of survey notes the prohibition on additional divisions but doesn't mention the amended Certificate of Survey process as the Residential Development Parcels are currently at the minimum permitted size; therefore, it would be possible to reconfigure the residential development parcels' boundary lines through an amended certificate of survey, but not to divide them further.

C. ADMINISTRATIVE DETERMINATION

The Planning Director approves the certificate of survey for a cluster development on approximately 76.86 acres located in the Northeast Quarter of Section 30, Township 13 South, Range 20 East; in southwest corner of intersection of E. 1500 and N. 1100 Roads.

OTHER ACTION REQUIRED

A neighboring property owner requested to be informed of the final action on the Certificate of Survey. The certificate of survey shall be held in the planning office for 9 days, providing time for the property owner to file an appeal with the Board of County Commissioners. If an appeal is filed it will be processed per the standards in Section 11-107(i) of the Subdivision Regulations, [20-807(i), City Code].

Following this 9 day period or the conclusion of the appeal process, if the Board of County Commissioners uphold the approval of the certificate of survey, the applicant shall provide the planning office with one electronic copy and one signed copy of the certificate of survey and signed and notarized agreements (restrictive covenants, consent to annexation, and cross access easement) for recording with the Register of Deeds along with the recording fees.

Recording Fees:

\$32 per certificate of survey sheets; \$21 for the first page of any document, \$17 for any additional pages.

When staff has obtained documentation that all taxes that are due and payable have been paid, the certificate of survey and documents for recording will be taken to the Register of Deeds for recording. Copies of the recorded documents shall be provided the applicant following recording.

Mary Miller

From: mimimlr@sunflower.com
Sent: Monday, July 16, 2018 4:56 PM
To: PlanningEmail
Cc: Mary Miller
Subject: CSU-18-00011 The Certificate of Survey Urban Application on N 1100 Rd, owned by Charles, Lee and April Whittaker

Dear Board of County Commissioners

I am a property owner at 1449 N 1100 Rd. that is adjacent on two sides to the above referenced cluster development. On Feb. 12, 2018 I wrote a letter to Mary Miller, City Planner, in response to the Notice to Property Owners sent by J. Dean Grob and the submission for this application. I summarized: 1) my historic perspective as a life-long resident of Lawrence/Douglas County, and; 2) how I've already been and will be personally devastated by this development. I am saddened by the division of this property into 3-acre lots and worried about the danger and closeness of features on this proposed plan.

For the sake of reality, I will focus on the road entrance/exit safety issue since this development as a whole seems imminent. Pursuant to my safety concerns, I found no safety consideration in the County Planning Director's determination based on the hill incline/decline and closeness to the blind hill for this proposed road entrance. So I wish to make an effort to see that the new road is laid out the smartest and safest way possible.

My protest specifically regards the proposed entrance where the referenced property meets N 1100 Rd. Even though the County Engineer determined that the new road cut has adequate footage for a 45 mph road, this road location as surveyed does not pass the common sense test for anybody who has driven going east over and down the blind hill, only 4 short seconds away @ 45 mph from that entrance/exit. For frequent speeding traffic, its only a couple seconds away. And driving west approaching the entrance is half way up this blind hill. Therefore, this entrance would be a highly hazardous road placement from both directions--it would be a matter of when, not if, a major accident occurs.

As a secondary issue, the proposed road is located between the two existing houses not included in this development and, therefore, would be intrusive and noisy. An existing agricultural road cut could be used around a water district holding tank, per the water district President. This would be a much safer alternative for drivers and a less disruptive solution to current residents.

Thank you for your consideration to this important issue.

Mary Lee Robbins
1449 N 1100 Rd
Lawrence, KS
785-979-6449

CHARLES & APRIL D. WHITTAKER

**1801 Indiana Street
Lawrence KS 66044**

Tel: 785-832-1146 E-mail: whiteacre2@att.net

RECEIVED

JUL 23 2018

City County Planning Office
Lawrence, Kansas

July 20, 2018

Mary K Miller AICP
Planning Division
Po Box 708
Lawrence KS 66044-0708

Dear Mary:

Subject: Appeal re Whittaker Certificate of Survey

Thank you for your copy e-mail dated July 19, 2018 regarding receipt of an appeal from the Administrative approval for the Whittaker Certificate of Survey and meeting thereof.

We would be grateful if the following could be noted for the record.

"We have already demonstrated every intention and respect for the privacy and well-being of all abutters. We will endeavor to keep noise and inconvenience to a minimum level and will pay strict adherence to the regulations as set out by the city and Douglas County."

Thank you,



Charles and April Whittaker