



Updated:

5/19/13 @ 1:15pm

Added staff memo for Item 4 - CUP Meteorological Tower 2060 E 1600 Rd

Added communications for Item 8 - SUP 603 Tennessee St

5/15/14 @ 3:15pm

Added the following items:

Item 1C - Vacation of Final Plat of East Hills Business Park East & Final Plat of East Hills Business Park East No. 2

Items 9A-9C - Rezoning, Special Use Permit, & Preliminary Plat for 2900 & 2920 Haskell

5/14/14 @ 4:30pm

The following items will be added when available:

Item 1C - Vacation of Final Plat of East Hills Business Park East & Final Plat of East Hills Business Park East No. 2

**Items 9A-9C - Rezoning, Special Use Permit, & Preliminary Plat for 2900 & 2920 Haskell
Draft April Planning Commission Minutes**

**LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS
MAY 19 & 21, 2014 6:30PM - 10:30PM**

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of April 21 and 23, 2014.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

COMMUNICATIONS

- a) Receive written communications from the public.
- b) Receive written communications from staff, Planning Commissioners, or other commissioners.
- c) Receive written action of any waiver requests/determinations made by the City Engineer.
- d) Disclosure of ex parte communications.
- e) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

**REGULAR AGENDA (MAY 19, 2014) MEETING
PUBLIC HEARING ITEMS:**

ITEM NO. 1A DE-ANNEX 87 ACRES; 2200 NORIA RD & 4600 E 23RD ST (DRG)

A-14-00073: Consider a request to de-annex approximately 87 acres located at 2200 Noria Rd and 4600 E 23rd St. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record. *Initiated by City Commission on 3/25/14.*

ITEM NO. 1B IG TO A; 2200 NORIA RD & 4600 E 23RD ST (DRG)

Z-14-00072: Consider a request to rezone approximately 87 acres from IG (General Industrial) District to County A (Agricultural) District, located at 2200 Noria Rd and 4600 E 23rd St. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record.

NON-PUBLIC HEARING ITEMS:

ITEM NO. 1C VACATION OF FINAL PLAT OF EAST HILLS BUSINESS PARK EAST AND FINAL PLAT OF EAST HILLS BUSINESS PARK EAST NO. 2 (DRG)

Vacation of Final Plat of East Hills Business Park East and Final Plat of East Hills Business Park East No. 2 due to the proposed de-annexation of property from the City of Lawrence. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record.

ITEM NO. 2 ANNEX 54.31 ACRES; K-10 & BOB BILLINGS PKWY INTERCHANGE (SMS)

A-14-00155: Consider annexation of approximately 54.31 acres located surrounding the proposed K-10 & Bob Billings Parkway interchange. Submitted by Charles F. Soules, Director of Public Works, City of Lawrence for Kansas Department of Transportation, property owner of record. *Initiated by City Commission on 4/22/14.*

ITEM NO. 3 PRELIMINARY PLAT FOR BERT NASH ADDITION; 138 ALABAMA (SLD)

PP-14-00133: Consider a Preliminary Plat for Bert Nash Addition, a two-lot subdivision located at 138 Alabama St. Submitted by the City of Lawrence, for Bert Nash Community Mental Health Center Inc., property owner of record.

PUBLIC HEARING ITEM:

ITEM NO. 4 CONDITIONAL USE PERMIT; METEOROLOGICAL TOWER; 2060 E 1600 RD (SLD)

CUP-14-00052: Consider a Conditional Use Permit for a 116' tall meteorological tower with a 10' antenna for monitoring and collecting atmospheric, soil and water data, located at the University of Kansas Field Station, 2060 E 1600 Rd. Submitted by National Ecological Observatory Network [NEON], for University of Kansas Endowment Association, property owner of record.

~~DEFERRED**~~**

~~ITEM NO. 5 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 (JSG)~~

~~CPA-14-00107:~~ Consider a Comprehensive Plan Amendment to Horizon 2020 Chapter 6 and Chapter 14 (Revised Southern Development Plan) to revise the future land use designations from medium-density residential, traditional neighborhood development, and auto-related commercial uses to commercial use; and to designate the node as Regional Commercial from Auto-Related Center at the southwest intersection of US-59 Hwy and N. 1250 Road. Submitted by Landplan Engineering PA.

~~ DEFERRED **~~**

~~ITEM NO. 6A — ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD (SLD)~~

~~**A-14-00104:** Consider a request to annex approximately 102.64 acres located along the east side of S. Iowa Street and the south side of N. 1250 Road (Armstrong Road). Submitted by Landplan Engineering PA on behalf of Armstrong Management LC and Grisham Management LC, property owners of record. *Initiated by City Commission on 4/8/14.*~~

~~ DEFERRED **~~**

~~ITEM NO. 6B — RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY (SLD)~~

~~**Z-14-00105:** Consider a request to rezone approximately 122.96 acres from RS10 (Single-Dwelling Residential) District and County A (Agricultural) District to CR (Regional Commercial) District and CR-FP (Regional Commercial Floodplain Overlay) District, located at the SE corner of the South Lawrence Trafficway and US-59 Hwy. Submitted by Landplan Engineering PA, on behalf of Armstrong Management LC and Grisham Management LC, property owners of record.~~

~~ DEFERRED **~~**

~~ITEM NO. 6C — RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY (SLD)~~

~~**Z-14-00106:** Consider a request to rezone approximately 46.10 acres from RS10 (Single-Dwelling Residential) District, County A (Agricultural) District, and County VC (Valley Channel) District to OS-FP (Open Space Floodplain Overlay) District, located at the SE corner of the South Lawrence Trafficway and US-59 Hwy. Submitted by Landplan Engineering PA on behalf of Armstrong Management LC and Grisham Management LC, property owners of record.~~

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

Recess until 6:30pm on May 21, 2014

BEGIN PUBLIC HEARING (MAY 21, 2014):

COMMUNICATIONS

- a) Receive written communications from staff, Planning Commissioners, or other commissioners.
- b) Disclosure of ex parte communications.
- c) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION **REGULAR AGENDA (MAY 21, 2014) MEETING** **PUBLIC HEARING ITEMS:**

ITEM NO. 7 IG TO IL; 1.7 ACRES; 701 E 19TH ST (MKM)

Z-14-00097: Consider a request to rezone approximately 1.7 acres from IG (General Industrial) District to IL (Limited Industrial) District, located at 701 E 19th St. Submitted by Zach Stoltenberg on behalf of Silverback Enterprises LLC, property owner of record.

ITEM NO. 8 SPECIAL USE PERMIT; RUNAWAY PONY BED & BREAKFAST; 603 TENNESSEE ST (JSC)

SUP-14-00049: Consider a Special Use Permit to continue the bed and breakfast use of the property as Runaway Pony Bed & Breakfast, located at 603 Tennessee St. Submitted by Rainbow Works LLC, property owner of record. *Deferred by Planning Commission on 4/21/14.*

ITEM NO. 9A IL TO GPI; 11.66 ACRES; 2900 & 2920 HASKELL AVE (SMS)

Z-14-00108: Consider a request to rezone approximately 11.66 acres from IL (Limited Industrial) District to GPI (General Public and Institutional Use) District, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). Submitted by Landplan Engineering PA, on behalf of Unified School District 497, property owner of record.

ITEM NO. 9B SPECIAL USE PERMIT; INSTITUTIONAL DEVELOPMENT PLAN; 2900 & 2920 HASKELL AVE (SMS)

SUP-14-00110: Consider a Special Use Permit for an Institutional Development Plan for the Lawrence College and Career Center, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). The project proposes the construction of a new two-phase structure containing 56,000 sq. ft. and associated parking and site improvements. Submitted by Landplan Engineering PA on behalf of Unified School District 497, property owner of record.

NON-PUBLIC HEARING ITEM:

ITEM NO. 9C PRELIMINARY PLAT FOR LCCC & PEASLEE ADDITION; 2900 & 2920 HASKELL AVE (SMS)

PP-14-00109: Consider a Preliminary Plat for LCCC and Peaslee Addition, a two-lot institutional and industrial subdivision, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). Submitted by Landplan Engineering PA on behalf of Unified School District 497 and the Economic Development Corporation of Lawrence & Douglas County, property owners of record.

ADJOURN

CALENDAR

| April 2014 | | | | | | |
|------------|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | | | |

| May 2014 | | | | | | |
|----------|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

| June 2014 | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | | | | | |

PCCM Meeting:

(Generally 2nd Wednesday of each month, 7:30am-9:00am)

Sign up to receive the Planning Commission agenda or weekly Planning Submittals via email:

<http://www.lawrenceks.org/subscriptions>

2014
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

| Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM (*Friday Meeting) | Mid-Month Topics | | Planning Commission Meetings 6:30 PM, Mon & Wed | |
|---|--|--|--|--------|
| Jan 24* | Planning Commission Retreat - half day Friday | | Jan 27 | Jan 29 |
| Feb 12 | HERE @ KU | Topics for 2014 | Feb 24 | Feb 26 |
| Mar 12 | Small Business Facilitator | Continue H2020 Discussion from Jan Retreat | Mar 24 | Mar 26 |
| Apr 9 | Apartment Trends – Tim Keller, Keller & Associates | | Apr 21 | Apr 23 |
| May 14 | Comp Plan Update Exercises | | May 19 | May 21 |
| Jun 11 | MPO Multi-Modal Studies http://lawrenceks.org/mpo/study | APA Conference updates | Jun 23 | Jun 25 |
| Jul 11* | PC Orientation – all day Friday | | Jul 21 | Jul 23 |
| Aug 13 | | | Aug 25 | Aug 27 |
| Sep 10 | | | Sep 22 | Sep 24 |
| Oct 8 | | | Oct 20 | Oct 22 |
| Nov 5 | | | Nov 17 | Nov 19 |
| Dec 3 | | | Dec 15 | Dec 17 |
| | | | | |
| | Suggested topics for future meetings: <i>How City/County Depts interact on planning issues</i> <i>Stormwater Stds Update – Stream Setbacks</i> <i>Overview of different Advisory Groups – potential overlap on planning issues</i> <i>Joint meeting with other Cities' Planning Commissions</i> <i>Joint meeting with other Cities and Townships – UGA potential revisions</i> | | <i>New County Zoning Codes</i> <i>Tour City/County Facilities</i> <i>Oread Overlay Districts</i> <i>Comprehensive Plan – Goals & Policies</i> <i>Utilities Master Plan</i> <i>Water Resources</i> | |
| Meeting Locations | The Planning Commission meetings are held in the City Commission meeting room on the 1 st floor of City Hall, 6 th & Massachusetts Streets, unless otherwise noticed. | | | |
| Planning & Development Services Lawrence-Douglas County Planning Division 785-832-3150 www.lawrenceks.org/pds | | | | |

Revised 04/24/14

2013 PLANNING COMMISSION ATTENDANCE

| | Jan 28 2013 | Jan 30 2013 | Feb 27 2013 | Mar 25 2013 | Apr 22 2013 | May 20 2013 | June 24 2013 | June 26 2013 | July 22 2013 | Aug 26, 2013 | Sept 23, 2013 | Oct 21, 2013 |
|------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|-----------------|------------------|-----------------|
| Britton | Yes | Yes | Yes | Yes | Yes | Yes | No | No | Yes | Yes | Yes | Yes |
| Burger | Yes | Yes | Yes | No | Yes | Yes | | | | | | |
| Culver | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Denney | | | | | | | Yes | Yes | Yes | No | Yes | Yes |
| Graham | | | | | Yes | Yes | Yes | No | No | Yes | Yes | Yes |
| Josserand | Yes | Yes | Yes | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Kelly | | | | | | | | | No | Yes | Yes | No |
| Lamer | Yes | Yes | No | Yes | Yes | Yes | Yes | Yes | | | | |
| Liese | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Rasmussen | | | | | | | Yes | Yes | Yes | Yes | Yes | Yes |
| Struckhoff | | | | | | | | | | Yes | Yes | Yes |
| von Achen | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes | Yes |

2014 PLANNING COMMISSION ATTENDANCE

| | Jan 27 2014 | Feb 24 2014 | Feb 26 2014 | Mar 24 2014 | Apr 21 2014 | Apr 23 2014 | May 19 2014 | May 21 2014 | | | | |
|------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--|--|--|--|
| Britton | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Culver | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Denney | No | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Graham | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Josserand | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Kelly | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Liese | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Rasmussen | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| Struckhoff | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| von Achen | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |

2013 MID-MONTH ATTENDANCE

| | Jan 9 2013 | Feb 13 2013 | Mar 13 2013 | Apr 10 2013 | May 8 2013 | June 12 2013 | July 12 2013 | Aug 14 2013 | Sept 11 2013 | Oct 9 2013 | Nov 6 2013 | |
|------------|---------------|----------------|----------------|----------------|---------------|-----------------|-----------------|----------------|-----------------|---------------|---------------|--|
| Britton | | | | | | No | Yes | Yes | No | Yes | No | |
| Burger | | | | | | | | | | | | |
| Culver | | | | | | No | Yes | Yes | Yes | Yes | Yes | |
| Denney | | | | | | Yes | Yes | No | Yes | Yes | Yes | |
| Graham | | | | | | Yes | Yes | Yes | Yes | Yes | No | |
| Josserand | | | | | | Yes | Yes | Yes | Yes | Yes | Yes | |
| Kelly | | | | | | | Yes | Yes | Yes | Yes | Yes | |
| Lamer | | | | | | No | | | | | | |
| Liese | | | | | | Yes | Yes | Yes | Yes | Yes | Yes | |
| Rasmussen | | | | | | Yes | Yes | Yes | Yes | Yes | Yes | |
| Struckhoff | | | | | | | | Yes | Yes | Yes | Yes | |
| von Achen | | | | | | Yes | Yes | No | Yes | Yes | Yes | |

RECEIVED

MAY 13 2014

City County Planning Office
Lawrence, Kansas

4708 Wimbledon Drive
Lawrence, KS 66047
May 6, 2014

David Corliss, City Manager
P.O. Box 708
Lawrence, KS 66044

Subject: City Staff's Role in Family Fun Center's Rejection by Planning Commission

Dear Mr. Corliss:

After some hesitation, I have decided to address to you my serious concerns about the information given and positions taken by your City staff representatives at the recent Planning Commission public hearing, which was called to deal with several petitions for related changes to the zoning codes, all designed to accommodate the desires of the bank-landowners, and a late-in-the-process-disclosed local developer, to construct an extensive and seemingly neighborhood-disruptive "family fun center." The project was proposed to be built at the southeast corner of Clinton Parkway and Inverness Drive, in the midst of a fairly dense residential neighborhood where most people who knew of it strongly opposed the plan. The Commission's final decision, at the end of the hearing, was to reject this project, as having been proposed and processed thus far under incorrect zoning provisions (those only for local neighborhood parks). It was plainly intended by its supporters to serve, instead, as a community-wide type of commercialized fun center, which the Commission indicated would never have been permitted in the midst of this compressed neighborhood.

I should explain my special interest in this controversial process. My wife and I moved to Lawrence from Virginia some four year years ago and bought a nice home on Wimbledon Drive; we are located in the affected neighborhood, but not immediately close to the project site. My professional background is that of a long-retired, senior federal government attorney, with both substantial, formal education and much practical experience in real estate and land use planning matters. During my legal career, I dealt often and in close detail with both professional staffs and public officials handling such matters. This included some 17 years of numerous interactions both with members of Congress and (more so) with their staffs, and as a federal representative in dealings with many County and City officials and their staffs. During my final position before my retirement, as Chief Counsel of the Air Force Base Conversion Agency, I and my large attorney and real estate specialist staff guided and lead negotiations for the Air Force in disposing of many closed bases, all over the country.

I confess that I have not studied the detailed wording of your local planning and zoning codes, nor the modern history of the land use planning process in this City and County. However, as I attended (and spoke briefly at) the two lengthy, somewhat contentious public meetings on this matter, I learned much from the staff, the proponents, and public commenters from various schools, homeowners' groups, and local businesses, who were strongly opposed to such a "carnival-like" use of this land (including their objections to

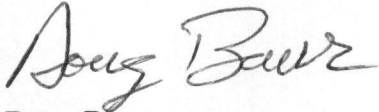
it's creation of obviously-crowded and -dangerous automobile traffic, nighttime loud noise, and over-lighted side-effects, etc.). I also came to learn how much the neighbors believed it would violate both the letter and spirit of the long-established commitments in the "Horizon 2020" land use plan for western Lawrence. Those recitations of both older and recent land use history in the area seemed convincing and persuasive to me. In sum, I believe the Commission did well to reject the zoning changes that would have allowed this disruptive project.

However, the focus of this letter to you is not about the merits of the Family Fun Center project. Instead, my focus here is what I observed, with some wonderment, as your professional City staff members presented their formal reports, and then their specific recommendations, to the Commission. They noted approvingly several, minor, last-minute adjustments the proponents had made in the proposals. Their presentation tone overall was moderate and fairly neutral (though with a couple of gratuitous side-swipes at certain negative public comments). They related, though mostly only in a statistical manner, the almost-unanimous volume of very unfavorable public comments received, in both verbal statements at the previous public meeting at Raintree school, and the many dozens of negative letters to the Commission which followed. However, they provided hardly any factual summaries, explanations, or technical evaluations of the many, quite specific community objections. My more specific concern is that they also supplied hardly any analysis related to the numerous, specific public objections as to the appropriateness and legality, under the codes, of approving these specific zoning changes to accomplish the proponent's development purposes, as well as the major problem of such proposed changes being quite inconsistent with the City's commitment to the "Horizon 2020" land use plan. Instead, both at the end of their start-up briefing at the hearing, and then in their final comments pre-scheduled to come after the public comment period, the staff calmly, and without any further substantive replies or justifications, recommended that the Commission simply approve each of the proposed changes.

In my training and experience, one vital role of a professional staff in such situations is to thoroughly understand the laws and regulations involved, which their public officials are trying to decide upon applying properly, or adjusting, at a hearing and to communicate to those officials the relevant issues, precedents, political concerns, etc. When the public hearing has been preceded by several rounds of contentious and quite informative community interactions, as was the case here, the staff should have offered solid evaluations and clarifying advice to the Commission, to aid them in deciding some of these fairly complex factual and regulatory issues, as well as to provide explanations to the public. If they did not feel qualified to do so, the involvement of City legal counsel should have been sought. Your staff, in my view, did not serve the Commission well in those regards, either before or after the Raintree school meeting or the long public comment period at the hearing. Rather, I got the impression that the staff viewed its role mostly as being there to administratively process and support the zoning petition, at least as much as to aid and advise the Commission in making a sound and legally defensible decision.

I will be glad to respond to any comments or questions you might have.

Yours truly,

A handwritten signature in dark ink, appearing to read "Doug Baur". The signature is fluid and cursive, with the first name "Doug" and last name "Baur" clearly distinguishable.

Doug Baur

✓ Cc: Chairman, Planning Commission

PLANNING COMMISSION REPORT PUBLIC HEARING ITEM

PC Staff Report
5/19/14

ITEM NO. 1A: DE-ANNEXATION OF 87 ACRES LOCATED AT 2200 NORIA ROAD & 4600 EAST 23rd STREET. (DRG)

A-14-00073: Consider a request to de-annex approximately 87 acres located at 2200 Noria Rd and 4600 E 23rd St. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record. *Initiated by City Commission on 3/25/14.*

STAFF RECOMMENDATION: Staff recommends forwarding the request to the City Commission with a recommendation of approval of the de-annexation of approximately 87 acres, located at 2200 Noria Road and 4600 East 23rd Street (northeast corner of Noria Road and East 23rd Street), based on the findings in this report with the omission of all right-of-way for Noria Road and East 23rd Street adjacent to said property.

Applicant's Reason for Request: *The subject property was annexed in 2000 when the then current owner sought to expand the available inventory of industrially zoned land to market for development. Prior to annexation, the property was used for agricultural purposes and it has continuously been used in that way ever since it was annexed into the city. Site development costs have been found to be cost prohibitive which led the owner to sell the land to an area farmer who wants the property to be de-annexed and rezoned to county agricultural district as conditions of the sale.*

KEY POINTS

- Subject property is actively being farmed for agricultural crop production. It has continuously been farmed in this manner since it was annexed by the City of Lawrence in 2000. Prior to annexation, the property was used for agricultural crop production.
- Upon annexation, the property was rezoned for general industrial uses and platted into two development lots. The property has been continuously marketed for sale but it remains undeveloped.
- City water and sanitary sewer utility infrastructure is found along the west side of Noria Road and a sanitary sewer main and manhole were extended over to the east side of Noria Road in the right-of-way. No utility infrastructure has been extended into the property.
- The property lies within Service Area 4 of the Lawrence Urban Growth Area. No area plan or sector planning work has been done in this area of the UGA.
- East Hills Business Park is directly west of the subject property. Noria Road separates the subject property from East Hills Business Park. The development pattern is distinctively different east of Noria Road as it transitions to rural agricultural land uses.
- *Horizon 2020* encourages the protection and preservation of high quality agricultural lands.
- The acquisition of the former Farmland Industries site (now known as Venture Park) and the ensuing development process involved with preparing this area for industrial type land uses is a strong indication of the community's desire to see expanded industrial and business type uses grow in the area west of East Hills Business Park.

- The rights-of-way dedicated on the final plats for Noria Road and East 23rd Street should be retained in the city limits and not included in the property to be de-annexed.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Request to vacate the Final Plat of East Hills Business Park East and Final Plat of East Hills Business Park East No. 2.
- Request to rezone the property from city IG District to county A District.

Other action required:

- City Commission determination regarding the de-annexation request and two plat vacations.
- Board of County Commissioners determination regarding the rezoning request.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None

EXISTING CONDITIONS

Current Zoning and Land Use: IG (General Industrial) District; used for agricultural crop production.

Surrounding Zoning and Land Use: To the east: VC (County – Valley Channel) District; agriculture uses

To the north: A (County - Agriculture) District along east frontage of Noria Road and VC District to the east of the A District; agriculture uses

To the west: IG (City - General Industrial) District; industrial uses in East Hills Business Park

To the south: A (County - Agriculture) District; agricultural uses.

Site Summary

Gross Area in Platted Subdivisions (includes R/W): 88.392 acres

Gross Area requested for de-annexation: 86.992 acres

Subject property is located within Service Area 4 of the Urban Growth Area as defined in *Horizon 2020*.

STAFF REVIEW

Annexation Procedure

Staff is relying on Kansas Statutes 12-504 and 12-505 to establish the procedure for this de-annexation request. K.S.A. 12-504 allows for the "Petition for vacation of site or addition, street or alley, or for exclusion of land." K.S.A. 12-504 sets forth public notice provisions and states that the city or planning commission can hold a hearing to consider these matters. K.S.A. 12-505 establishes the proceedings for the hearing and provides factors by which to consider the petition.

This request was duly noticed to the public. The procedure for this petition will be a public hearing by the Lawrence-Douglas County Planning Commission. The Planning Commission will make a recommendation to the Lawrence City Commission. The City Commission will make the final decision on the request.

Background

The property was purchased in 1999 by Douglas County Development, Inc. (now known as The Economic Development Corporation of Lawrence and Douglas County). It was then annexed by the City the following year in early 2000. Concurrent with the property annexation was a rezoning request for general industrial and a one-lot subdivision plat for roughly the western half of the property. The rezoning and plat were necessary steps needed to prepare the property for industrial development with city water and sanitary sewer services. Since then, the 87-acre site has been on the market for sale, but it remains undeveloped.

Prior to acquisition of the property by Douglas County Development, Inc., the site was used for agriculture. It has continuously been used for agricultural crop production since being annexed by the city.

General Location and Site

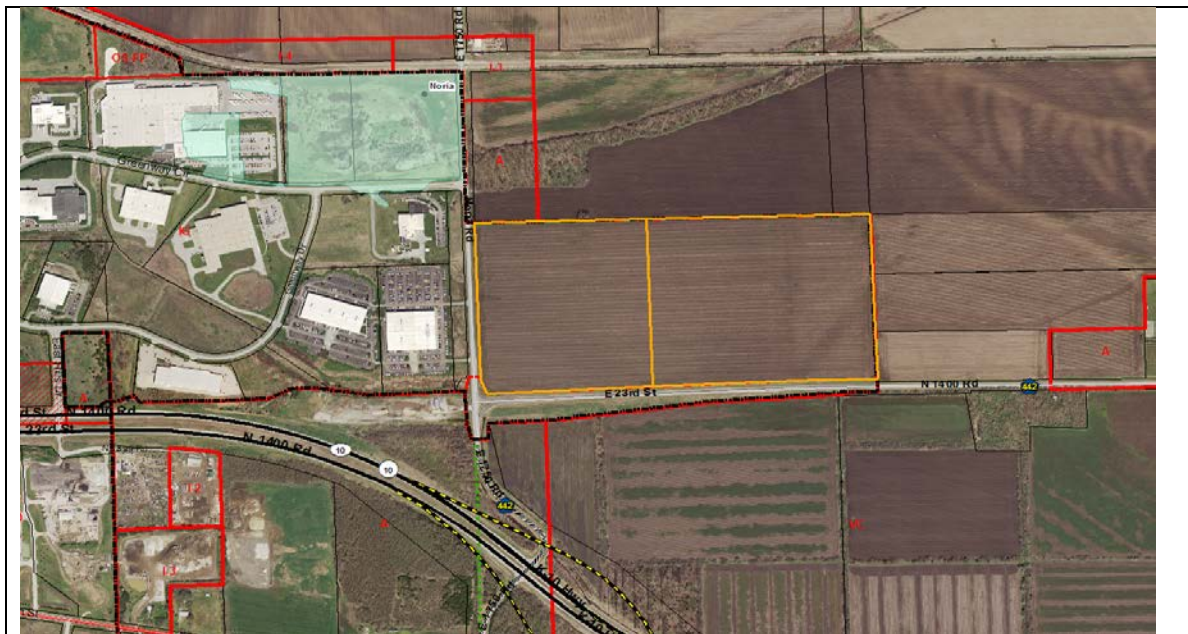


Figure 1. Subject property is shown in mustard yellow. Current city limits of Lawrence are represented with a thick black dashed line. Existing city and county zoning areas are shown as red lines and red text.

Characteristics

The site requested for de-annexation is located on the northeast corner of Noria Road and East 23rd Street approximately ¼ mile from the existing intersection of Noria Road and K-10 Hwy.

Even though the subject property is currently in the city limits, it is not obvious by the existing land use pattern found in the area. On the west side of Noria Road the development pattern consists of industrial buildings and uses located in East Hills Business Park. East of Noria Road along East 23rd Street (N 1400 Road) the land use pattern dramatically changes to rural agricultural uses, primarily consisting of cropland fields. The subject property is actively farmed for crop production.

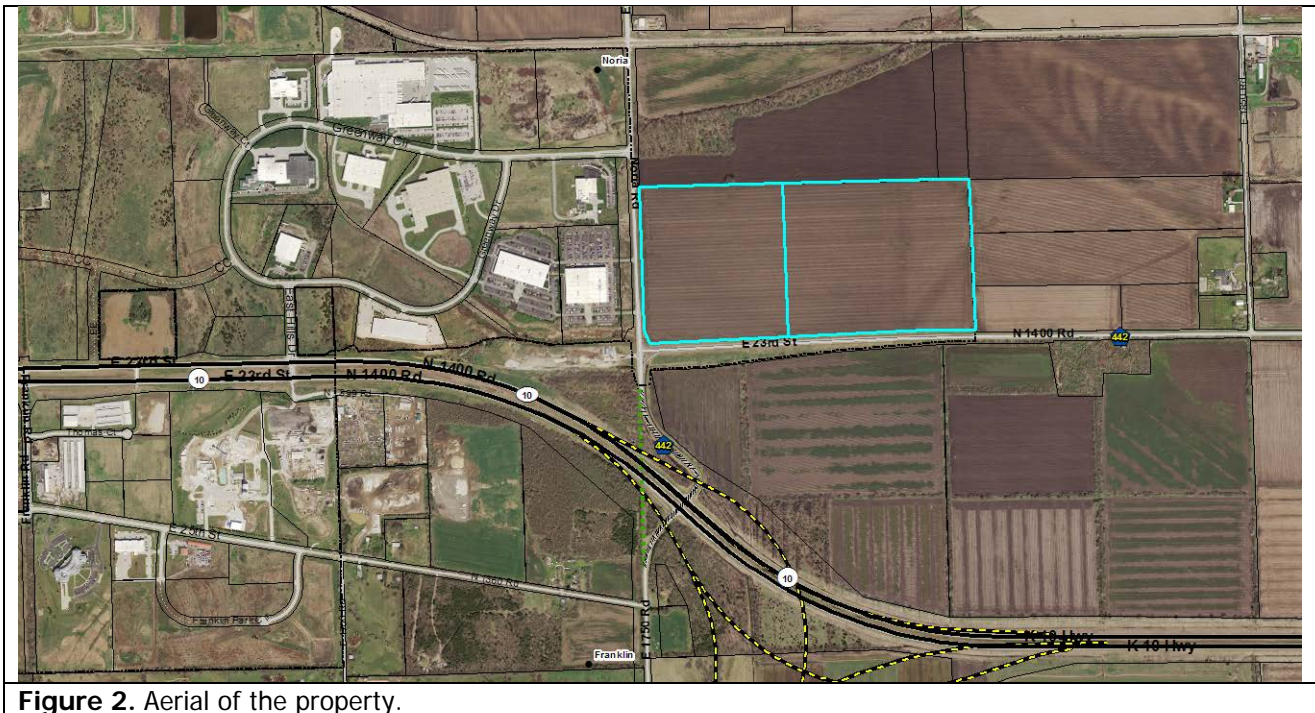


Figure 2. Aerial of the property.

Infrastructure and Utility Extension

City of Lawrence water service is available to be extended to the property from the existing 12" transmission main located on the west side of Noria Road. The Utility Department would require a water main extension to serve this property.

The City also has an 8" sanitary sewer crossing under Noria Road and a sanitary sewer manhole located in the right-of-way on the east side of Noria Road. No utility infrastructure has been extended beyond the street rights-of-way to provide utility services to the two platted lots in this request.



Figure 3. Infrastructure in the area. Subject property is outlined in magenta.

COMPREHENSIVE PLAN

The subject property is located within Service Area 4 of the Urban Growth Area as shown in Map 3-1 of *Horizon 2020*. Policies that are supportive of the property remaining in the city are as follows:

Policy 1.3.1(d)

Within Service Areas 2, 3 and 4 of the UGA, require agreements to hook into the public sewer system when property is within 1000' of existing sewer facilities.

Policy 1.3.1(e)

Within Service Areas 2, 3 and 4 of the UGA, require agreements to annex at time of municipal utility service provision.

Policy 3.1(c)

Properties within the UGAs should be encouraged to annex consistent with a service delivery plan.

Chapter Seven, Industrial and Employment-Related Land Use, in *Horizon 2020* talks about the existing inventory of industrial areas in the community and identifies potential areas for expanded industrial related land uses. East Hills Business Park is described as being on the eastern edge of Lawrence on the north side of Kansas Highway 10. It “serves as the eastern gateway to the community and the City should continue to examine future development plans for this area to ensure they reflect the image and quality the community seeks in gateway development.” Consideration of expanding this industrial park area is discussed with particular attention given to the former “Farmland Industries site” immediately to the west. No mention is made of expanding the industrial area to the north or east of East Hills Business Park.

Recent development of Venture Park (former Farmland Industries site) expands the available vacant land inventory for prospective industrial related land uses in this area. The community's efforts to acquire and build the infrastructure needed for industrial development in the new Venture

Park area is consistent with the recommendations found in *Horizon 2020*. As a result, industrial related development east of Noria Road appears to no longer be a high priority of the community at this time.

Chapter Sixteen, Environment, in *Horizon 2020* recognizes it is important to protect and preserve “high quality agricultural land” because it “requires less intervention to produce high yields of crops with high nutrition”. The eastern portion of the subject property has Class II soils meeting this criterion. The remainder of the property has Class III soils which require more intervention to produce high crop yields according to the National Resources Conservation Service.

FUTURE DEVELOPMENT

The subject property is on the eastern edge of the developed industrial area known as East Hills Business Park. Noria Road is a clear demarcation boundary between the existing built urban area to the west and rural agricultural land uses found east of the road. Based upon recent city actions to construct the infrastructure in the Venture Park development area (former Farmland Industries site), it appears that the city's emphasis for new industrial development has shifted away from the subject property. While city utilities are adjacent to the property, they have not been extended beyond Noria Road into the two platted lots making up the property request. Therefore, there should be no public loss or damages sustained by a decision to de-annex the property from the boundaries of the city.

KANSAS STATE STATUTE FACTORS

State Statute Section 12-505 provides factors to consider:

1. No private rights will be injured or endangered by such vacation or exclusion, and;
2. The public will suffer no loss or inconvenience, and that;
3. In justice to the petitioner or petitioners the prayer of the petitioner ought to be granted,
4. The governing body shall order that such vacation or exclusion, or both, be made.

The Planning Commission should weigh the statutory factors in determining whether the prayer to de-annex the property should be granted. In staff's opinion, no private rights will be injured or endangered by the governing body de-annexing only the property represented by the platted lots in the Final Plat of East Hills Business Park East Addition and Final Plat of East Hills Business Park East No. 2 Addition. Similarly, the public will suffer no loss or inconvenience by the de-annexation of just these platted lots contained in said two final plats.



Figure 4. Depiction of city boundary after de-annexation of property in the petition.

LAW OFFICES
BARBER EMERSON, L.C.

1211 MASSACHUSETTS STREET
POST OFFICE BOX 667
LAWRENCE, KANSAS 66044

(785) 843-6600
FACSIMILE (785) 843-8405

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BYRON E. SPRINGER
RICHARD L. ZINN
CALVIN J. KARLIN
JANE M. ELDREDGE
MARK A. ANDERSEN*
TERRENCE J. CAMPBELL*
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Matthew S. Gough
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*ADMITTED IN KANSAS AND MISSOURI

LINDA K. GUTIERREZ
CATHERINE C. THEISEN
MATTHEW B. TODD

RICHARD A. BARBER
(1911-1998)

GLEE S. SMITH, JR.
OF COUNSEL

February 28, 2014

VIA HAND DELIVERY AND E-MAIL

Mr. Scott McCullough, Director
Planning and Development Services
City Hall, 6 E. 6th Street
Lawrence, KS 66044

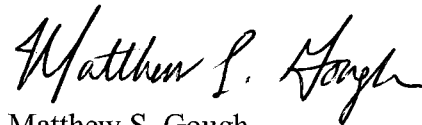
*Re: 2200 Noria Road and 4600 East 23rd Street (collectively, the "Property")
Re-Zoning Application*

Dear Scott:

I enclose a re-zoning application submitted by the Economic Development Corporation of Lawrence and Douglas County, f/k/a Douglas County Development, Inc. (referred to herein as the "**Applicant**"), together with an application fee. Please do not hesitate to contact me if you require additional information.

Very truly yours,

BARBER EMERSON, L.C.


Matthew S. Gough

MSG:plh

cc: Denny Ewert (via e-mail only)
Matthew H. Hoy (via e-mail only)



City of Lawrence
Douglas County

PLANNING & DEVELOPMENT SERVICES

Lawrence Douglas County
Metropolitan Planning Office

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceks.org/pds/>

**ZONING MAP AMENDMENT
APPLICATION**

Pre-Application Meeting
required minimum 7 days
before submission

Planner _____

Date _____

Fee _____

*Fees vary, contact office

OWNER INFORMATION – *NOTE: OWNER IS THE APPLICANT*

Name(s) Economic Development Corporation of Lawrence and Douglas County, a Kansas corporation

Contact Matthew H. Hoy, Attorney

Address 900 Massachusetts Street, Suite 500, PO Box 189

City Lawrence State Kansas ZIP 66044

Phone (785) 843-0811 Fax (785) 843-0341

E-mail mhoy@stevensbrand.com Mobile/Pager () _____

CONTRACT PURCHASER INFORMATION

Contact Roger and Gaye Kitsmiller, Attn: Matthew Gough

Company Barber Emerson, L.C.

Address 1211 Massachusetts Street

City Lawrence State KS ZIP 66044

Phone (785) 843-6600 Fax (785) 843-8405

E-mail mgough@barberemerson.com Mobile/Pager () _____

Pre-Application Meeting Date February 26, 2013 Planner Scott McCullough

PROPERTY INFORMATION

Present Zoning District IG Proposed Zoning District A

Present Land Use Agriculture Proposed Land Use Agriculture

Legal Description (*may be attached*) See attached

Address of Property 2200 Noria Road and 4600 E. 23rd Street, Lawrence, KS

Total Site Area 87 acres, more or less

Number and Description of Existing Improvements or Structures None



| | | | |
|---|---|---|---|
| Are you also submitting any of the following applications? | | | |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Subdivision Plat | <input type="checkbox"/> Special Use Permit | <input checked="" type="checkbox"/> Zoning Change |
| <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Other (specify): De-annexation & Plat Vacation Petition | | |

Please indicate the reason for requesting rezoning. (Attach additional sheets if needed.)

The subject property (the "Property") consists of approximately 87 acres located at 2200 Noria Road and 4600 E 23rd Street, and is presently zoned "IG." However, industrial development of the Property has proven cost-prohibitive and unrealistic because of the Property's geographic realities. For example, the Property is partially situated in the 100-year floodplain, and industrial development would likely require a significant amount of additional fill (estimated at 6 feet) to be added to the site, and compacted for three years. These obstacles have caused the Property to remain on the market unsold and undeveloped for approximately fifteen years under its current zoning designation.

Multiple considerations support the rezoning of the Property for agricultural use. First, the property is currently being used for agriculture. Horizon 2020 instituted a policy of preserving High Quality Agricultural Land, a category which includes the Property. The Contract Purchaser proposes to continue the Property's use for agricultural purposes. Selling the property to the Contract Purchaser would both further the preservation goals of Horizon 2020 and further EDC's mission to create jobs for Lawrence, by allowing EDC to recoup its investment in the Property for use in other job-creation opportunities.

In reviewing and making decisions on proposed zoning map amendments, the Planning Commission and the City Commission are required consider the following criteria. The Development Code places the burden on the applicant to show that an application complies with such criteria. Please respond to the following criteria to the best of your knowledge. (Attach additional sheets if needed.)

1. How does the request conform with the Comprehensive Plan, Horizon 2020?

Rezoning the Property for agricultural use is appropriate under Policy 2.7 of Horizon 2020 Chapter 16, to "encourage the preservation of High Quality Agricultural Land for current and future agricultural use." The Property encompasses land that has been classified as Class II High Quality Agricultural Land (see



Horizon 2020 Map 16-4). If approved, the rezoning will advance Horizon 2020's policy of encouraging the use of the Property for agricultural purposes in the future.

The rezoning of the Property is also consistent with Chapter 7 of Horizon 2020, which designates locational criteria for industrial developments. This criteria recommends that land for industrial developments "lie primarily outside of the regulatory floodplain." Because the Property lies partially within the regulatory floodplain, the Property's current designation for industrial development is not ideal under Horizon 2020's industrial development criteria.

2. To what extent will approving the rezoning detrimentally affect nearby properties?

The rezoning will have no detrimental impact on nearby properties, because the Property is adjacent to other properties used for agriculture, and because this rezoning request does not accompany a proposed change in use.

3. Describe the character of the neighborhood.

The Property is adjacent to Douglas County "A" and "V-C" zoning districts to the South, East, and North. The East Hills Industrial Park, which borders the Property to the West, is zoned "IG" by the City.

4. What is the suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations?

There is no proposed change in use.

5. What is the length of time the subject property has remained vacant as zoned.

The Property has been vacant at all times.




6. What is the gain, if any, to the public health, safety, and welfare if this application were approved as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application?

Horizon 2020 encourages the preservation of High Quality Agricultural Land, and the approval of the rezoning request advances that public purpose. Denial of the application may preclude the Applicant from completing the sale of the Property to the Contract Purchaser, which may frustrate the Applicant's general purpose of promoting economic development and job creation opportunities in the community.

SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for rezoning as indicated above.

Signature(s):  Date February 28, 2014

Jerry Samp, Chairman of the Board of Economic Development Corporation of Lawrence and Douglas County, a Kansas not for profit corporation.

STAFF USE ONLY

Application No. _____

Date Received _____

Planning Commission Date _____

Fee \$ _____

Date Fee Paid _____



City of Lawrence Douglas County

PLANNING & DEVELOPMENT SERVICES

Lawrence Douglas County Metropolitan Planning Office

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceks.org/pds/>

OWNER AUTHORIZATION

I, Jerry Samp, hereby referred to as the "Undersigned", acting as Chairman of the Board of Economic Development Corporation of Lawrence and Douglas County, Inc. (the "Applicant"), and being of lawful age, do hereby on this 28th day of February, 2014, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am an authorized agent of Applicant, which is the lawful owner in fee simple absolute of the following described real property (the "Property"): Lot One, Block One, East Hills Business Park East; and Lot One, Block One, East Hills Business Park East No. 2.
2. I/We the undersigned, have previously authorized and hereby authorize Roger and Gaye Kitsmiller, or their representatives (the "Contract Purchaser"), to act on the Applicant's behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas or other bodies, regarding the de-annexation, vacation of East Hills Business Park East and East Hills Business Park East No. 2 (the "Plats") (but excluding public right-of-way for Noria Road and East 23rd Street, if any), and re-zoning the Property. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

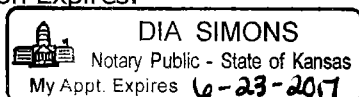
Economic Development Corporation of Lawrence and Douglas County, Inc.,
a Kansas not for profit corporation

By: Jerry Samp
Jerry Samp, Chairman of the Board

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this 28th day of February, 2014, by Dia Simons.

My Commission Expires:



Dia Simons
Notary Public



PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 30 days old** at the time an application is submitted to the Planning Department.

Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within 200 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense. Allow 10 business days** to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was obtained from and certified by the Douglas County Clerk,
2. is current (**no more than 30 days old**), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Jerry Samp

Date

2-28-14

Printed Name

Jerry Samp



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

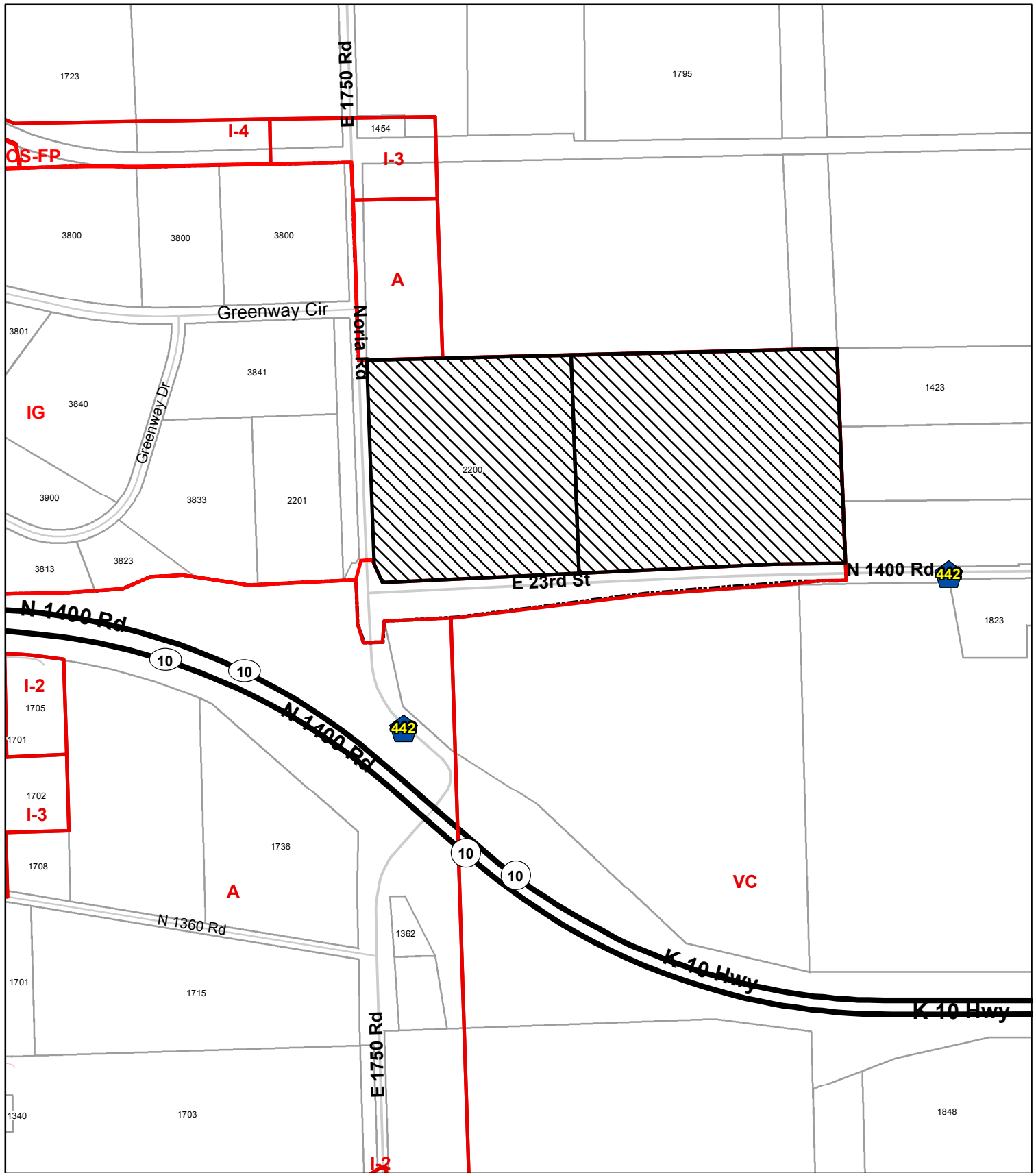
**Lawrence Douglas County
Metropolitan Planning Office**
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(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceks.org/pds/>

EXHIBIT A – LEGAL DESCRIPTIONS

Lot One, Block One, East Hills Business Park East;

and

Lot One, Block One, East Hills Business Park East No. 2.



**A-14-00073 & Z-14-00072: De-Annex and Rezone Approx. 87 acres from IG District to A District
Vacate Final Plats of East Hills Business Park East and East Hills Business Park East No. 2
Located 2200 Noria Road and 4600 E 23rd Street**



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
5/19/2014

ITEM NO. 1B: IG TO A; 87 ACRES; 2200 NORIA ROAD & 4600 E 23RD STREET (DRG)

Z-14-00072: Consider a request to rezone approximately 87 acres from IG (General Industrial) District to County A (Agricultural) District, located at 2200 Noria Road & 4600 E 23rd Street. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 87 acres from IG (General Industrial) District to County A (Agricultural) District based on the findings presented in the staff report and forwarding it to the Board of County Commissioners with a recommendation for approval, subject to the City of Lawrence vacating the subject property from the Incorporated Boundaries of Lawrence and the vacation of the two final plats associated with this land.

Reason for Request:

“The subject property (the “Property”) consists of approximately 87 acres located at 2200 Noria Road and 4600 E 23rd Street, and is presently zoned “IG.” However, industrial development of the Property has proven cost-prohibitive and unrealistic because of the Property’s geographic realities. For example, the Property is partially situated in the 100-year floodplain, and industrial development would likely require a significant amount of additional fill (estimated at 6 feet) to be added to the site, and compacted for three years. These obstacles have caused the Property to remain on the market unsold and undeveloped for approximately fifteen years under its current zoning designation.

Multiple considerations support the rezoning of the Property for agricultural use. First, the property is currently being used for agriculture. Horizon 2020 instituted a policy of preserving High Quality Agricultural Land, a category which includes the Property. The Contract Purchaser would both further the preservation goals of Horizon 2020 and further EDC’s mission to create jobs for Lawrence, by allowing EDC to recoup its investment in the Property for use in other job-creation opportunities.”

KEY POINTS

- The property was annexed and zoned for industrial use in 2000.
- Efforts to market and sell the land for industrial development have not been successful.
- Prior to annexation by the city, the land was used for agricultural production of food crops.
- Agricultural activities on the property have not ceased and continue today.
- Recent decisions to expand industrial and business employment type uses west of East Hills Business Park on the former Farmland Industries property (now known as Venture Park) is supported in Horizon 2020 and redirects attention from the area east of Noria Road.
- Horizon 2020 supports the protection and preservation of high quality agricultural lands.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- A-14-00073: De-Annex 87 acres; 2200 Noria Road & 4600 East 23rd Street
- Vacation of Final Plat of East Hills Business Park East & Final Plat of East Hills Business Park East No. 2

ATTACHMENTS

- Page map

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None

Project Summary:

The property was purchased in 1999 by Douglas County Development, Inc. (now known as The Economic Development Corporation of Lawrence and Douglas County). It was then annexed by the City the following year in early 2000. Concurrent with the property annexation was a rezoning request for general industrial and a one-lot subdivision plat for roughly the western half of the property. The rezoning and plat were necessary steps needed to prepare the property for industrial development with city water and sanitary sewer services. Since then, the 87-acre site has been on the market for sale, but it remains undeveloped.

Prior to acquisition of the property by Douglas County Development, Inc., the site was used for agriculture. It has continuously been used for agricultural crop production since being annexed by the city. Recent actions by the governing body to create expanded industrial site options in the new Venture Park west of East Hills Business Park led the property owner to a decision to sell the property to a local farmer who plans to continue farming the land. The contract purchaser does not want to be encumbered by potential city regulations.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: Rezoning the Property for agricultural use is appropriate under Policy 2.7 of Horizon 2020 Chapter 16, to "encourage the preservation of High Quality Agricultural Land for current and future agricultural use." The Property encompasses land that has been classified as Class II High Quality Agricultural Land (see Horizon 2020 Map 16-4). If approved, the rezoning will advance Horizon 2020's policy of encouraging the use of the Property for agricultural purposes in the future.

The rezoning of the Property is also consistent with Chapter 7 of Horizon 2020, which designates locational criteria for industrial developments. This criteria recommends that land for industrial developments "lie primarily outside of the regulatory floodplain." Because the Property lies partially within the regulatory floodplain, the Property's current designation for industrial development is not ideal under Horizon 2020's industrial development criteria.

Staff Finding – Rezoning the subject property as county A (Agricultural) District (provided the City of Lawrence determines to de-annex the property from the incorporated boundaries) is supported in *Horizon 2020* with the general responses stated above by the applicant. The comprehensive plan directs attention to the west of East Hills Business Park on the former Farmland Industries property (now known as Venture Park) for expansion of industrial and employment based business uses rather than the areas east of Noria Road.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

| | |
|----------------------------------|---|
| Current Zoning and Land Use: | IG (General Industrial) District; agricultural crop land |
| Surrounding Zoning and Land Use: | North: A (county - Agricultural) District along east frontage of Noria Road and VC (county – Valley Channel) District to the east of the A District; agriculture uses West: IG (General Industrial) District; industrial uses in East Hills Business Park South: A (Agricultural) District along south frontage of E 23 rd Street and VC (county – Valley Channel) District to the east of the A District; agricultural uses East: VC (Valley Channel) District; agriculture uses |

Staff Finding – The predominant land use pattern in the area is agriculture; especially on the properties east of Noria Road. Directly west of the subject property is East Hills Business Park in the City of Lawrence, which is zoned IG District. The IG zoning and industrial uses extend from the intersection of East 23rd Street and Noria Road north to the railroad tracks.

A small area of county I-3 and I-4 zoning exists at the intersection of the railroad tracks and Noria Road. A contractor storage building exists on a small parcel on the northeast corner of this intersection and the rest of the I-3 and I-4 zoned area is used for agricultural uses.

Most of the area east of Noria Road adjacent to the subject property and beyond is zoned VC (Valley Channel) District. Over a period of time, several properties nearby have been rezoned from the VC District to the A (Agricultural) District. The VC District is representative of areas in the county that were flooded during the 1951 Wakarusa River and Kansas River Flood event. Agricultural fields dominate the landscape with an occasional residence found along the nearby roadways.

A small portion of the property (generally parallel with Noria Road) is identified on the August 5, 2010 FEMA Flood Hazard Area Maps to be in the 500-Year flood hazard area (0.2 Percent Annual Chance). The rest of the property is shown as being in “Zone X”, which is an area determined to be outside the 500-year floodplain. An earlier FEMA Flood Hazard Area Map series, having an effective date of November 7, 2001, had shown the entire property in the 500-year flood hazard area.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The Property is adjacent to Douglas County “A” and “V-C” zoning districts to the South, East, and North. The East Hills Industrial Park, which borders the Property to the West, is zoned “IG” by the City.*

Staff Finding – The neighborhood is primarily rural agricultural in character. Noria Road, which runs north-south on the west side of the subject property, forms a distinct edge between the existing urban development pattern found on the west side of Noria Road and the rural agricultural land use patterns that dominate the landscape to the east of Noria Road.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

Staff Finding – The subject property is located in Service Area 4 in the Lawrence Urban Growth Area. The site was annexed by the city in 2000 and zoned for general industrial type uses. No development of the property has occurred in the 14+ years it has been in the city limits. The area east of Noria Road and north of K-10 Highway has not been identified for more detailed sector or area planning work in the near future. Extensive planning efforts have been focused in recent years on the former Farmland Industries property (now known as Venture Park) and the Southeast Area Plan (south of K-10 and east of O'Connell Road).

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response: *There is no proposed change in use.*

Staff Finding – The property owner has petitioned the city for vacation of the subject property from the official boundaries of the City of Lawrence. If the governing body agrees to de-annex the subject property, the city zoning designation it now carries will no longer be valid. Once the property is no longer in the City Limits of Lawrence, it needs to be rezoned to an appropriate county zoning district. In staff's opinion, the county A (Agricultural) District is the best zoning category matching the existing land use. Some of the subject property was zoned VC District when it was annexed into the City of Lawrence; staff does not believe it is appropriate to rezone it back to that category. The VC District was essentially an early predecessor to the current floodplain management districts.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response: *The Property has been vacant at all times.*

Staff Finding – The property was rezoned from county A (Agricultural) and VC (Valley Channel) Districts to an M-2 (General Industrial) District in 2000 by Ordinance 7206 after the City of Lawrence annexed the property the same year. The M-2 zoning designation converted to the current IG District when the City adopted the Development Code in 2006. The zoning has remained unchanged since 2006. The property was used for agricultural purposes prior to its annexation by the City and it has continuously been used for agricultural crop production.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: *The rezoning will have no detrimental impact on nearby properties, because the Property is adjacent to other properties used for agriculture, and because this rezoning request does not accompany a proposed change in use.*

Staff Finding – Rezoning this property to the county A (Agricultural) District following the City of Lawrence de-annexation of the property will not detrimentally affect nearby properties. No use change is planned; the property will continue to be farmed like it has been for many years.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicant's Response: *Horizon 2020 encourages the preservation of High Quality Agricultural Land, and the approval of the rezoning request advances that public purpose. Denial of the application may preclude the Applicant from completing the sale of the Property to the Contract Purchaser, which may frustrate the Applicant's general purpose of promoting economic development and job opportunities in the community.*

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

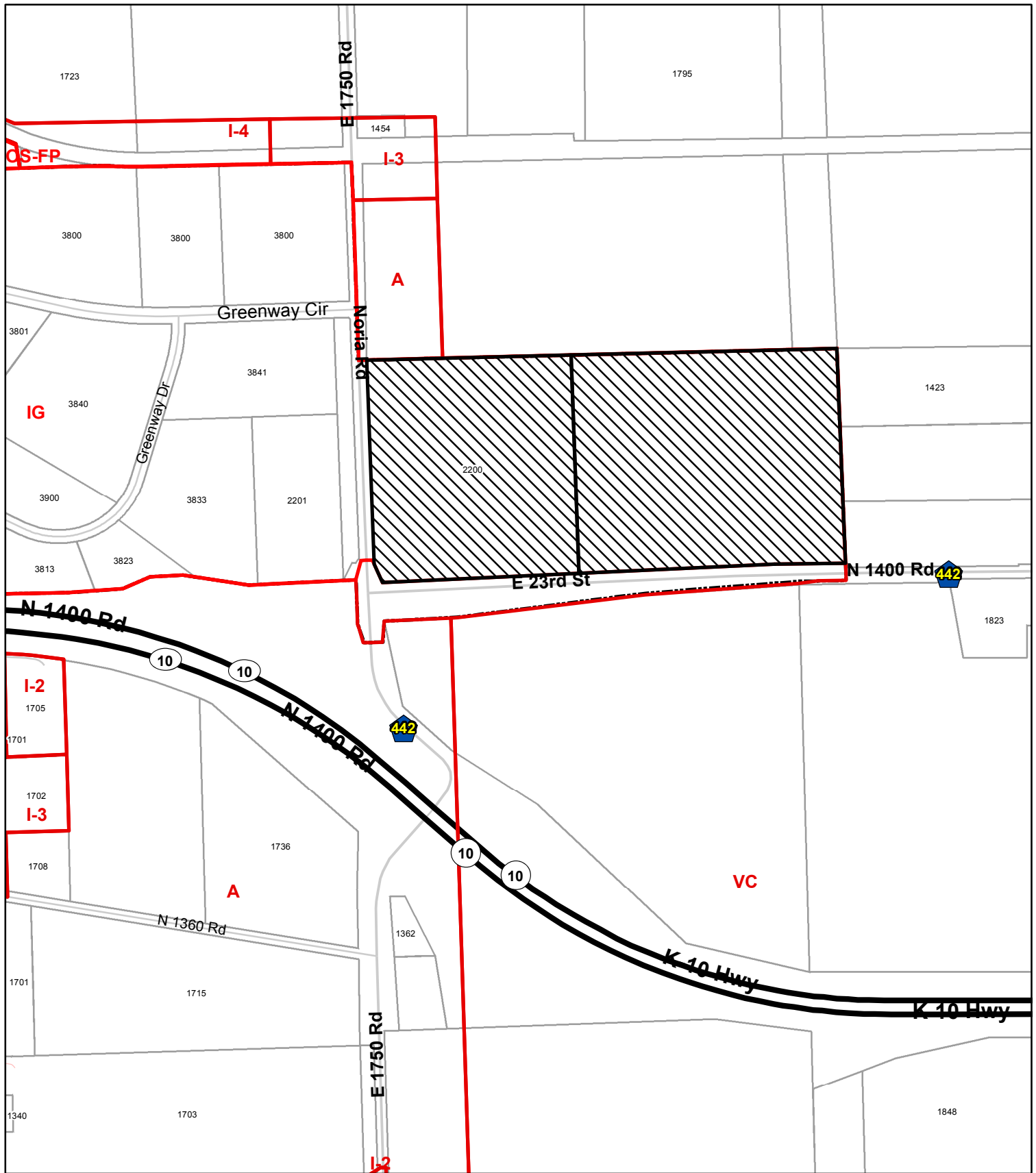
Staff Finding – The subject property has been actively used for agricultural crop production for many years without impact on the public health, safety and welfare regardless of which political jurisdiction (county or city) it was in at the time. If the property is de-annexed by the City of Lawrence, then the existing IG zoning will no longer be valid because the county does not have authority to enforce the City's Development Codes. Similarly, the City has no authority to enforce the county's Zoning Regulations. Therefore, if the property is de-annexed from the City of Lawrence, it should be rezoned to an appropriate county zoning district so the regulatory authority exists to protect the public health, safety and welfare should it become necessary to do so for some reason in the future.

9. PROFESSIONAL STAFF RECOMMENDATION

Multiple requests are being considered on the subject property at the same time. The property owner is petitioning the City for the vacation of their property from the Incorporated Boundaries of the City of Lawrence as well as the vacation of the two final plats associated with this legally described land. The City Commission referred both of these requests to the Planning Commission for review. Staff supports the petition of the property owner to vacate their property from the city boundaries as well as to vacate the two plats, less any public rights-of-way dedicated on those plats.

If the City Commission decides to vacate the petitioner's property from the Incorporated Boundaries of the City of Lawrence, then this rezoning request is needed to return the zoning authority back to the Board of County Commissioner's since the property would no longer be in the city limits of Lawrence. Rezoning the property to A (Agricultural) District is consistent with the land use and compatible with other land uses around the property.

Staff recommends approval of the rezoning from the city IG (General Industrial) District to the county A (Agricultural) District.



**A-14-00073 & Z-14-00072: De-Annex and Rezone Approx. 87 acres from IG District to A District
 Vacate Final Plats of East Hills Business Park East and East Hills Business Park East No. 2
 Located 2200 Noria Road and 4600 E 23rd Street**



PLANNING COMMISSION REPORT
Regular Agenda – Non-Public Hearing Item

PC Staff Report
5/19/2014

**ITEM NO. 1C: VACATION OF FINAL PLAT OF EAST HILLS BUSINESS PARK EAST AND
FINAL PLAT OF EAST HILLS BUSINESS PARK EAST NO. 2 (DRG)**

Vacation of Final Plat of East Hills Business Park East and Final Plat of East Hills Business Park East No. 2 due to the proposed de-annexation of property from the City of Lawrence. Submitted by Barber Emerson, for Economic Development Corporation of Lawrence and Douglas County, property owner of record.

STAFF RECOMMENDATION: Staff recommends forwarding the request to the City Commission with a recommendation of approval of the vacation of the Final Plat of East Hills Business Park East and Final Plat of East Hills Business Park East No. 2, "except for and excluding any public right-of-way dedicated by the Plats for Noria Road and East 23rd Street, which shall be reserved unto the City."

Applicant's Reason for Request: *The subject property was annexed in 2000 when the then current owner sought to expand the available inventory of industrially zoned land to market for development. Prior to annexation, the property was used for agricultural purposes and it has continuously been used in that way ever since it was annexed into the city. Site development costs have been found to be cost prohibitive which led the owner to sell the land to an area farmer who wants the property to be de-annexed and rezoned to county agricultural district as conditions of the sale.*

KEY POINTS

- The property was annexed, zoned and platted for industrial use in 2000.
- Efforts to market and sell the land for industrial development have not been successful.
- Recent decisions to expand industrial and business employment type uses west of East Hills Business Park on the former Farmland Industries property (now known as Venture Park) is supported in Horizon 2020 and redirects attention from the area east of Noria Road.
- Due to these new developments, the owner decided to sell the property to a local farmer.
- The property sale is contingent on de-annexation, plat vacations and rezoning to county A District.
- The factors in K.S.A. 12-505 to be considered with a plat vacation request are supported by the facts in this request

ASSOCIATED CASES/OTHER ACTION REQUIRED

- A-14-00073: De-Annex 87 acres; 2200 Noria Road & 4600 East 23rd Street
- Z-14-00072: Rezone 87 acres from IG to A District; 2200 Noria Road & 4600 East 23rd Street

ATTACHMENTS

- Page map
- Copies of the two final plats

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

None

ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

| | |
|----------------------------------|---|
| Current Zoning and Land Use: | IG (General Industrial) District; agricultural crop land |
| Surrounding Zoning and Land Use: | North: A (county - Agricultural) District along east frontage of Noria Road and VC (county – Valley Channel) District to the east of the A District; agriculture uses West: IG (General Industrial) District; industrial uses in East Hills Business Park South: A (Agricultural) District along south frontage of E 23 rd Street and VC (county – Valley Channel) District to the east of the A District; agricultural uses East: VC (Valley Channel) District; agriculture uses |

The predominant land use pattern in the area is agriculture; especially on the properties east of Noria Road. Directly west of the subject property is East Hills Business Park in the City of Lawrence, which is zoned IG District. The IG zoning and industrial uses extend from the intersection of East 23rd Street and Noria Road north to the railroad tracks.

A small area of county I-3 and I-4 zoning exists at the intersection of the railroad tracks and Noria Road. A contractor storage building exists on a small parcel on the northeast corner of this intersection and the rest of the I-3 and I-4 zoned area is used for agricultural uses.

Most of the area east of Noria Road adjacent to the subject property and beyond is zoned VC (Valley Channel) District. Over a period of time, several properties nearby have been rezoned from the VC District to the A (Agricultural) District. The VC District is representative of areas in the county that were flooded during the 1951 Wakarusa River and Kansas River Flood event. Agricultural fields dominate the landscape with an occasional residence found along the nearby roadways.

A small portion of the property (generally parallel with Noria Road) is identified on the August 5, 2010 FEMA Flood Hazard Area Maps to be in the 500-Year flood hazard area (0.2 Percent Annual Chance). The rest of the property is shown as being in "Zone X", which is an area determined to be outside the 500-year floodplain. An earlier FEMA Flood Hazard Area Map series, having an effective date of November 7, 2001, had shown the entire property in the 500-year flood hazard area.

KANSAS STATE STATUTE FACTORS

K.S.A. 12-505 provides factors to consider when considering the petitioner's request to vacate a recorded plat. These factors are:

1. No private rights will be injured or endangered by such vacation or exclusion, and;
2. The public will suffer no loss or inconvenience, and that;
3. In justice to the petitioner or petitioners the prayer of the petitioner ought to be granted,
4. The governing body shall order that such vacation or exclusion, or both, be made.

In staff's opinion, no private rights will be injured or endangered by the governing body vacating only the property represented by the platted lots in the Final Plat of East Hills Business Park East Addition and Final Plat of East Hills Business Park East No. 2 Addition. The public rights-of-way provided on these final plats should be excluded and reserved for the public good. Similarly, the public will suffer no loss or inconvenience by the vacation of just the platted lots contained in said two final plats.

In staff's opinion, the petition of the applicant should be granted.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends the City Commission grant the petitioner's request to vacate the Final Plat of East Hills Business Park East Addition and Final Plat of East Hills Business Park East No. 2 Addition, except for and excluding any public rights-of-way dedicated by these plats for Noria Road and East 23rd Street, which should be retained by the City.

LAW OFFICES
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(1911-1998)

GLEE S. SMITH, JR.
OF COUNSEL

*ADMITTED IN KANSAS AND MISSOURI

February 28, 2014

VIA HAND DELIVERY AND E-MAIL

Mr. Scott McCullough, Director
Planning and Development Services
City Hall, 6 E. 6th Street
Lawrence, KS 66044

*Re: 2200 Noria Road and 4600 East 23rd Street (collectively, the "Property")
Petition to De-Annex and Vacate Plats*

Dear Scott:

The Economic Development Corporation of Lawrence and Douglas County, f/k/a Douglas County Development, Inc. (referred to herein as the "**Applicant**") is the owner of the Property. I am writing on behalf of Roger Kitsmiller and Gaye Kittsmiller (referred to herein as the "**Contract Purchaser**"). The Contract Purchaser is under contract to purchase the Property from the Applicant, subject to approval of the land use requests described in this letter. An Owner's Authorization Form is enclosed with this letter.

Please accept this letter as the Applicant's petition, pursuant to K.S.A. 12-504 and 12-505, to: (1) de-annex and exclude the Property from the boundaries of the City of Lawrence, Kansas (the "**City**")¹; and (2) to vacate the recorded plats of the *East Hills Business Park East* and the *East Hills Business Park East No. 2* (collectively, the "**Plats**")², except for and excluding any public right-of-way dedicated by the Plats for Noria Road and East 23rd Street (the "**Right-of-Way**"), which shall be reserved unto the City. If the City and Douglas County, Kansas (the "**County**") agree that the Plats do not reserve additional Right-of-Way for East 23rd Street (a/k/a Old K-10 Highway and Douglas County Road #442), the Applicant requests that the Plats be vacated without reservation of the same.

¹ The legal description of the Property is: Lot One, Block One, East Hills Business Park East; and Lot One, Block One, East Hills Business Park East No. 2.

² The Plats are recorded in the Office of the Register of Deeds of Douglas County, Kansas in Book 17, page 241 and in Book 17, page 379, respectively.

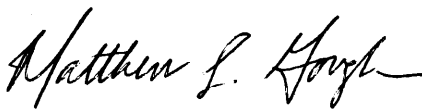
Mr. Scott McCullough, Director
Planning and Development Services
February 28, 2014
Page 2

The Property has been used for agricultural purposes at all times before and since annexation and platting, and the expense of developing the Property for industrial use is cost prohibitive, all as more particularly set forth in the Applicant's application to re-zone the Property, which shall be submitted under separate cover. No private right will be injured or endangered by the de-annexation and vacation requests contained in this Petition, and the public will suffer no loss or inconvenience thereby.

I respectfully submit this petition on behalf of the Applicant, and request that the City refer this matter to the Lawrence - Douglas County Metropolitan Planning Commission, pursuant to K.S.A. 12-505, for consideration in May 2014. Please do not hesitate to contact me if you require additional information.

Very truly yours,

BARBER EMERSON, L.C.


Matthew S. Gough

MSG:plh

cc: Diane Trybom, Acting City Clerk (via e-mail only)
Matthew H. Hoy (via e-mail only)

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE, 200.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 02°02'16" WEST, ALONG SAID WEST LINE, 1217.59 FEET; THENCE NORTH 88°35'39" EAST, 1291.86 FEET; THENCE SOUTH 02°02'16" EAST, 1328.31 FEET TO THE NORTH RIGHT-OF-WAY LINE OF KANSAS HIGHWAY #10; THENCE SOUTH 87°17'44" WEST, ALONG SAID NORTH LINE, 1196.27 FEET; THENCE NORTH 23°51'16" WEST, ALONG SAID NORTH LINE, 149.60 FEET; THENCE SOUTH 87°54'44" WEST, ALONG SAID NORTH LINE, 40.00 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 39.608 ACRES, MORE OR LESS, ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

BE IT KNOWN TO ALL MEN THAT I (WE), THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE HAD CAUSE FOR THE SAME TO BE SURVEYED AND PLATTED UNDER THE NAME OF "EAST HILLS BUSINESS PARK EAST" AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN AND FULLY DEFINED ON THIS PLAT. ALL STREETS, DRIVES, ROADS, ETC. SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF LAWRENCE AND PUBLIC UTILITY COMPANIES TO ENTER UPON, CONSTRUCT AND MAINTAIN UTILITIES UPON, OVER, AND UNDER THOSE AREAS OUTLINED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E" AND "DRAINAGE EASEMENT" OR "D/E".

KURT VON ACHEN, PRESIDENT
DOUGLAS COUNTY DEVELOPMENT, INC.

STATE OF KANSAS
COUNTY OF DOUGLAS

BE IT REMEMBERED THAT ON THIS 14th DAY OF August, 2000, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME KURT VON ACHEN, PRESIDENT OF DOUGLAS COUNTY DEVELOPMENT, INC. WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL
ON THE DAY AND YEAR LAST WRITTEN ABOVE.

Barbara W. Haverly Nov. 20, 2001
NOTARY PUBLIC MY COMMISSION EXPIRES

APPROVED BY
LAWRENCE-DOUGLAS COUNTY
PLANNING COMMISSION
DOUGLAS COUNTY, KANSAS

BARTHOLOMEW COUNTY
PUBLIC
CLERK OF COURT
DOUGLAS COUNTY, KANSAS

RIGHTS-OF-WAY AND EASEMENTS
ACCEPTED BY
CITY COMMISSION
LAWRENCE, KANSAS

CHAIRMAN JANE BATEMAN 8-11-00 DATE MAYOR JAMES R. HENRY DATE


 CITY CLERK _____ DATE _____
 RAYMOND J. HUMMERT

REVIEWED BY:

Michael D. Kelly
MICHAEL D. KELLY, P.L.S. #869 DATE Aug. 11, 2000
DOUGLAS COUNTY SURVEYOR

STATE OF KANSAS
COUNTY OF DOUGLAS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY REGISTER OF DEEDS ON THIS 3rd DAY OF January 2000, AND IS DULY RECORDED AT 2:48 AM (PM), IN PLAT BOOK P17 PAGE 241

I HEREBY CERTIFY THAT THE PLATTED AREA AND THE LOCATION MAP SHOWN
HEREON ARE THE TRUE AND ACCURATE RESULTS OF A FIELD SURVEY
PERFORMED UNDER MY SUPERVISION ON APRIL 3, 2000 AND THAT THE PLAT
IS A CORRECTION TO THE PREVIOUS PLAT.

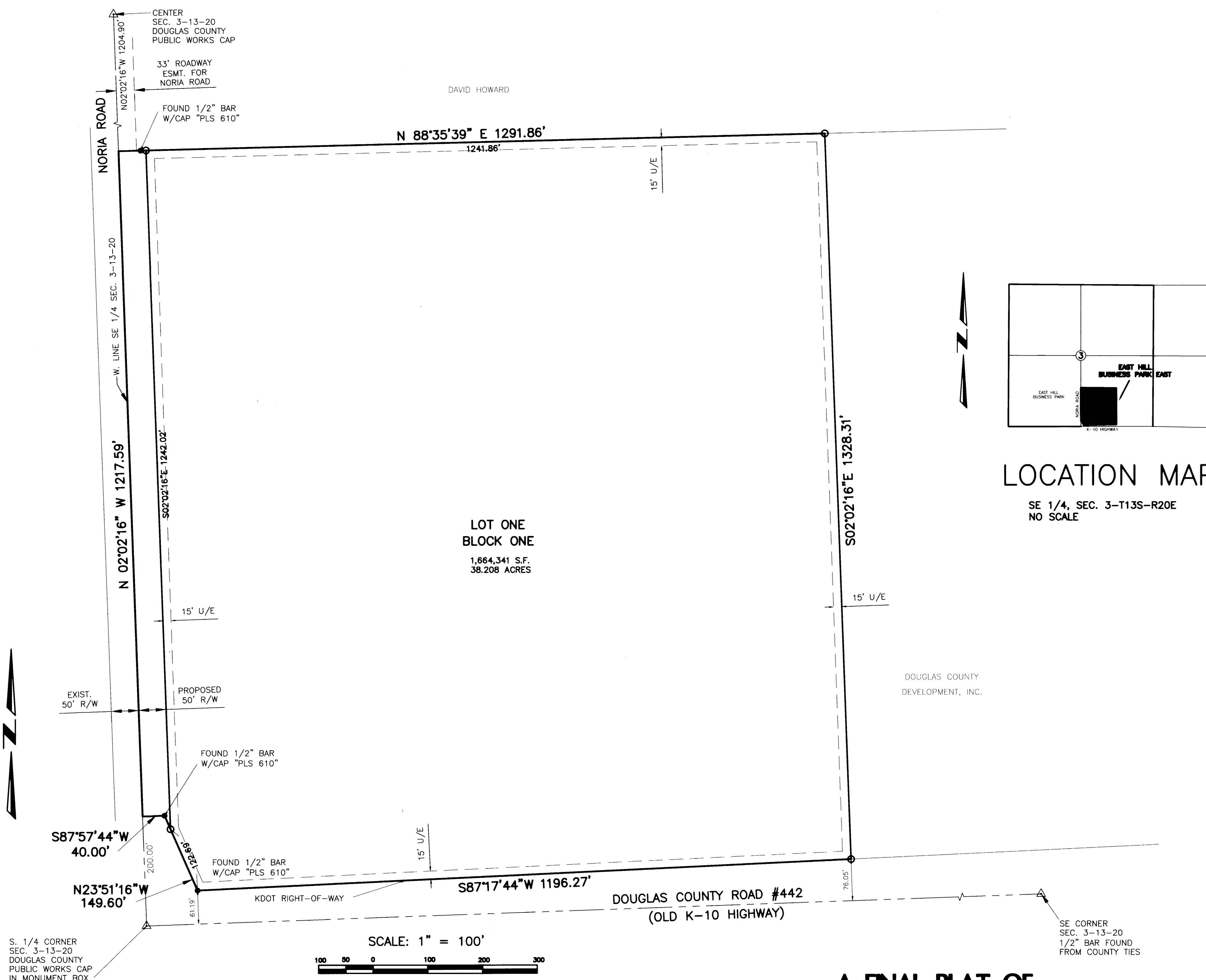
JOHN E. SELBY, P.L.S. #610
1310 WAKARUSA DRIVE
LAWRENCE, KANSAS 66049
(785) 843-7530

PLAT PREPARED MAY, 2000

○ 1/2" X 24" BAR W/CAP "PLS 610" SET
● 1/2" X 24" BAR W/CAP "PLS 610" FOUND

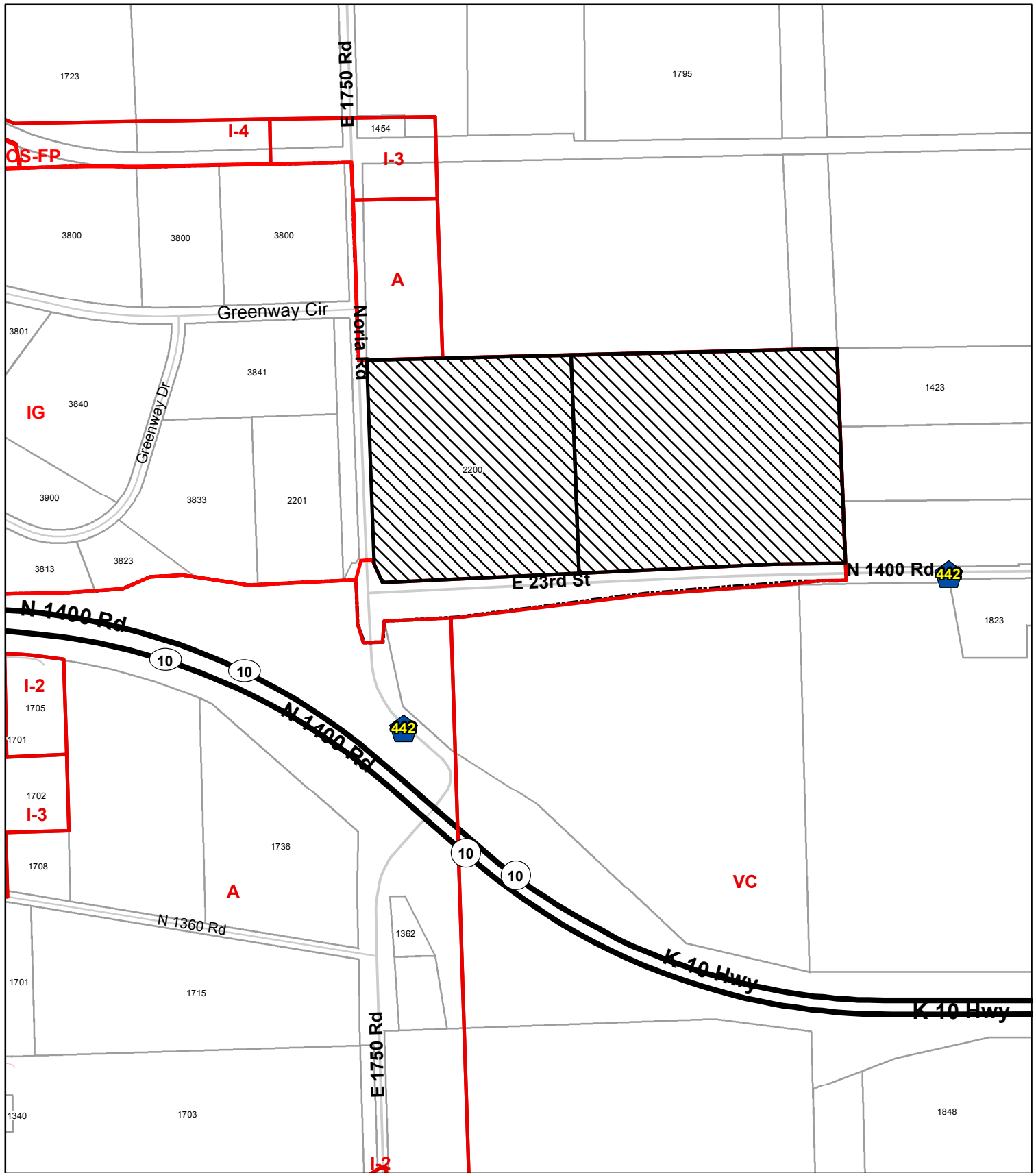
1. STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH THE MASTER STREET TREE PLAN FILED WITH THE REGISTER OF DEEDS. BOOK 694, PAGE 1526.

2. THE BEARINGS ON THIS PLAT ARE BASED ON MODIFIED STATE PLANE COORDINATES.



AN ADDITION IN THE
CITY OF LAWRENCE,
DOUGLAS COUNTY, KANSAS

SE 1/4, SEC. 3-T13S-R20E



**A-14-00073 & Z-14-00072: De-Annex and Rezone Approx. 87 acres from IG District to A District
 Vacate Final Plats of East Hills Business Park East and East Hills Business Park East No. 2
 Located 2200 Noria Road and 4600 E 23rd Street**



PLANNING COMMISSION REPORT
Regular Agenda – Non Public Hearing Item

PC Staff Report
05/19/14

ITEM NO. 2: ANNEXATION OF 54.31 ACRES; SURROUNDING THE FUTURE K-10 & BOB BILLINGS PARKWAY INTERCHANGE (SMS)

A-14-00155: Consider annexation of approximately 54.31 acres located surrounding the proposed K-10 & Bob Billings Parkway interchange. Submitted by Charles F. Soules, Director of Public Works, City of Lawrence for Kansas Department of Transportation, property owner of record. *Initiated by City Commission on 4/22/14.*

STAFF RECOMMENDATION:

Staff recommends approval of the requested annexation [A-14-00155] of approximately 54.31 acres located surrounding the proposed K-10 & Bob Billings Parkway interchange based on the findings in the body of the staff report and forwarding this request to the City Commission with a recommendation for approval.

Reason for Request:

Applicant's response: *"The City of Lawrence and Douglas County are participating in the cost of construction with KDOT for the K-10/Bob Billings Parkway Interchange. The City will be financing its share through the issuance of bonds. To issue bonds, the property and improvements must be within the City limits."*

KEY POINTS

- The property being annexed consists of property that has been acquired by KDOT for right-of-way for the completion of K-10 Highway & Bob Billings Parkway interchange project.
- The property abuts the western city limits.
- The property is located within an area that has been identified for future urbanization in the Urban Growth Area.
- Annexation requests of more than 10 acres require a Planning Commission recommendation.
- The property is located within the Rural Water District No. 1 service area.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

- The annexation request is compliant with the Growth Management and Transportation policies of the Comprehensive Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- There are no associated cases. Eventually this property will need to be zoned to a city designation. Rezoning can be postponed until the remainder of the corridor is annexed and the street improvements are complete. Section 20-108 (c) of the Land Development Code indicates abutting zoning district boundaries may be mapped to the centerlines of streets.

There is not a separate zoning district for public street right-of-way. So eventually the zoning for most streets reflects the abutting zoning district designations.

Other action required:

- City Commission approval of annexation and adoption/publication of ordinance.

PUBLIC COMMENT

- No written public comments were received prior to the printing of this staff report.

ATTACHMENTS

- KDOT Preliminary Design Exhibit – September 2012

EXISTING CONDITIONS

Current Zoning and Land Use: A (County-Agricultural) District; agricultural uses.

Surrounding Zoning and Land Use: To the northeast:
RM24 (Multi-Dwelling) District; vacant property/future multi-family residential in the developing Langston Commons subdivision.

To the northwest, west and south:
A (County-Agricultural) District; agricultural uses with rural residences to the southeast.

To the east:
RM12 (Multi-Dwelling), RS7 (Single-Dwelling), OS (Open Space) and CN2 (Neighborhood Commercial) Districts; woodland areas, with the northeast portion to be developed with commercial portion of Langston Commons.

Site Summary

Gross Area: 54.31 acres, portions of parcels acquired by KDOT for the interchange project

Project Summary

The Kansas Department of Transportation has acquired a number of parcels in the vicinity for the completion of the K-10 and Bob Billings Parkway interchange project. The City and County are participating in the cost of construction with KDOT for this interchange improvement. The City will be financing its share through the issuance of bonds. To issue bonds, the property and improvements must be located within the city limits.



Figure 1. Proposed annexation of properties for the K-10/BBP interchange. The boundary is outlined in red.

Annexation Procedure

Kansas Law [K.S.A. 12-519 *et. seq.*] provides for annexation by ordinance of the City Commission. Lawrence City policy requires the Lawrence-Douglas County Metropolitan Planning Commission to review all annexation requests in excess of ten acres. Following a recommendation from the Planning Commission, the City Commission will consider the request and adopt an ordinance.

Typically, property is rezoned to a city zoning designation following annexation. This property will be right-of-way for the street system and eventually will be zoned to reflect the abutting zoning district designations. Staff will request the City Commission initiate rezoning following completion of the street improvements.

The City of Lawrence Administrative Annexation Policy (AP-74) requires that the costs associated with compensation to a Rural Water District be paid pursuant to Kansas Statutes. The properties included in this request are located in a part of the county that is served by Rural Water District No. 1. The district has been notified of the request.

General Location

The properties requested for annexation are located west of the City limits approximately a quarter mile north and south of the proposed intersection of Bob Billings Parkway with K-10. The proposed annexation does not include all of the K-10 corridor right-of-way, but covers the area acquired for the interchange improvements. Construction is anticipated next year.

Infrastructure and Utility Extensions

The project improvements include construction of on/off ramps and a bridge over the existing K-10 highway. Future traffic signals are planned at the ramps. Improvements will include necessary utility relocations and construction of new rec trail to connect to the existing trail system. A new traffic signal will be installed by the City at the intersection of George Williams Way and Bob Billings Parkway prior to the opening of the interchange.

Public Right-of-Way: Bob Billings Parkway is classified as a principal arterial on the Thoroughfares Map. Significant right-of-way has been acquired to accommodate the trail, ramps and bridge improvements. Divided lanes with a center median will be provided east and west of the on/off ramps intersections.

COMPREHENSIVE PLAN

The subject property is located within Service Areas 1 & 3a of the Lawrence Urban Growth Area. As city services become available, properties will be encouraged to annex prior to development in these service areas. Annexation Policy No. 1 listed on page 4-5 of *Horizon 2020* states that Lawrence will actively seek voluntary annexation of land within the UGA as development is proposed.

This annexation request is also considered under the Transportation Chapter of *Horizon 2020* since it will accommodate the development of an expansion to the existing transportation network. Construction of this interchange with K-10 will implement land use (gateway enhancements) action steps and regional connectivity issues identified in *Transportation 2040*.

The annexation request is consistent with the growth management and transportation policies found in *Horizon 2020*.

COMPLIANCE WITH ADOPTED AREA PLANS

The subject property is located within the *West of K-10 Plan*. The plan indicates that urban density development should not occur until this grade-separated improvement is underway. The plan identifies the proposed improvements as a project that provides gateway opportunities and increased connection to KU. The improvements are anticipated to help relieve traffic congestion on W 6th Street.

Annexation of the area and the planned improvements provide the opportunity for improved connectivity and reduced congestion as the city continues to grow to the west. The multi-modal improvements and additional open space will provide increased recreational opportunities for citizens and visitors. These improvements comply with the goals and strategies identified in *Transportation 2040*.

CONCLUSION

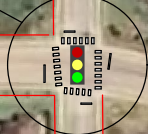
The proposed annexation is compliant with recommendations of *Horizon 2020*. The subject property is located within the Lawrence Urban Growth Area and City services will be extended with the project to serve the property; therefore, annexation is appropriate.

K-10/Bob Billings Interchange
10-23 KA-1826-01
Preliminary Design:
September 24, 2012



SCALE: 1" = 100'
PLAN: Lat. & Long.

George Williams Way



For questions or more information, contact:

Kim Qualls, KDOT Public Affairs Manager
785-640-9340
kqualls@ksdot.org

This illustration depicts the interchange project in Douglas County. The design details and right of way limits cannot be determined from this illustration. KDOT makes no warranties, guarantees or representations for the accuracy of this information and assumes no liabilities for errors or omissions. September 2012.

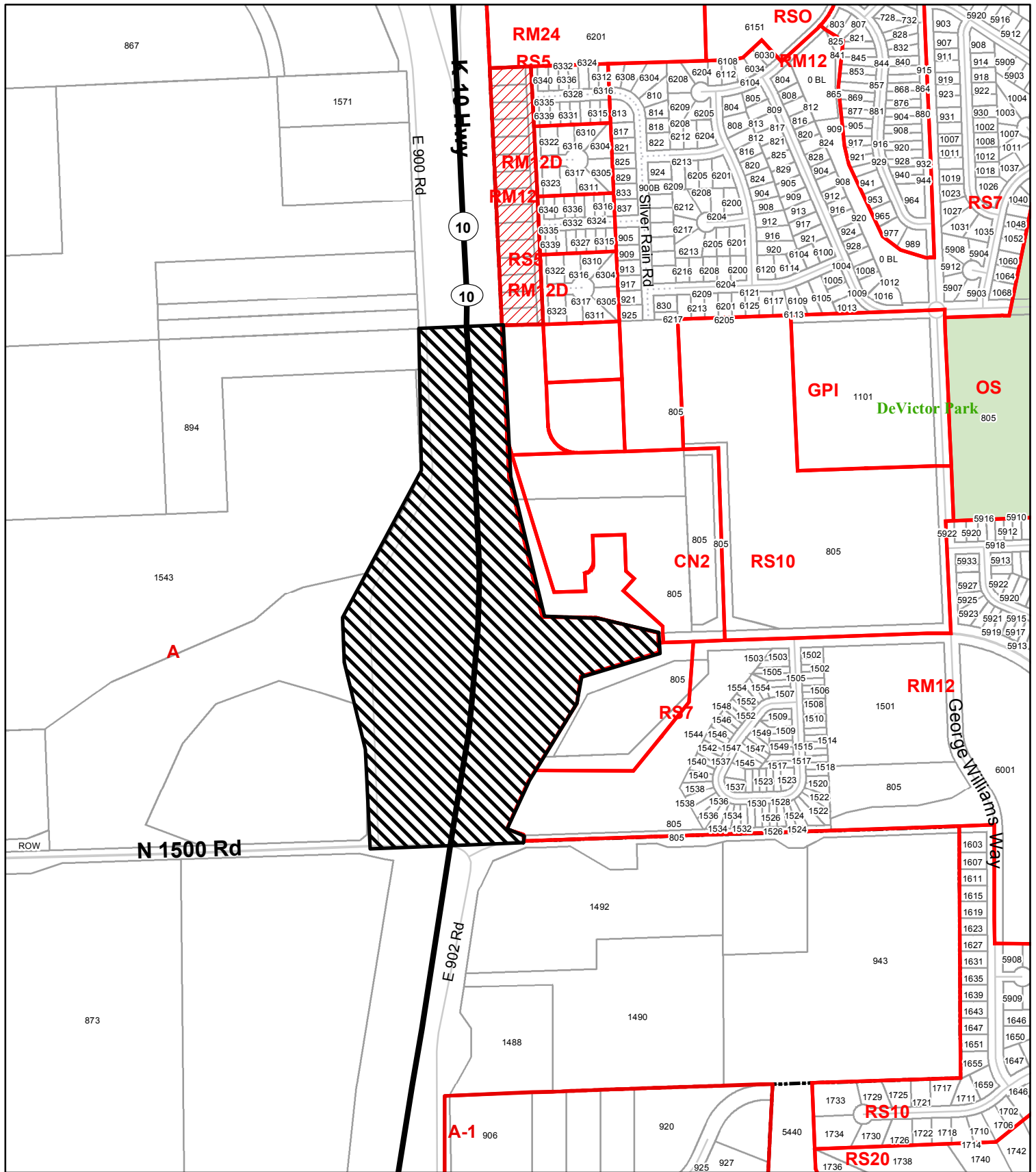
Project Construction Cost (FY 2014):

TOTAL Construction Cost: \$17,000,000

KDOT Participation: \$15,000,000
City/County Requested Participation: \$2,000,000

Project Schedule:

Right of Way Appraisal - Late 2012 thru Mid-2013
Right of Way Acquisition - Mid-2013 thru Late 2013
Construction Letting - March 2014
Project Completion - November 2015



A-14-00155: Annex 54.31 acres located surrounding the proposed K-10/Bob Billings Pkwy Interchange



**PLANNING COMMISSION REPORT
REGULAR AGENDA**

PC Staff Report
PP-14-00133

ITEM NO. 3 PRELIMINARY PLAT FOR BERT NASH ADDITION; 138 ALABAMA (SLD)

PP-14-00133: Consider a Preliminary Plat for Bert Nash Addition, a two-lot subdivision located at 138 Alabama St. Submitted by the City of Lawrence, for Bert Nash Community Mental Health Center Inc., property owner of record.

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat of Bert Nash Addition.

Reason for Request: *Requirement per City agreement for transfer of property for park.*

KEY POINTS

- The property is partially encumbered with regulatory floodplain.
- This property includes previously platted lots and rights-of-way.
- Existing Right-of-Way for Alabama Street and Illinois Street will be vacated with this plat.
- Right-of-Way previously vacated for W. 2nd Street will be rededicated with this plat.

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

- SP-14-00039 Sandra Shaw Trail [Former VFW site to Kaw Water Treatment Plant]

Other action required:

- Submittal of final plat for administrative approval and recordation.
- City Commission acceptance of dedication of easements and rights-of-way for the Final Plat.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Not required for project.
- *Downstream Sanitary Sewer Analysis* – The City Utility Engineer indicated that a DSSA is not required.
- *Drainage Study* – A drainage study is not required for this project because downstream flooding is confined to the regulatory floodplain. [Stormwater Management Criteria Section 1.6.E.2.a]
- *Retail Market Study* – Not applicable to request.

PUBLIC COMMENT

No public comment was received prior to publication of this staff report.

Site Summary

| | |
|--------------------------|--|
| Gross Area: | 13.578 acres |
| Number of Proposed Lots: | 2 |
| Right-of-Way Dedicated: | Lot 1 – City Park = 8.463 Acres |
| | Lot 2 – Bert Nash = 4.766 Acres |
| | .349 acres (for W. 2 nd Street) |

GENERAL INFORMATION

Current Zoning and Land Use: GPI (General Public and Institutional) District; Former VFW hall and open space

Surrounding Zoning and Land Use: To the North
IG (General Industrial) and VC (County Valley Channel) Districts; includes property owned by the City of Lawrence and existing railroad right-of-way.

To the West
RS10 (Single-Dwelling Residential) and IG (General Industrial) along the west side of Maine Street extended; existing manufactured housing development.

To the South
GPI (General Public and Institutional) District and RM12 (Multi-Dwelling Residential) District; uses include Maine Street right-of-way, School District property and Water Treatment Facility. Residential uses are located on the south side of W. 2nd Street between Alabama Street and Illinois Street.

To the East
IG (General Industrial) District; existing city property. Utility Pump Station related to Water Treatment Facility.

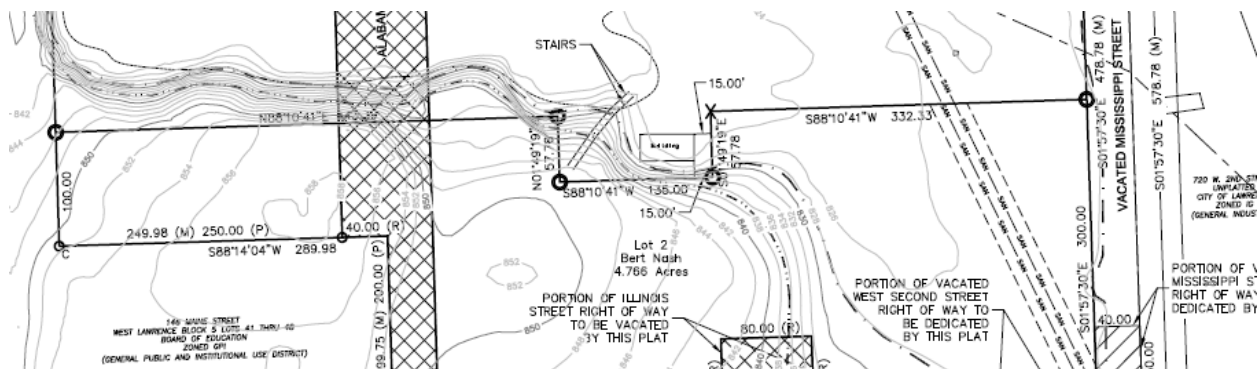
STAFF REVIEW

This property was the former location of the VFW hall. The property includes a pond and a recently constructed recreation path. The purpose of this preliminary plat is to define the boundary between property that is intended to be dedicated as a public park and the remaining part that will be retained by Bert Nash for future development.

Compliance with Zoning Regulations for the GPI District

The property is zoned GPI with a minimum lot area of 20,000 SF. This preliminary plat includes two lots that exceed this minimum requirement.

The lot lines along the south side of Lot 1 are established to incorporate existing improvements and to accommodate a building setback for an existing structure that will remain.



Zoning and Land Use

Proposed Lot 1 has recently been improved with a recreation path as part of a planned trail improvement through the area. The trail will be extended to the east through Burcham Park in the near future. Lot 1 also includes stairs and a structure along the south property line that will remain. The stairs provide access from proposed Lot 2 to the park property. Proposed Lot 2 includes the vacant VFW building. Long-term plans will result in the removal of the former VFW building to accommodate future development for Bert Nash. Subdivision approval is a pre-development requirement.

Streets and Access

The property is located on the north side of W. 2nd Street and the east side of Maine Street. Maine Street is improved only a short distance north of W. 2nd Street. There are no plans to improve Maine Street at this time.

This property includes vacated right-of-way for Illinois Street and Mississippi Street. The proposed plat includes a request to vacate a portion of existing Alabama Street as shown on the attached drawing. At some point, a portion of W. 2nd Street was also vacated. However, the street does exist within this space. The dedication of the W. 2nd Street right-of-way is a correction to the existing condition and will reflect how the land is used along the south side of the property.

Utilities and Infrastructure

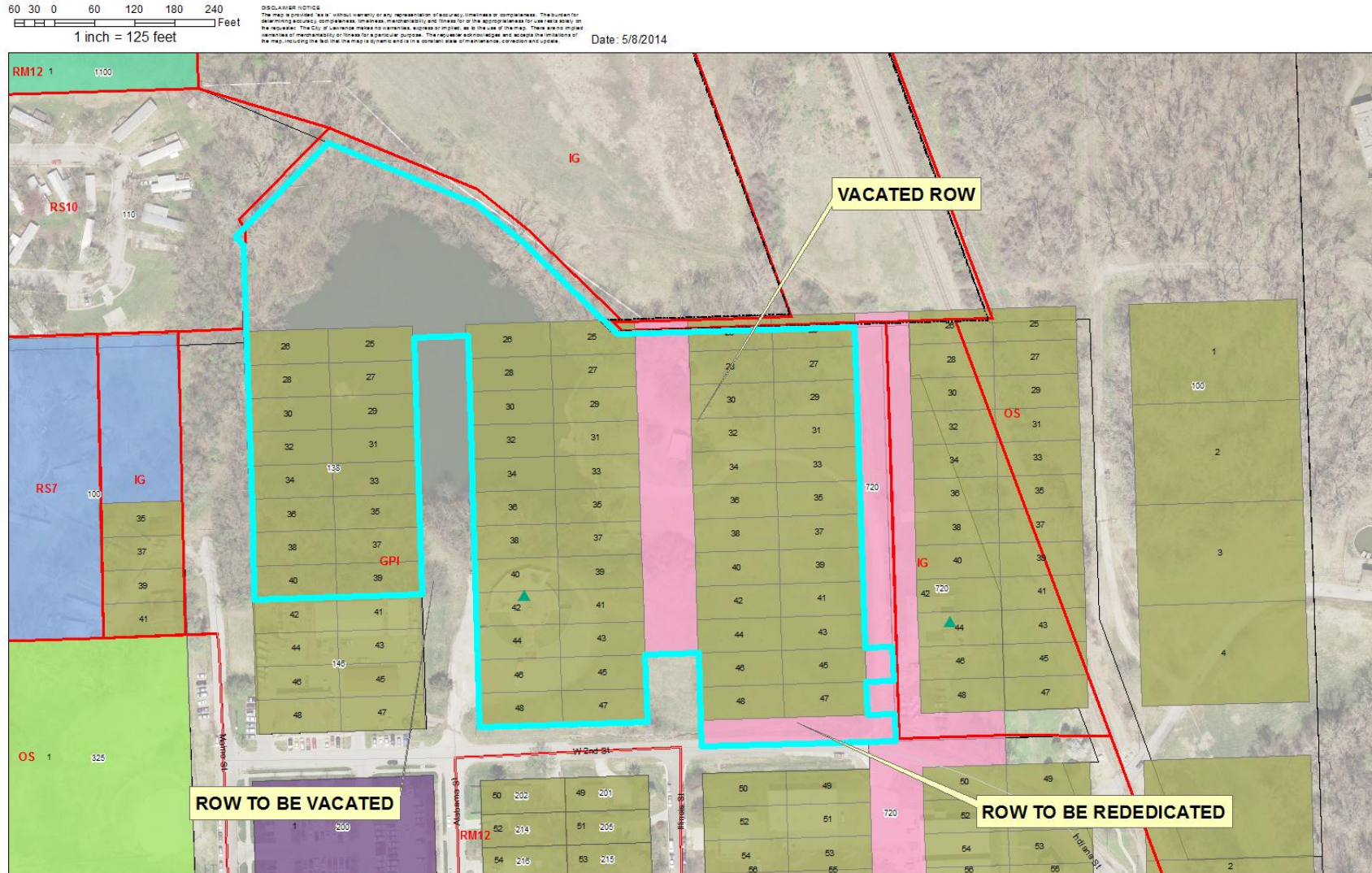
This site includes an existing sanitary sewer line crossing from the north to south on the east portion of the site. Other private utilities are located within parts of the existing and proposed right-of-way (WOW and Westar) that will remain when the right-of-way is vacated. Utility easements are provided to protect the existing facilities.

Easements and Rights-of-way

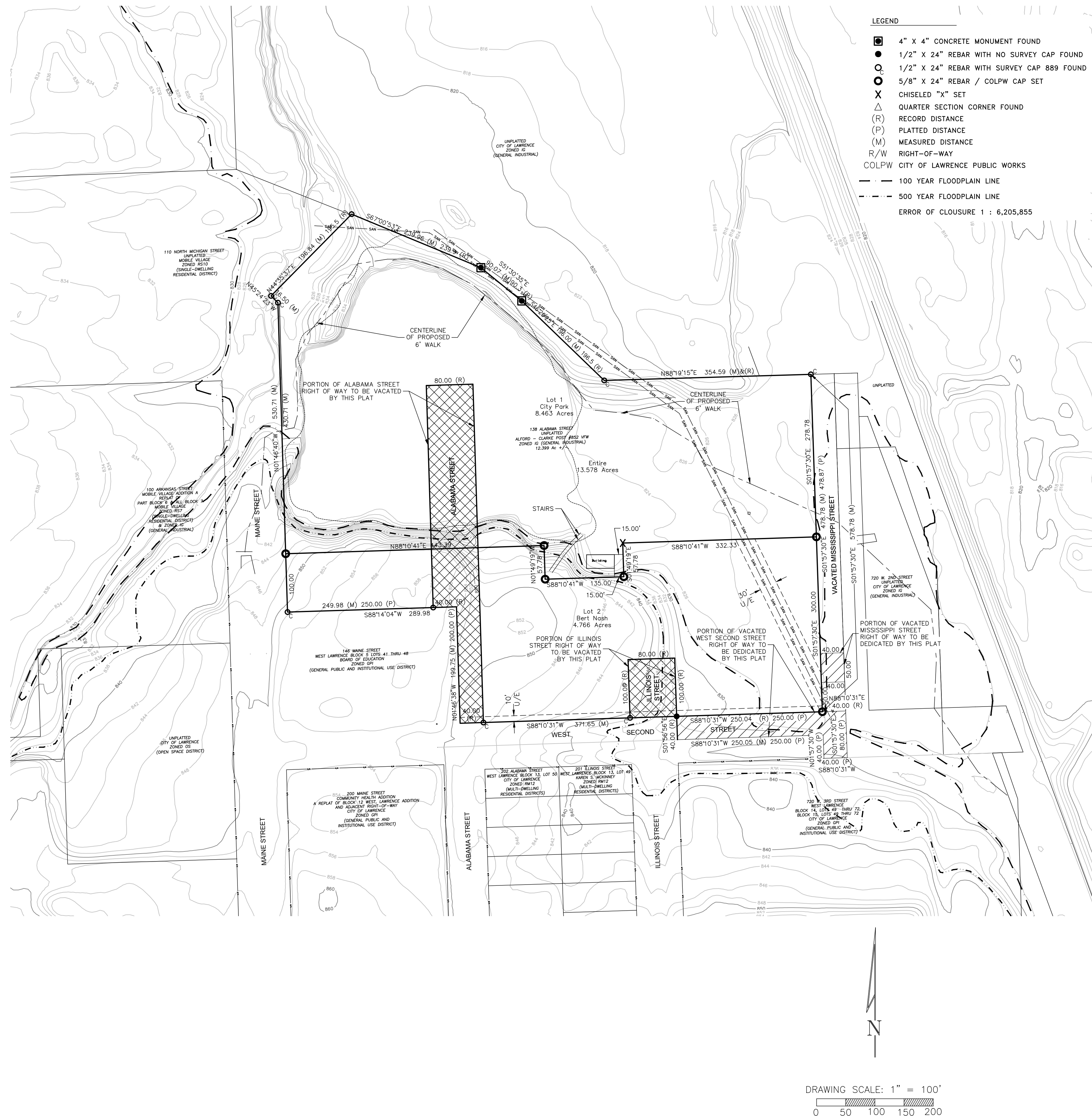
As noted earlier this plat includes the re-dedication of right-of-way for W. 2nd Street between Illinois Street and Mississippi Street. Additional easements for utilities are provided adjacent to W. 2nd Street.

Conformance

The preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code.



A PRELIMINARY PLAT OF
BERT NASH ADDITION
A SUBDIVISION IN THE CITY OF LAWRENCE,
DOUGLAS COUNTY, KANSAS



DESCRIPTION

LOTS 25 THROUGH 48, INCLUSIVE IN BLOCK 3; LOTS 25 THROUGH 48, INCLUSIVE IN BLOCK 4; LOTS 25 THROUGH 40, INCLUSIVE IN BLOCK 5, IN THE PART OF THE CITY OF LAWRENCE KNOWN AS WEST LAWRENCE, TOGETHER WITH ALL VACATED STREETS ACCRUING THERETO, LESS THE WESTERN HALF OF MISSISSIPPI STREET RIGHT OF WAY VACATED BY ORDINANCE NO. 378, LYING EASTERLY TO LOTS 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, AND 47, IN BLOCK 3 CONVEYED TO THE CITY OF LAWRENCE BY WARRANTY DEED RECORDED IN BOOK 579, PAGE 1808; AND LESS THE WESTERN HALF OF MISSISSIPPI STREET RIGHT OF WAY VACATED BY ORDINANCE NO. 378, LYING EAST OF LOT 45; BY QUIT CLAIM DEED RECORDED IN BOOK 1111, PAGE 808; AND A TRACT OF LAND IN THE NORTH HALF, OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH PRINCIPAL MERIDIAN ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 3 WEST LAWRENCE, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, AS MONUMENTED BY A 1/2" IRON BAR WITH SURVEY CAP #889; THENCE SOUTH 01°57'30" EAST ON THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF 478.78 FEET; THENCE NORTH 88°10'31" EAST, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF VACATED MISSISSIPPI STREET; THENCE SOUTH 01°57'30" EAST ON THE CENTERLINE OF VACATED MISSISSIPPI STREET, A DISTANCE OF 50.00 FEET; THENCE SOUTH 88°10'31" WEST, A DISTANCE OF 40.00 FEET, TO THE EAST LINE OF SAID BLOCK 3; THENCE SOUTH 01°57'30" EAST ON THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF LOT 47 AND THE NORTH RIGHT-OF-WAY LINE OF VACATED WEST SECOND STREET; THENCE NORTH 88°10'31" EAST ON THE NORTH RIGHT-OF-WAY LINE OF VACATED WEST SECOND STREET PROJECTED, A DISTANCE OF 40.00 FEET, TO THE CENTERLINE OF VACATED MISSISSIPPI STREET; THENCE SOUTH 01°57'30" EAST ON THE CENTERLINE OF VACATED MISSISSIPPI STREET AND ITS EXTENSION THEREOF, A DISTANCE OF 80.00 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF VACATED WEST SECOND STREET; THENCE SOUTH 88°10'31" WEST ON THE SOUTH RIGHT-OF-WAY LINE OF VACATED WEST SECOND STREET, A DISTANCE OF 40.00 FEET; THENCE NORTH 01°57'30" WEST, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF VACATED WEST SECOND STREET; THENCE SOUTH 88°10'31" WEST ON THE CENTERLINE OF VACATED WEST SECOND STREET, A DISTANCE OF 250.05 FEET TO THE EAST RIGHT-OF-WAY LINE OF ILLINOIS STREET EXTENDED; THENCE NORTH 01°56'56" WEST ON EAST RIGHT-OF-WAY LINE OF ILLINOIS STREET EXTENDED A DISTANCE OF 40.00 FEET TO A 1/2" IRON BAR AT THE SOUTHWEST CORNER OF LOT 48, OF SAID BLOCK 3; THENCE SOUTH 88°10'31" WEST ON THE NORTH RIGHT-OF-WAY LINE OF WEST SECOND STREET A DISTANCE OF 371.65 FEET TO THE CENTERLINE OF ALABAMA STREET; THENCE NORTH 01°46'38" WEST ON THE CENTERLINE OF ALABAMA STREET, A DISTANCE OF 199.75 FEET; THENCE SOUTH 88°14'04" WEST, A DISTANCE OF 40.00 FEET, TO A 1/2" IRON BAR AT THE SOUTHEAST CORNER OF LOT 39, BLOCK 5, WEST LAWRENCE; THENCE SOUTH 88°14'04" WEST ON THE SOUTH LINE OF LOTS 39 AND 40, OF SAID BLOCK 5, A DISTANCE OF 249.98 FEET TO A 1/2" IRON BAR WITH SURVEY CAP #889 AT THE SOUTHWEST CORNER OF LOT 40, BLOCK 5, WEST LAWRENCE AND THE EAST RIGHT-OF-WAY LINE OF MAINE STREET; THENCE NORTH 01°46'40" WEST ON THE EAST RIGHT-OF-WAY LINE OF MAINE STREET, A DISTANCE OF 530.71 FEET, TO A 1/2" IRON BAR WITH SURVEY CAP #889; THENCE NORTH 45°24'23" WEST, A DISTANCE OF 16.50 FEET, TO A 1/2" IRON BAR WITH SURVEY CAP #889; THENCE NORTH 44°35'37" EAST, A DISTANCE OF 196.84 FEET, TO A 1/2" IRON BAR, NO SURVEY CAP; THENCE SOUTH 67°00'53" EAST, A DISTANCE OF 239.96 FEET, TO A 4"X4" CONCRETE MONUMENT; THENCE SOUTH 51°30'35" EAST, A DISTANCE OF 90.07 FEET, TO A 4"X4" CONCRETE MONUMENT; THENCE SOUTH 46°20'25" EAST, A DISTANCE OF 196.00 FEET, TO A 1/2" IRON BAR WITH SURVEY CAP #889 AT THE NORTH LINE OF WEST LAWRENCE ADDITION; THENCE NORTH 88°19'15" EAST ON THE NORTH LINE OF WEST LAWRENCE ADDITION, A DISTANCE OF 354.59 FEET, TO THE POINT OF BEGINNING; CONTAINING 13.578 ACRES, MORE OR LESS. ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, SUBJECT TO RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.

GENERAL NOTES

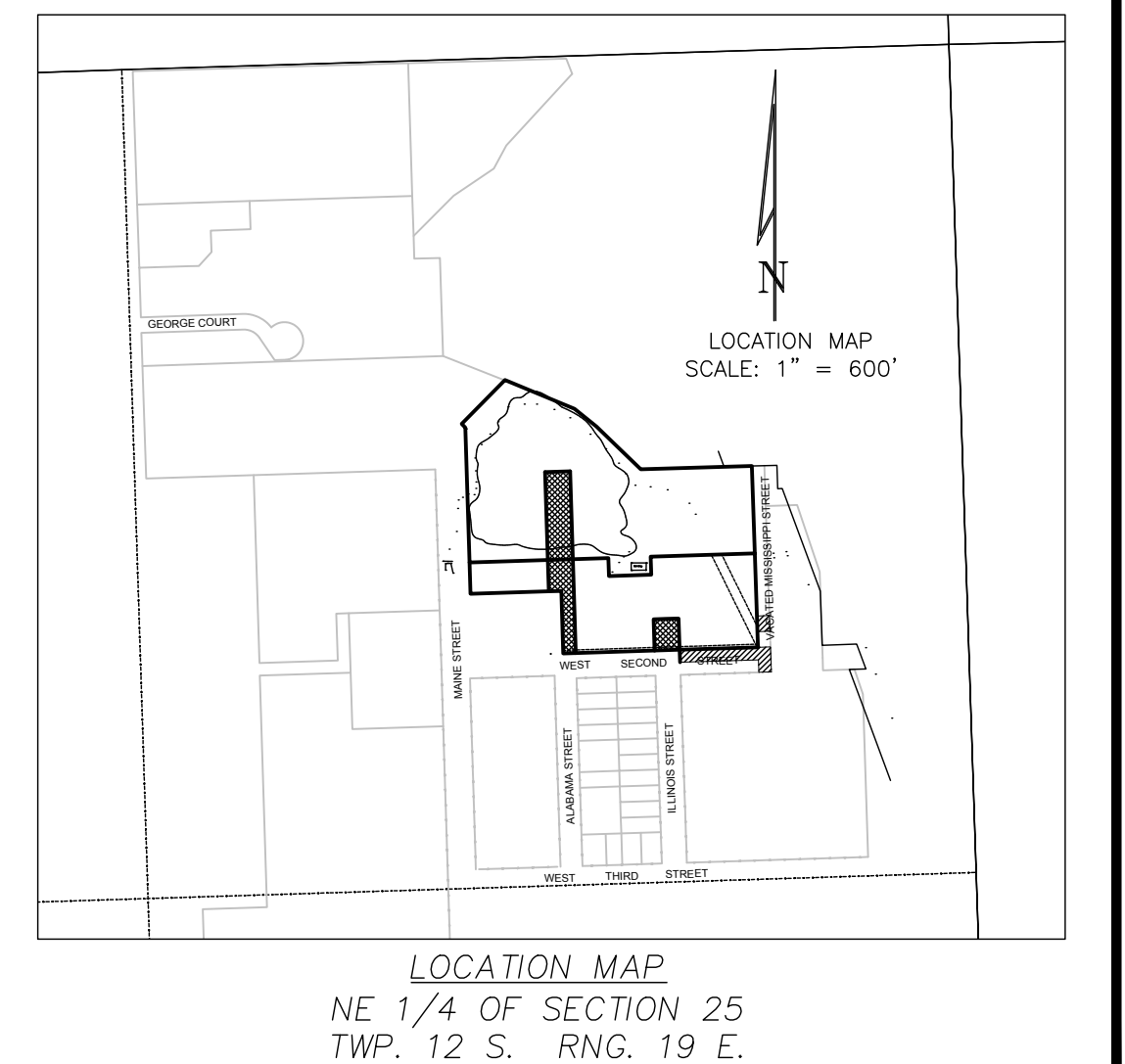
- OWNER: BERT NASH COMMUNITY MENTAL HEALTH CENTER, INCORPORATED
200 MAINE STREET
SUITE A
LAWRENCE, KANSAS 66044
- LAND PLANNER/ENGINEER: CITY OF LAWRENCE
6 E 6TH ST.
LAWRENCE, KANSAS 66044
 - SURVEYOR: CITY OF LAWRENCE
P.O. BOX 708
LAWRENCE, KS 66044
 - AERIAL AND TOPOGRAPHIC INFORMATION OBTAINED FROM AERIAL SURVEY PERFORMED BY SANBORN MAPPING FOR THE CITY OF LAWRENCE AND DOUGLAS COUNTY 2006. SPECIFIC TOPOGRAPHIC AND BOUNDARY INFORMATION FOR PROPERTY & DIRECTLY ADJACENT OBTAINED FROM FIELD SURVEY PROVIDED BY CITY OF LAWRENCE AND OTHERS.
 - TYPICAL SOIL TYPES: PAWNEE CLAY LOAM, 3% - 7% SLOPES
MORRILL CLAY LOAM, 7% - 12% SLOPES
EUDORA - KIMO COMPLEX
 - EXISTING LAND USE: VACANT
 - PROPOSED LAND USE: OFFICE USE AND PUBLIC OPEN SPACE
 - CURRENT ZONING: GPI
 - PROPOSED UTILITY LOCATIONS, ELEVATIONS, AND SIZES ARE PRELIMINARY AND WILL BE FINALIZED DURING FINAL DESIGN OF IMPROVEMENTS.
 - NO TREE REMOVAL IS REQUIRED FOR REPLATTING OF THIS PROPERTY.
 - SOILS INVESTIGATIONS SHALL BE PERFORMED BEFORE PRIMARY STRUCTURES ARE ERRECTED ON LOTS WITH SLOPES GREATER THAN 3:1, OR NON-ENGINEERED FILL GREATER THAN 12 INCHES. A SOILS ENGINEER LICENSED BY THE STATE OF KANSAS, SHALL PERFORM INVESTIGATIONS, AND A REPORT OF THE INVESTIGATION SHALL BE SUBMITTED TO THE CITY OF LAWRENCE CODES ENFORCEMENT DIVISION. OTHER LOTS MAY BE REQUIRED TO BE INVESTIGATED WHERE EXCAVATION REVEALS INDICATIONS OF UNSUITABLE CONDITIONS.
 - A RIGHT-OF-WAY WORK PERMIT SHALL BE OBTAINED FROM THE CITY OF LAWRENCE'S PUBLIC WORKS DEPARTMENT, FOR ALL CONSTRUCTION WORK PERFORMED IN THE PUBLIC RIGHT-OF-WAY.

SITE SUMMARY

| | |
|----------------------|-----------|
| Gross Property Area | 13.578 AC |
| Proposed ROW | 0.349 AC |
| Total Number of Lots | 2 |
| Minimum Lot Size | 4.766 AC |
| Maximum Lot Size | 8.463 AC |
| Average Lot Size | 6.615 AC |

NOTES

- BASIS FOR BEARINGS FOR THIS PLAT IS STATE PLANE COORDINATES - KANSAS NORTH ZONE.
- A PORTION OF THE PROPERTY IS LOCATED WITHIN THE ONE PERCENT ANNUAL CHANCE (100-YEAR) FLOODPLAIN ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, MAP NUMBER 2004C0176C, EFFECTIVE DATE: AUGUST 5, 2010. THE BASE FLOOD ELEVATION (BFE) = 828.8.
- FLOODPLAIN REGULATIONS APPLY TO THIS LOCATION. FLOODPLAIN DEVELOPMENT PERMIT(S) WILL BE REQUIRED PRIOR TO APPLICATION FOR BUILDING PERMIT(S.) PER CITY CODE 20-1308(A).
- BENCHMARK INFORMATION:**
1.0 MILE WEST ALONG THE ATCHISON, TOPEKA AND SANTA FE RAILWAY FROM THE STATION AT LAWRENCE, DOUGLAS COUNTY, IN THE NORTHWEST PART OF TOWN, AT THE FOURTH POLE NORTHWEST OF SEMAPHORE 271, AT THE WYE FORMED BY THE MAIN TRACK AND A SPUR TRACK, AT THE INTERSECTION OF INDIANA STREET AND SECOND STREET, 41 YARDS SOUTH OF THE CENTER OF THE CROSSING OF THE MAIN TRACK AND INDIANA STREET, 24 FEET SOUTHWEST OF THE CENTERLINE OF THE MAIN TRACK, 26 FEET EAST OF THE CROSSING OF INDIANA STREET AND THE SPUR TRACK, 9.6 FEET EAST OF A POWER-TRANSMISSION LINE POLE, A STANDARD DISK, STAMPED E 264 1940 AND SET IN THE TOP OF A CONCRETE POST, ELEVATION: 826.11



Memorandum

City of Lawrence

Planning Department

TO: Planning Commission
FROM: Planning Staff
DATE: May 19, 2014
RE: ITEM NO. 4: CONDITIONAL USE PERMIT; METEOROLOGICAL TOWER;
2060 E 1600 ROAD ALSO KNOWN AS THE KU FIELD
STATION (SLD)

The Lawrence Airport Advisory Board met on Wednesday, May 14, 2014 and considered the above referenced item as it relates to the Lawrence Municipal Airport. The Board voted to recommend approval of the request, subject to the following conditions:

1. The height in the Planning Commission Report match FAA study of 116' for the tower and 10' for the lightning rod for a total of 126';
2. The tower is lighted, painted in conformance with FAA tower study and Kansas law; and
3. The old tower (500' away) comes down concurrent with the erection of the Neon tower.

These conditions would be in addition to the staff recommendation included in the staff report as follows:

- 1) Provision of a revised site plan drawing to show the dimension of the proposed improvements to the nearest property lines.
- 2) The provision of a revised site plan that adds the following notes to the face of the drawing:
 - a) *"A sign shall be posted on the tower or the exterior fence around the base of the tower with the name and telephone number of the tower owner/operator."*
 - b) *"Use of this tower shall be limited to meteorological equipment only and will not be allowed for use by telecommunication providers."*
 - c) *"If the ownership/operation of the tower changes the property owner (KU) shall notify planning staff to update the appropriate records."*
 - d) *"This tower may not be used by private communication carriers unless a new CUP has been submitted for review and approval per section 12-319-4.31 of the Zoning Regulations to include due notice to property owners, public hearing by the Planning Commission and approval by the County Commission."*

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
5/19/2014

ITEM NO. 4: CONDITIONAL USE PERMIT; METEOROLOGICAL TOWER; 2060 E 1600 ROAD ALSO KNOWN AS THE KU FIELD STATION (SLD)

CUP-14-00052: Consider a Conditional Use Permit for a 116' tall meteorological tower with a 10' antenna for monitoring and collecting atmospheric, soil and water data, located at the University of Kansas Field Station, 2060 E 1600 Rd. Submitted by National Ecological Observatory Network [NEON], for University of Kansas Endowment Association, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit for the meteorological tower and forwarding it to the County Commission subject to the following conditions:

- 1) Provision of a revised site plan drawing to show the dimension of the proposed improvements to the nearest property lines.
- 2) The provision of a revised site plan that adds the following notes to the face of the drawing:
 - a) "A sign shall be posted on the tower or the exterior fence around the base of the tower with the name and telephone number of the tower owner/operator."
 - b) "Use of this tower shall be limited to meteorological equipment only and will not be allowed for use by telecommunication providers."
 - c) "If the ownership/operation of the tower changes the property owner (KU) shall notify planning staff to update the appropriate records."
 - d) "This tower may not be used private communication carriers unless a new CUP has been submitted for review and approval per section 12-319-4.31 of the Zoning Regulations to include due notice to property owners, public hearing by the Planning Commission and approval by the County Commission."

Reason for Request:

"NEON will create a new national observatory to collect ecological and climatic observations across the continental United States, including Alaska, Hawaii and Puerto Rico. NEON has partitioned the U.S. into 20 eco-climatic domains, each of which represents different regions of vegetation, landforms, climate and ecosystem performance. Within these domains, NEON infrastructure and sensor systems will be used to collect site-based data about climate and atmosphere, soils, streams and ponds and a variety of organisms. The goal of NEON is to enable understanding and forecasting of the impacts of climate change, land use change and invasive species on continental scale ecology by providing infrastructure to support research, education and environmental management in these areas. The NEON approach will standardize scientific ecological efforts and will enable integrated observatory operations at a continental scale. NEON is funded by the National Science Foundation.

NEON has entered into a land use agreement with the University of Kansas and the University of Kansas Endowment Association allowing NEON to construct an ecological monitoring tower, instrument hut, access paths, soil sensors and arrays, and deploy instrumentation to collect data. The site will be in place for approximately 10-12 years and then decommissioned. NEON is requesting a conditional use permit so that the project can move forward with the construction and operation of this site location."

ATTACHMENTS

1. Site plan

2. Map of KU Field Station
3. Northeast Area Land Use Map
4. NEON general information
5. Letter from NEON to the Airport Advisory Board

KEY POINTS

- This application is considered a meteorological tower but is unrelated to applications made for wind data collection located along the Highway 56 corridor.
- Per Section 12-319-4.31 of the Zoning Regulations for the Unincorporated Territory of Douglas County, *radio, television, telecommunication and microwave towers* are uses which may be approved as a Conditional Use.
- This use – meteorological tower - is not specifically listed in the Zoning Regulations but is considered by staff to be a similar use.
- This structure is temporary and does not include fixed foundation and permanent land alterations.
- This property abuts both Jefferson and Leavenworth Counties. Both counties have been notified of the request and do not have any comments.

DESCRIPTION OF USE

Request is for the installation of a 116 foot structure (meteorological tower) with a 10' antenna (126') to monitor and collect data as a cooperative research project with the University of Kansas. The purpose of the equipment will be to specifically collect atmospheric, soil and water data. The application provided this description to further describe the data collected:

Atmosphere, Soil and Water

Climate and atmosphere have a strong impact on ecosystems across the continental United States. NEON will make constant, automated measurements of these systems using electronic sensors mounted on towers in natural and managed areas. The instruments will monitor physical and chemical climate properties, including:

- Fluxes between ecosystems and the atmosphere—because chemicals and pollutants that are introduced into the atmosphere can impact the capacity of ecosystems to supply food, fuel, and fiber.
- Canopy microclimate—because the uppermost level of a forest, the canopy, has variations of climate, vegetation, and animals that are of special scientific interest.
- Air pollution—because dust and pollutants caused by human activity can have significant impacts on the health and productivity of ecosystems.
- Carbon—because increasing concentrations of carbon dioxide in the atmosphere indicate that the amount of carbon released exceeds the Earth's capacity to absorb it, an important factor in global warming

Additional sensors located near each tower will record soil properties, such as moisture and temperature, and measure water chemistry.

The construction of the tower is intended to disturb as little as possible the existing vegetation. The path to the tower will be a 4' wide gravel base. Some portions of the path may include a prefabricated boardwalk where stream crossings are needed.

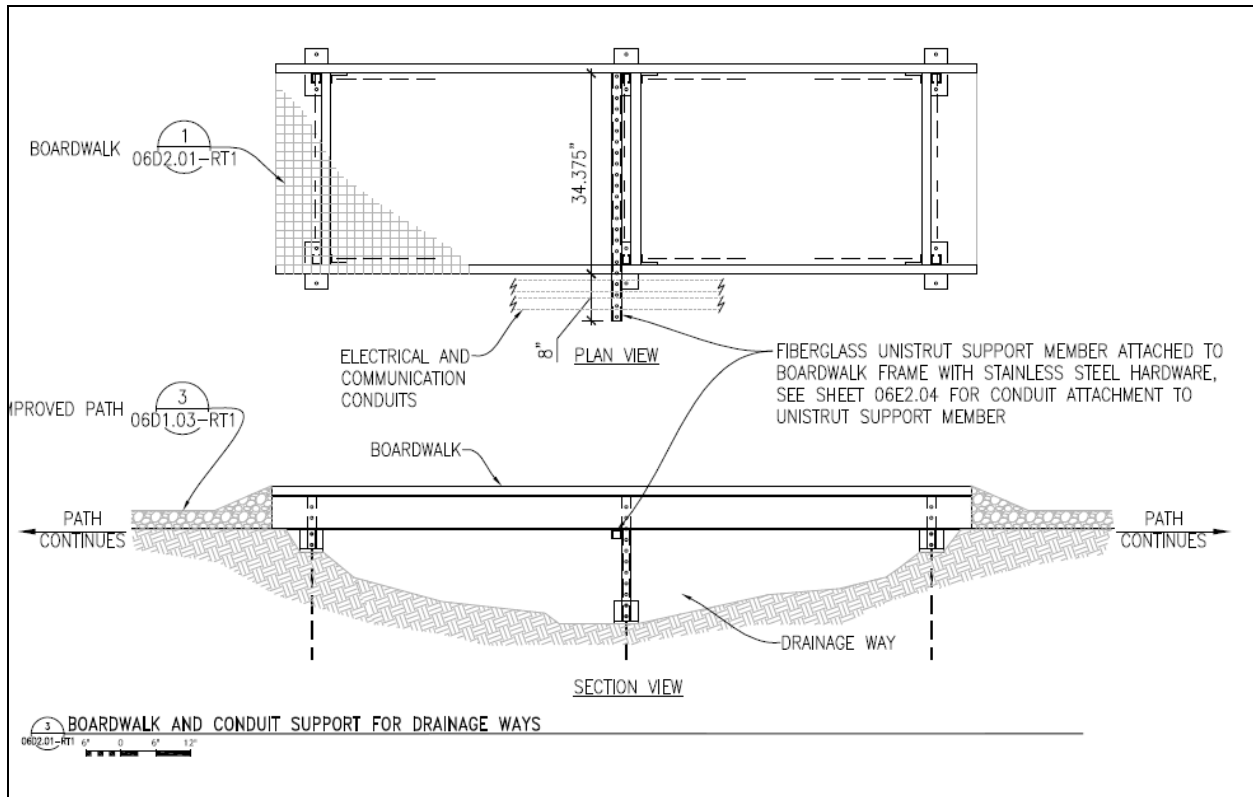


Figure 1: Boardwalk Section

In addition to the tower and boardwalk the proposed improvement will include a prefabricated structure for equipment.

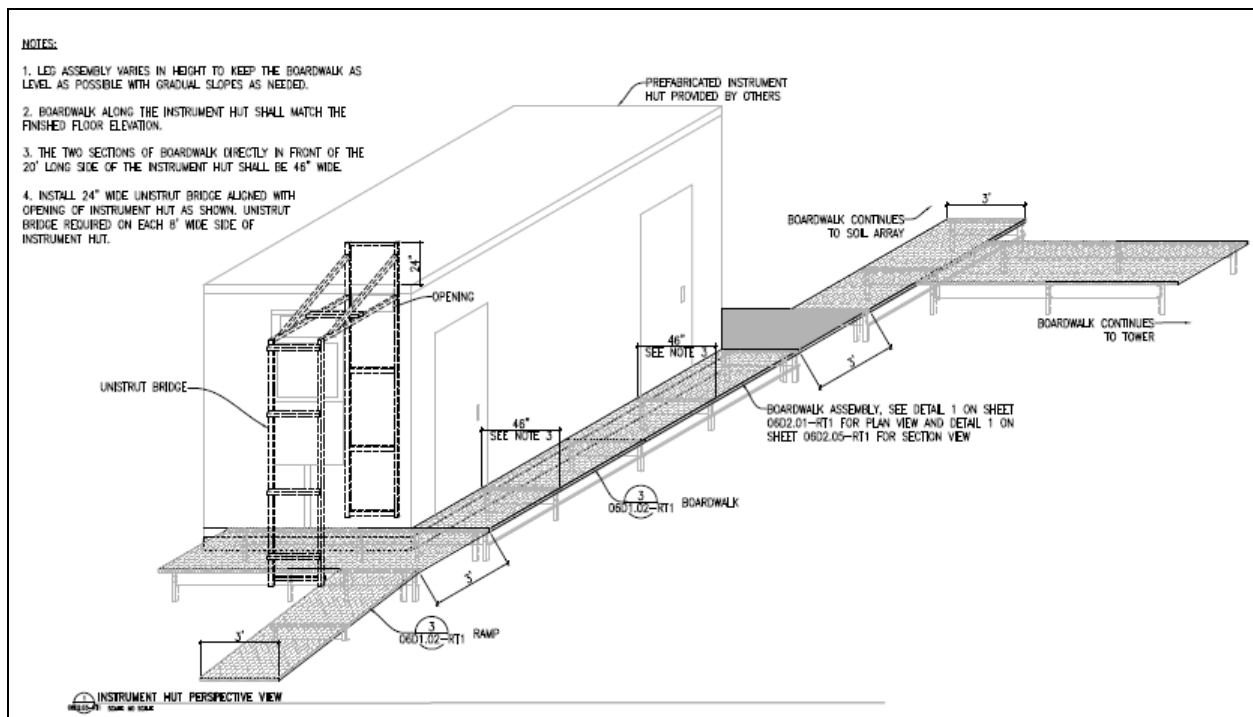


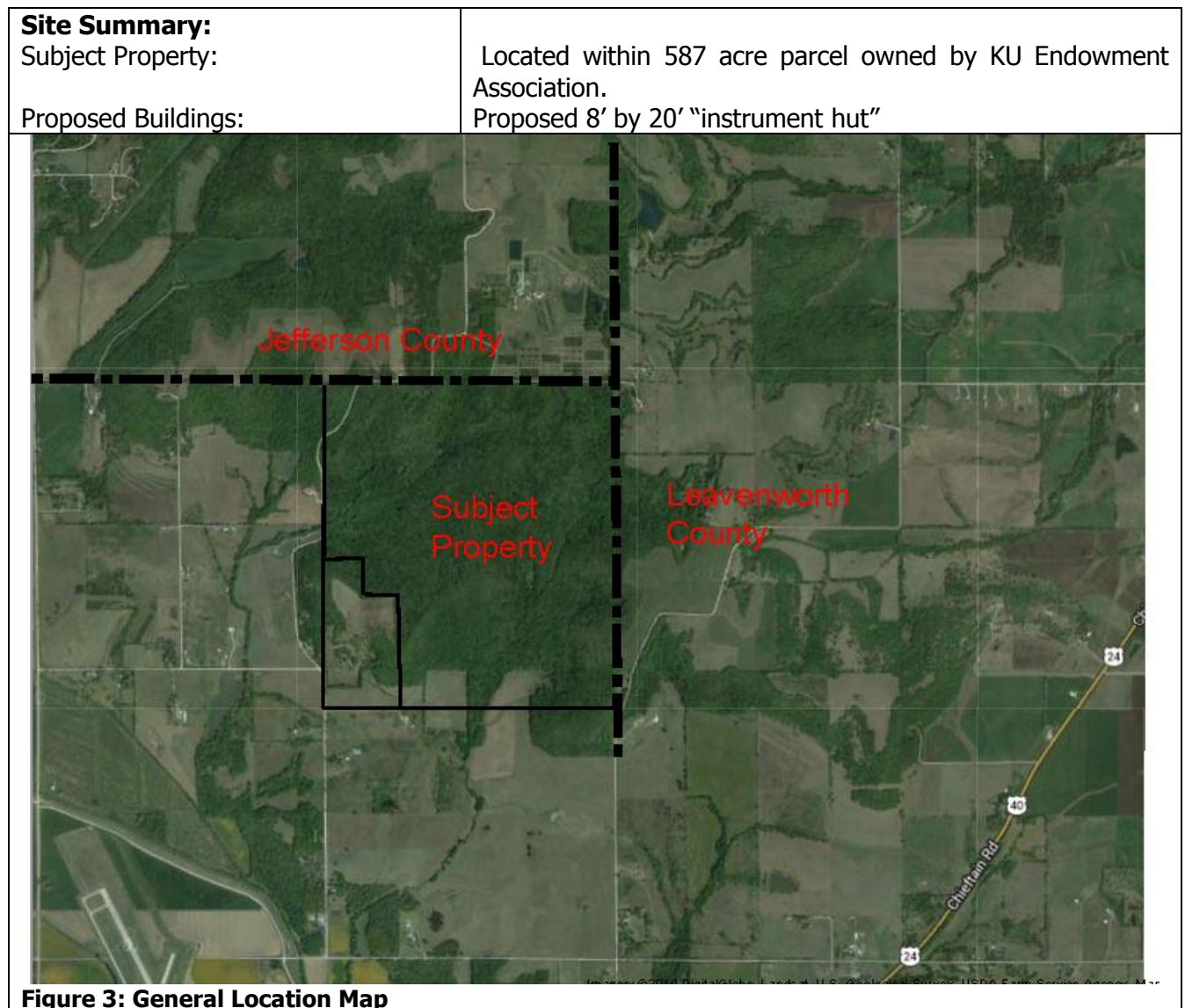
Figure 2: Mechanical Equipment Building

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Board of County Commissioners' approval of the Conditional Use.
- Zoning and Codes Office issuance of a Conditional Use Permit when plans have been released to the Zoning and Codes Office and conditions of approval have been met.

PUBLIC COMMENT

- Area property owners called asking for more detail regarding the location, use and intent of the proposed tower.
- Airport Advisory Board has indicated concerns and is working with the applicant to address issues. Staff will report to the Planning Commission the summary of the Board's meeting.



| GENERAL INFORMATION | |
|----------------------------------|---|
| Current Zoning and Land Use: | A (County-Agricultural) District; 587-acre parcel known as the KU Field Station |
| Surrounding Zoning and Land Use: | <p>A (County-Agricultural) District to the south and east within Douglas County. Agricultural and rural land.</p> <p>In Jefferson County to the north: AG (Agricultural) District. Existing land uses include the Armitage Education Center and areas of the KU Field Station.</p> <p>In Leavenworth County to the east: RR-5 (Rural-Agricultural and Residential; 5 acre minimum lots)</p> |

I. ZONING AND USES OF PROPERTY NEARBY

This property is located in the northeast corner of Douglas County. The KU field station and facilities encompass a large area in Douglas, Jefferson and Leavenworth counties. The primary land use is agricultural in the surrounding area.

Section 12-319-4.31(d)(5) recommends that towers be located in commercial, industrial or agricultural zoning districts. The subject property is zoned Agricultural.

Staff Finding – Nearby properties are zoned A (Agricultural) in Douglas County, Rural Agricultural and Residential in Leavenworth County, and Agricultural in Jefferson County. Surrounding land uses include KU Field Station to the north as well as agricultural uses to the east, west and south. Scattered residential uses are located along county roads. The proposed tower would be located in a recommended district.

II. CHARACTER OF THE AREA

This property is located within Grant Township. The northeast portion of Grant Township is dominated by areas of steep slopes and dense vegetation. KU Endowment is a significant property owner in this area. Rural homes are clustered along the county roads. The predominate land use in the area is agricultural.

A significant land use in the area is the Lawrence Municipal Airport. The airport is located in the central portion of Grant Township. The Airport includes various overlay zones that extend vertically above and outward from the airport to protect the associated flight paths. The airport has a direct impact on surrounding land. Structures (including trees) of a certain height at a certain distance from the airport must not exceed specific height requirements.

Another significant feature of the area is the presence of several natural features including floodplain, Class I and Class II Soils, and areas with significant slope. The subject property is located in a portion of Grant Township that includes steeper topography.

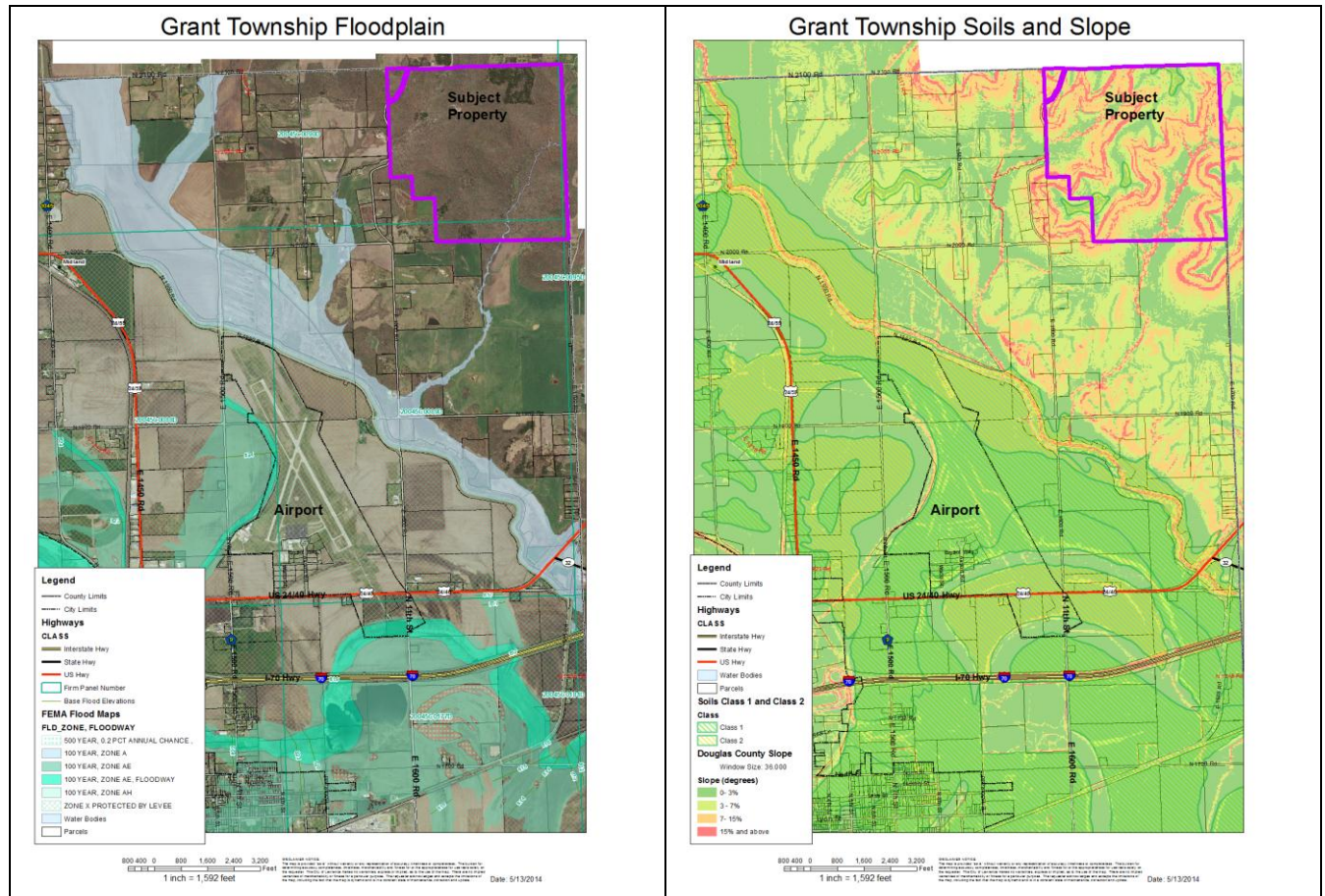


Figure 4: Area Land Features

Staff Finding – This area is rural in nature, with agricultural lands, and residential homes along County roads. The KU Field Station is a significant land use in the northeast corner of Grant Township. Other significant land uses that define this area are the Lawrence Municipal Airport and the regulatory floodplain.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Applicant's response: *"The site location that has been selected is part of the University of Kansas field station and meets all requirements of a NEON site. The ongoing use of the land is for academic research and data collection and the mission of the NEON project aligns with the designated use of the subject property. The 126' tower will be located within the boundary of the subject property and will be locked and gated."*

The current zoning designation for the property is A (Agricultural) District. A variety of agriculture-related uses are allowed in this district. The proposed request will not alter the underlying zoning district. KU staff indicated that this site within the "Domain of the Prairie Peninsula" is an unmanupliated area generally free of other urbanizing impacts. The area is undergoing forestation within a largely agricultural area.

Towers are allowed in the A (Agricultural) District with approval of a Conditional Use Permit. The A (Agricultural) District is a recommended base district for towers. This structure removable. The tower would remain for the duration of the agreement between KU Endowment and NEON for research purposes. Additionally, the tower could be acquired by KU for continued operation at the

end of the NEON project. If the ownership/operation of the tower changes staff recommends the property owner notify staff to update the application with current ownership. This tower should not be reused for cellular commination equipment.

A key consideration of the suitability of the tower is the ability of the proposed structure to comply with minimum aviation requirements. The applicant has been meeting with the Airport Advisory Board to assess the impact of the proposed tower on the Lawrence Municipal Airport. The applicant has stated that the tower will be painted and lighted in accordance with FAA regulations. The Airport Advisory Board is scheduled to meet on May 14, 2014 to further discuss the proposed application. Staff will report the outcome of this meeting to the Planning Commission at their regular meeting.

Staff Finding – The property is suitable for agricultural uses. A Conditional Use Permit (CUP) does not change the underlying zoning; therefore, the suitability of the property for agricultural uses will not be altered. Additional review is required to assure the suitability of the proposed structure with the proximity of the airport.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – The property has been zoned A (Agricultural) since the adoption of the zoning in 1966.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant's Response: *"The construction and operation of the NEON site within the research property should have little to no adverse impact on nearby property. The site location is within the field station property boundary and will not restrict usage of roads. There are no property owners other than the University of Kansas Endowment Association within 1000' of the proposed project area."*

Section 12-319-1.01 of the County Zoning Regulations recognize that *"....certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district...when found to be in the interest of the public health, safety, morals and general welfare of the community may be permitted, except as otherwise specified in any district from which they are prohibited."*

This request is for a 126' tower that will support meteorological data collecting equipment. Access to the site shall be limited to regular service and maintenance of the tower and associated equipment as well as access for research purposes. This tower is not intended for access by the general public. Regular publically accessible trails and areas within the KU property will continue to be available and will not be altered by this project.

No detrimental effects are anticipated on adjacent properties or to the existing trails from the approval of this Conditional Use Permit for this structure for the purpose of data collection.

Impact on the Lawrence Municipal Airport is still being assessed. Staff will report any new information on or before the public hearing as available.

Staff Finding – But for the proximity of the Lawrence Municipal Airport, there should be no detrimental effect on surrounding property.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Applicant's Response: *"The mission of the National Ecological Observation Network is to enable understanding and forecasting of the impacts of climate change, land use change and invasive species on continental-scale ecology – by providing infrastructure and consistent methodologies to support research and education in these areas.*

The proposed installation of a 126' tower, instrument hut, and soil monitoring sensors will support the mission of this project and aligns with the current land use of the site as a field station focused on scientific research. The ground disturbance associated with construction of the tower and instrument hut is less than 1 acre and the contracts are held to rigid environmental standards. There are no cranes or large pieces of heavy machinery used during construction and special attention is paid to preserving the local ecology of the site.

The data collected at this site will be freely available to the public through NEON's data portal and will provide information on local ecology. There will be little damage to the University of Kansas Field Station property and there are no individual landowners within 1000' of the proposed project area. Therefore, it's unlikely that any damage or hardship will be imposed on individual landowners."

The purpose of this criterion is to compare the effect of denial of the request on the public health, safety and welfare to the effect on the individual landowner.

The purpose of this request is to construct a tower with appropriate equipment for continued monitoring of data for research purposes. The location of the tower is such that is surrounded on all sides by property owned by KU Endowment Association and part of the KU Field Station. Staff concurs with the applicant's finding that the location of the tower is a significant distance from any private property and thus unlikely to impact the property.

Data will be publically available to researchers, scientists and others interested in ecological information. The facility will also support integrated research for the University of Kansas programs.

Staff Finding – Approval of the request will facilitate a continental wide network of equipment and data collection.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *"NEON's request to construct an ecological monitoring site does not fit within the development areas described in the Horizon 2020 plan as it's not residential, commercial or industrial in nature. It does align with the sustainability goal and would provide real time data about the local, physical environment which could be used to evaluate future environmental or sustainability plans."*

The subject property is located within an identified Urban Growth Area for the City of Lawrence. A sector plan has been adopted for the area that includes the subject property known as the *Northeast Area Plan*.

Chapter 16 of *Horizon 2020* addresses environmental policies applicable to Lawrence and Douglas County. The plan states that the recommendations are "intended to foster a healthy environment that contributes to a growing economy and a livable community." The overall policy applicable to this development project states:

"We will strive to ensure the sustainability of our physical environment, both natural and built, the health of our economy and the efficient and effective functioning of our community"(Chapter 1, Horizon 2020).

Chapter 16 of *Horizon 2020* identifies the following resources and provides applicable policies:

| | |
|----------------------|--|
| Water Resources: | Watershed protection, public water supply reservoirs, water quality, floodplain management and aquatic habitats. |
| Land Resources: | Rural woodlands, urban forests, native prairies, agricultural soils, slopes, and open spaces. |
| Air Resources: | Excess greenhouse gases, air quality, and indoor pollution. |
| Resource Management: | Low cost raw materials, such as sand gravel, timber oil, gas, and stone |
| Waste Management: | Solid waste and hazardous waste to reduce reuse and recycle materials produced in Douglas County. |

Based on the applicant's summary, approval of the request will allow monitoring of many of these elements and provide current and real-time data regarding atmosphere, soil and water conditions.

It should be clear that this application is for a Conditional Use Permit for the construction of a tower (structure) to support equipment for the purpose of data collection only. This application is not related to wind study or wind farm applications. The tower structure has been evaluated by staff with respect to its land use impact similar to a communication tower. Communication towers are generally incorporated in Chapter 10 Communities Facilities of *Horizon 2020*.

Staff Finding – The comprehensive plan does not provide any specific land use recommendations regarding towers. A Conditional Use Permit can be used to allow specific non-residential uses subject to approval of a site plan. This tool allows proportional development in harmony with the surrounding area. The proposed request is consistent with the Comprehensive Plan.

STAFF REVIEW

Section 12-319-4.31 allows radio, television, telecommunication, and microwave towers in Douglas County subject to approval of a Conditional Use Permit when the structures are more than 100' tall. This section also provides guidelines and standards intended to be used during the review of towers related to communication equipment. This request is for a tower that will support specific data collection equipment and not cellular or radio communication equipment. Some provisions of the Code address co-location requirements which are not applicable to this request and would not be expected to be added to the structure if approved.

This tower structure has a comparable height to communication towers. Land use concerns include adequate setback and proximity to other land uses.

Tower Removal

Communication towers require that if the equipment is removed and the tower is vacant for 3 years then the tower owner would be required to remove the structure. All towers are required to provide a sign on the structure or fence around the base of the tower identifying the tower owner/operator with a name and phone number. This application is requested for the purpose of data collection. A sign should be added to the tower site providing contact information as required for similar structures towers.

Setback

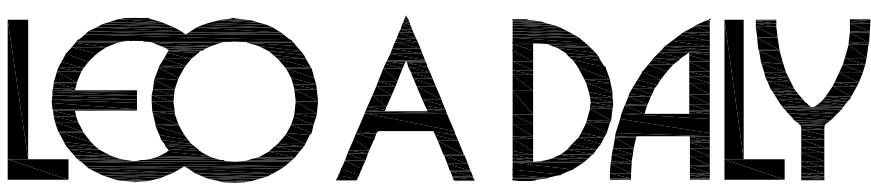
The County Zoning Regulations require the tower to be setback a distance equal to the height of the tower from any property line except that the setback may be reduced if documentation from a registered engineer is submitted certifying the fall zone of the tower in event of a failure or collapse. The proposed structure exceeds the setback requirements and is more than 200' from the nearest property line.

Lighting

No lighting per FAA is required for this structure. However, the applicant has stated the structure will be both painted and lit to increase visibility of the structure in proximity to the Lawrence Municipal Airport.

Conclusion

This request is for the construction of a tower for the exclusive use of data collection. Staff recommends approval of the Conditional Use Permit subject to conditions related to signage and dimensioning. Staff also recommends that cellular communications be prohibited from this structure unless a new Conditional Use Permit application is submitted for review and approval prior to installation.



Domain 06 Prairie Peninsula
University of Kansas Field
Station (UKFS)

Project site:
-Relocatable Tower 1 (RT1), Douglas Co., KS

National Ecological
Observatory Network

1685 38th Street
Boulder, CO 80301

Daly Project No. 003-10073-406
NEON Project No. 04.08.C.0008
JANUARY 28, 2014

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RELOCATABLE TOWER 1 GENERAL NOTES:

1. DOMAIN 06 IS CALLED PRAIRIE PENINSULA. RELOCATABLE TOWER 1 FOR DOMAIN 06 IS LOCATED WITHIN DOUGLAS COUNTY, KANSAS.
2. THE PREVAILING WINDS FOR RELOCATABLE TOWER 1 OF DOMAIN 06 ARE CLOCKWISE FROM 80° TO 230° (MAJOR) AND 280° TO 350° (SECONDARY).
3. DUE TO THE NATURE OF THIS PROJECT, THE SITE MUST BE DISTURBED TO THE MINIMUM EXTENT POSSIBLE. UNDER NO CIRCUMSTANCES WILL LOOSE TRASH/DEBRIS BE ALLOWED. THE SITE MUST BE LEFT IN CLEAN AND ORDERLY CONDITION AT THE END OF EACH WORK DAY. ONLY UTILIZE THE CLEARED/IMPROVED PATH INDICATED AT THE SITE FOR SITE ACCESS. CUTTING THROUGH FIELDS OR CREATING ALTERNATE PATHWAYS WILL NOT BE ALLOWED. THE ONLY VEHICLES ALLOWED TO PROCEED FURTHER THAN THE INDICATED PARKING AREA (STAGING AREA) FOR THE SITE WILL BE SMALL 4-WHEEL ATV OR MINI TRACK LOADER/SKID STEER TYPE VEHICLES. ALL CONSTRUCTION EQUIPMENT MUST FIT WITHIN THE CONSTRUCTION LIMITS. ALL VEHICLES TO BE USED MUST BE PRE-APPROVED BY NEON. IF ANY AREA IS DISTURBED OUTSIDE OF THE SPECIFIED CONSTRUCTION LIMITS, STOP WORK AND NOTIFY NEON IMMEDIATELY. NO ACTION SHALL BE TAKEN WITHOUT PRIOR APPROVAL BY NEON.
4. A STAGING AREA HAS BEEN IDENTIFIED FOR THE SITE. THIS AREA IS WHERE CONTRACTORS CAN PARK AND STORE ITEMS. THE PROJECT SITE IS ACCESSIBLE TO THE PUBLIC THEREFORE THE CONTRACTOR SHALL SECURE ITEMS AS REQUIRED FOR SAFETY AND THE PREVENTION OF THEFT. THE STAGING AREA, AS WELL AS THE PROJECT SITE, SHALL BE KEPT CLEAN AND DISTURBANCE SHALL BE KEPT TO A MINIMUM. SEE NEON CONTRACT FOR SPECIAL CONDITIONS AND SITE DISTURBANCE PENALTIES.
5. THE AUXILIARY PORTAL IS THE LOCATION WHERE THE ELECTRICAL TRANSFORMER, TRANSFER SWITCH, METER PEDESTAL AND COMMUNICATIONS PEDESTAL ARE SET FOR ELECTRICAL AND COMMUNICATION SERVICES TO ENTER THE SITE AND BE ROUTED TO THE INSTRUMENT HUT, BY CONTRACTOR.
6. VEHICLES AND EQUIPMENT SHALL BE WASHED PRIOR TO MOBILIZATION TO SITE (OR WHEN LEAVING/RETURNING TO SITE).

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Tel 402-391-8111 Fax 402-391-8564



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| ACTIVITY | BY |
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| Manager | EAH |
| Design | JTC |
| Draw | JTC |
| Check | AAH |
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
GENERAL NOTES

06G1.00

Domain 6
Prairie Peninsula



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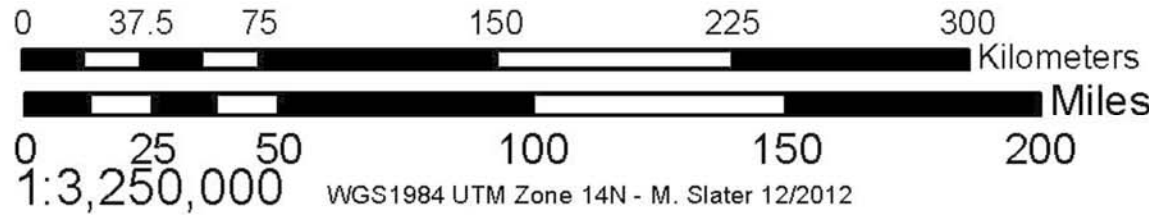
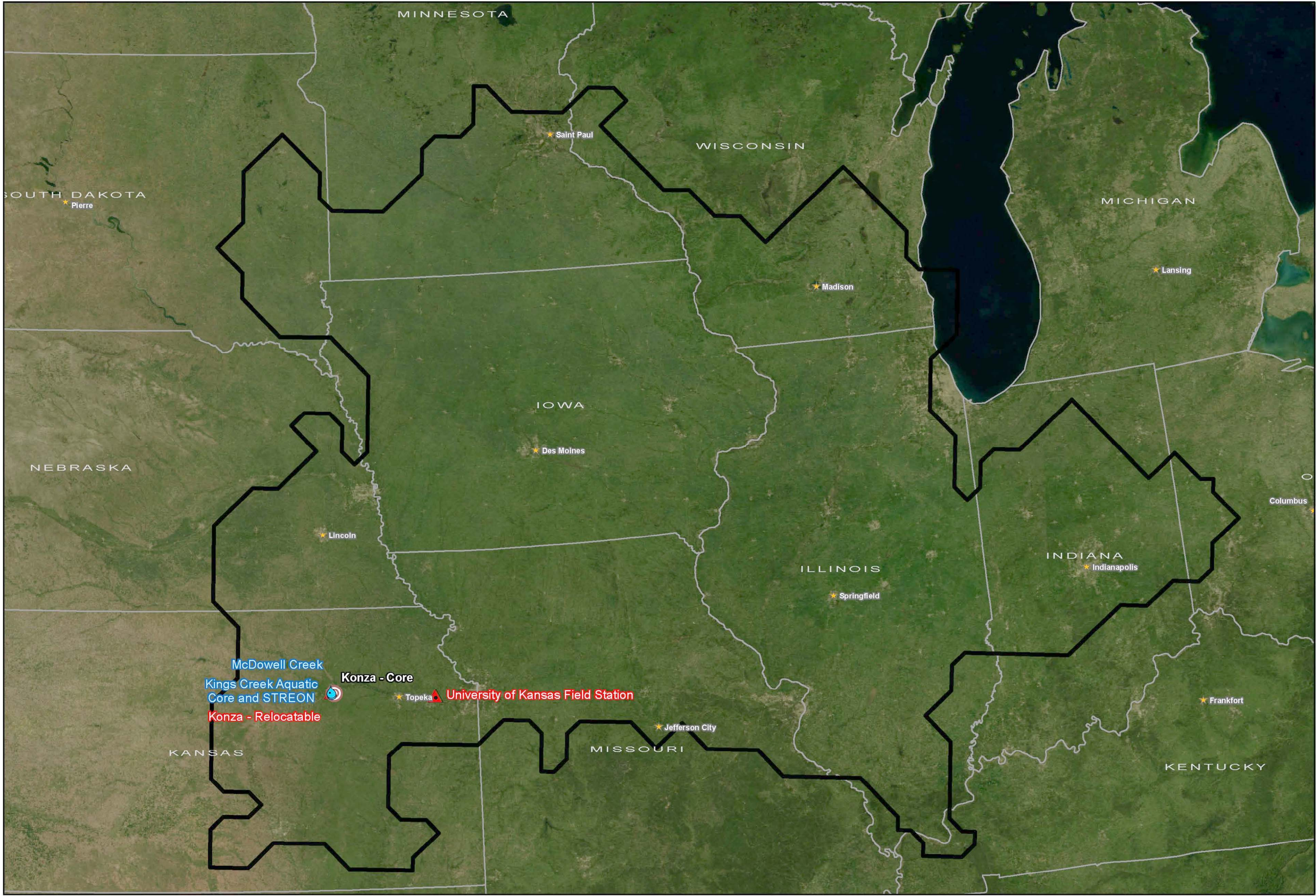
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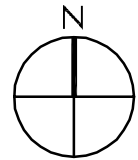
DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
DOMAIN MAP

06C0.02



- Candidate Aquatic Site
- Candidate Core Tower
- Candidate Relocatable Tower

1
06C0.02
DOMAIN MAP

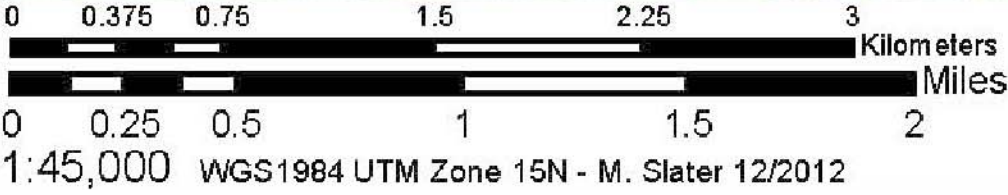
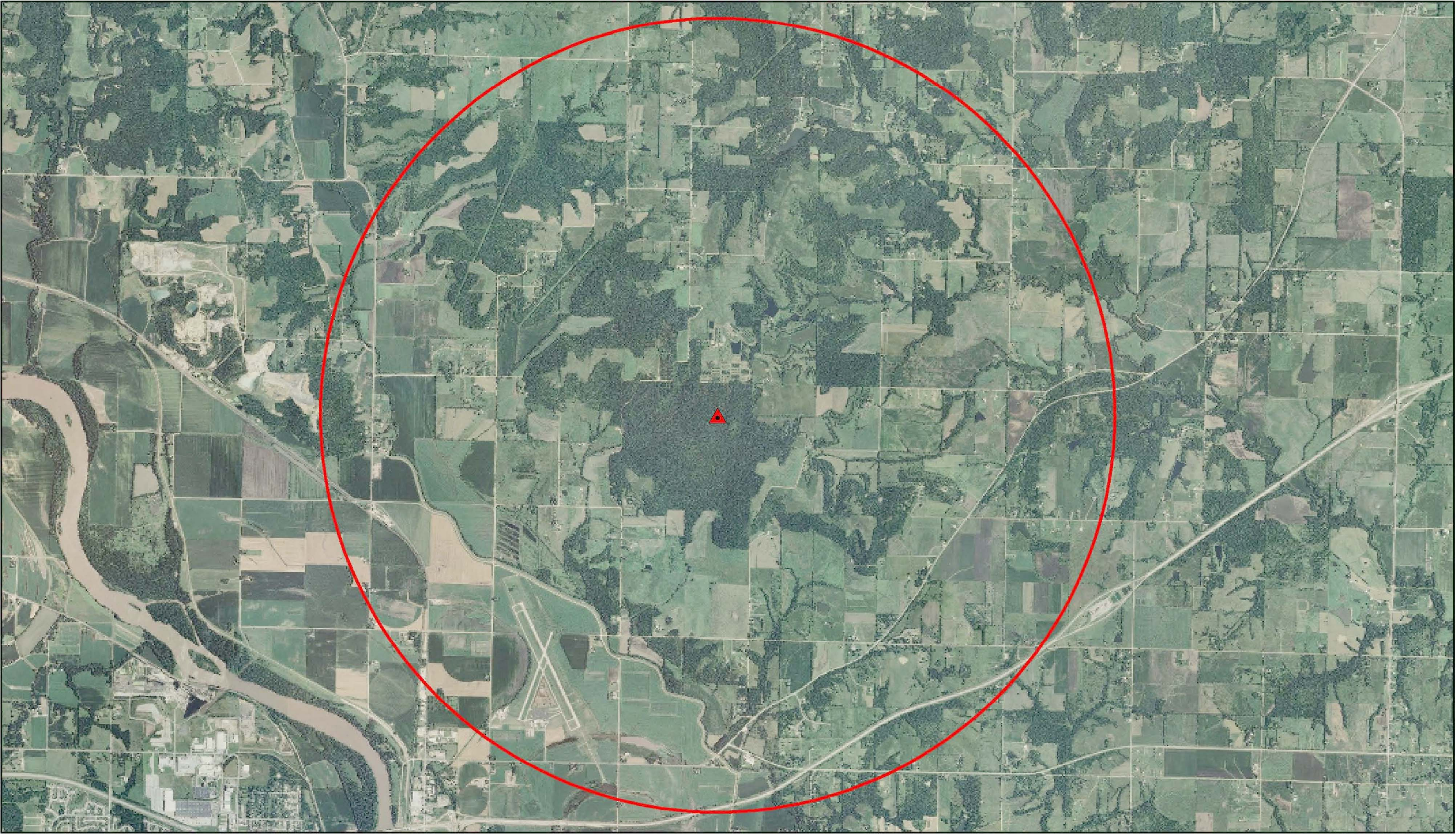
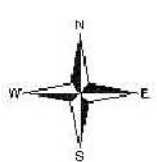


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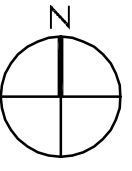
University of Kansas Field Station
Domain 6 - Prairie Peninsula



▲ Candidate Relocatable Tower 5k Buffer

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1 RELOCATABLE TOWER 1 VICINITY MAP
06C2.00



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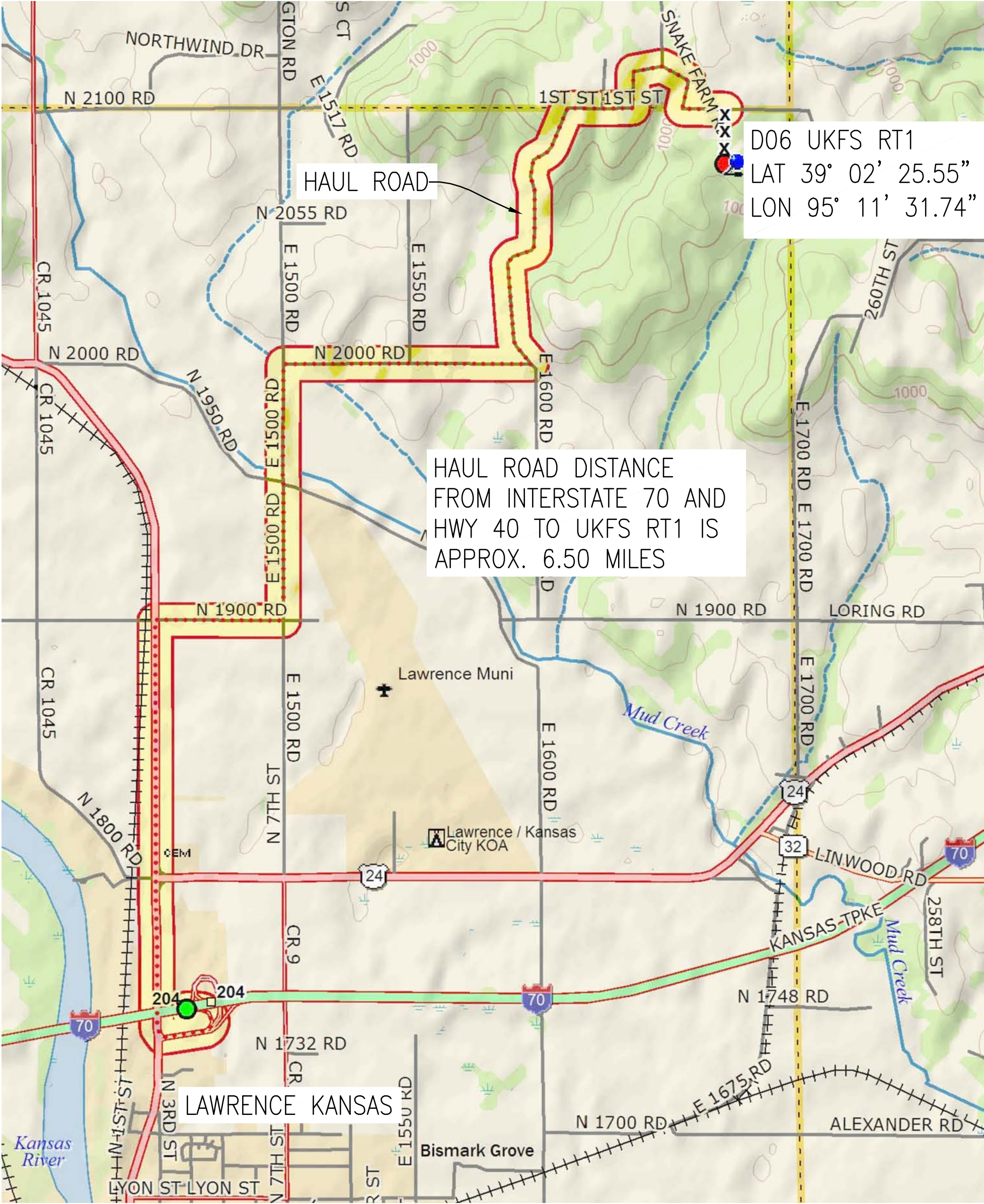
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
VICINITY MAP

06C2.00

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1 RELOCATABLE TOWER 1 LOCATION MAP
06C2.01

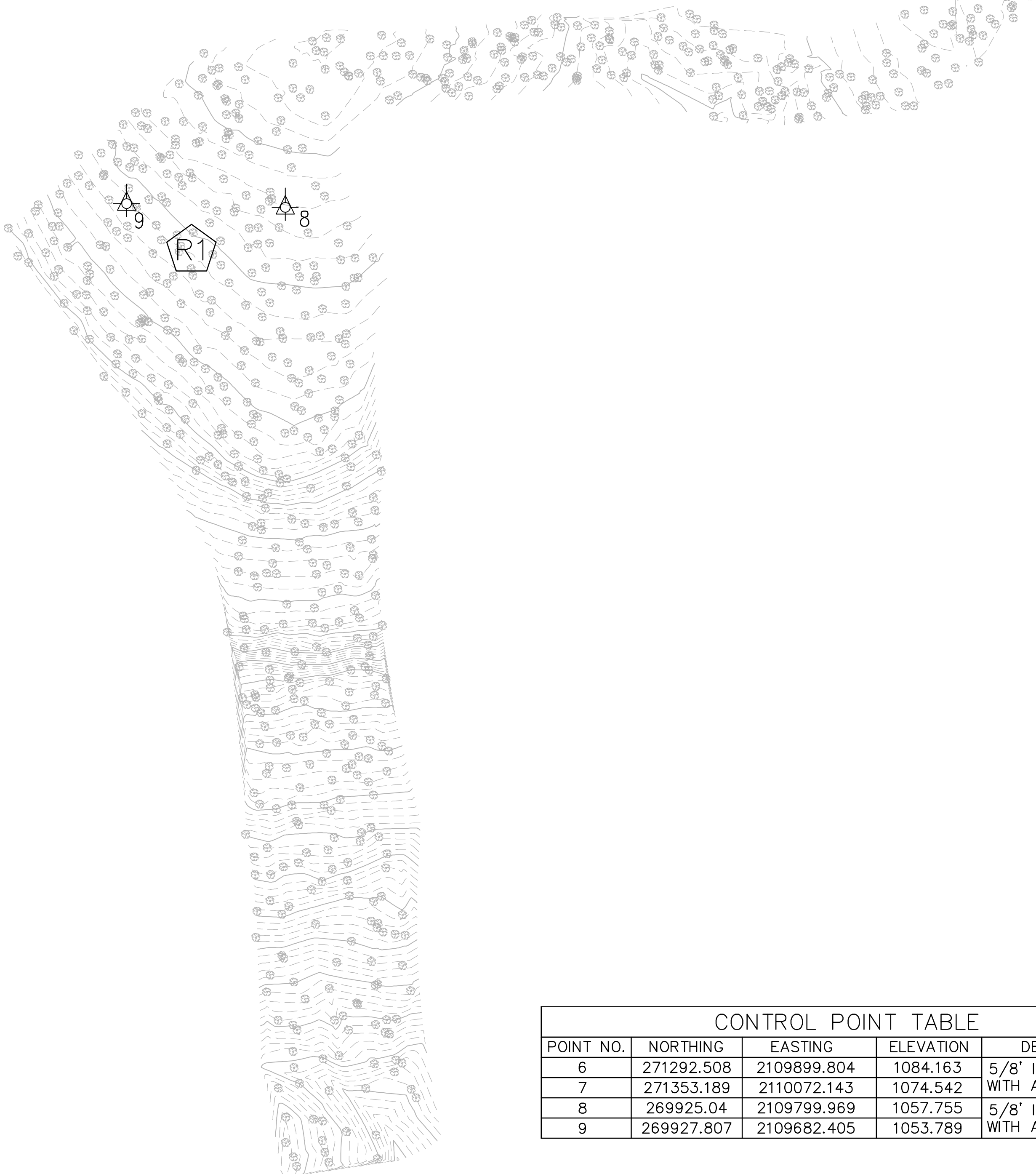
NOTES:

1. COORDINATES AS SHOWN ARE BASED ON NAD 1983 (2011), KANSAS NORTH ZONE (1501), ELEVATIONS AS SHOWN ARE NAVD 1988, GEIOD 2012A.

LEGEND

- R1 RELOCATABLE TOWER 1
- 1060 MAJOR CONTOUR
- MINOR CONTOUR
- CONTROL POINT
- TREE

MATCH LINE SEE 06C2.01A



2 RELOCATABLE TOWER 1 SURVEY (SOUTH)
06C2.01

| CONTROL POINT TABLE | | | | |
|---------------------|------------|-------------|-----------|-------------------------------------|
| POINT NO. | NORTHING | EASTING | ELEVATION | DESCRIPTION |
| 6 | 271292.508 | 2109899.804 | 1084.163 | 5/8" IRON ROD SET WITH ALUMINUM CAP |
| 7 | 271353.189 | 2110072.143 | 1074.542 | 5/8" IRON ROD SET WITH ALUMINUM CAP |
| 8 | 269925.04 | 2109799.969 | 1057.755 | 5/8" IRON ROD SET WITH ALUMINUM CAP |
| 9 | 269927.807 | 2109682.405 | 1053.789 | 5/8" IRON ROD SET WITH ALUMINUM CAP |

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| Design | JTC |
| Draw | JTC |
| Check | AAH |
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
LOCATION MAP AND SURVEY

06C2.01

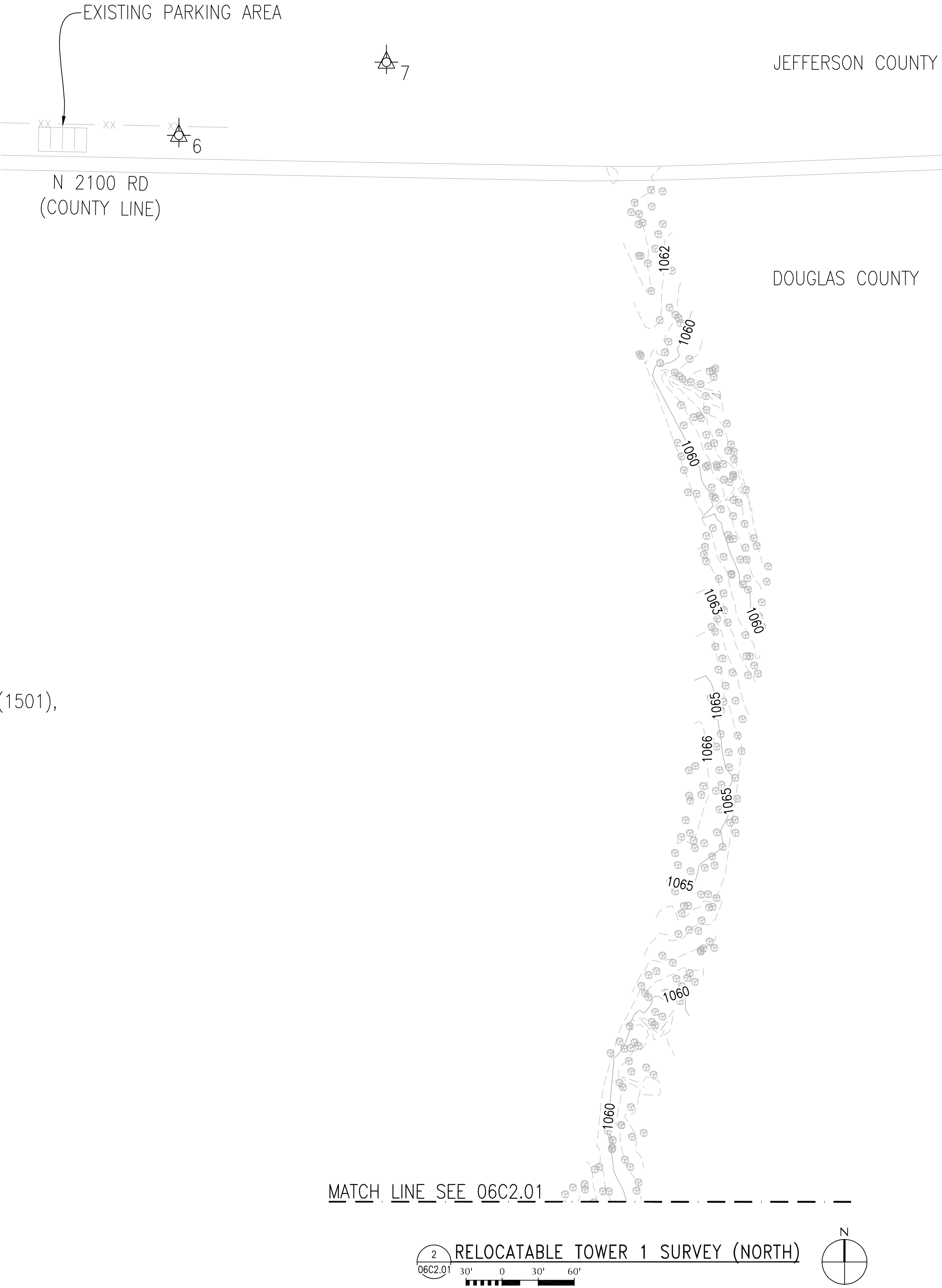
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| 7 | 271353.189 | 2110072.143 | 1074.542 | |
| 8 | 269925.04 | 2109799.969 | 1057.755 | 5/8' IRON ROD SET WITH ALUMINUM CAP |
| 9 | 269927.807 | 2109682.405 | 1053.789 | |

NOTES:

1. COORDINATES AS SHOWN ARE BASED ON NAD 1983 (2011), KANSAS NORTH ZONE (1501), ELEVATIONS AS SHOWN ARE NAVD 1988, GEIOD 2012A.

LEGEND

| | |
|--|---------------|
| | MAJOR CONTOUR |
| | MINOR CONTOUR |
| | CONTROL POINT |
| | TREE |



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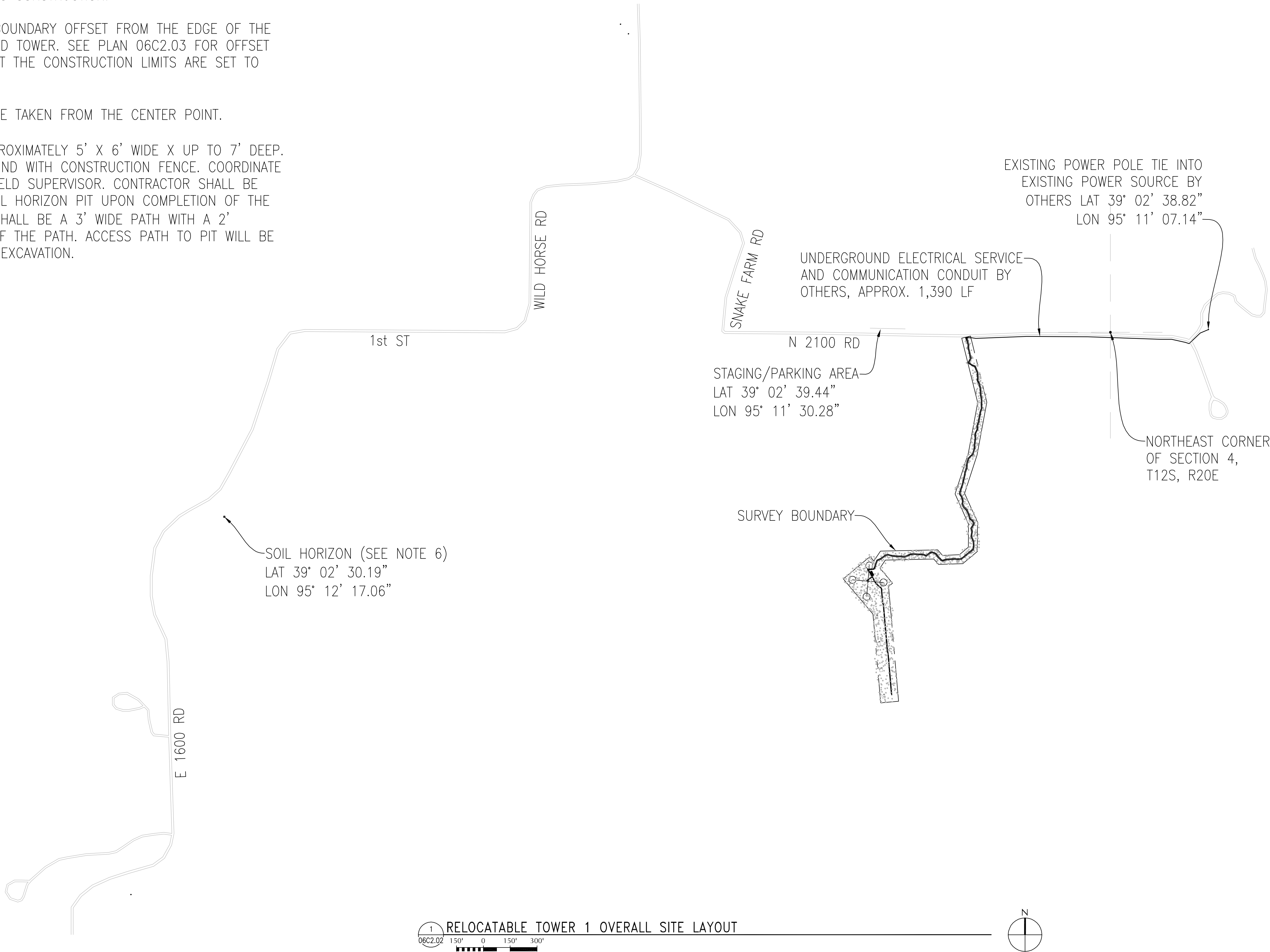
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
SURVEY

06C2.01A

NOTES:

1. THE ELECTRICAL SERVICE IS BY THE UTILITY COMPANY UP TO THE METER PEDESTAL AT THE AUXILIARY PORTAL. FROM THE METER PEDESTAL TO THE INSTRUMENT HUT AND BEYOND THE SERVICE IS PRIVATE AND SHALL BE INSTALLED BY THE GENERAL CONTRACTOR. SEE SHEET 06E2.05 FOR ELECTRICAL ONE LINE DIAGRAM.
2. SEE SHEET 06C2.04 AND 06C2.05 FOR PROFILE OF PATH AND BOARDWALK.
3. SEE ELECTRICAL PLANS FOR ELECTRIC CONSTRUCTION.
4. CONSTRUCTION LIMITS SHALL BE A BOUNDARY OFFSET FROM THE EDGE OF THE PATH, BOARDWALK, INSTRUMENT HUT AND TOWER. SEE PLAN 06C2.03 FOR OFFSET DIMENSIONS. NEAR THE INSTRUMENT HUT THE CONSTRUCTION LIMITS ARE SET TO ALLOW ROOM FOR GROUNDING.
5. ALL LATITUDE/LONGITUDES NOTED ARE TAKEN FROM THE CENTER POINT.
6. CONTRACTOR TO PROVIDE A PIT APPROXIMATELY 5’ X 6’ WIDE X UP TO 7’ DEEP. COVER PIT WITH PLYWOOD AND SURROUND WITH CONSTRUCTION FENCE. COORDINATE ACCESS TO THE PIT WITH THE NEON FIELD SUPERVISOR. CONTRACTOR SHALL BE RESPONSIBLE FOR BACKFILLING THE SOIL HORIZON PIT UPON COMPLETION OF THE SCIENCE WORK. ACCESS PATH TO PIT SHALL BE A 3’ WIDE PATH WITH A 2’ CONSTRUCTION LIMIT ON EITHER SIDE OF THE PATH. ACCESS PATH TO PIT WILL BE DETERMINED BY FIU STAFF AT TIME OF EXCAVATION.



1
06C2.02
RELOCATABLE TOWER 1 OVERALL SITE LAYOUT

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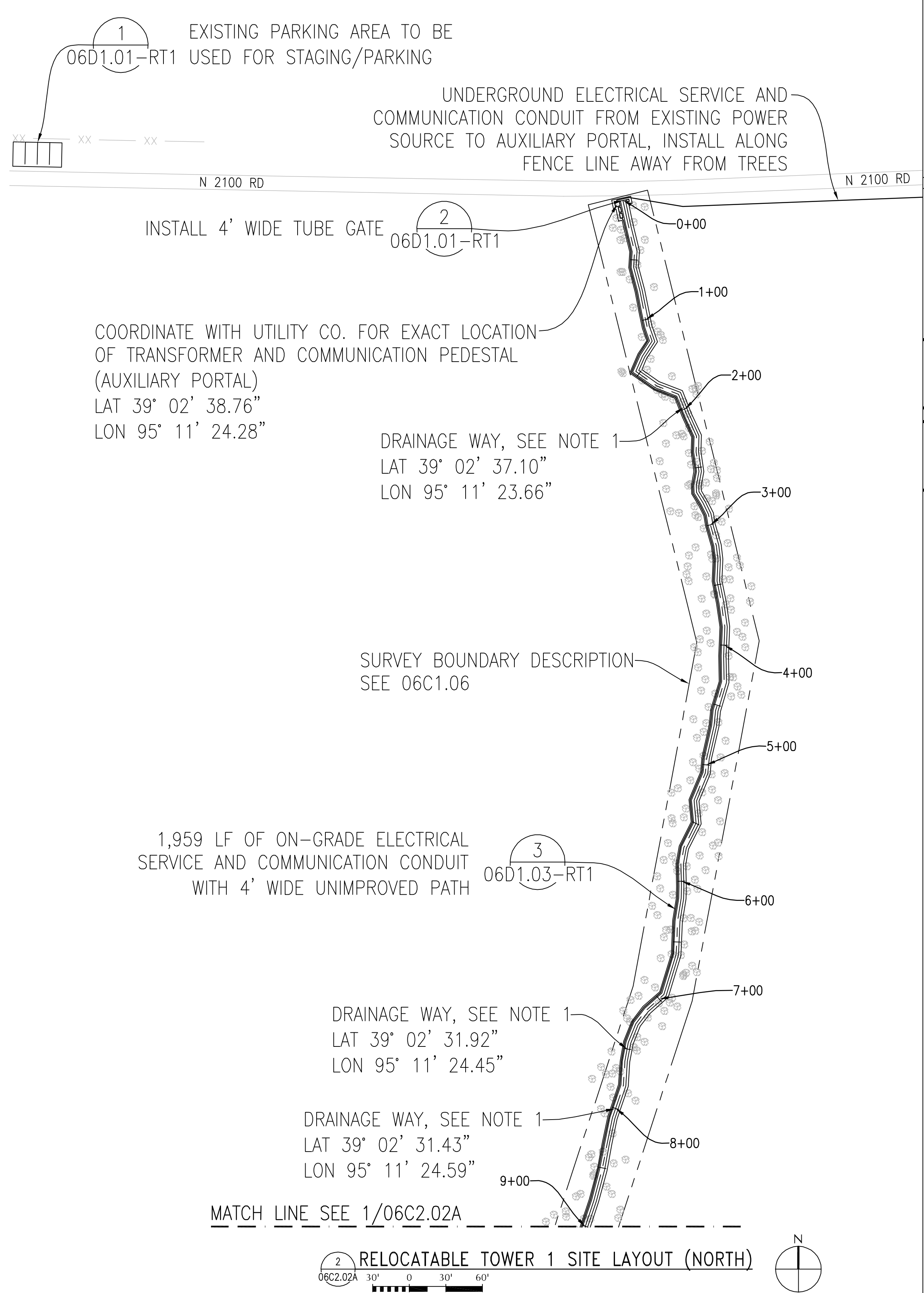
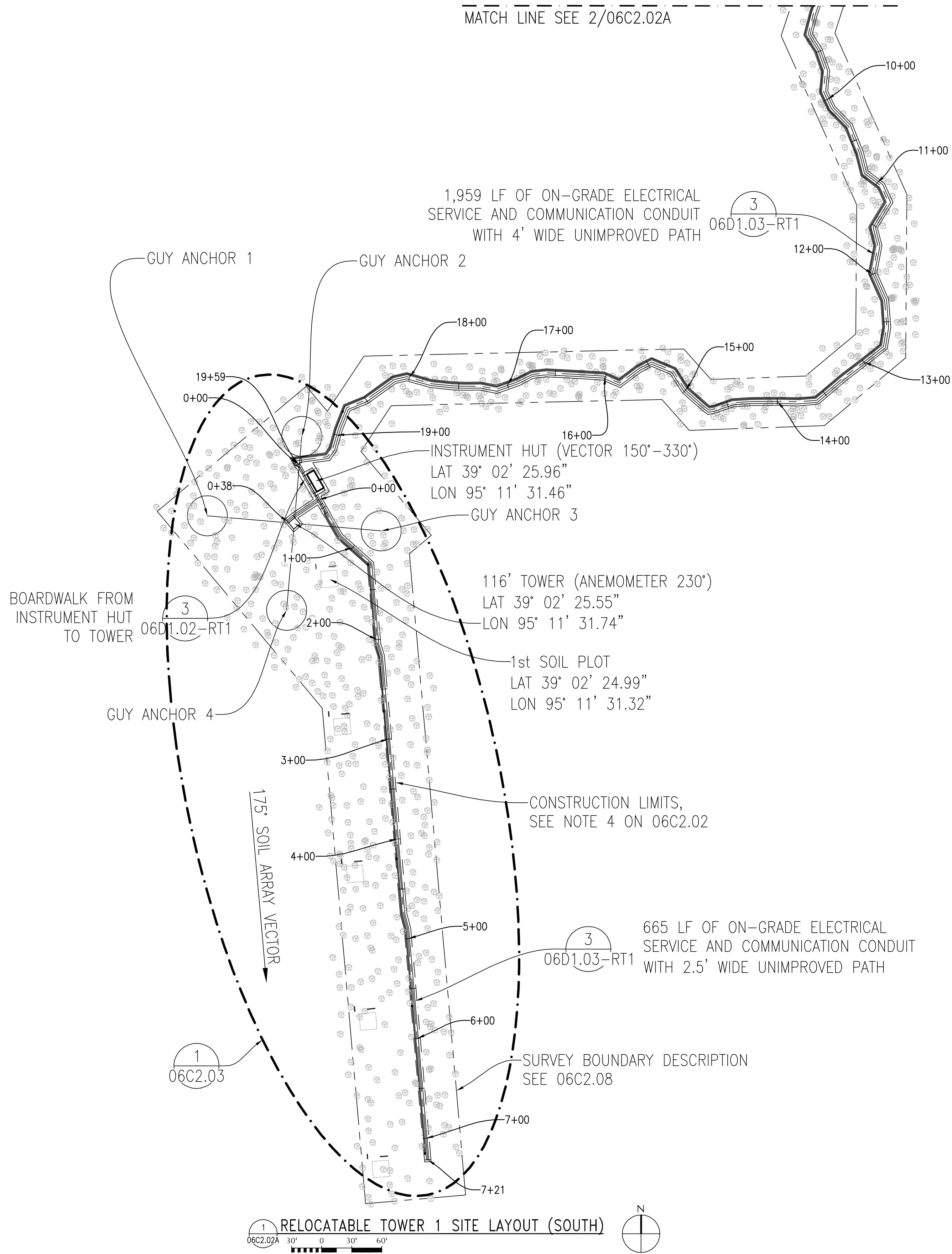
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NEON Project No. 04.08.C.0008
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
OVERALL SITE LAYOUT

06C2.02

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NOTES:

1. THE DRAINAGE WAYS ARE LOW SPOTS WHERE RUNNING WATER COULD BE FLOWING DURING WET TIMES. A 10' LENGTH OF BOARDWALK SHALL BE LAID ONTO THE GROUND FOR SAFE CROSSING AND TO ATTACH THE ELECTRICAL AND COMMUNICATION CONDUITS TO. SEE DETAIL 3/06D2.01-RT1.

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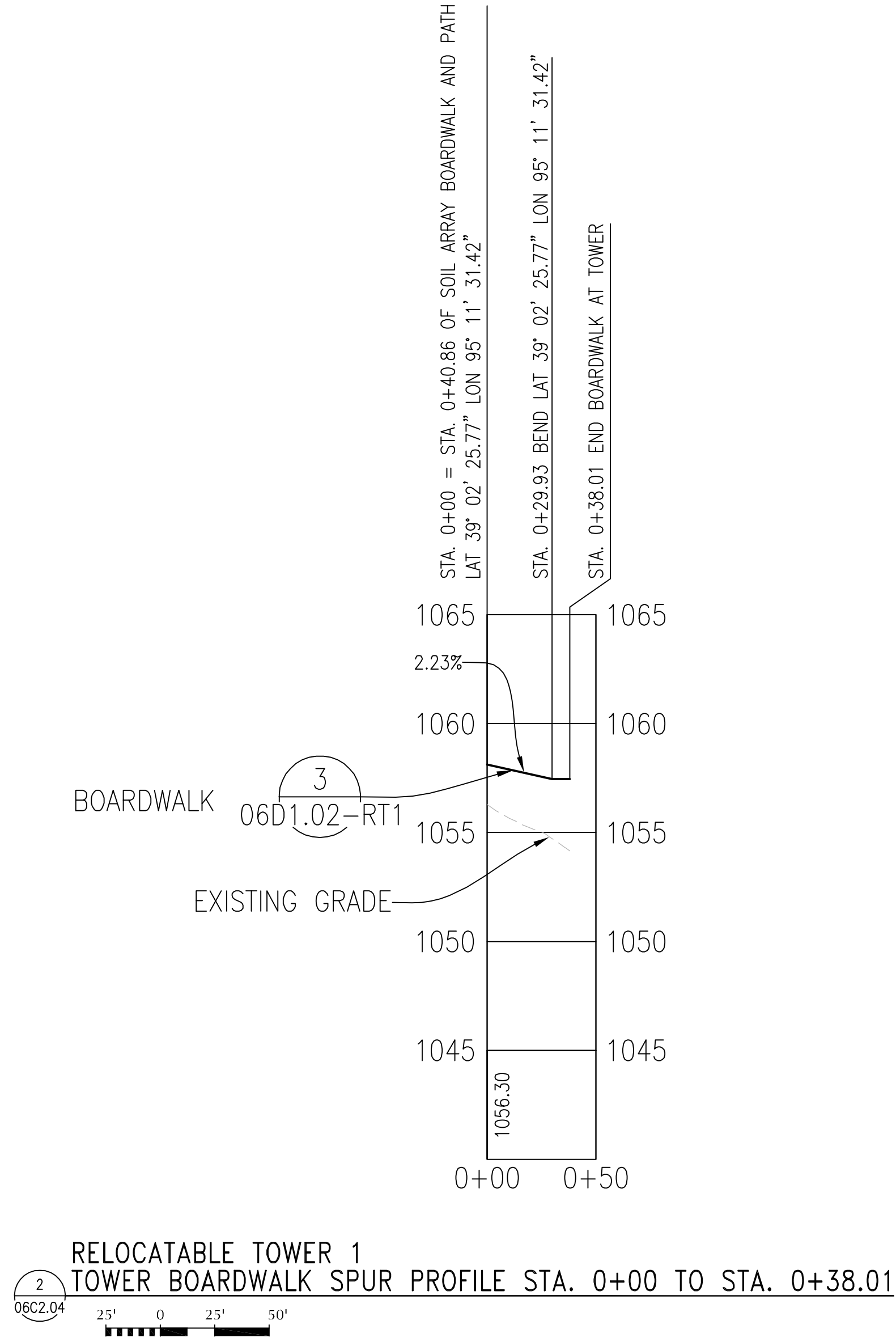
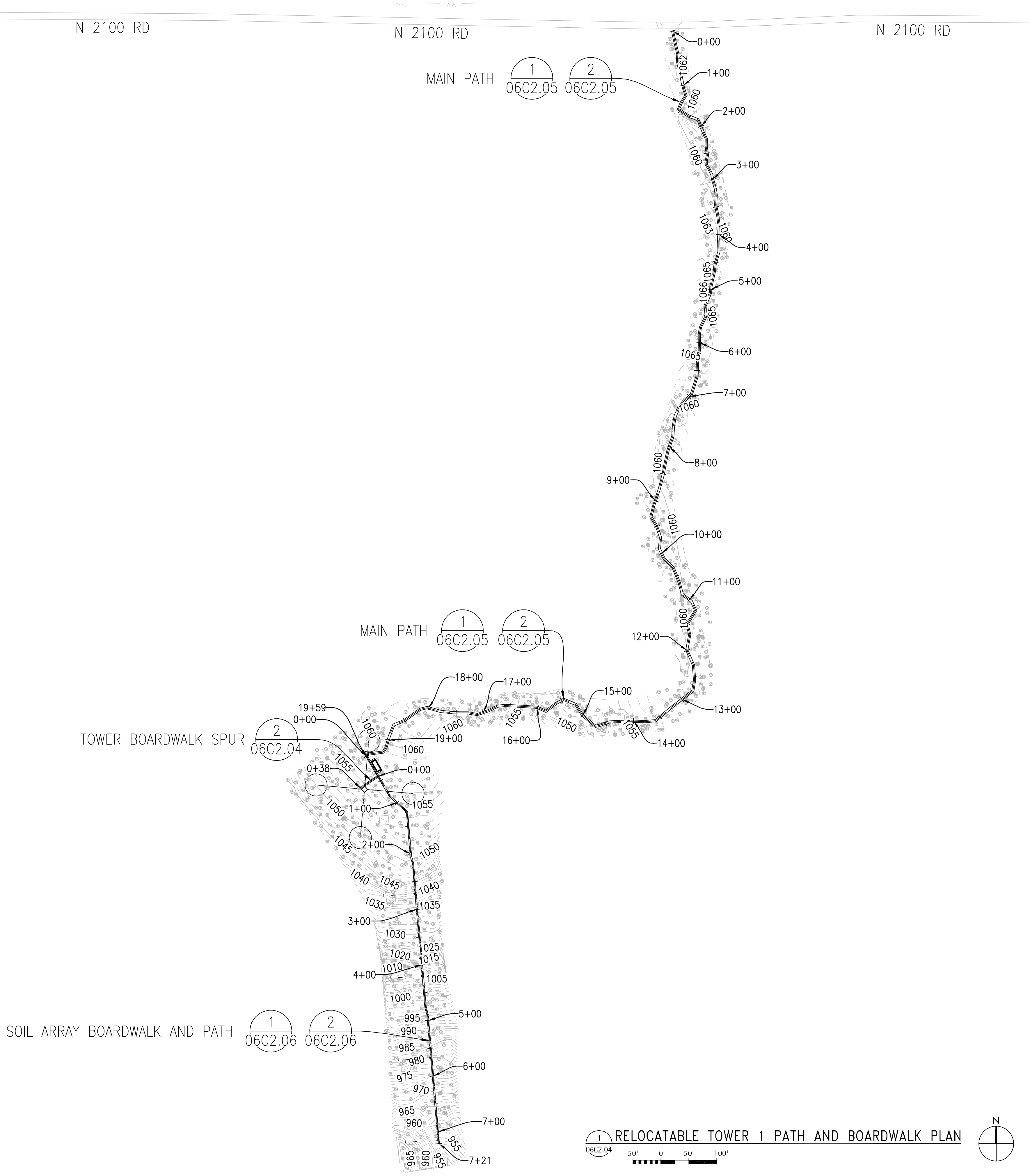
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NEON Project No. 04.08.C.0008
JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
SITE LAYOUT

06C2.02A

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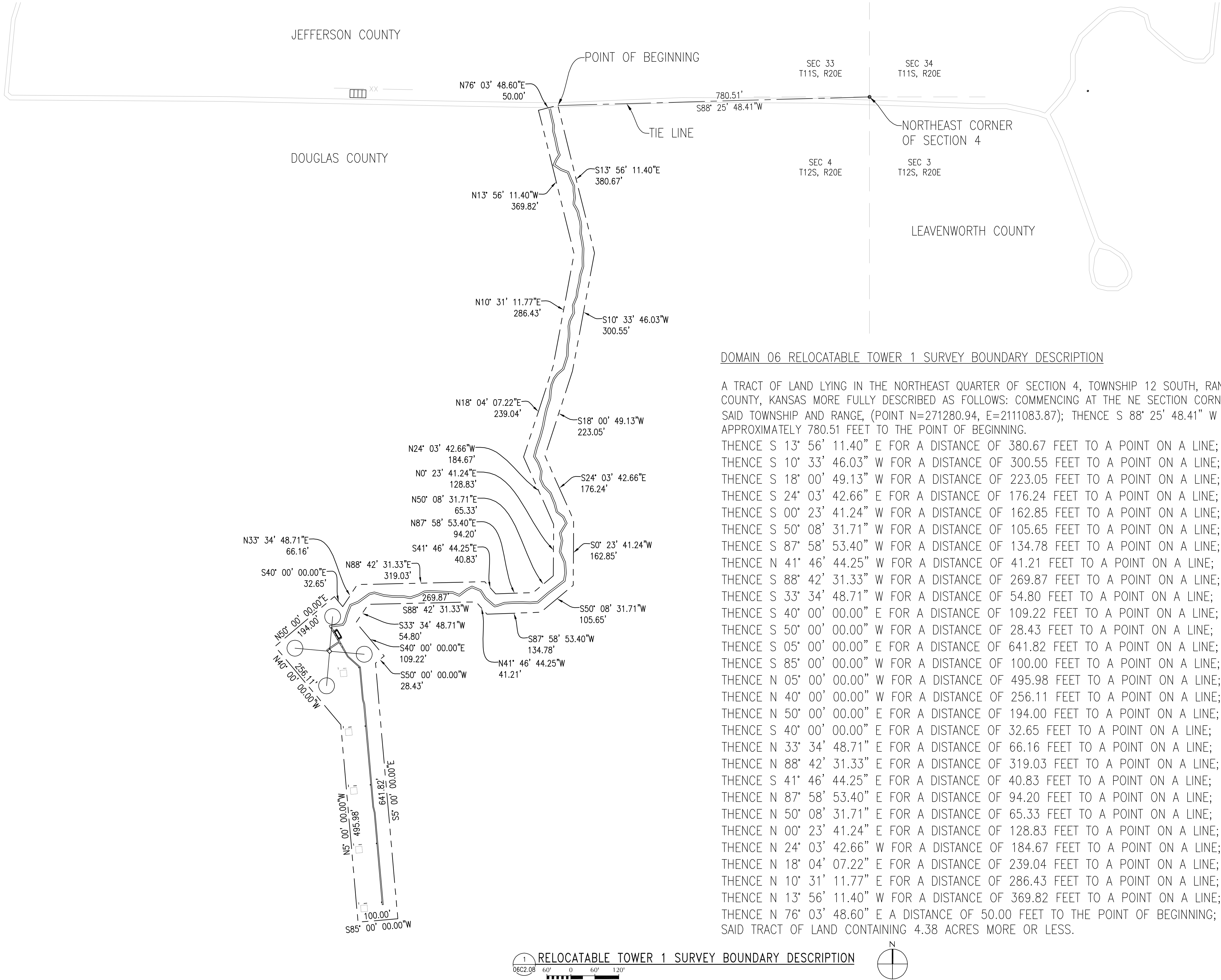
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DOMAIN 06 PRAIRIE PENINSULA
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PATH AND BOARDWALK PLAN

06C2.04

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DOMAIN 06 RELOCATABLE TOWER 1 SURVEY BOUNDARY DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 12 SOUTH, RANGE 20 EAST, DOUGLAS COUNTY, KANSAS MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE SECTION CORNER OF SECTION 4 OF SAID TOWNSHIP AND RANGE, (POINT N=271280.94, E=2111083.87); THENCE S 88° 25' 48.41" W A DISTANCE OF APPROXIMATELY 780.51 FEET TO THE POINT OF BEGINNING.

THENCE S 13° 56' 11.40" E FOR A DISTANCE OF 380.67 FEET TO A POINT ON A LINE;
THENCE S 10° 33' 46.03" W FOR A DISTANCE OF 300.55 FEET TO A POINT ON A LINE;
THENCE S 18° 00' 49.13" W FOR A DISTANCE OF 223.05 FEET TO A POINT ON A LINE;
THENCE S 24° 03' 42.66" E FOR A DISTANCE OF 176.24 FEET TO A POINT ON A LINE;
THENCE S 00° 23' 41.24" W FOR A DISTANCE OF 162.85 FEET TO A POINT ON A LINE;
THENCE S 50° 08' 31.71" W FOR A DISTANCE OF 105.65 FEET TO A POINT ON A LINE;
THENCE S 87° 58' 53.40" W FOR A DISTANCE OF 134.78 FEET TO A POINT ON A LINE;
THENCE N 41° 46' 44.25" W FOR A DISTANCE OF 41.21 FEET TO A POINT ON A LINE;
THENCE S 88° 42' 31.33" W FOR A DISTANCE OF 269.87 FEET TO A POINT ON A LINE;
THENCE S 33° 34' 48.71" W FOR A DISTANCE OF 54.80 FEET TO A POINT ON A LINE;
THENCE S 40° 00' 00.00" E FOR A DISTANCE OF 109.22 FEET TO A POINT ON A LINE;
THENCE S 50° 00' 00.00" W FOR A DISTANCE OF 28.43 FEET TO A POINT ON A LINE;
THENCE S 05° 00' 00.00" E FOR A DISTANCE OF 641.82 FEET TO A POINT ON A LINE;
THENCE S 85° 00' 00.00" W FOR A DISTANCE OF 100.00 FEET TO A POINT ON A LINE;
THENCE N 05° 00' 00.00" W FOR A DISTANCE OF 495.98 FEET TO A POINT ON A LINE;
THENCE N 40° 00' 00.00" W FOR A DISTANCE OF 256.11 FEET TO A POINT ON A LINE;
THENCE N 50° 00' 00.00" E FOR A DISTANCE OF 194.00 FEET TO A POINT ON A LINE;
THENCE S 40° 00' 00.00" E FOR A DISTANCE OF 32.65 FEET TO A POINT ON A LINE;
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THENCE N 00° 23' 41.24" E FOR A DISTANCE OF 128.83 FEET TO A POINT ON A LINE;
THENCE N 24° 03' 42.66" W FOR A DISTANCE OF 184.67 FEET TO A POINT ON A LINE;
THENCE N 18° 04' 07.22" E FOR A DISTANCE OF 239.04 FEET TO A POINT ON A LINE;
THENCE N 10° 31' 11.77" E FOR A DISTANCE OF 286.43 FEET TO A POINT ON A LINE;
THENCE N 13° 56' 11.40" W FOR A DISTANCE OF 369.82 FEET TO A POINT ON A LINE;
THENCE N 76° 03' 48.60" E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;
SAID TRACT OF LAND CONTAINING 4.38 ACRES MORE OR LESS.

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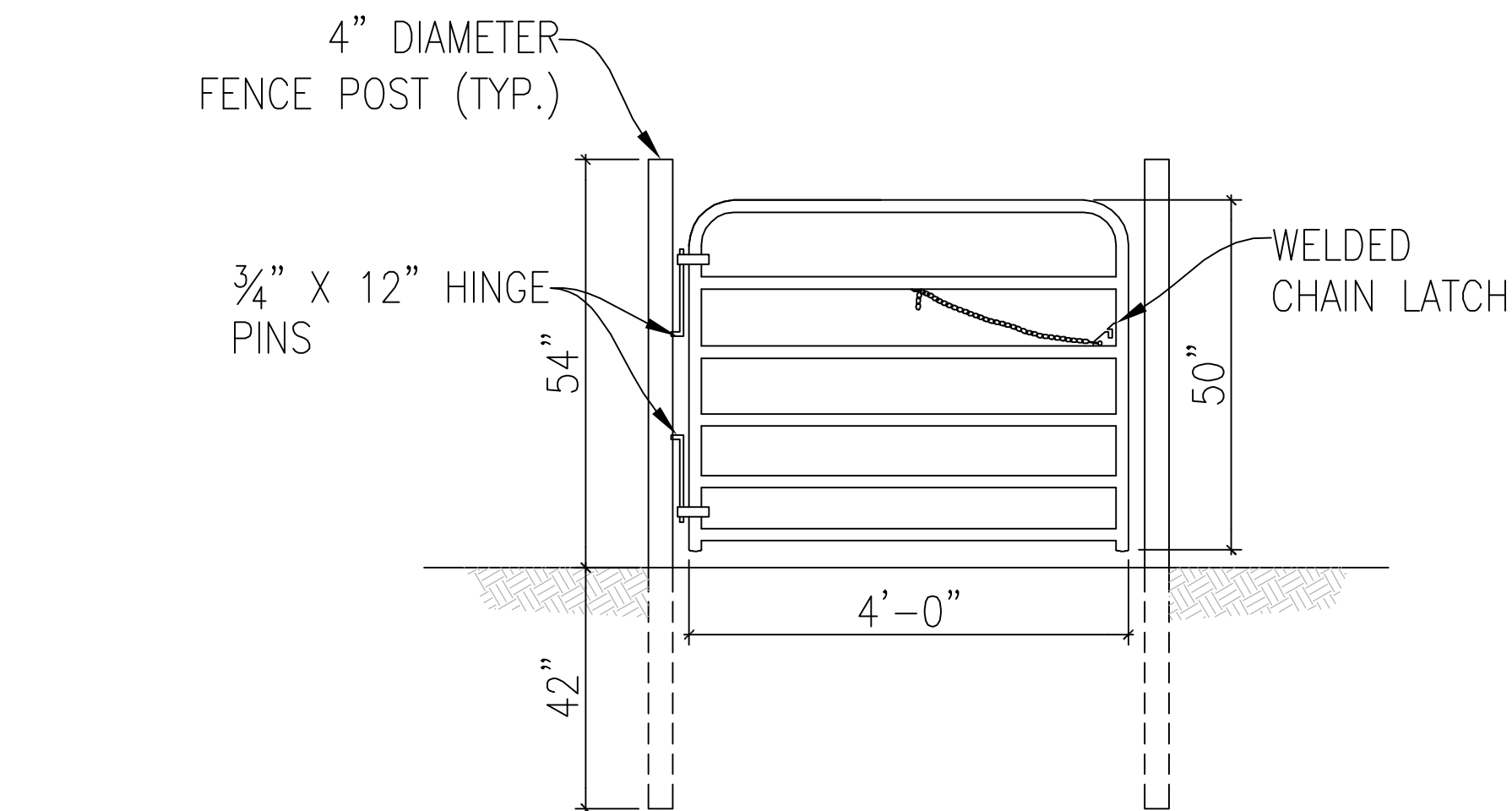
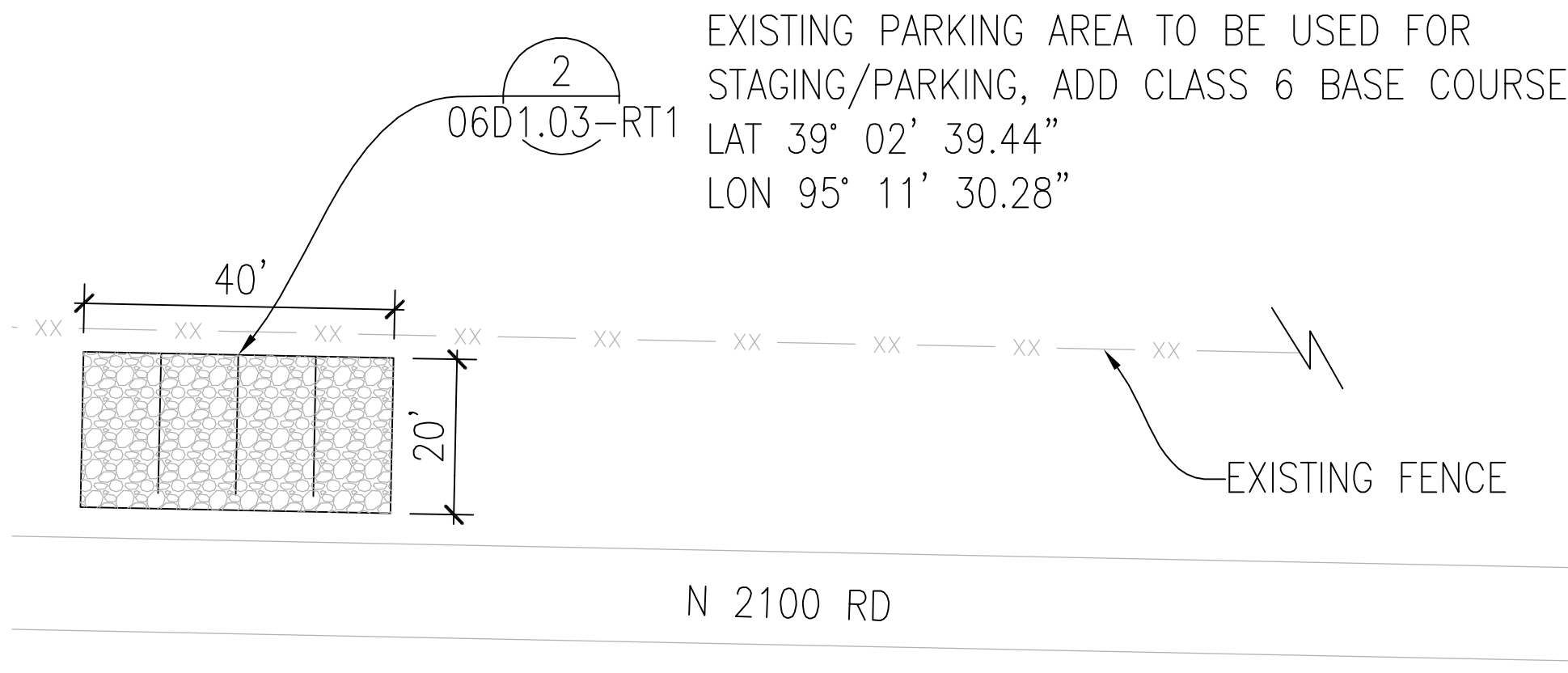
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NEON Project No. 04.08.C.0008
JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
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SURVEY BOUNDARY DESCRIPTION

06C2.08

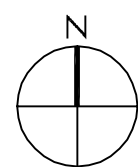
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NOTES:
1. INSTALL 4' TUBE GATE. ALIGN CENTER OF GATE WITH CENTER OF PATH.

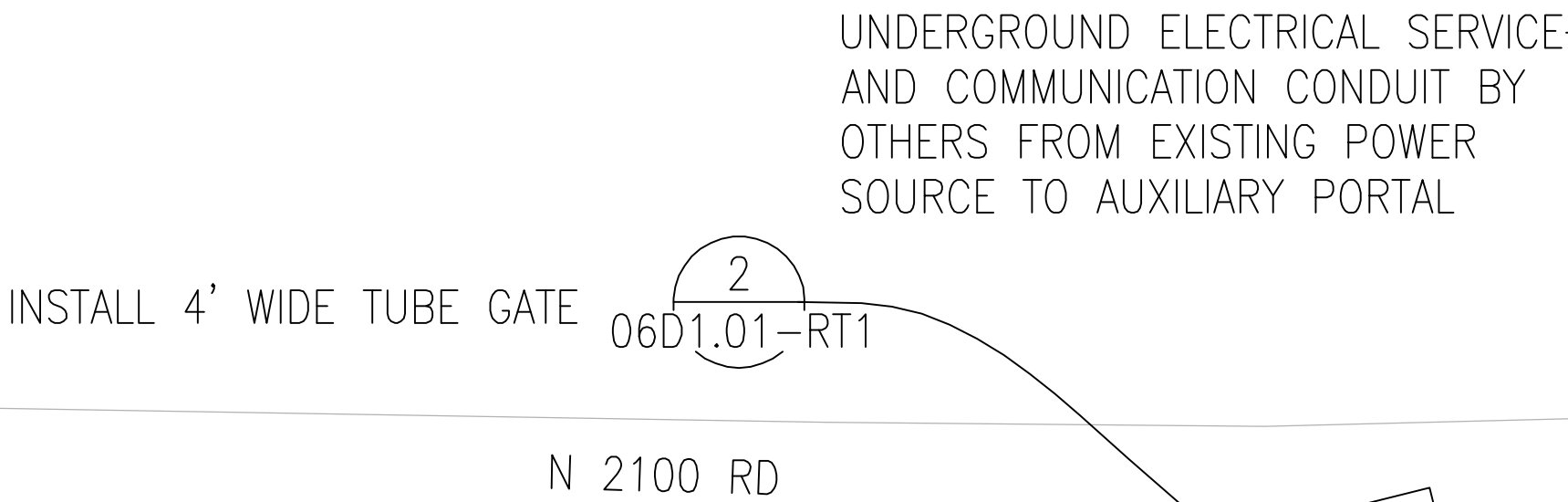
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06D1.01-RT1
4' TUBE GATE
SCALE: NO SCALE

1
06D1.01-RT1
ENLARGED RELOCATABLE TOWER 1 STAGING/PARKING AREA
10' 0 10' 20'



NOTES:

1. SEE OVERALL SITE LAYOUT ON SHEET 06C2.02 FOR THE APPROXIMATE DISTANCE AND RELATIVE LOCATION OF THE STAGING/PARKING AREA IS FROM THE TOWER SITE.



COORDINATE WITH UTILITY CO. FOR EXACT LOCATION OF TRANSFORMER AND COMMUNICATION PEDESTAL (AUXILIARY PORTAL)
LAT 39° 02' 38.76"
LON 95° 11' 24.28"

4' WIDE PATH

ON-GRADE ELECTRICAL SERVICE AND COMMUNICATION CONDUIT TO INSTRUMENT HUT

CONSTRUCTION LIMITS

SURVEY LIMITS

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| Manager | EAH |
| Design | JTC |
| Draw | JTC |
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NEON Project No. 04.08.C.0008
JANUARY 28, 2014

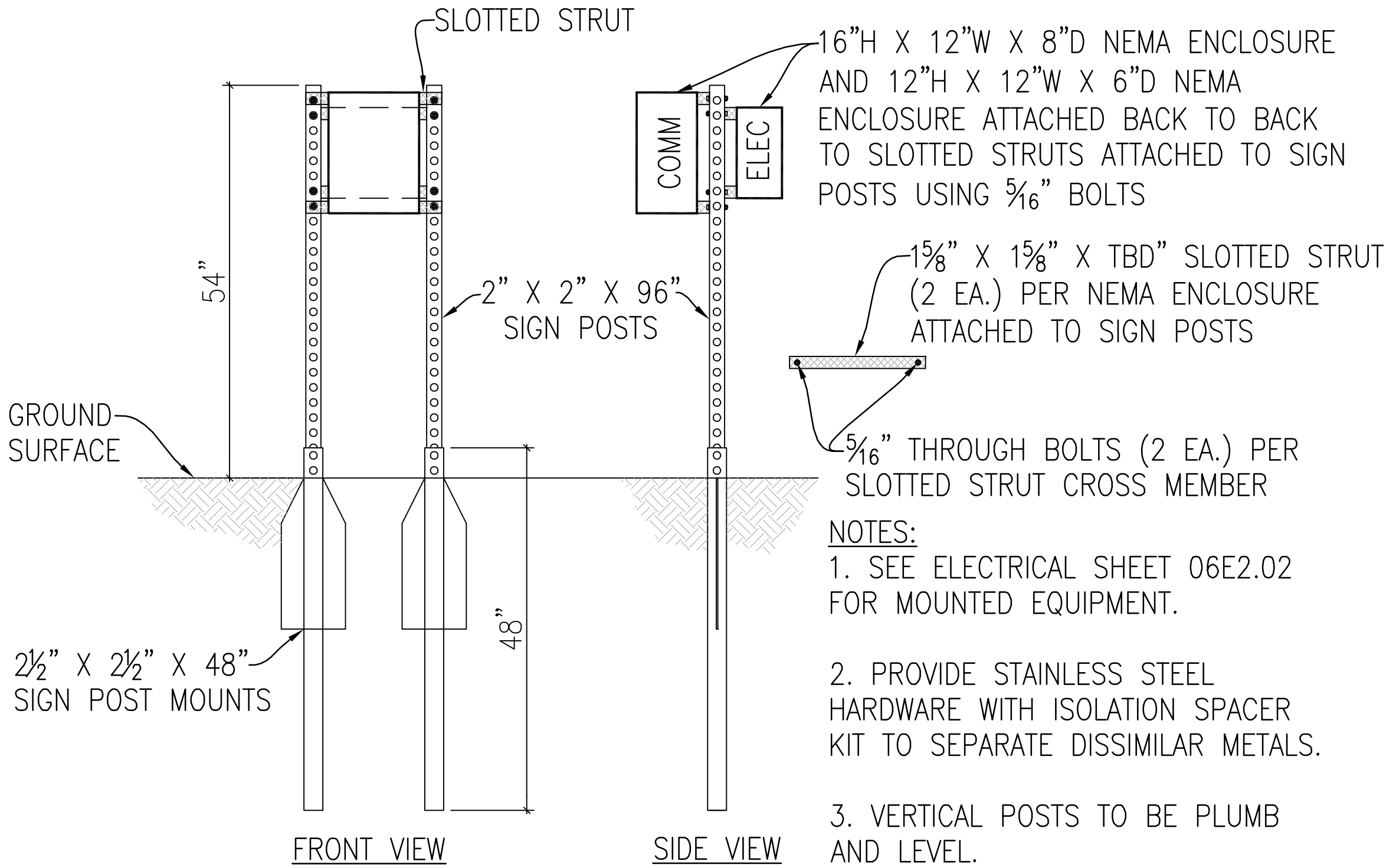
DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
CIVIL DETAILS

06D1.01-RT1

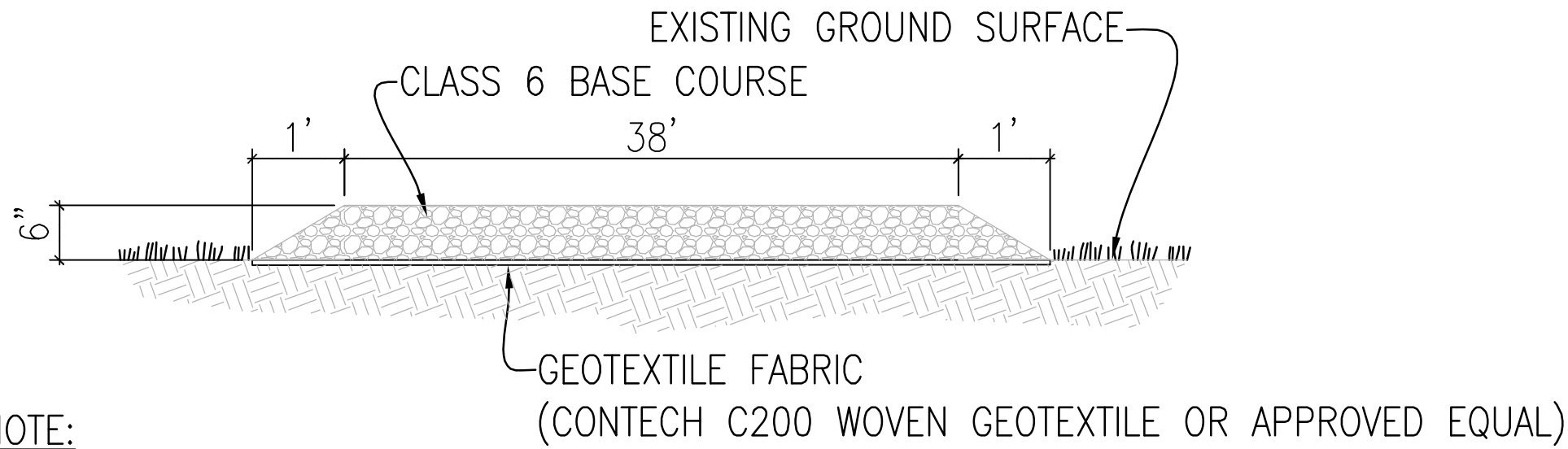


- 06D1.02-RT1  DRAINAGE TRENCH CROSS SECTION
SCALE: NO SCALE

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1 SOIL ARRAY DEVICE POST DETAIL
06D1.03-RT1 SCALE: NO SCALE



NOTE:
1. STAGING AREA IS 40' X 20'.

2 STAGING/PARKING AREA WITH CLASS 6 BASE COURSE AND FABRIC
06D1.03-RT1 SCALE: NO SCALE



3 UNIMPROVED PATH
06D1.03-RT1 SCALE: NO SCALE

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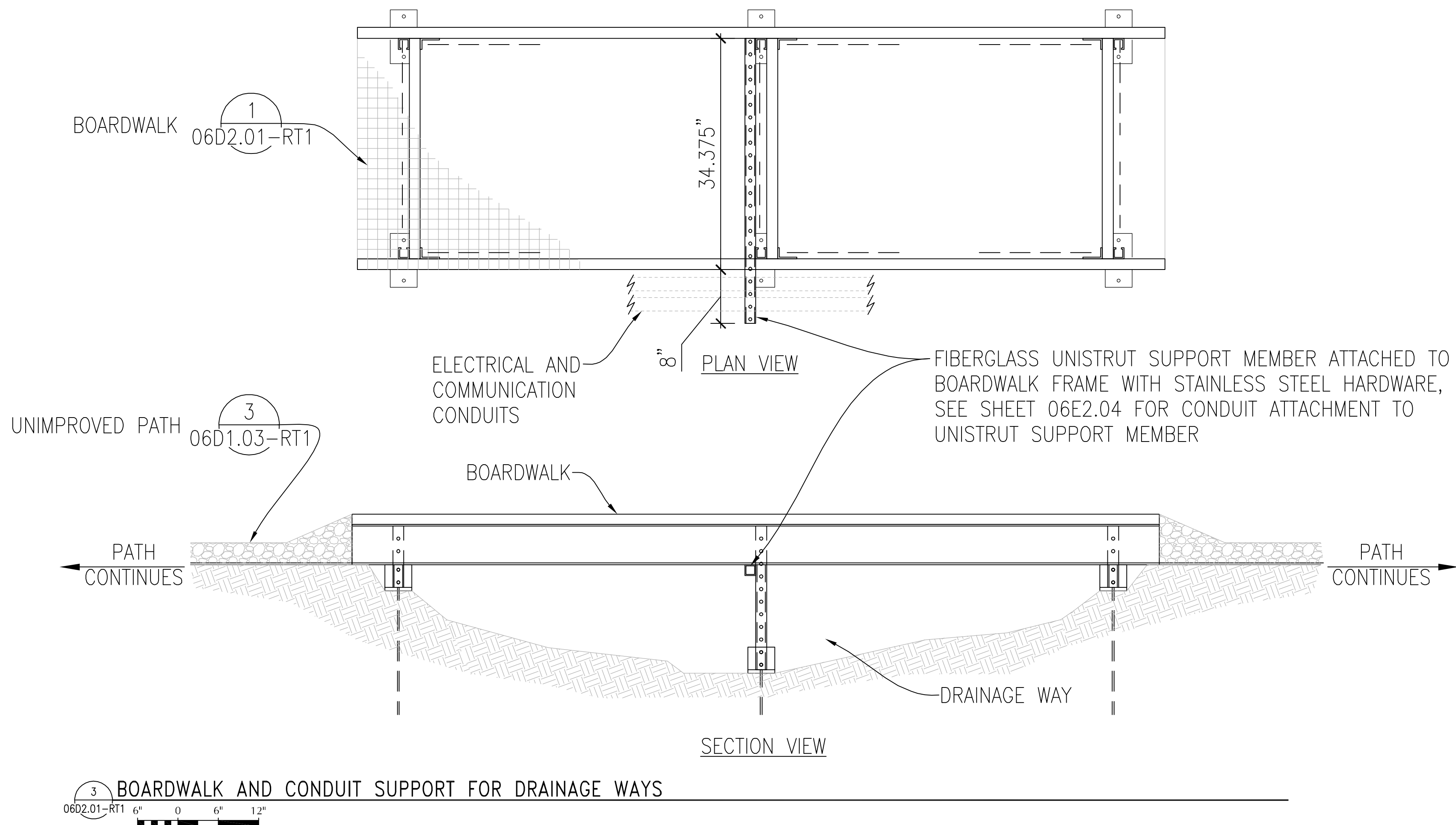
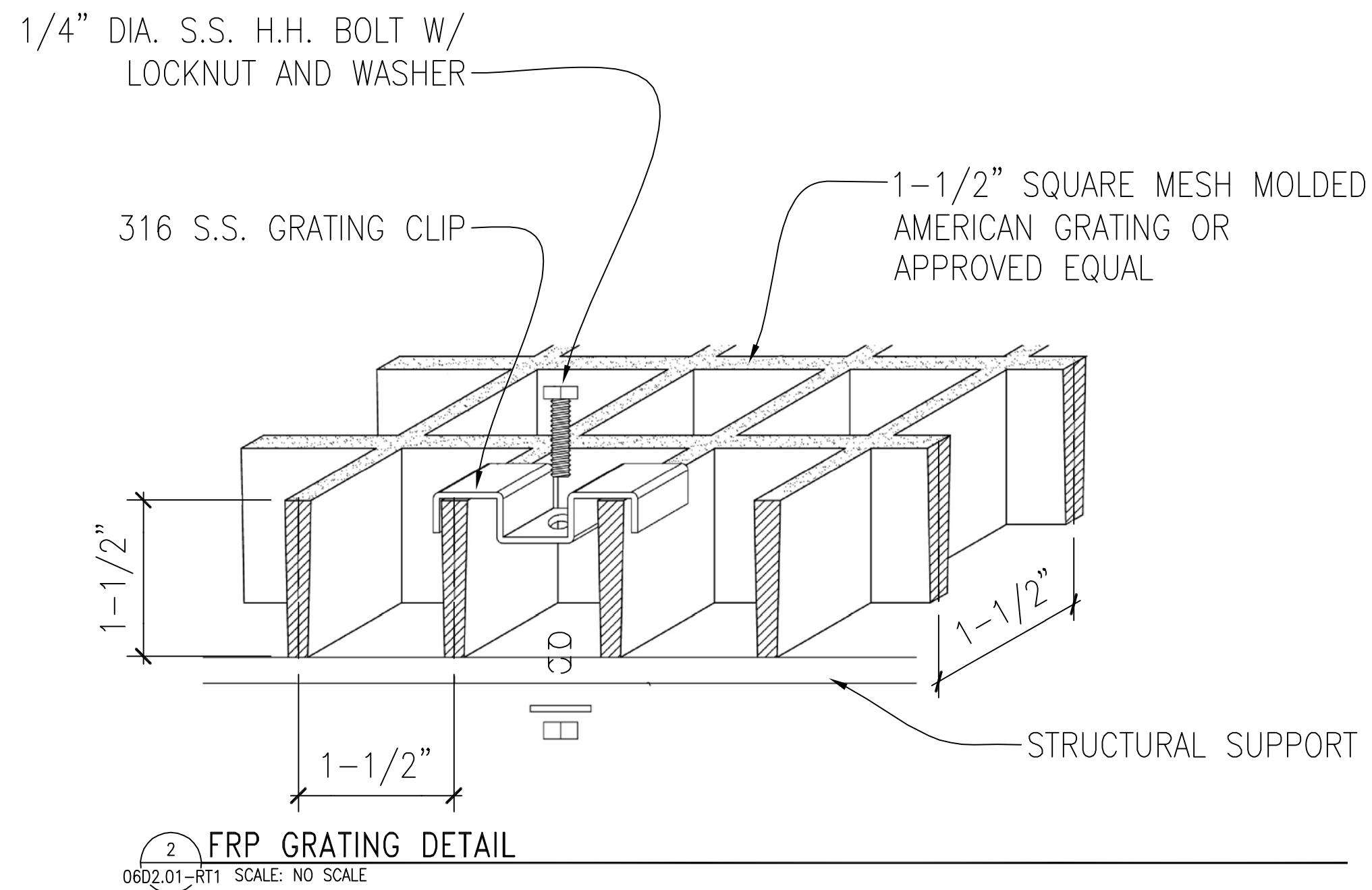
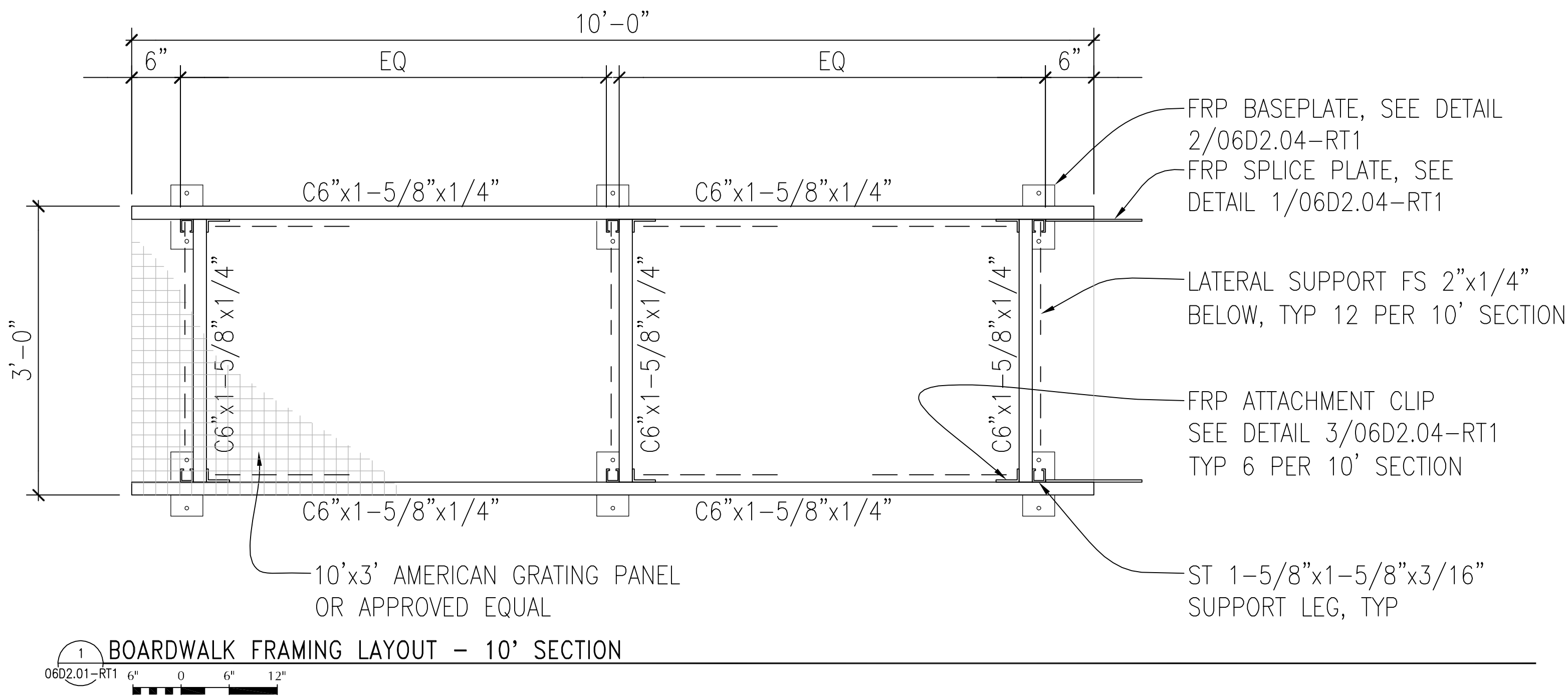
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
CIVIL DETAILS

06D1.03-RT1



NOTES:

- ALL MATERIAL AND PARTS TO BE FRP (FIBERGLASS REINFORCED POLYESTER) BY AMERICAN GRATING OR APPROVED EQUAL, UNLESS OTHERWISE NOTED.
- DECKING TO BE 3' WIDE FIBERGLASS PANELS BY AMERICAN GRATING OR APPROVED EQUAL.
- STRUCTURAL MEMBERS TO BE IFR (INTERMITTENT FLAME RESISTANT), PULTRUDED, COLOR: GRAY.
- ALL HARDWARE TO BE 316 STAINLESS STEEL.
- THE TWO SECTIONS OF BOARDWALK DIRECTLY IN FRONT OF THE 20' LONG SIDE OF THE INSTRUMENT HUT SHALL BE 46" WIDE.

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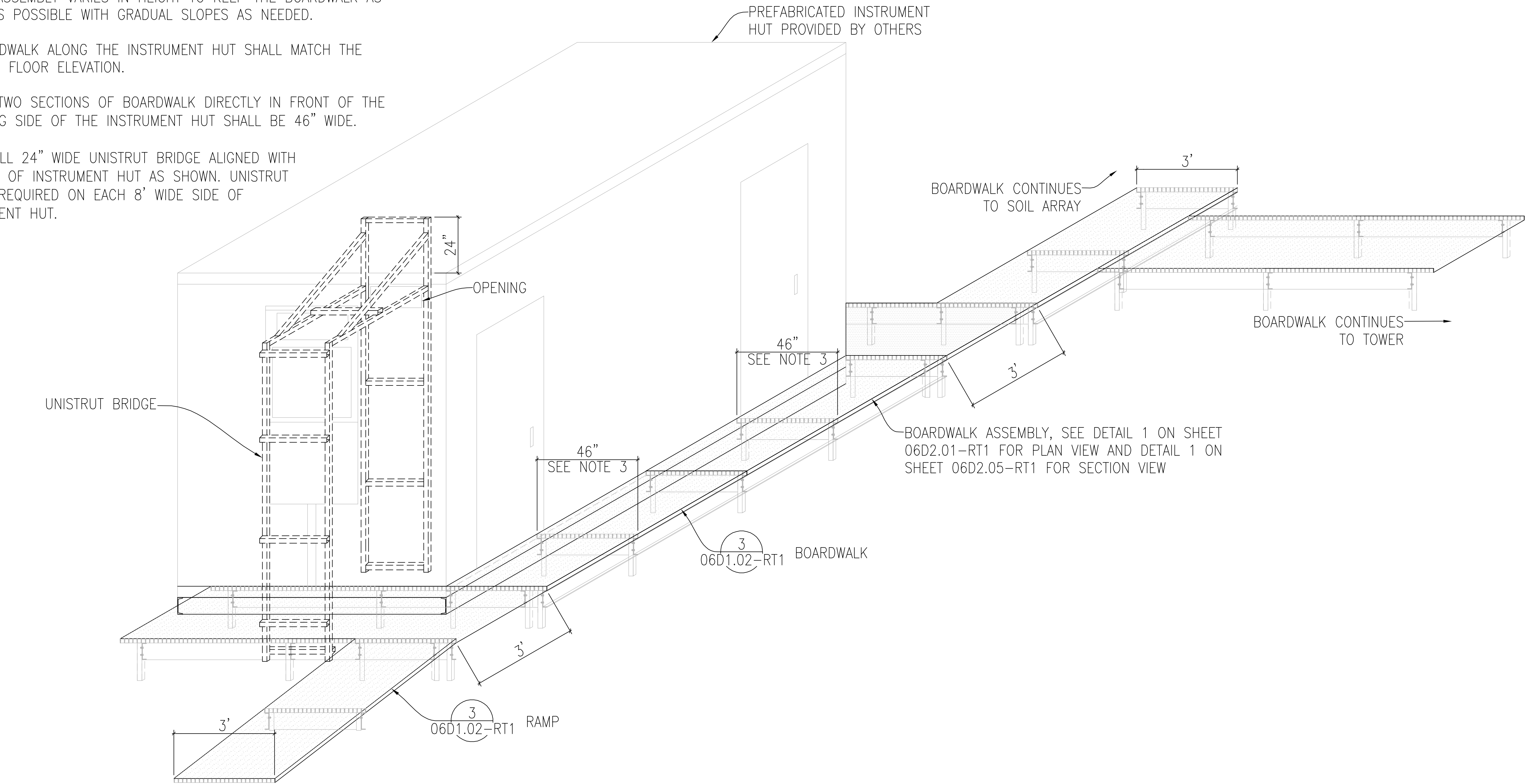
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FRP BOARDWALK DETAILS

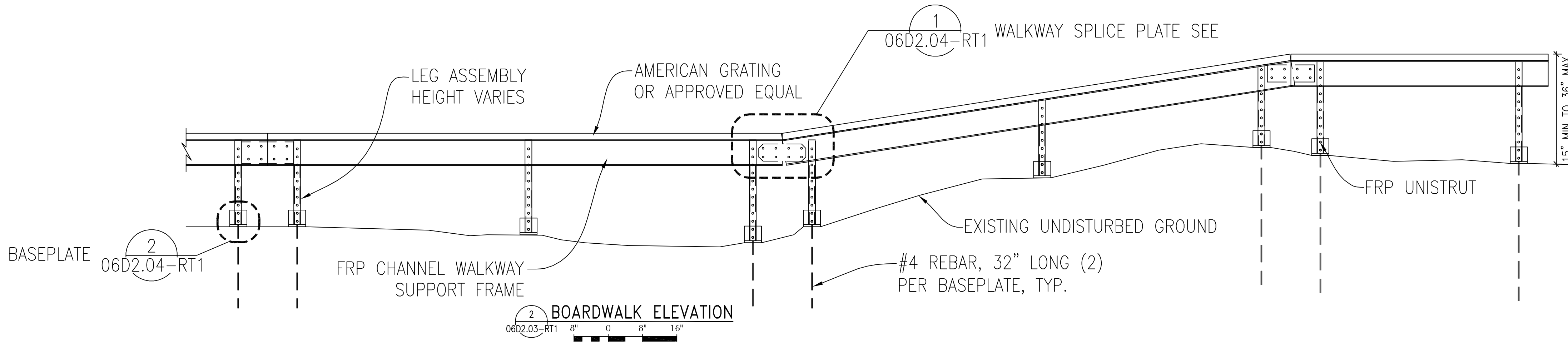
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NOTES:

1. LEG ASSEMBLY VARIES IN HEIGHT TO KEEP THE BOARDWALK AS LEVEL AS POSSIBLE WITH GRADUAL SLOPES AS NEEDED.
2. BOARDWALK ALONG THE INSTRUMENT HUT SHALL MATCH THE FINISHED FLOOR ELEVATION.
3. THE TWO SECTIONS OF BOARDWALK DIRECTLY IN FRONT OF THE 20' LONG SIDE OF THE INSTRUMENT HUT SHALL BE 46" WIDE.
4. INSTALL 24" WIDE UNISTRUT BRIDGE ALIGNED WITH OPENING OF INSTRUMENT HUT AS SHOWN. UNISTRUT BRIDGE REQUIRED ON EACH 8' WIDE SIDE OF INSTRUMENT HUT.



1 INSTRUMENT HUT PERSPECTIVE VIEW
06D2.03-RT1 SCALE: NO SCALE



2 BOARDWALK ELEVATION
06D2.03-RT1 8" 0 8" 16"

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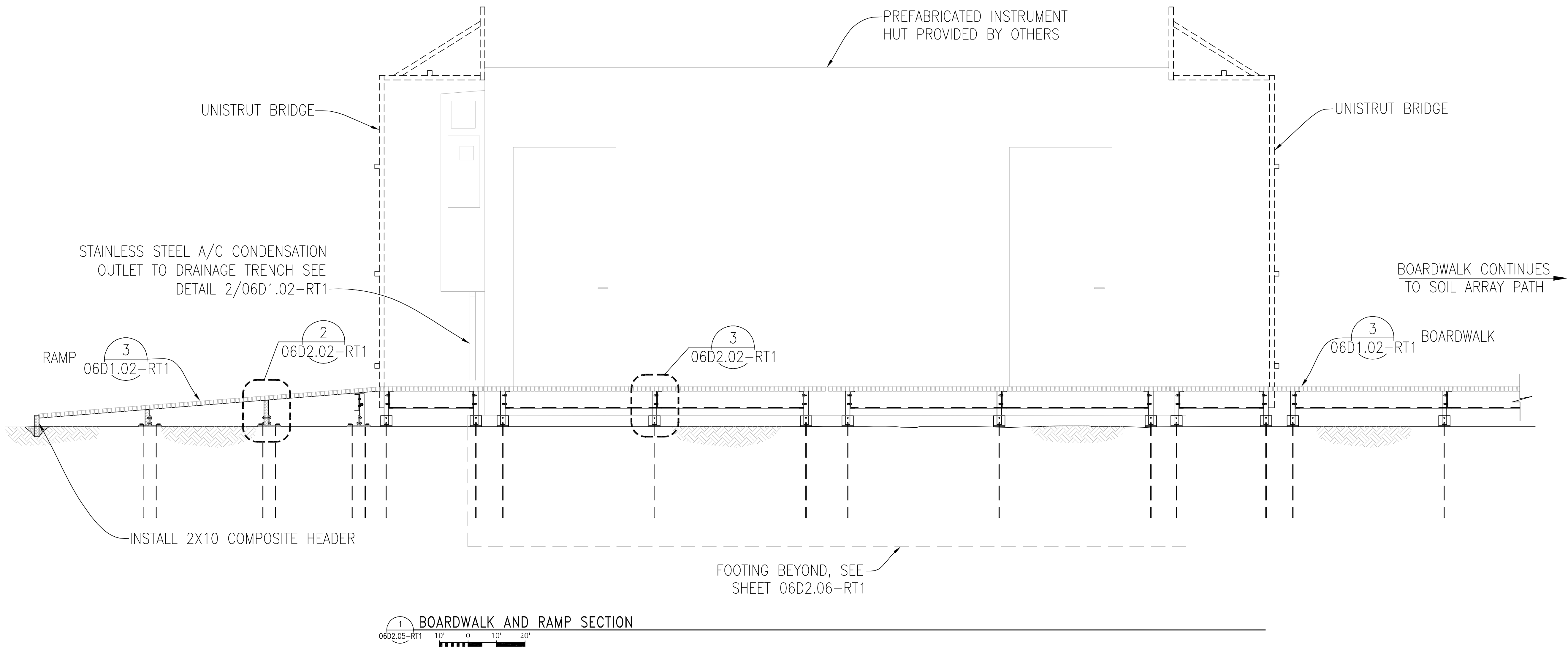
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JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
FRP BOARDWALK DETAILS

06D2.03-RT1

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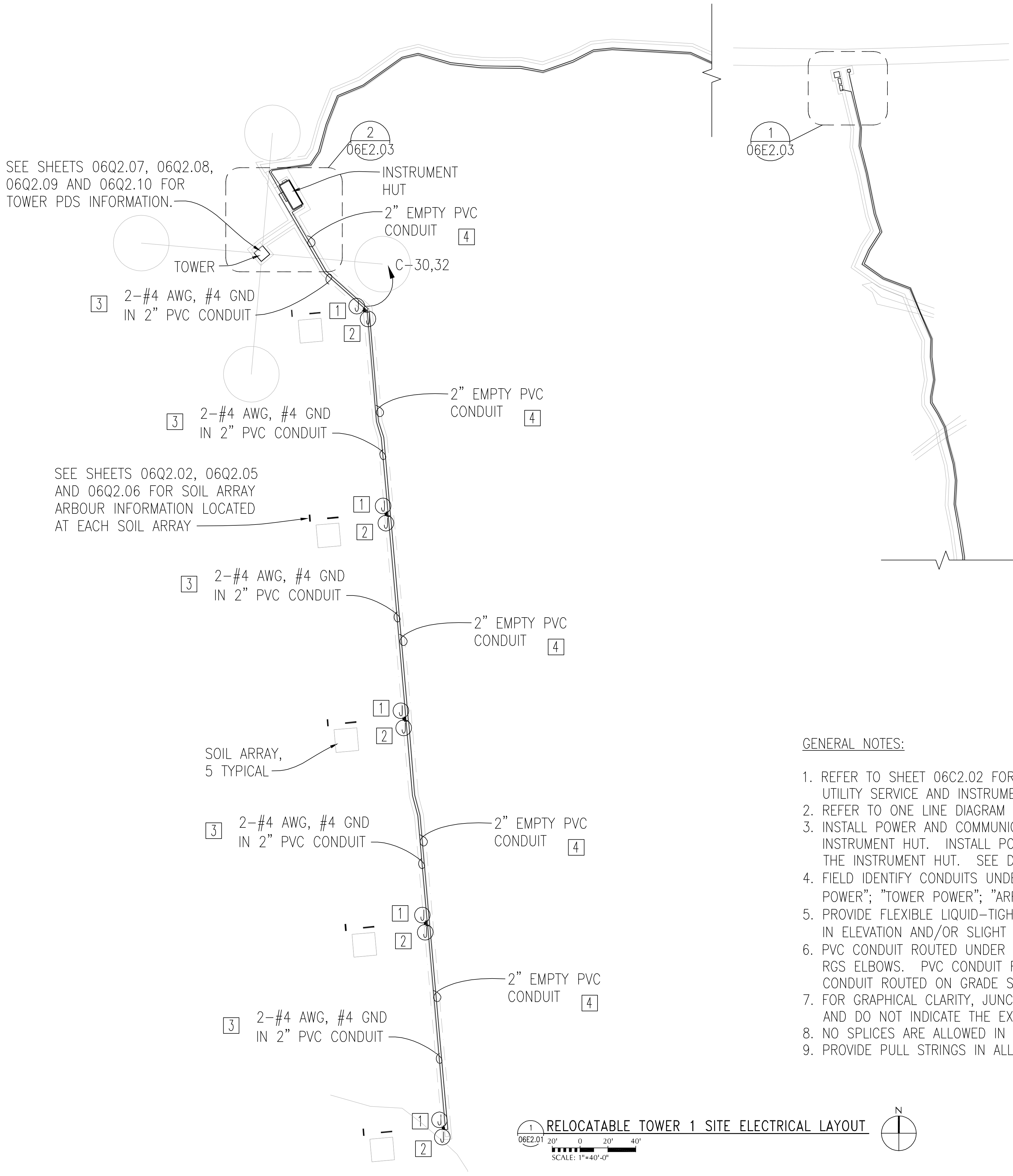
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
BOARDWALK AND RAMP SECTION

06D2.05-RT1

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KEYED NOTES:

- 1 INSTALL POWER TERMINAL UNIT MOUNTED TO DEVICE POST ASSEMBLY. LOOP POWER CIRCUIT SHOWN FROM INSTRUMENT HUT PANEL THROUGH EACH POWER BOX. REFER TO DETAILS 1, 2 AND 3 ON SHEET 06E2.02.
- 2 INSTALL DATA BOX MOUNTED TO DEVICE POST ASSEMBLY. REFER TO DETAIL 3 ON SHEET 06E2.02.
- 3 BRANCH POWER CIRCUIT. ROUTE ON GRADE NEXT TO PATH. REFER TO GENERAL NOTE 3.
- 4 COMMUNICATION CONDUIT. ROUTE ON GRADE NEXT TO PATH. REFER TO GENERAL NOTE 3.

GENERAL NOTES:

- 1. REFER TO SHEET 06C2.02 FOR SITE LAYOUT AND SHEET 06C2.03 FOR DISTANCES AND RELATIONSHIPS OF UTILITY SERVICE AND INSTRUMENT HUT.
- 2. REFER TO ONE LINE DIAGRAM ON SHEET 06E2.05 FOR MORE INFORMATION.
- 3. INSTALL POWER AND COMMUNICATION CONDUITS ON GRADE FROM THE AUXILIARY PORTAL TO THE INSTRUMENT HUT. INSTALL POWER AND COMMUNICATION CONDUITS ON GRADE FROM THE SOIL ARRAYS TO THE INSTRUMENT HUT. SEE DETAILS ON SHEET 06E2.04.
- 4. FIELD IDENTIFY CONDUITS UNDER BOARDWALK AND ON GRADE WITH LABELS TO INDICATE USE. "ARRAY POWER"; "TOWER POWER"; "ARRAY COMM"; "TOWER COMM"; "SERVICE FEEDER"; "PHONE SERVICE".
- 5. PROVIDE FLEXIBLE LIQUID-TIGHT CONDUIT SECTION IN RACEWAY RUN UNDER BOARDWALK WHERE CHANGE IN ELEVATION AND/OR SLIGHT CHANGE IN DIRECTION PREVENTS STRAIGHT RUNS.
- 6. PVC CONDUIT ROUTED UNDER BOARDWALK OR BELOW GRADE SHALL BE SCHEDULE 40 WITH PVC COATED RGS ELBOWS. PVC CONDUIT ROUTED UP THE SIDE OF THE INSTRUMENT HUT SHALL BE SCHEDULE 80. CONDUIT ROUTED ON GRADE SHALL BE RGS.
- 7. FOR GRAPHICAL CLARITY, JUNCTION BOXES SHOWN INDICATE LOCATION WHERE THEY MAY BE REQUIRED AND DO NOT INDICATE THE EXACT QUANTITIES THAT ARE REQUIRED.
- 8. NO SPLICES ARE ALLOWED IN POWER CONDUCTORS BETWEEN ENCLOSURES.
- 9. PROVIDE PULL STRINGS IN ALL EMPTY COMMUNICATION CONDUITS.

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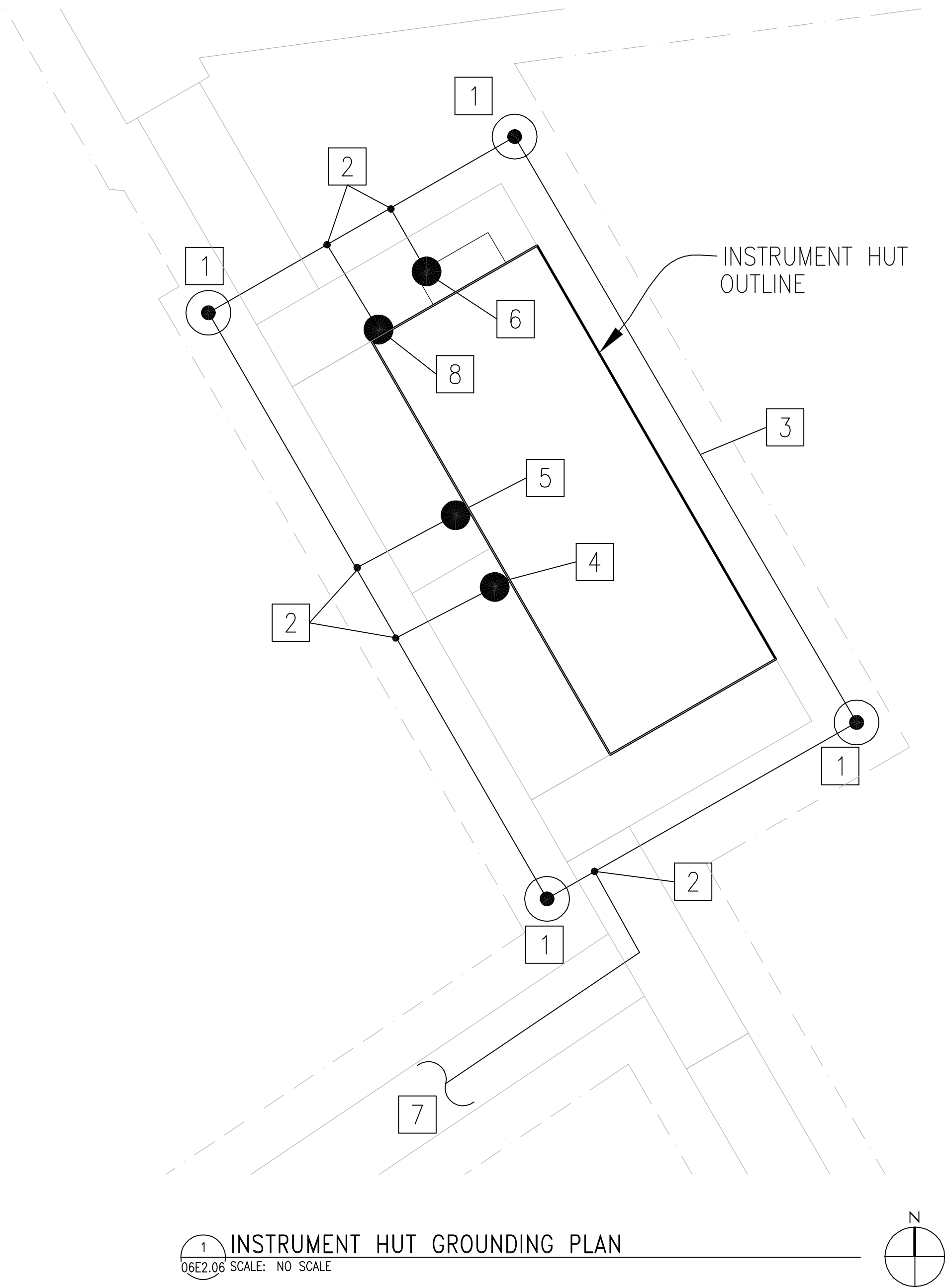
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
SITE ELECTRICAL LAYOUT

06E2.01

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KEYED NOTES:

- [1] 24" BY 24" BY 1/4" THICK COPPER GROUND PLATE. BURY HORIZONTALLY 24" BELOW GRADE WHERE POSSIBLE. EXOTHERMICALLY WELD TO COUNTERPOISE.
- [2] EXOTHERMICALLY WELDED CONNECTION.
- [3] BUILDING GROUND RING (COUNTERPOISE). #2 TINNED STRANDED COPPER CONDUCTOR RUN 24" MIN. BELOW GRADE WHERE POSSIBLE AND 2.5' OUT FROM PERIMETER OF BUILDING. EXTEND FURTHER FROM BUILDING AS SHOWN TO AVOID INSTALLING UNDER BOARDWALK. FOR NON-STANDARD SOIL ENVIRONMENTS, SEE MOTOROLA R56 SPECIFICATIONS AND CONFER WITH NEON CONSTRUCTION REPRESENTATIVE.
- [4] MAIN GROUND BAR CONDUCTOR. #2 TINNED STRANDED COPPER CONDUCTOR. CONNECT TO MAIN GROUND BAR INSIDE OF HUT. ROUTE THROUGH HUT PENETRATION PROVIDED, ROUTE DOWN SIDE OF HUT INSIDE OF 3/4" PVC CONDUIT, AND CONNECT TO COUNTERPOISE AS SHOWN. CONDUIT SHALL EXTEND FROM 16" BELOW GRADE TO 7' ABOVE FLOOR LEVEL.
- [5] ELECTRICAL PANEL GROUND BUSS BONDING CONDUCTOR. CONNECT TO GROUND BUSS IN PANEL 'H' AND COUNTERPOISE AS SHOWN. ROUTE IN 3/4" DIA. PVC CONDUIT FROM PANEL TO 16" BELOW GRADE.
- [6] HVAC EQUIPMENT GROUNDING CONDUCTOR. #2 TINNED STRANDED COPPER CONDUCTOR. CONNECT TO HVAC EQUIPMENT AND COUNTERPOISE AS SHOWN. ROUTE IN 3/4" PVC CONDUIT FROM HVAC UNIT TO 16" BELOW GRADE.
- [7] GROUND CONDUCTOR. #2 TINNED STRANDED COPPER CONDUCTOR MOUNTED TO UNDERSIDE OF BOARDWALK IN 1" PVC CONDUIT AND CONNECT TO TOWER GROUNDING SYSTEM.
- [8] UFER GROUND AND STEEL FRAME GROUND CONNECTION. PROVIDE 20 FEET OF BARE #4 AWG GROUND CONDUCTOR LOCATED IN BASE OF FOUNDATION, 2 INCHES FROM BOTTOM, AND STUB UP AT TOP OF FOUNDATION TO BOND TO STEEL FRAME OF INSTRUMENT HUT. CONTINUE BARE #4 AWG GROUND CONDUCTOR FROM STEEL FRAME TO COUNTERPOISE AS SHOWN.

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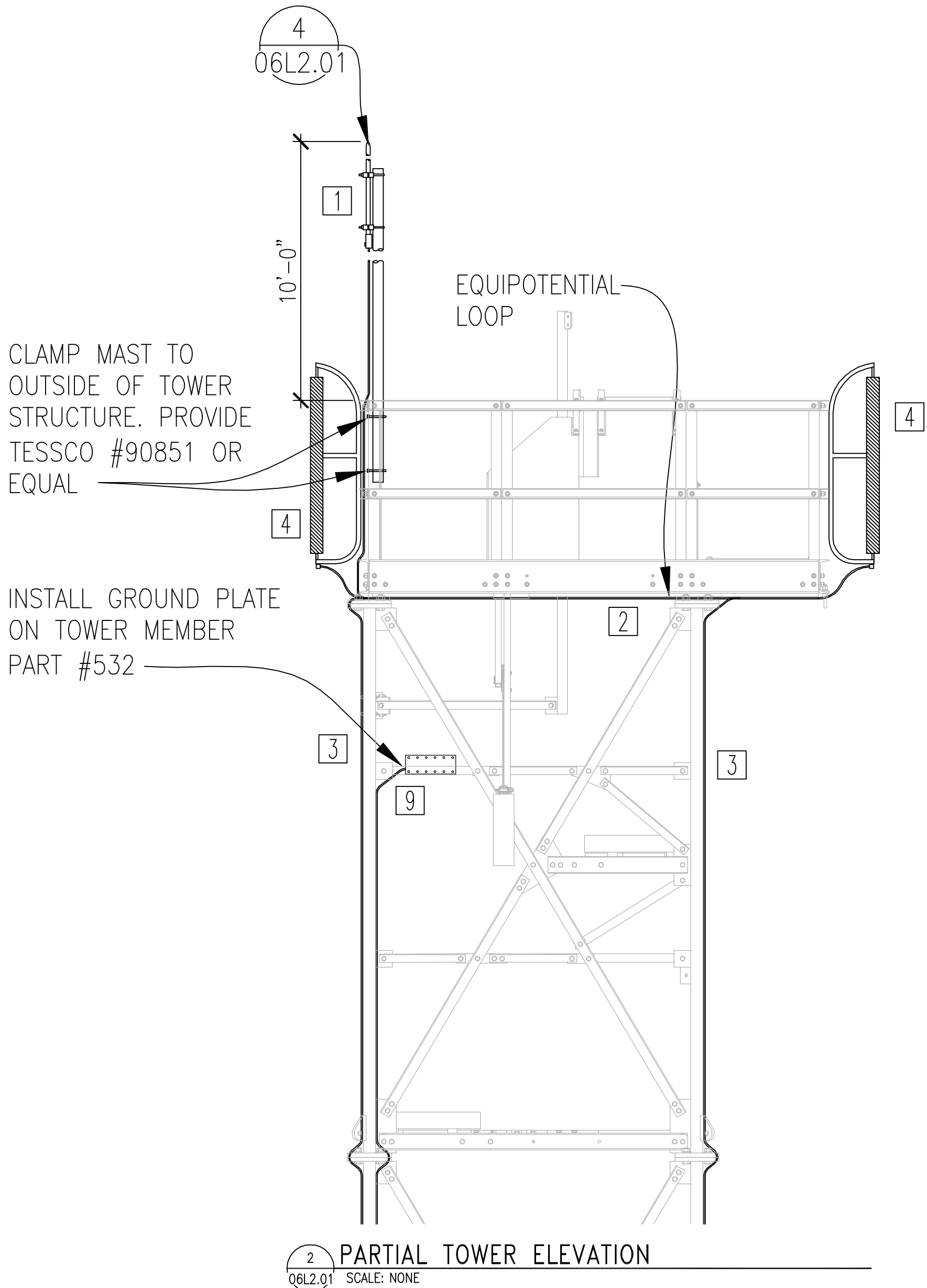
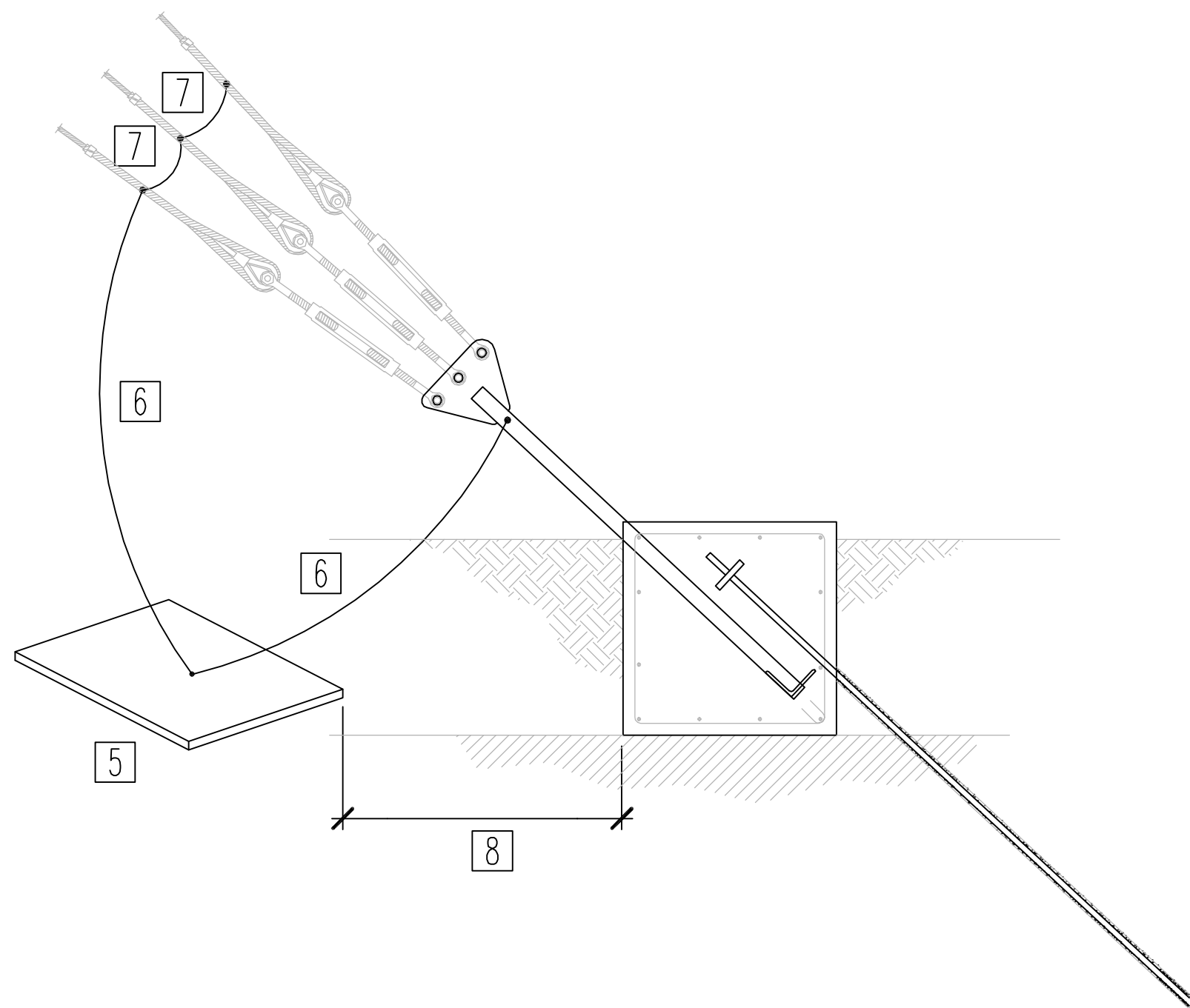
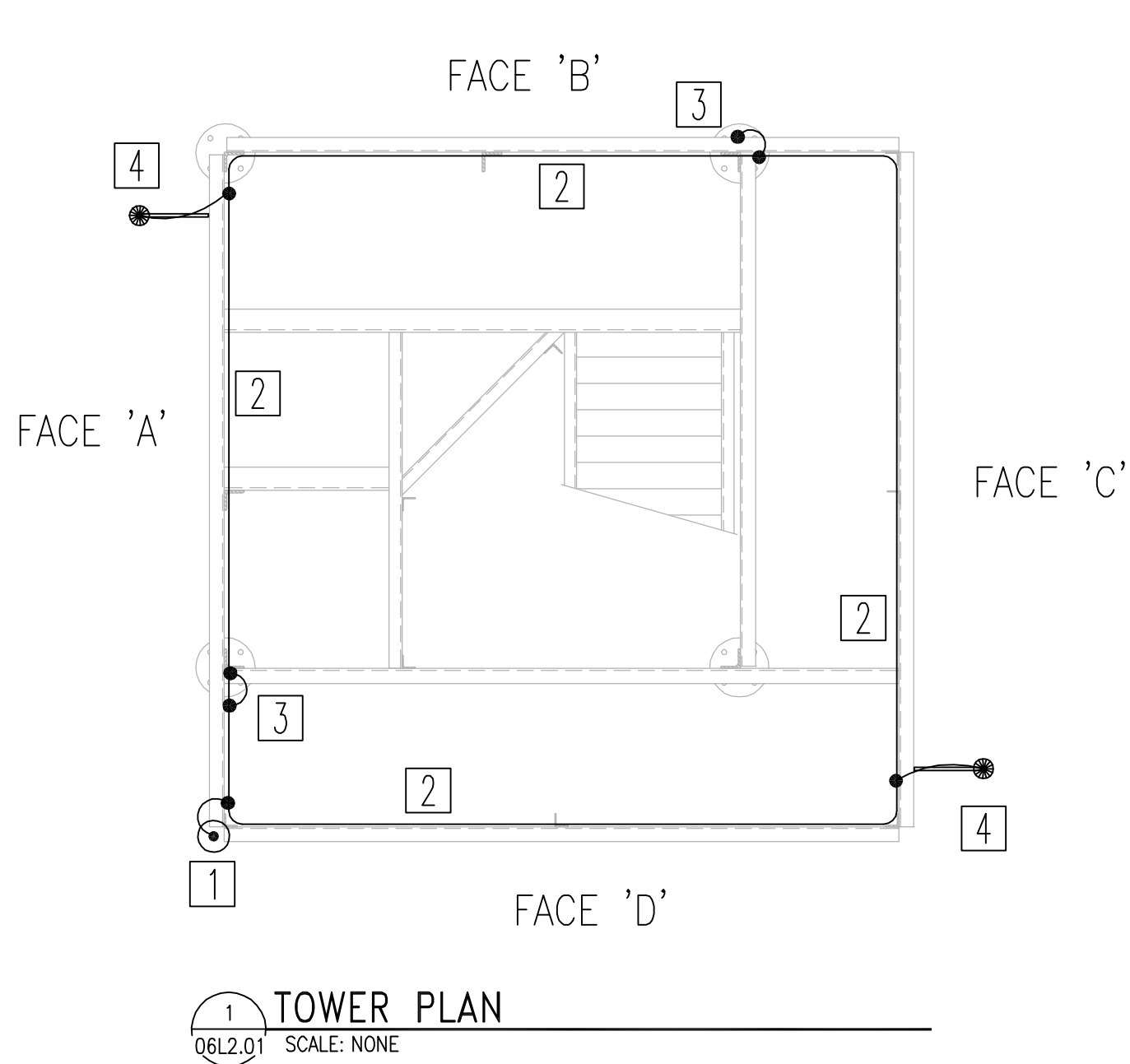
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
INSTRUMENT HUT
GROUNDING PLAN

06E2.06

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GENERAL NOTES:

1. PROVIDE CLASS II SYSTEM COMPONENTS FOR THIS TOWER.
2. CONDUCTORS SHALL MAINTAIN A HORIZONTAL OR DOWNWARD PATH FREE FROM "U" OR "V" POCKETS. CONDUCTORS SHALL NOT FORM AN ANGLE LESS THAN 90 DEGREES OR HAVE A BEND RADIUS LESS THAN 8 INCHES.
3. PROVIDE COPPER BRAID BONDING JUMPER FROM TOWER LEG TO GUY WIRE WITH STAINLESS STEEL CLAMPS AND COATED WITH A LISTED CONDUCTIVE ANTI-OXIDANT COMPOUND LOCATED BELOW THE SHACKLE.
4. PROVIDE 2 BOLT PARALLEL CONNECTORS (HARGER #204T OR EQUAL) TO SPLICE ABOVE GROUND LIGHTNING PROTECTION CONDUCTORS ON TOWER.
5. CONTRACTOR TO PROVIDE SHOP DRAWING OF LIGHTNING PROTECTION SYSTEM WITH ALL COMPONENTS USED FOR REVIEW.

KEYED NOTES:

- 1 PROVIDE AIR TERMINAL AT CORNER OF TOWER AS SHOWN. AIR TERMINAL SHALL BE 1/2" DIAMETER SOLID COPPER.
- 2 PROVIDE STRANDED TINNED COPPER EQUIPOTENTIAL LOOP AT TOP OF TOWER TO INTERCONNECT AIR TERMINAL AND STATIC DISSIPATERS AS SHOWN. PROVIDE CABLE TO FLAT METAL CONNECTORS (HARGER #213T OR EQUAL) TO ATTACH LOOP CONDUCTOR TO TOWER STRUCTURE.
- 3 ROUTE STRANDED TINNED COPPER DOWN CONDUCTOR FROM TOP EQUIPOTENTIAL LOOP DOWN TOWER LEGS C/B AND A/D AS SHOWN AND CONNECT TO COUNTERPOISE. STRAP TO TOWER LEG EVERY 3 FEET WITH TIN PLATED BRONZE PIPE CLAMPS (HARGER CPC2.5/3 OR EQUAL). PROVIDE A LISTED CONDUCTIVE ANTI-OXIDANT COMPOUND BETWEEN THE CLAMP AND TOWER LEG TO SEPARATE DISSIMILAR METALS.
- 4 PROVIDE STATIC DISSIPATER; LIGHTNING PROTECTION SYSTEMS, INC. MODEL ALS-1000 STAINLESS STEEL OR EQUAL. LOCATE A MINIMUM OF 20" AND A MAXIMUM OF 24" FROM CLOSEST TOWER CORNER AS SHOWN AND SHALL NOT EXTEND MORE THAN 6" ABOVE HANDRAIL.
- 5 PROVIDE 24" BY 24" BY 1/4" THICK COPPER GROUND PLATE. INSTALL PLATE HORIZONTALLY 24" BELOW GRADE WHERE POSSIBLE. EXOTHERMICALLY WELD TO GROUNDING CONDUCTORS.
- 6 PROVIDE BARE STRANDED #2/0 TINNED COPPER GROUNDING CONDUCTOR FROM GROUND PLATE TO GUY WIRES AND GUY ANCHOR. MAINTAIN A CONTINUOUS VERTICAL DROP.
- 7 CONNECT GROUNDING CONDUCTOR TO GUY WIRES WITH STAINLESS STEEL CLAMPS AND COATED WITH A LISTED CONDUCTIVE ANTI-OXIDANT COMPOUND LOCATED ABOVE THE TURNBUCKLES.
- 8 LOCATE GROUND PLATE A MINIMUM OF 2'-0" FROM GUY ANCHOR FOUNDATION.
- 9 PROVIDE 24" BY 4" BY 1/4" GROUND PLATE WITH HOLES AT TOP OF TOWER. COORDINATE EXACT MOUNTING LOCATION WITH NEON STAFF. PROVIDE #2 XLP (SUNLIGHT RESISTANT) STRANDED COPPER GROUNDING CONDUCTOR WITH GREEN IDENTIFICATION TAPE FROM GROUND PLATE DOWN TOWER LEG AND CONNECT TO LOWER GROUND PLATE. STRAP GROUNDING CONDUCTOR TO TOWER EVERY 3 FEET WITH GALVANIZED METAL STRAPS.

AIR TERMINAL U.L. APPROVED
BULLET TIPPED, NICKEL
PLATED COPPER, 1/2"x24"

PIPE CLAMP/AIR TERMINAL
BASE CONNECTOR
(HARGER #CPRB1.5/2AT12)

2" RGS MASTS

EQUIPOTENTIAL LOOP

4 AIR TERMINAL MOUNTING DETAIL 06L2.01 SCALE: NONE

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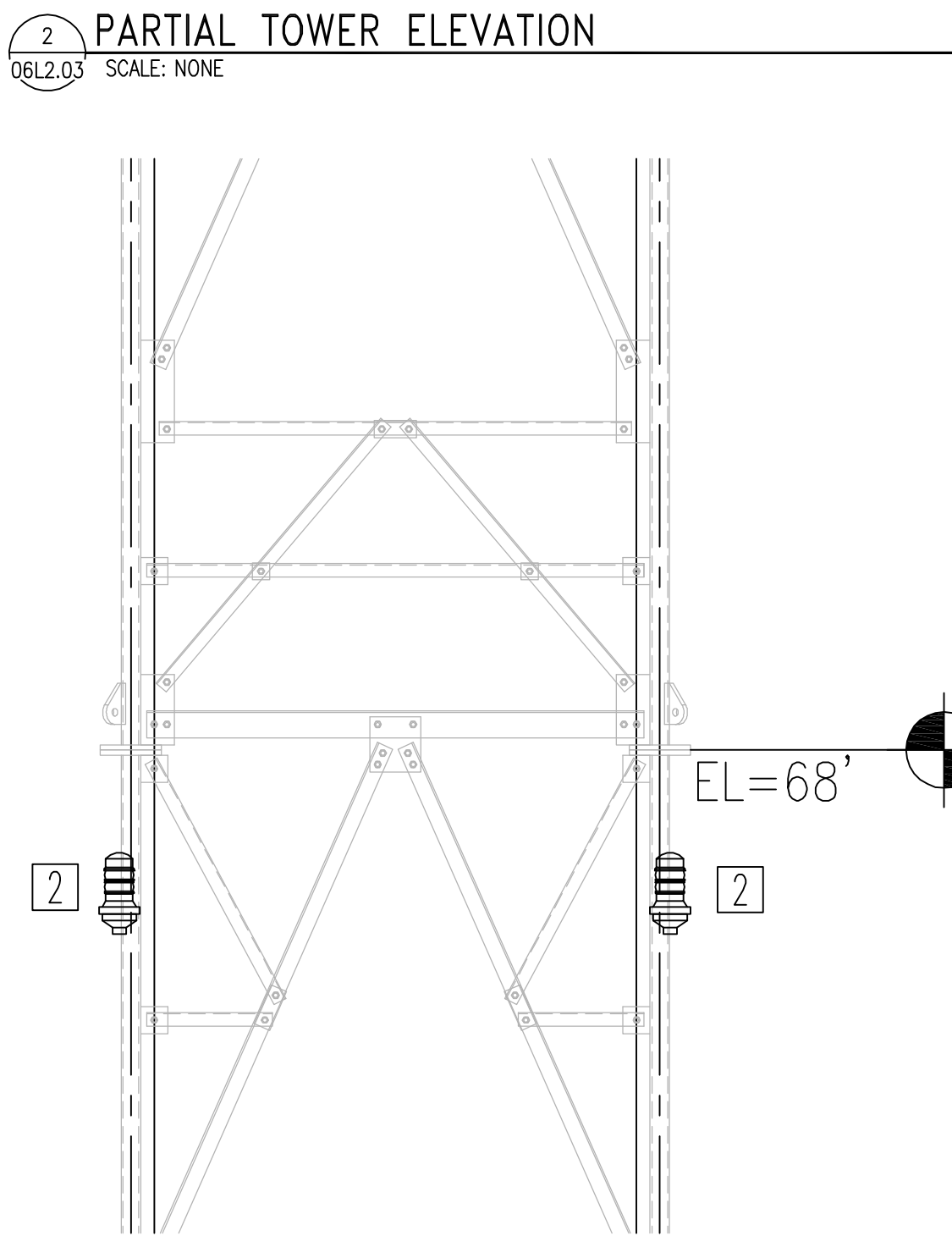
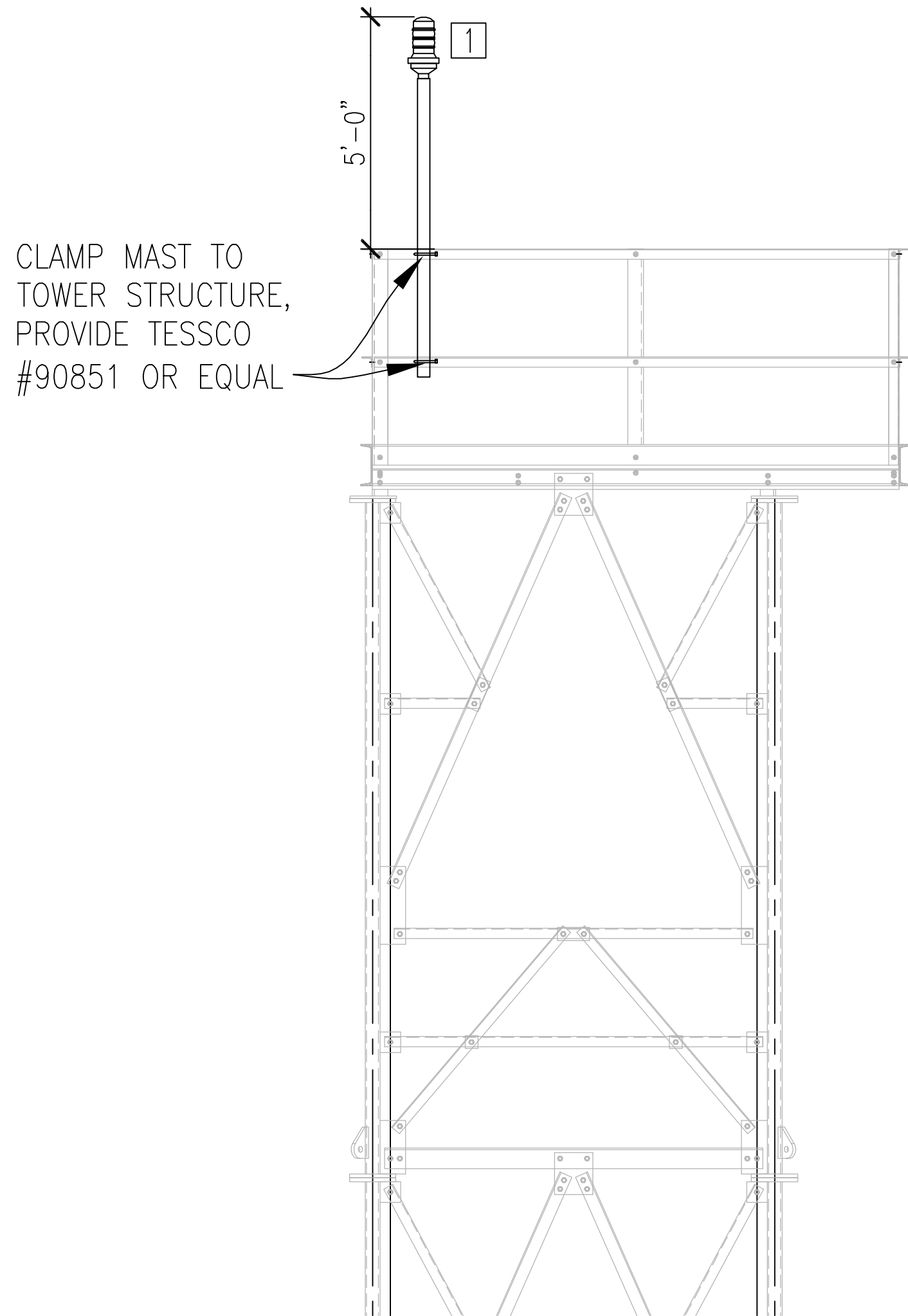
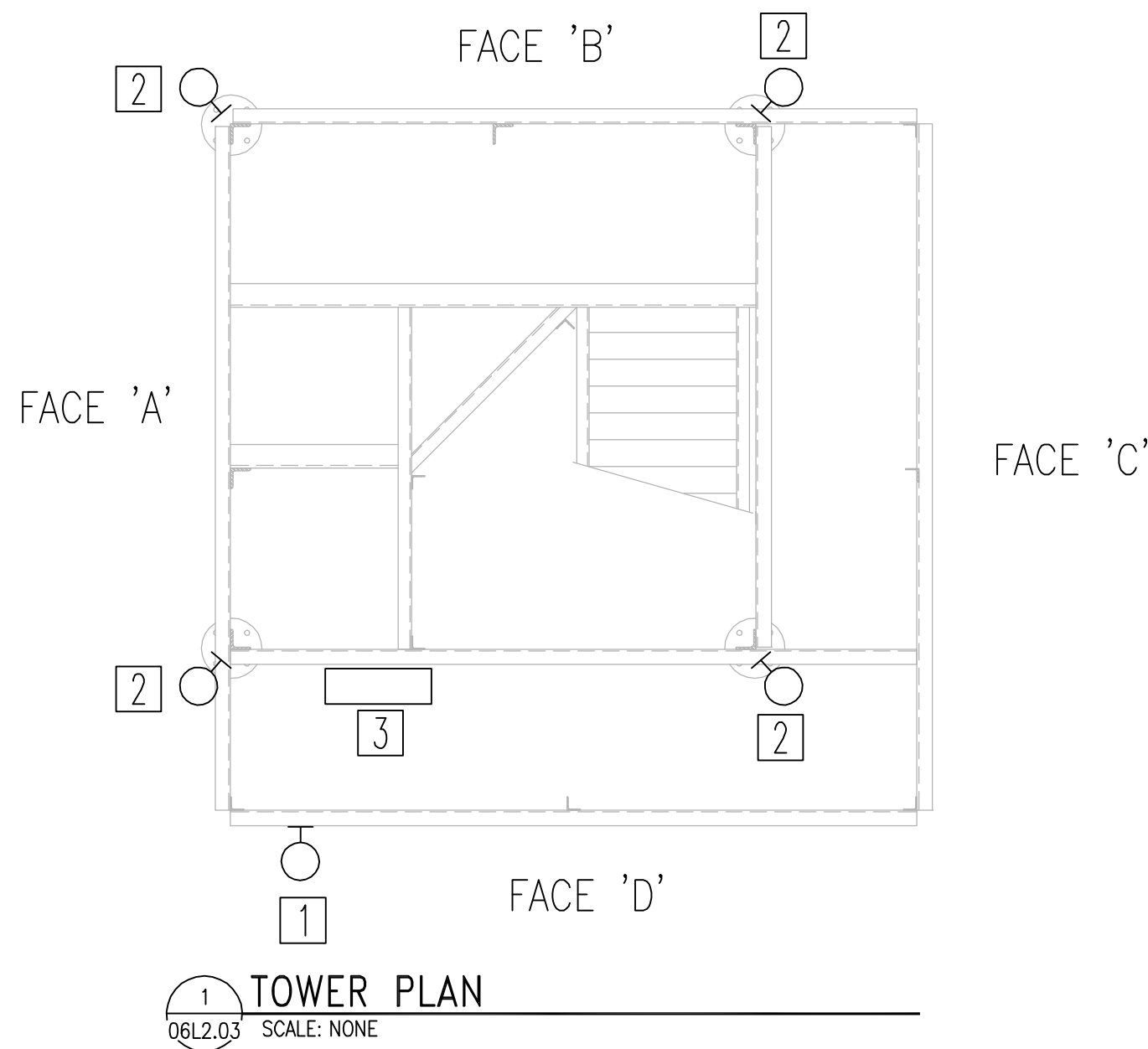
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DOMAIN 06 PRAIRIE PENINSULA
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TOWER LIGHTNING PROTECTION

06L2.01

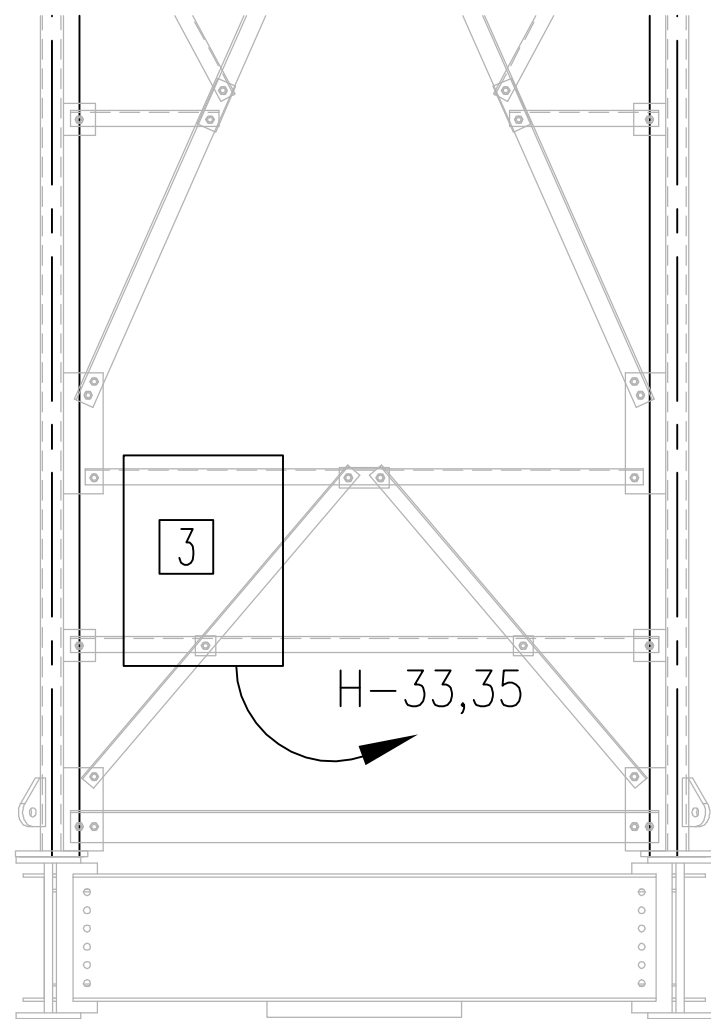


KEYED NOTES:

- 1 PROVIDE NEW L-864/L-865 FLASHING DUAL LIGHT (RED/WHITE) STROBE AT TOP OF TOWER ON SUPPORT MAST AS SHOWN. CONNECT TO CONTROLLER AT BASE OF TOWER. RED STROBE TO OPERATE AT NIGHT AND WHITE STROBE TO OPERATE DURING THE DAY. LOCATE A MINIMUM OF 20" AND A MAXIMUM OF 24" FROM CLOSEST TOWER CORNER AS SHOWN.
- 2 PROVIDE NEW L-810 OBSTRUCTION LIGHT AT MID-POINT OF TOWER AS SHOWN. LOCATE ONE LIGHT ON EACH LEG AND CONNECT TO CONTROLLER AT BASE OF TOWER.
- 3 PROVIDE NEW 9LC CONTROL SYSTEM AT BASE OF TOWER ON FACE D. COORDINATE EXACT MOUNTING LOCATION WITH NEON STAFF. CONNECT TO POWER CIRCUIT FROM INSTRUMENT HUT. ENCLOSURE SHALL BE NEMA 4 RATED. CONTROL SYSTEM TO CONTAIN PHOTOCELL FOR AUTOMATIC DAY/NIGHT SWITCHING OF STROBE.

GENERAL NOTES:

1. PROVIDE #10 AWG CONDUCTORS IN 1/2" RGS CONDUIT BETWEEN FAA OBSTRUCTION LIGHTS AND CONTROLLER PER MANUFACTURERS WIRING SCHEME. COORDINATE WITH NEON STAFF ON ROUTING OF CONDUIT.



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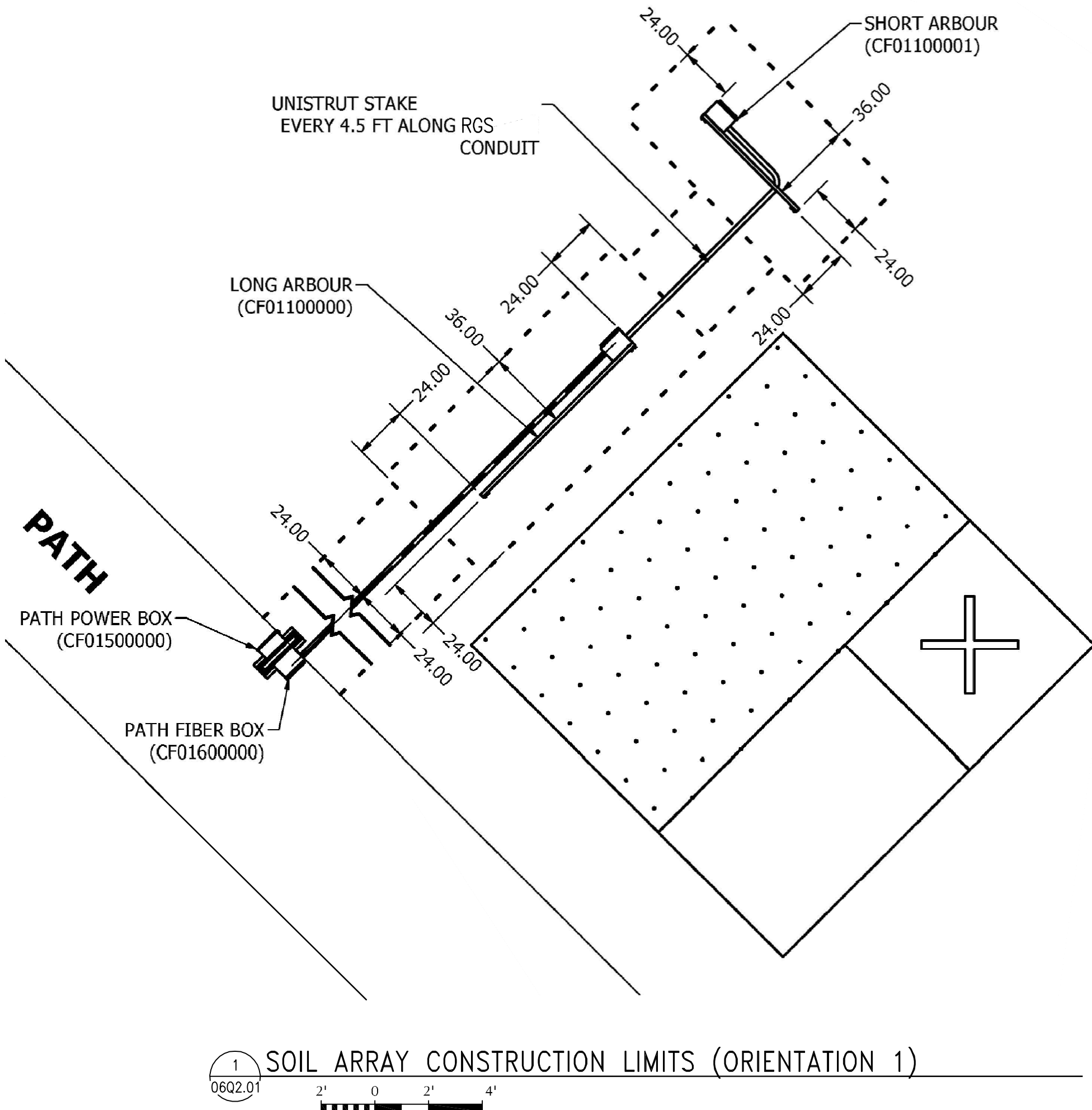
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DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
OBSTRUCTION LIGHTING

06L2.03

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LEGEND

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CONSTRUCTION LIMIT

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1.5" RGS METAL CONDUIT WITH
2-#12 AWG, #12 GND

⏏

GROUND ROD (STAINLESS STEEL)
5/8" DIA. X 10' LONG, BOND TO
ARBOUR ENCLOSURE W/ #6
CONDUCTOR

NOTES:

1. PLOT IS ORIENTATED PER LEO A DALY 100% DRAWINGS.
2. PLACE ONE UNISTRUT STAKE FOR EVERY 4.5 FT OF RGS CONDUIT.
3. ARBOURS SHOWN ARE NOT FULLY POPULATED AND ARE ONLY PRESENT TO DISPLAY INSTALLATION.
4. IF INSTALLATION WITHIN TOLERANCES IS NOT POSSIBLE CONTACT NEON ENGINEERING.
5. PATH POWER BOX FACES DOWN THE PATH TOWARDS THE TOWER.
6. CONDUIT MUST ALWAYS REMAIN 1m (39.37 IN) MINIMUM FROM PLOT.

National Ecological
Observatory Network
1685 38th Street
Boulder, CO 80301

LEO A DALY
PLANNING
ARCHITECTURE
ENGINEERING
INTERIORS
EST. 1915

8600 Indian Hills Drive
Omaha, NE 68114-4039 USA
Tel 402-391-8111 Fax 402-391-8564

KEY PLAN

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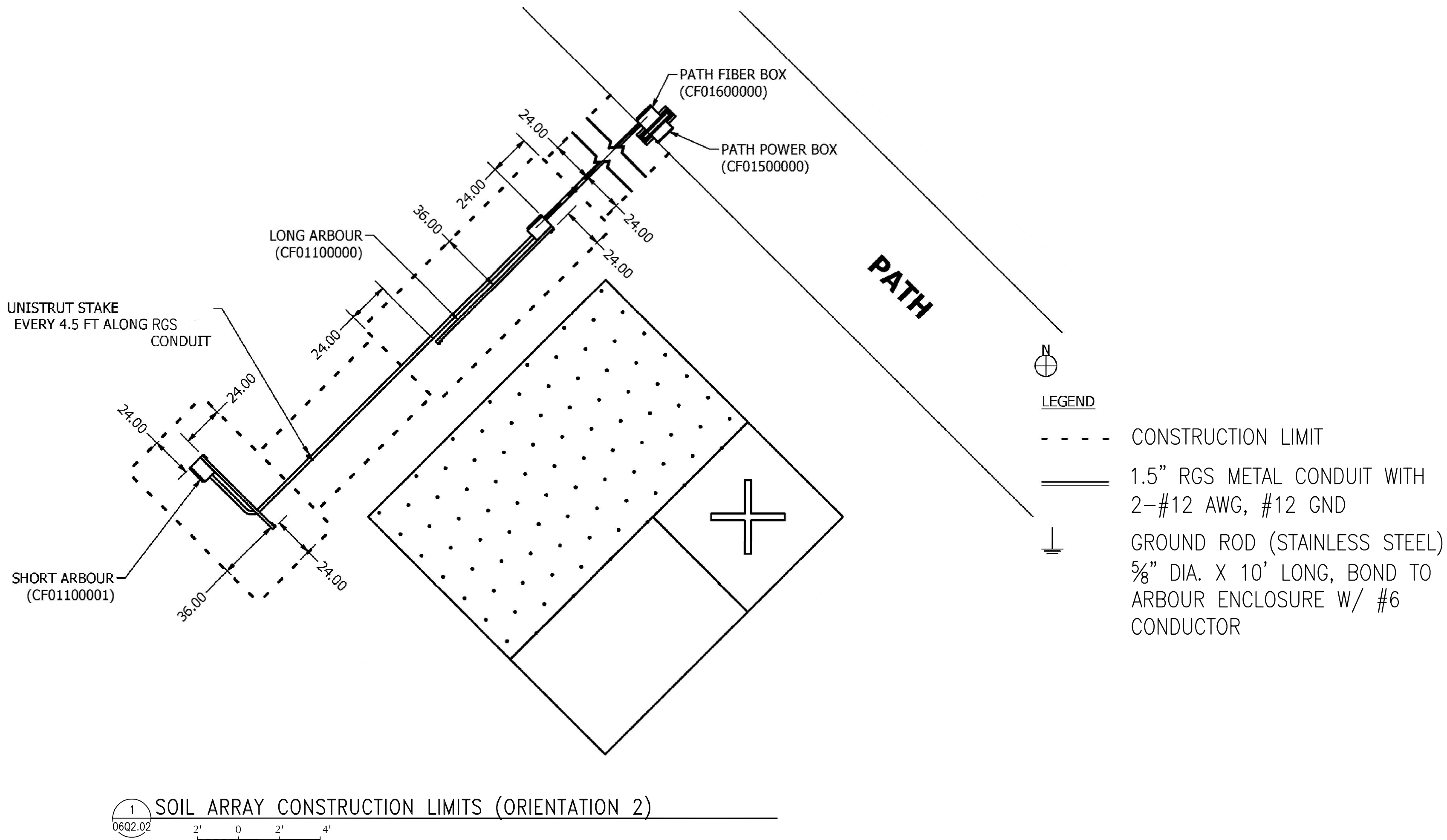
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Daly Project No. 003-10073-406
NEON Project No. 04.08.C.0008
JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
SOIL ARRAY POWER

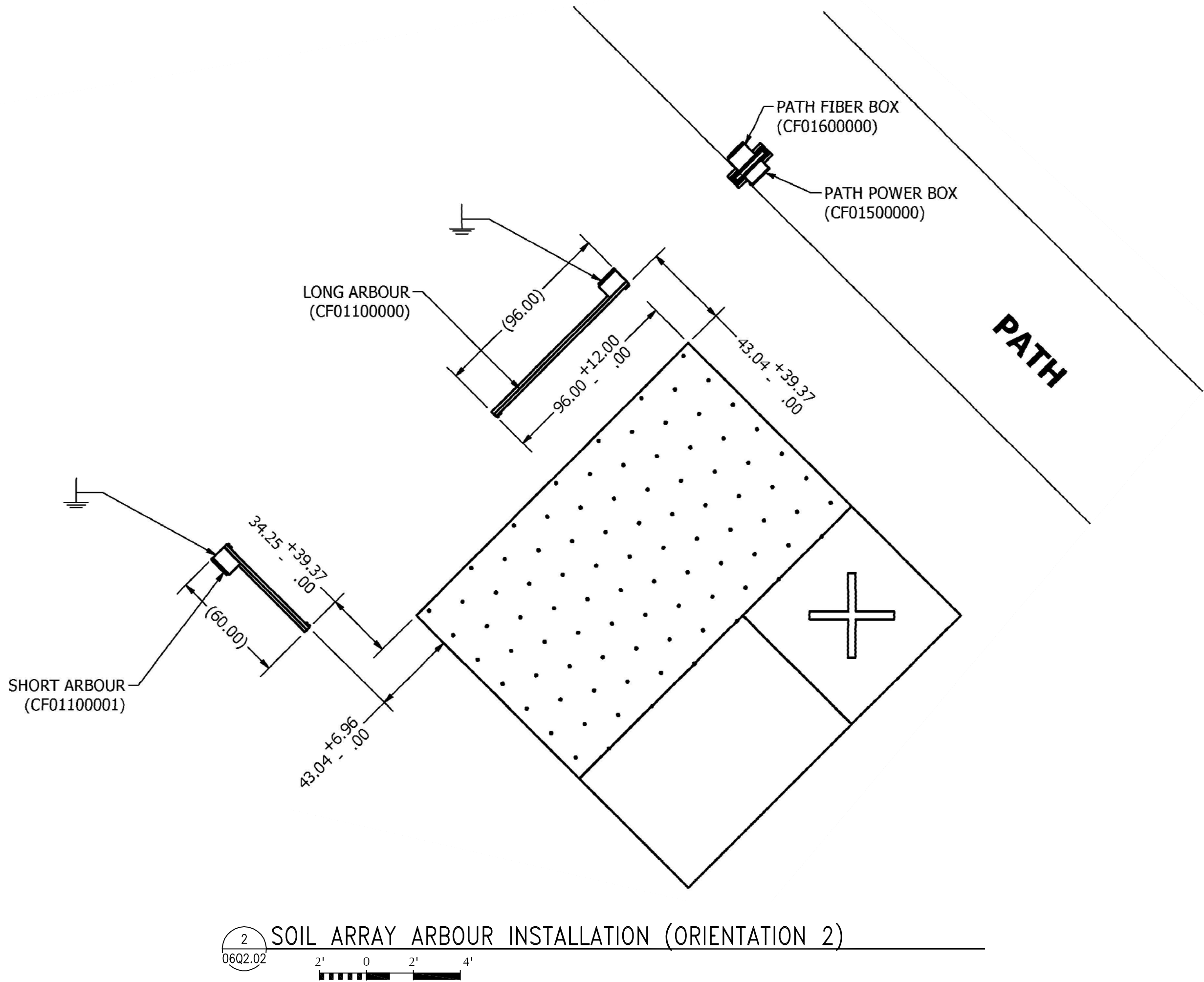
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NOTES:

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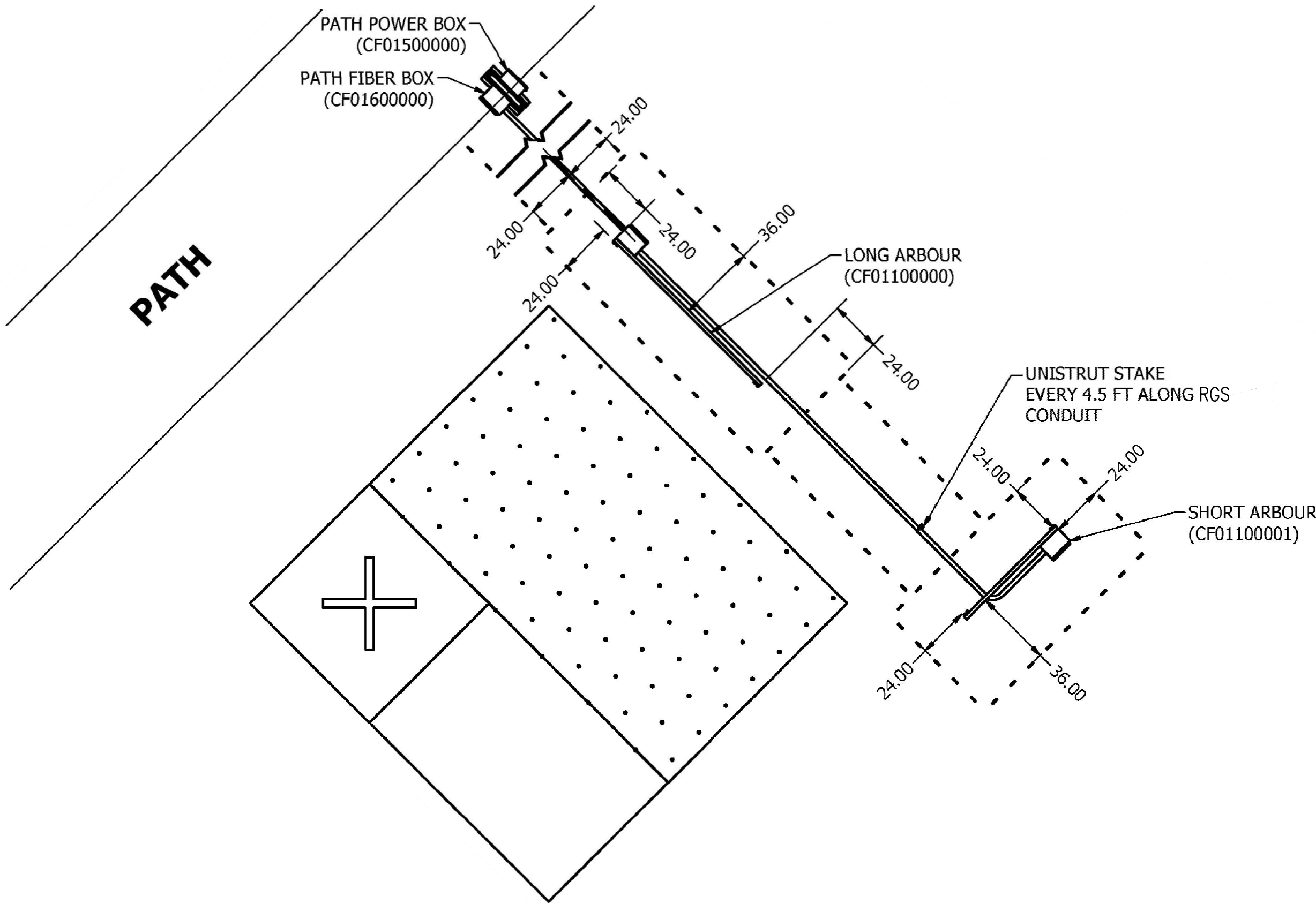
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Daly Project No. 003-10073-406
NEON Project No. 04.08.C.0008
JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
SOIL ARRAY POWER

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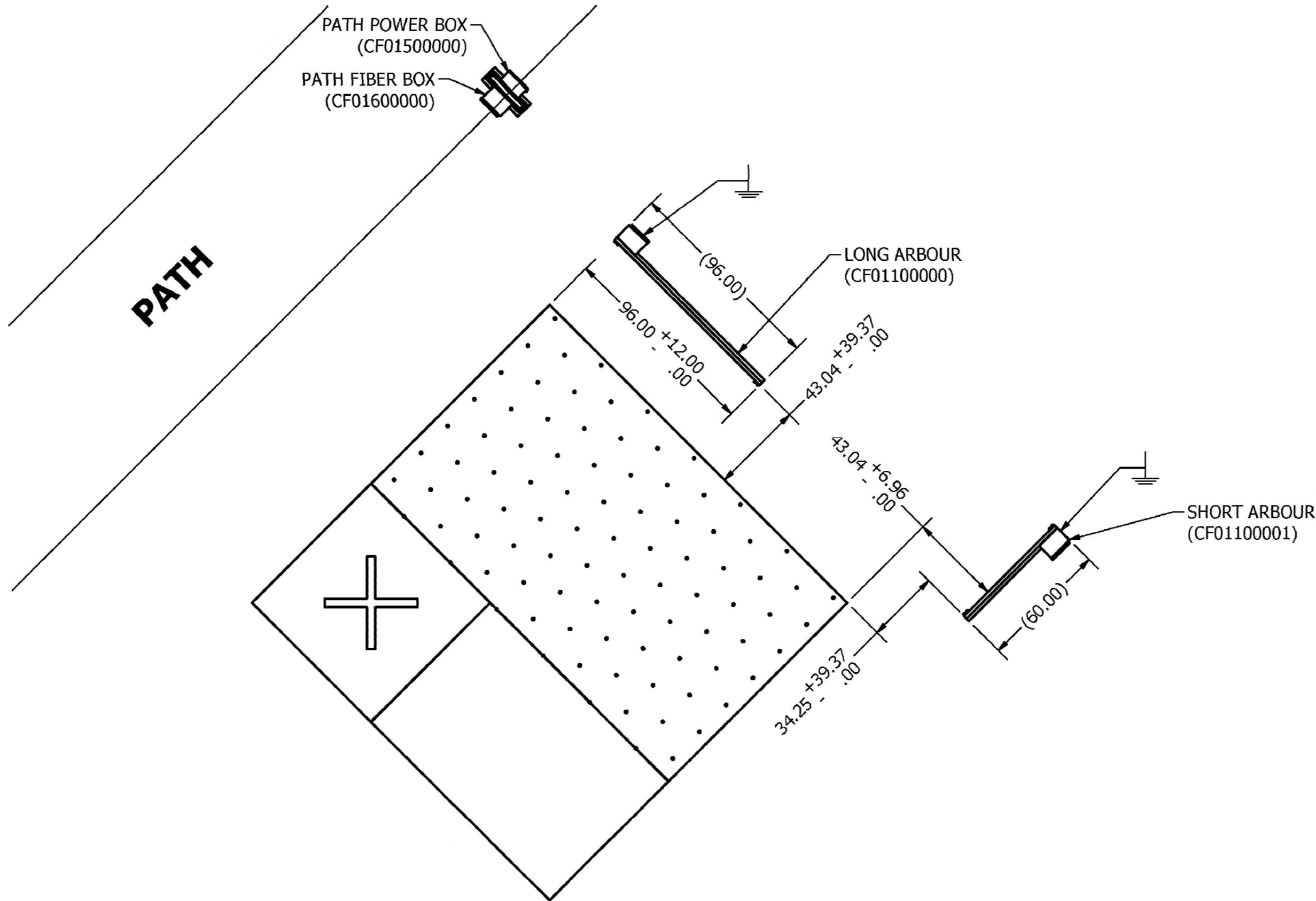


1 SOIL ARRAY CONSTRUCTION LIMITS (ORIENTATION 4)
06Q2.04

NOTES:

1. PLOT IS ORIENTATED PER LEO A DALY 100% DRAWINGS.
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6. CONDUIT MUST ALWAYS REMAIN 1m (39.37 IN) MINIMUM FROM PLOT.

- LEGEND
- CONSTRUCTION LIMIT
 - ==== 1.5" RGS METAL CONDUIT WITH 2-#12 AWG, #12 GND
 - ⊥ GROUND ROD (STAINLESS STEEL) 5/8" DIA. X 10' LONG, BOND TO ARBOUR ENCLOSURE W/ #6 CONDUCTOR



2 SOIL ARRAY ARBOUR INSTALLATION (ORIENTATION 4)
06Q2.04

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neon
NATIONAL ECOLOGICAL OBSERVATORY NETWORK

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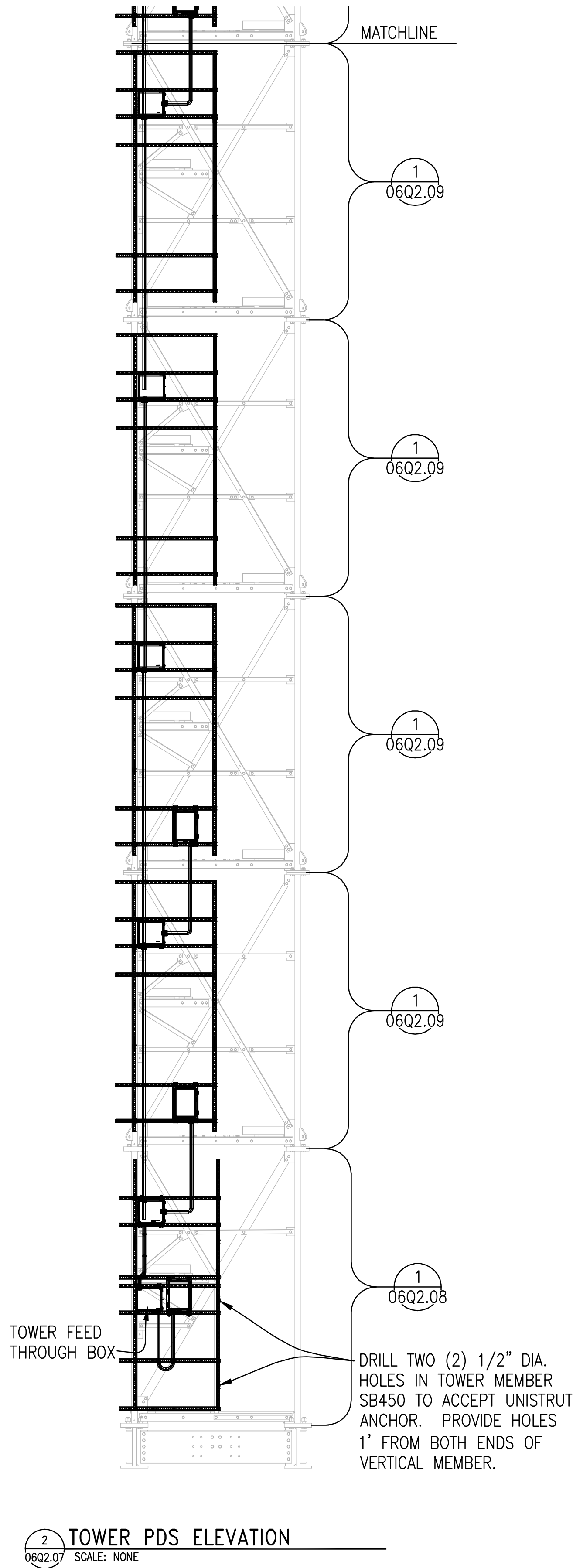
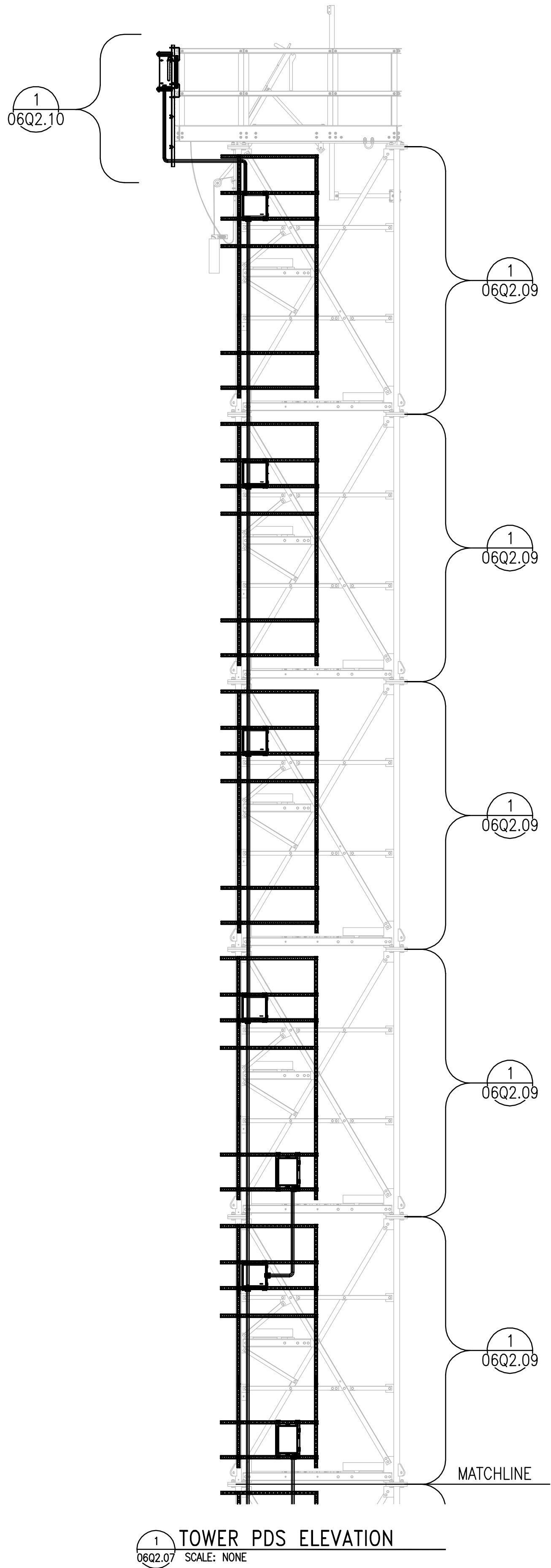
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Daly Project No. 003-10073-406
NEON Project No. 04.08.C.0008
JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
SOIL ARRAY POWER

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GENERAL NOTES:

1. THIS SHEET IS FOR COORDINATION AND REFERENCE PURPOSES. REFER TO DETAIL SHEETS 06Q2.08, 06Q2.09, AND 06Q2.10 FOR INDIVIDUAL COMPONENTS.
2. COORDINATE EXACT PLACEMENT OF UNISTRUT MEMEBERS ON TOWER WITH NEON STAFF.

National Ecological
Observatory Network
1685 38th Street
Boulder, CO 80301

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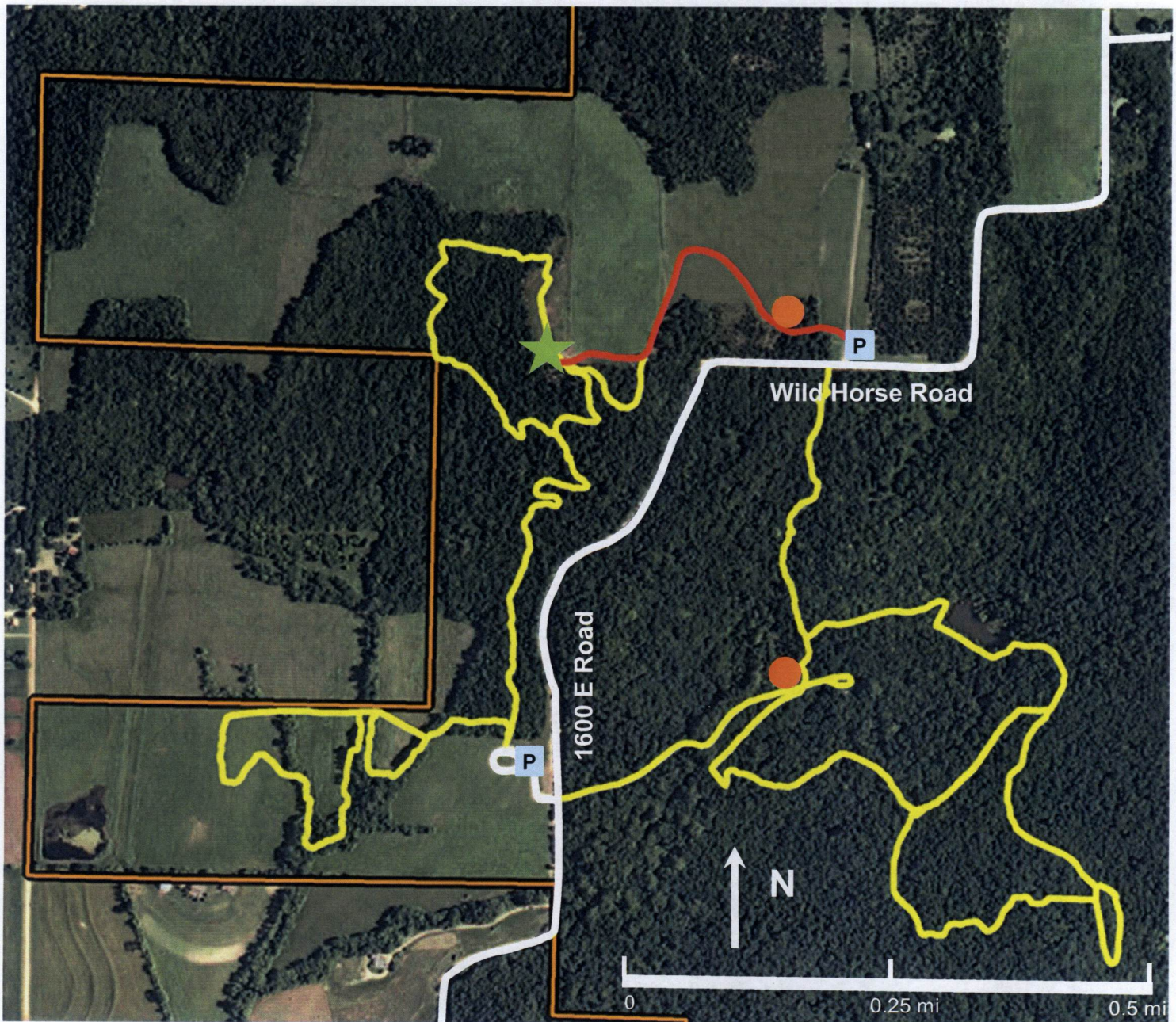
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Daly Project No. 003-10073-406
NEON Project No. 04.08.C.0008
JANUARY 28, 2014

DOMAIN 06 PRAIRIE PENINSULA
RT1-UKFS
TOWER PDS ELEVATION

06Q2.07

KU Field Station Trails System



Legend

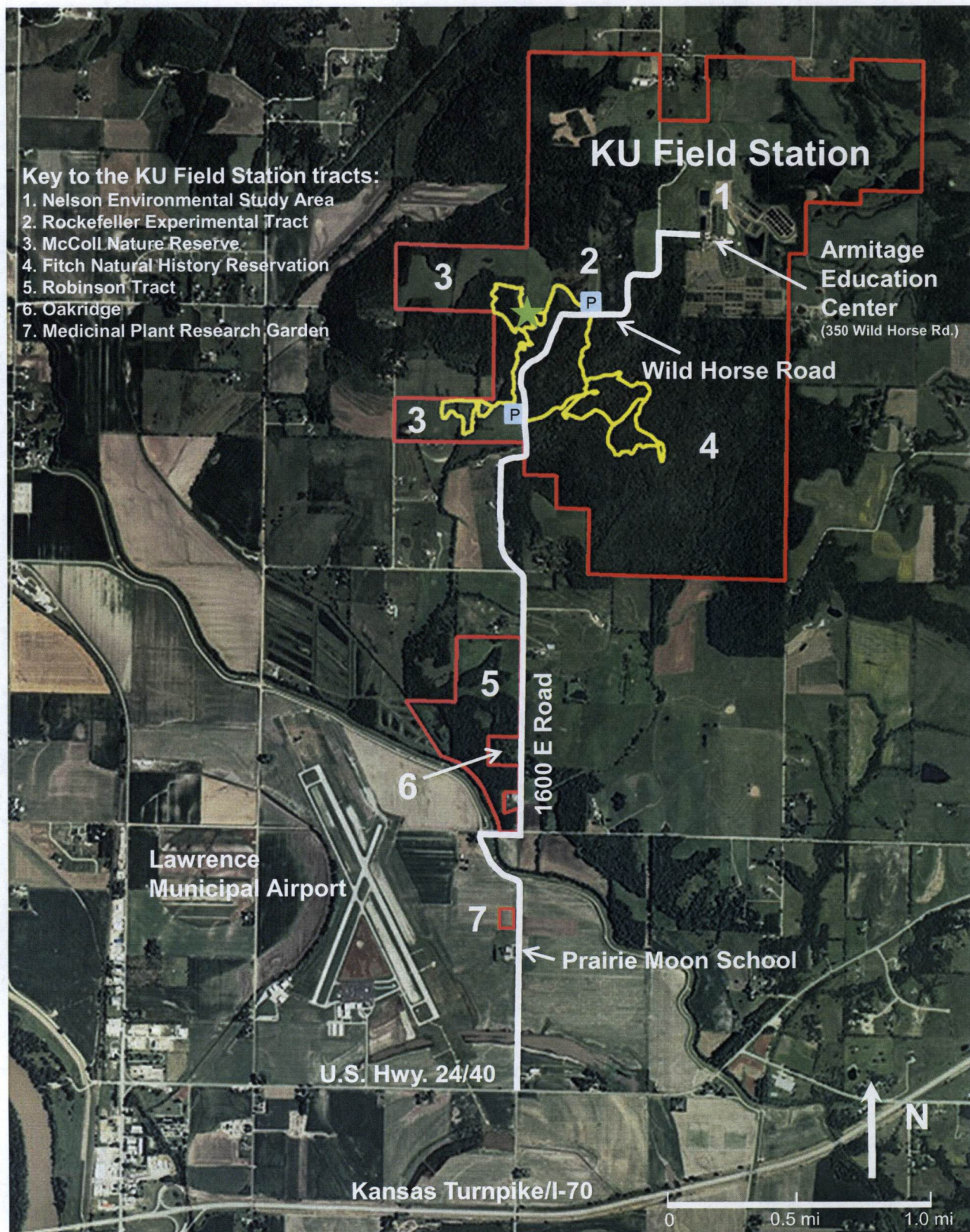
- ★ Kaw Valley Overlook
- P Trailhead with parking
- Trails
- Handicapped-accessible trail
- Gravel road
- Restroom/drinking fountain

Welcome to the KU Field Station

Please note that public access is restricted to the trails shown above, and subject to the following rules:

- ***Trails are open dawn to dusk ONLY.***
- ***Foot traffic ONLY.***
- ***Stay on the marked trails.***
- ***Dogs or other pets are not allowed (even if leashed).***
- ***Do not release wild or domestic animals or plants.***
- ***Do not disturb flags, markers, traps, or equipment.***
- ***Hunting or collecting of any kind is strictly prohibited.***
- ***Smoking, fires of any kind, and fireworks are prohibited.***
- ***Firearms and paint ball guns are prohibited.***
- ***Alcoholic liquors and cereal malt beverages are prohibited.***

Enjoy your visit, and thank you for respecting this natural environment and the research conducted here. For more information, contact the station field office (785-843-8573), Kansas Biological Survey administrative office (864-1500), or visit www.kufs.ku.edu.



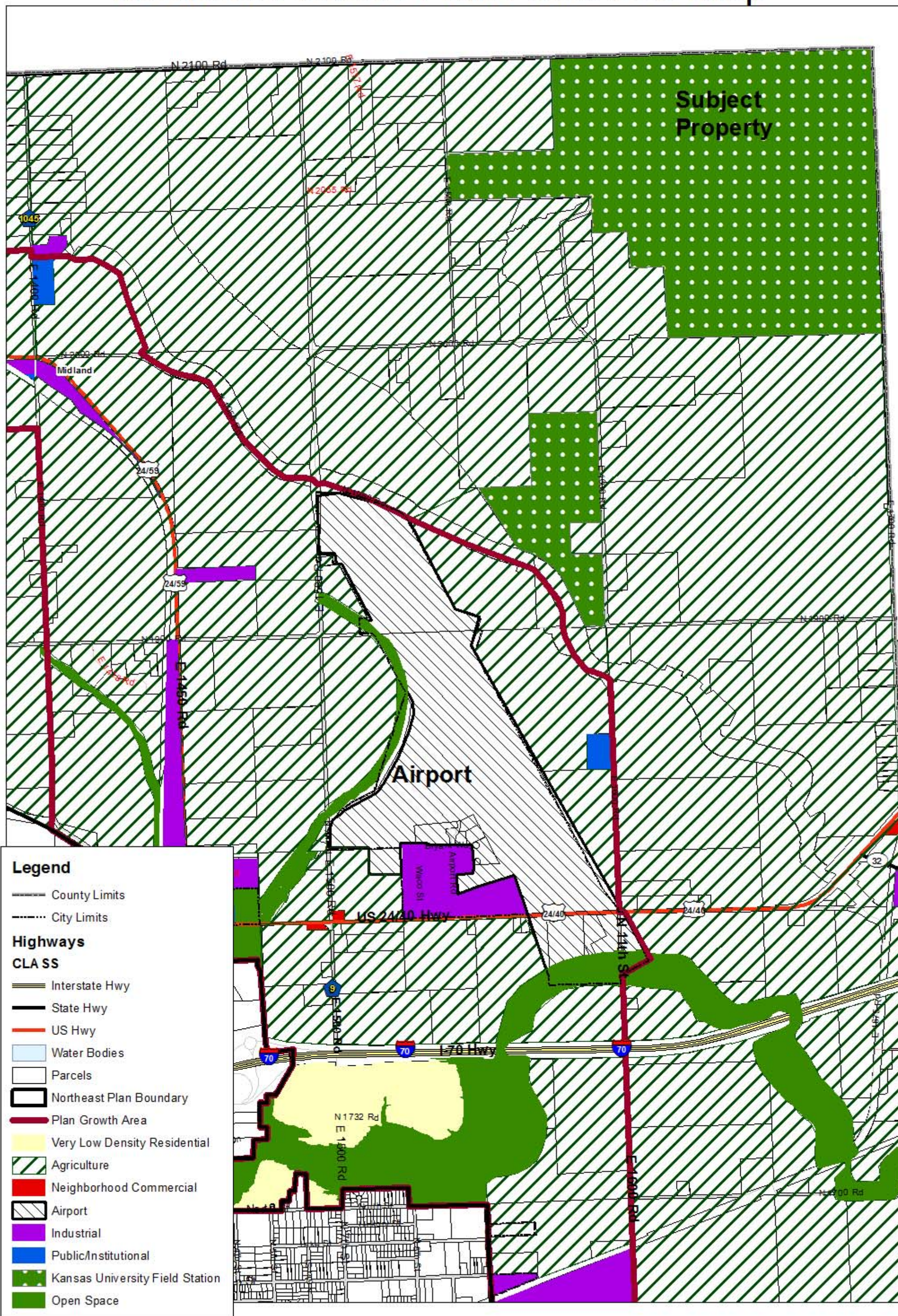
Legend

- ★ Kaw Valley Overlook
- P Trailhead with parking
- Gravel road
- Trails
- Field Station boundary

The mission of the University of Kansas Field Station is to foster scholarly research, environmental education, and science-based stewardship of natural resources.

The KU Field Station is operated by the Kansas Biological Survey.

Northeast Sector Plan Land Use Map



DISCLAIMER NOTICE
This map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for the user to provide complete, accurate, timely, and reliable information is on the user. The user is responsible for the use of the map. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is a constantly changing environment. The user is responsible for the use of the map, including the fact that the map is dynamic and is a constantly changing environment.

Date: 5/13/2014

Ecological Information for the Next Generation



Agriculture Systems

Climate Change

Forest Management

Invasion Biology

Urban Ecosystems





THE NATIONAL ECOLOGICAL OBSERVATORY NETWORK

Why NEON, why now?

The world is undergoing an era of rapid environmental change. Ecosystems are increasingly stressed by climate, invasive species, pollution, and land use change.

NEON is part of a bold effort to:

- **Understand and forecast continental-scale ecological change**
- **Inform natural resource decisions**
- **Engage the next generation of scientists**

Measuring the causes and effects of environmental change

The National Ecological Observatory Network (NEON) is a continental-scale observation system sponsored by the National Science Foundation.

It will collect and provide 30 years of ecological data on the causes and consequences of:

- **Climate change**
- **Land use change**
- **Invasive species**

Open-access data and resources

NEON will provide large amounts of freely available resources, specimens, and data. Its infrastructure can be used as a baseline for long-term ecological studies. NEON will also provide educational resources and citizen science programs to engage diverse communities in scientific discovery.

What NEON collects

NEON sites are strategically placed across the country to collect data on key drivers of ecological change and the impacts of these changes over time.

NEON provides data in the following key categories:

- **Atmospheric**
- **Soil**
- **Aquatic**
- **Biological**

Each site includes a variety of sensors placed in the soil, water and on a tower. Information is also collected on plants, animals, invertebrates, and microorganisms around the site. An airborne remote sensing platform flies over sites annually collecting aerial data.

NEON integrates its data with a variety of land data from external partners to model regional- and continental-scale ecology.

A DIGITAL RENDERING OF A NEON SITE



Above: NEON will monitor a range of plants, animals, invertebrates and microorganisms that are indicators of environmental change.

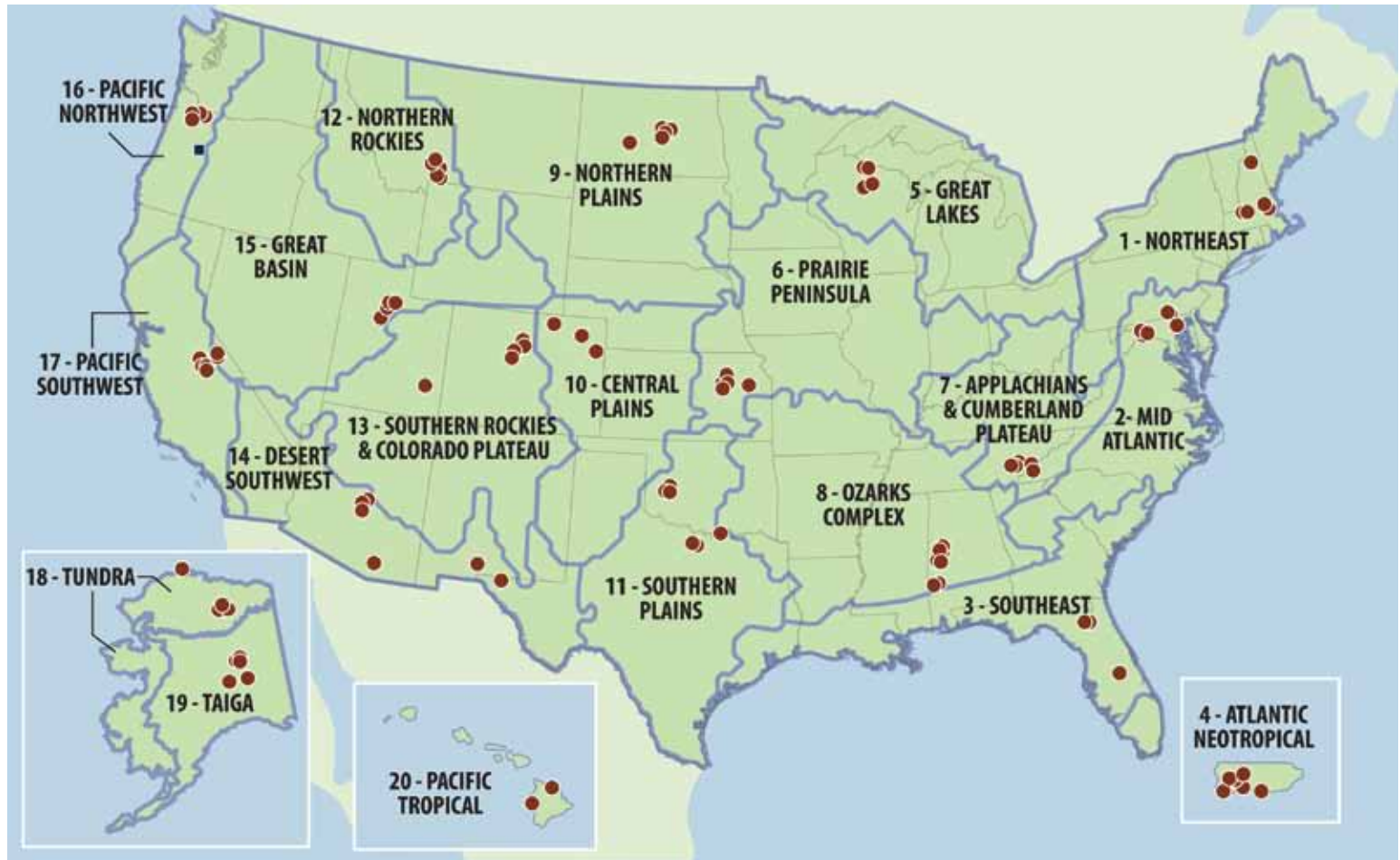
Deer mouse image courtesy of DavidCappaert, Michigan State University



“NEON is a shared vision by the scientific community designed to listen to the pulse of the U.S. ecosystem.”

NEON FIELD SITES

NEON will collect data from 106 sites across the United States (including Alaska, Hawaii and Puerto Rico). The sites were strategically selected to represent 20 eco-climatic domains, which include distinct landforms, vegetation, climate and ecosystem processes.



Learn more at www.neoninc.org

The National Ecological Observatory Network is a project solely funded by the National Science Foundation and managed under cooperative agreement by NEON, Inc. Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the National Science Foundation.

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May 6, 2014

Lawrence Municipal Airport
Airport Advisory Board
Lawrence, KS 66044

Dear Members of the Airport Advisory Board,

The National Ecological Observatory Network (NEON) project filed a conditional use permit application with the Lawrence Douglas County Planning Commission in February of 2014 requesting approval for the construction of an ecological monitoring tower at the University of Kansas Field Station. I am sending this letter to provide more background information on the project and the site location and to respectfully ask that the airport advisory board consider recommending our project for approval.

Background:

The NEON project is funded solely by the National Science Foundation and the site proposed at the University of Kansas Field Station will contribute to the mission of the project; to enable understanding and forecasting of the impacts of climate change, land use change and invasive species on continental-scale ecology by providing infrastructure and consistent methodologies to support research and education in these areas.

The site near Lawrence, Kansas is part of the Prairie Peninsula domain, which is primarily focused on science questions surrounding land use and agriculture, with two additional sites planned for construction at the Konza Prairie Biological Station near Manhattan, Kansas. The site selected at the University of Kansas Field Station will provide important ecosystem data due to its location within the transition zone between the eastern deciduous forest and tall grass prairie biomes. In addition, the KU Field Station has extensive databases of environmental conditions, some ongoing and others over 60 years old, which aid the broad NEON initiatives. The KU Field Station also has an active cadre of researchers and teachers who will use the NEON program resources, as well as the logistical support at its facilities north of Lawrence, which add to its desirability as a site to host the NEON project.

Site Location:

The Fitch Natural History Reservation represented a strong site for addressing the science questions of NEON, particularly those dealing with an area undergoing forestation that is in an agricultural landscape. The Fitch Reservation, which is nearly one square mile in extent, has been protected from disturbance since 1948 and has developed a nearly continuous forest canopy. An area of that size with a known land use history is rare in the region.

Despite its apparent homogeneous quality when viewed from the air, the habitat conditions on the Fitch Reservation vary considerably from place to place (i.e., microsite differences constrain the site selection). Slope, aspect, and elevation are all important environmental conditions; as is historic land use (before 1948) – these elements all interact to produce different forest types. After selecting the site from a series of “remote-laptop” techniques, our NEON science team made a trip to the field to verify that biotic and abiotic conditions were acceptable.

When selecting a location for our tower site, there are a number of factors NEON’s scientists take into account, one of the most important factors being the direction of prevailing winds. It’s also important to make sure the tower location is sited to avoid outside influences (agriculture operations, non-representative land use) and is capturing data from the intended ecosystem. In this case, it was important to locate the tower in a spot where the measurements are representative of an upwind area and that all the measurements can be done within the scientific area of interest.

The height of the tower is determined by evaluating the mean canopy height and then making sure the tower is tall enough to pick up measurements that are representative of the area. For the Fitch Reservation, the site is located on a ridge area (as opposed to valley floor or side slope positions that make up a great portion of the site). Once satisfied that environmental conditions were appropriate for the science objectives, we then considered logistics: security of the site, access, and utilities.

At this site NEON is proposing a 116’ tower with a 10’ lightning rod on the top and this tower will collect data on CO₂, Ozone, NO_x, and various aerosols. These data will be in addition to a suite of terrestrial data collections, and when looked at in relation to one another, will provide valuable scientific information about the impacts of land use change, climate change, and invasive species on local ecosystems. This data will be freely available to the public through a data portal on NEON’s webpage.

Evaluating Impacts to Aviation:

When evaluating a site location, NEON will work with the FAA to complete an obstruction evaluation if the site or proposed tower location and height fall within the guidance provided by the FAA in 14 CFR 77.9

- Construction or alteration requiring notice. In this instance, part (b) applies to the proposed NEON tower:

b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

Because the parameters of part b are fairly broad, we were able to determine that any placement of the tower within the Fitch Reservation, NEON's area of interest at the KU Field Station, would require an obstruction evaluation with the FAA. The map attached in Exhibit A further provides a visual overview of the tower placement in relation to the airport.

NEON will paint and light the proposed tower in accordance with FAA regulations and file notices at the start and end of construction to certify that the tower is registered in the FAA database and is compliant with all regulations. In addition, NEON will have staff located in Manhattan who will carry out routine tower maintenance to make sure all lights/paint stay in good working condition and who will work with permitting staff to notify FAA of any issues with the system.

Conclusions

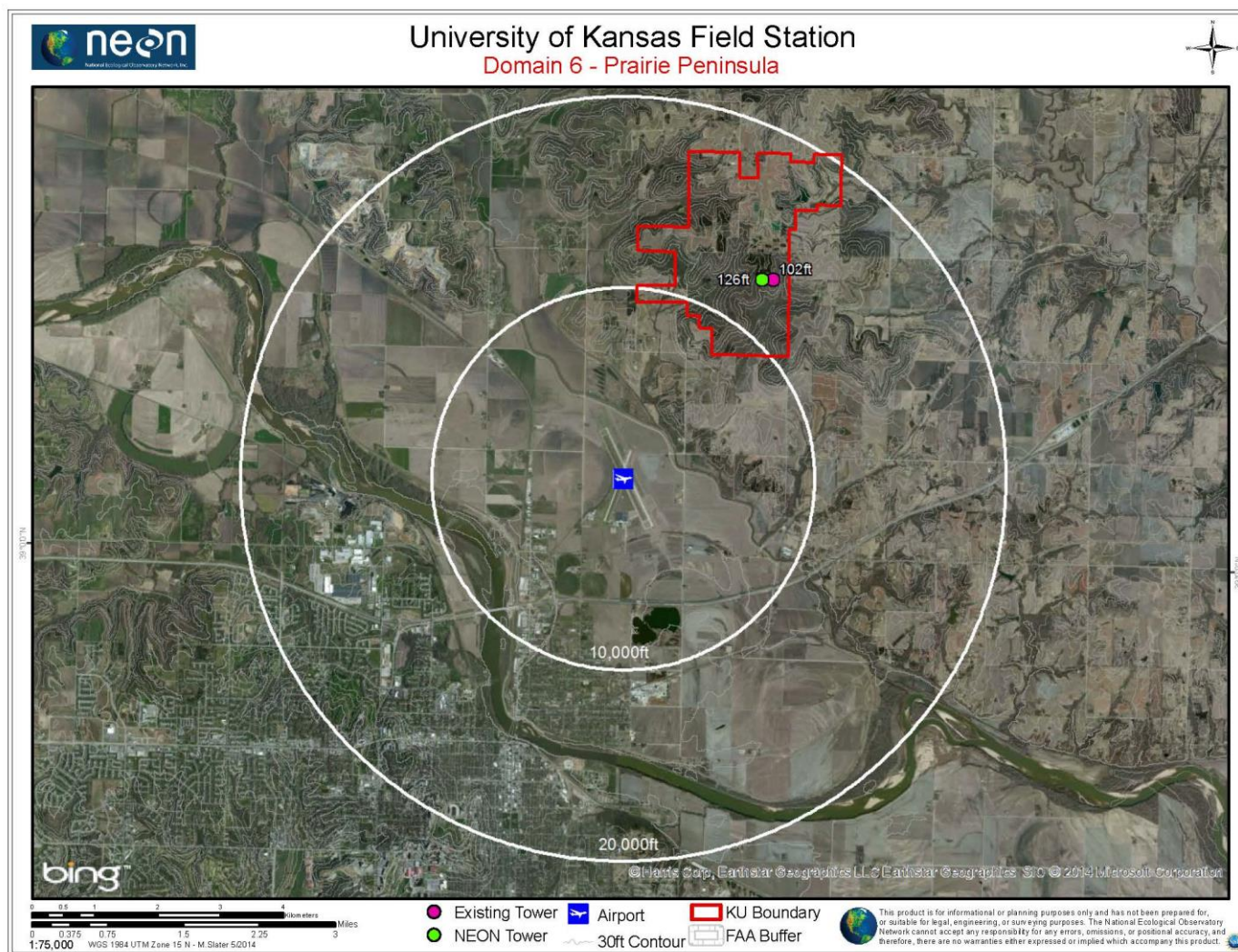
NEON recognizes that approval of our project will result in changes to the current takeoff minimum requirements on Runway 1 at the Lawrence Municipal Airport and will continue to work with the advisory board to communicate and provide additional information on our project. We sincerely appreciate the responsiveness and willingness of the advisory board to consider our project and take the time to learn

more about NEON. If there is any additional information that we can provide or any questions you'd like to discuss, please don't hesitate to contact me via email (lwright@neoninc.org) or by phone (720) 746-4897.

Regards,

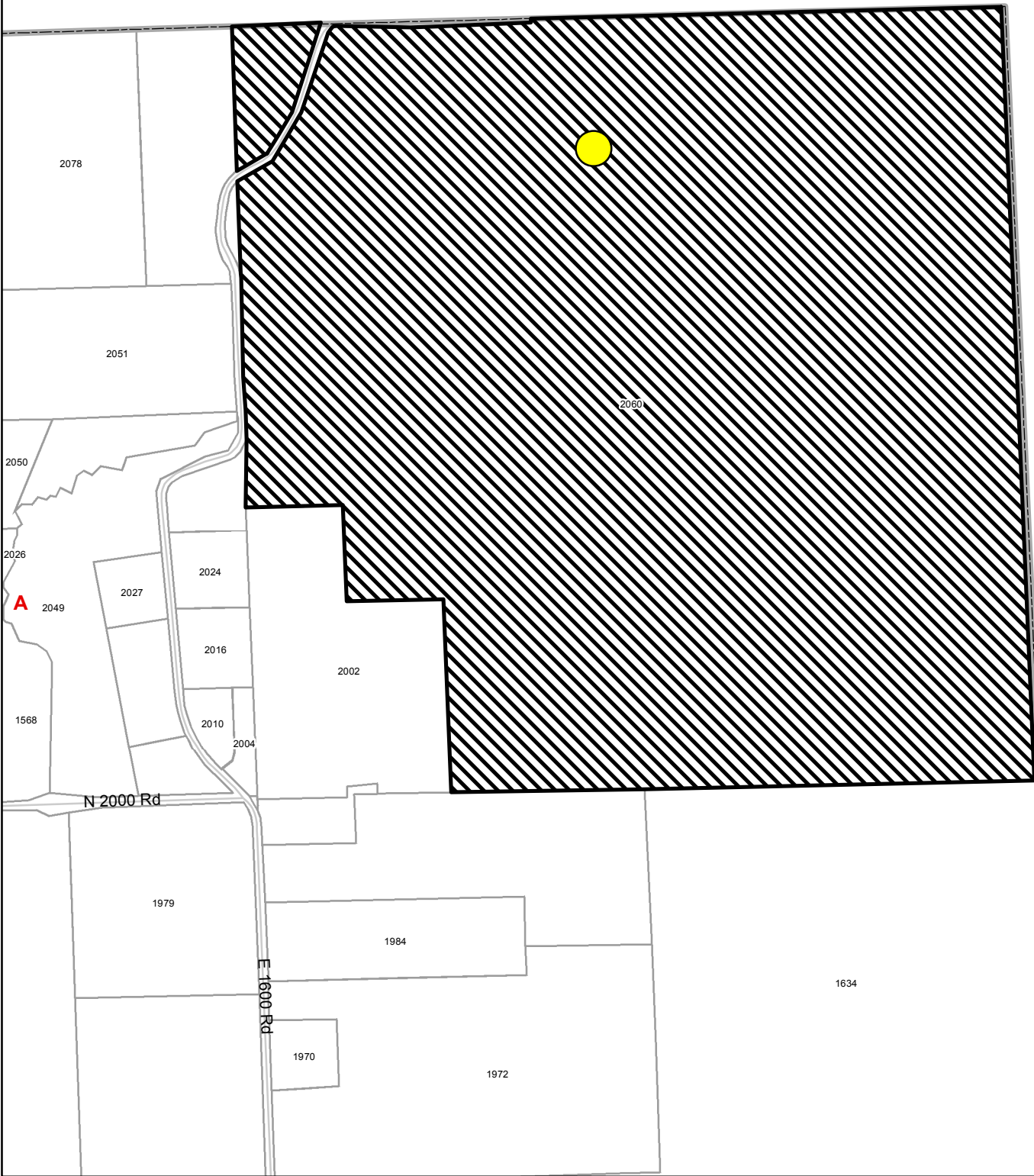
Liz Wright
Manager, Environmental Permitting
National Ecological Observatory Network

Exhibit A



Jefferson County

Leavenworth County



**CUP-14-00052: Conditional Use Permit for the National
Ecological Observatory Network site
Located at 2060 E 1600 Rd**



PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
5/21/14

ITEM NO. 7: IG TO IL; 701 E 19TH STREET (MKM)

Z-14-00097: Consider a request to rezone approximately 1.7 acres from IG (General Industrial) District to IL (Limited Industrial) District, located at 701 E 19th St. Submitted by Zach Stoltenberg on behalf of Silverback Enterprises LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 1.7 acres at 701 E 19th Street from IG (General Industrial) District to IL (Limited Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report with the following conditions to restrict uses and insure compatibility with the nearby residential uses:

1. The following uses shall be permitted in the District only when approved as Special Uses through the SUP process:
*Lodge, Fraternal & Civic Assembly,
Fast Order Food with Drive-In, and
Participant Sports & Recreation (Outdoor)*
2. The following uses shall be prohibited in the District:
*Livestock Sales, and
Large Collection Recycling Center.*

REASON FOR REQUEST

Applicant's Response:

"Change in the property's primary commercial use."

KEY POINT

- The property is located within the boundaries of the Burroughs Creek Corridor Plan.

ASSOCIATED CASES

SP-14-00169: Site Plan to City Commission for use of artificial turf.

OTHER ACTION REQUIRED

- City Commission approval of rezoning request and adoption/publication of ordinance.
- Application and release of building permits prior to development.
- City Commission approval required prior to installation of artificial turf.

ATTACHMENTS

Attachment A: Use Group Tables for IG and IL

PUBLIC COMMENT

No public comment was received for this item prior to the printing of this staff report.

Project Summary

The property at 701 E 19th Street contains approximately 1.7 acres and was platted as Lot 2 Industrial Square Addition in 1965. The property is developed with a building, constructed in 1966, that formerly housed the Zimmerman Steel Company and a detached dwelling that was constructed in 1940. The Zimmerman Steel building was recently converted to a warehouse/office use when it was purchased by Silverback Enterprises, LLC. Silverback Enterprises is a sports event production company that specializes in producing sporting events. Rezoning is being requested to accommodate the development of a fitness center in the building. A fitness center is categorized as an *Indoor Participant Sports and Recreation* use. This use is permitted in the IL District but not in the IG. The use is not permitted in the IG District due to concern with mixing customers with heavy industrial traffic and uses but is appropriate in the IL District given the less intense industrial uses and increased retail uses which are permitted in that district.

An accessory outside exercise area is also proposed and a request to install artificial turf has been submitted. Per Code, this request is to be reviewed by Planning Staff and provided to the City Commission for action. This request is contingent upon the rezoning of the property.

There are no plans to change the use of the residence, which is a nonconforming use per Section 20-1502 of the Development Code. A nonconforming use is one which was legally established but is no longer allowed due to a change in the zoning district or regulations. The residence was constructed in 1940, prior to zoning of the property to an urban zoning district.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"Rezoning allows us to provide a new service to our neighborhood and a greater diversity of use to our region."

A review of the Comprehensive Plan recommendations follows with staff's comments in red.

The subject property is located within an area identified by the Comprehensive Plan as an existing industrial area, the Burroughs Creek Corridor.

"This corridor stretches from E 31st Street to the Kansas River in East Lawrence. Parts of the corridor area offer smaller land parcels and provides opportunities for small business owners to coexist with neighboring residential uses. Future development of this area should be in

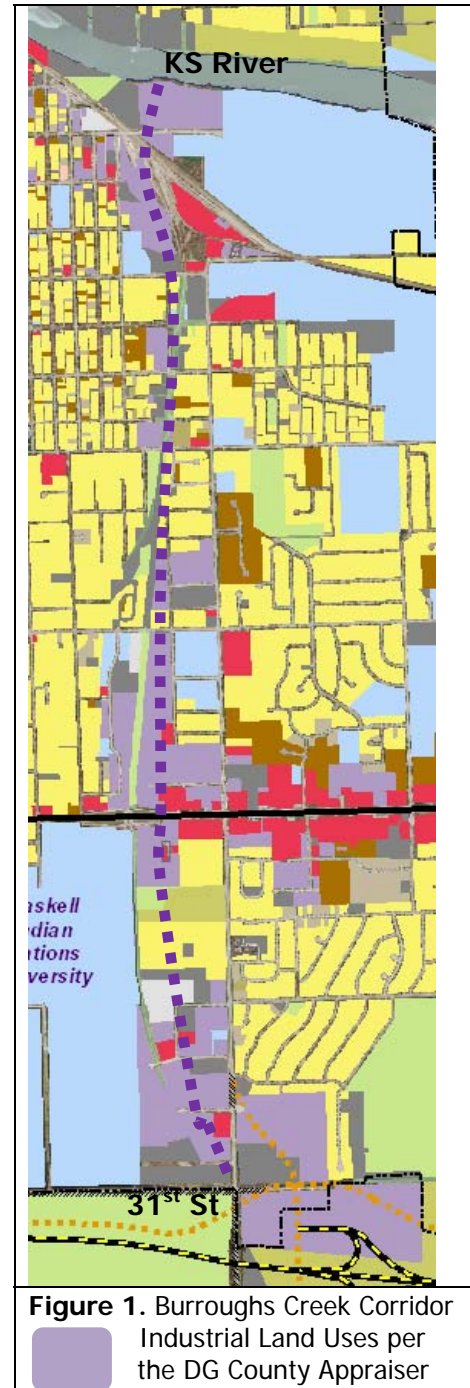


Figure 1. Burroughs Creek Corridor
Industrial Land Uses per
the DG County Appraiser

accordance with the Burroughs Creek Corridor Plan.” (Page 7-4, *Horizon 2020*) The industrial nature of the Burroughs Creek Corridor is illustrated in Figure 1. The Burroughs Creek Corridor Plan is discussed in Section 4 of this report.

The rezoning request is for a less intensive industrial district which would restrict the more intensive industrial uses, which create off-site nuisance factors, while allowing more retail and recreational uses. The Limited Industrial District is primarily intended to accommodate low-impact industrial, wholesale and warehouse operations that are employment-intensive and compatible with commercial land uses while the IG District is seen as generally incompatible with residential areas and low-intensity commercial areas. The IL District would maintain the industrial zoning but would restrict the intense industrial uses.

Staff Finding – *Horizon 2020* identifies the property as being within an industrial area, and recommends that redevelopment comply with recommendations of the Burroughs Creek Corridor Plan. The rezoning to an industrial district is compliant with *Horizon 2020*. The redevelopment proposal will be evaluated with the recommendations of the area plan in Section 4 of this report.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING ANY OVERLAY ZONING

Current Zoning and Land Use: IG (General Industrial) District; *Administrative Office, Light Wholesale Storage and Distribution, and Detached Dwelling.*

Surrounding Zoning and Land Use: To the west:
IBP (Industrial Business Park) District; *Passive Recreation, Burroughs Creek Trail and Linear Park. Administrative Offices, Fleet Storage, Heavy Wholesale Storage and Distribution; AT&T facility and yard to the west of the linear park.*

To the north:
IBP (Industrial Business Park) and IG (General Industrial) Districts; *Detached Dwellings**.

To the east:
GPI (General Public and Institutional Use) District; *Heavy Wholesale Storage and Distribution, City Parks and Recreation Storage Facility, and Passive Recreation, City park.*

To the south:
IG (General Industrial) District; *General Industrial, Brewery.*

(Figure 2.)

*These residential uses were identified in the Burroughs Creek Corridor Plan as nonconforming uses.

Staff Finding – The subject property is surrounded by properties that are zoned for industrial uses. The predominate uses in the area are industrial; however, open space and

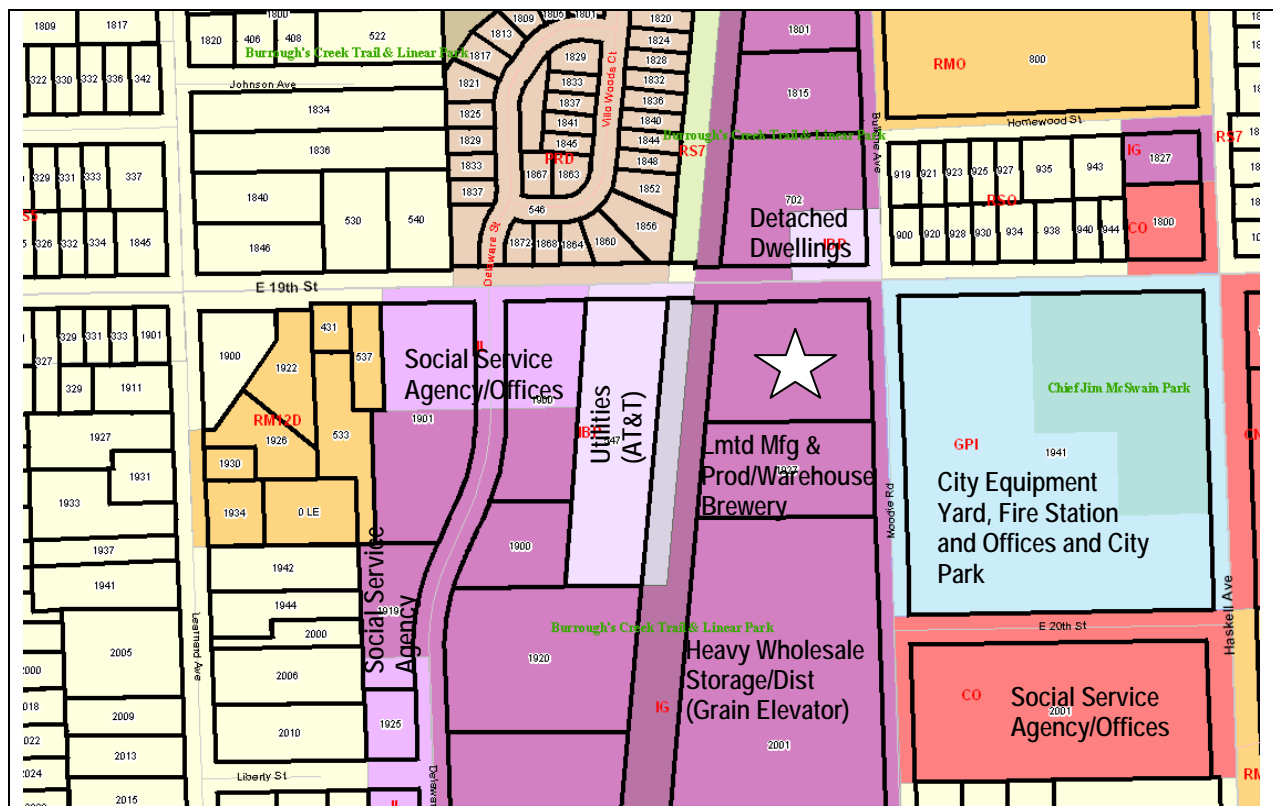
residential uses are present in the immediate area as well. The rezoning is consistent with the zonings in the area and compatible with the existing land uses.



Figure 2a. Zoning in the area. (Subject property outlined.)



Figure 2b. Land use in the area.



Zoning of the area:

| | |
|--|--|
|  Single-Dwelling Residential |  General Public & Institutional |
|  Multi-Dwelling Residential |  Limited Industrial, Industrial Business Park |
|  Commercial Office, Neighborhood Commercial |  General Industrial |

Figure 2c. General Zoning Categories and land uses.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response:

"It is largely industrial/commercial, abutting several residences."

The subject property is located on E 19th Street which is classified as a minor arterial in the Future Thoroughfares Map. Burroughs Creek Trail and Linear Park is located to the west of the property on the vacated railroad right-of-way. The railroad provided access to this area which led to the development of industrial uses that form the Burroughs Creek Corridor Industrial Area. E 19th Street is the dividing line between industrial and residential uses in the immediate area, with residential uses being located to the north.

South of E 19th Street there is a variety of uses, including industrial uses, social service agencies, and wholesale storage and distribution yards and offices. There is one residence which is located on the subject property.

Staff Finding –E 19th Street demarcates the land uses in the neighborhood with residential uses being located to the north and industrial, community facilities, and wholesale storage and distribution uses to the south. The Burroughs Creek Trail and Linear Park provides open space in the area. The proposed rezoning to a less intense industrial district is compatible with the character of the neighborhood.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

The Burroughs Creek Corridor Plan analyzes the existing uses in the area and provided recommendations to revise rezonings to match the existing uses. The plan did not recommend specific changes to existing uses but did provide the following guidance for redevelopment:

"..it is recommended that when redevelopment of industrially zoned areas is proposed in the future, these areas should be scrutinized for neighborhood compatibility."

(Recommendation 2II(A) Page viii, *Burroughs Creek Corridor Plan*)

Per the definition in Section 20-1702, a fitness center is classified as an *Indoor Participant Sports and Recreation* use. This use is permitted in some industrial districts, the IL (Limited Industrial) and the IBP (Industrial Business Park) Districts but is not permitted in the IG (General Industrial) District.

The reason for this can be found in the intent/purpose of the IG District:

"The IG, General Industrial District, is primarily intended to accommodate moderate- and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. The District is generally incompatible with residential areas and low-intensity commercial areas." (Section 20-217, Development Code)

The industrial uses permitted in the IG and IL Districts are basically the same except that IG also allows for *Explosive Storage* and *Intensive Industrial* uses.

Intensive Industrial Uses are the production, processing, or packaging of products that create nuisance conditions that are detectable from the boundaries of the subject property. For this reason, the General Industrial District is seen as being incompatible with residential and light commercial uses. Rezoning to the IL would result in a district which permits industrial uses which would have less of an impact on adjacent properties and would be more appropriate given the proximity of residences to the subject property.

While rezoning the property to the Limited Industrial district would prohibit *Intensive Industrial* and *Explosive Storage* uses, it would permit a variety of other uses.

Per the Burroughs Creek Corridor Plan, future development should be scrutinized for neighborhood compatibility. Evaluating the uses permitted within the IL District for compatibility requires determining if the use is similar or compatible with the industrial uses currently in the area south of 19th Street and if the use could be compatible with the nearby residences. This is discussed in detail in Section 7 of this report. Industrial Design Standards have been adopted into the Community Design Manual. The Manual notes that one purpose of the guidelines is to ensure compatibility with surrounding uses. (Page 3-1, Community Design Manual). The guidelines are meant to be administered most strictly in high visibility or sensitive areas which include properties located along arterial streets or properties located adjacent to residential development. (Page 3-2, Community Design Manual). Strict adherence to the Design Standards and application of sound planning principles through the site planning process would insure compatibility with the neighborhood.

Staff Finding – The property is located within the limits of the Burroughs Creek Corridor Plan which recommends that neighborhood compatibility should be a prime consideration when industrially zoned property redevelops. Any redevelopment of the property should receive stringent review with the Industrial Design Standards and Guidelines to insure compatibility with the neighborhood.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response:

"As a flexible site in a diverse region of town, the property is well suited for its current zoning as well as the proposed classification."

The property is currently zoned IG which permits industrial uses, including high intensity industrial uses with off-site nuisance impacts. The IG District allows limited Community Facilities, Recreational Facilities, and Retail Sales and Services Uses. The District allows for a greater range of Animal Services, Office, Vehicle Sales and Service Uses, and Wholesale Storage and Distribution.

The uses which are permitted in the IG (existing) and IL (proposed) Districts are compared in Attachment A.

The property is suitable for industrial uses, but the close proximity of residences, see Figure 2, makes the site unsuitable for explosive storage and the intense industrial uses which could have negative off-site impacts. Given the proximity of these residences, the subject property is not well suited for the uses to which it is restricted with the IG Zoning.

Staff Finding – As the property is located on a minor arterial in an area identified as an industrial area, industrial uses and zoning are appropriate. Given the proximity of residential uses, the property is not well suited for the uses to which it is restricted with the current IG Zoning (particularly the *Intensive Industrial* uses and *Explosive Storage*); however, the property is well suited for the uses to which it would be restricted with the proposed IL Zoning.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response:

"Never fully vacated."

The property is not currently vacant. It had been developed with a residence in 1940 and an industrial use, the Zimmerman Steel Company, in 1966 which was in active use until 2011 (per the Douglas County Appraiser's records). The new property owner converted it to its current use of administrative offices and storage area earlier this year.

Staff Finding – The property is not vacant. Rezoning is being requested to allow a change of use on a developed property.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicants Response:

"It will not."

The removal of restrictions will allow a fitness center to be developed on the property. It will also open up the property for other uses permitted in the IL District in the future.

FITNESS CENTER

The fitness center will likely have more customers than the previous Zimmerman Steel Company or the current office/storage use. The use would have limited deliveries so the truck traffic could be less than with other industrial uses. The outdoor activity associated with this use is an accessory exercise area. If any exterior lighting is proposed, a photometric plan would be required to insure the lighting fixtures would be full-cut off to prevent off-site glare or light trespass. The proposed use should have no negative impact on the nearby properties. The applicant indicated that the proposed use would provide a recreation/fitness center for residents in the area.

OTHER USES PERMITTED IN THE IL DISTRICT

Other uses permitted in the IL Zoning District, such as retail or restaurant uses, may have greater traffic than the uses permitted in the IG District and may have later hours; however, the property is surrounded on the north, west, and south with industrial zoning and with industrial uses in all directions, except for the residences to the north. The impact of future development on these residences, and other residential development in the area would need to be evaluated with any future site plans for the subject property.

Attachment A, Table 1 compares the uses permitted in the IL and the IG District. The additional uses which would be permitted with the IL Zoning are evaluated in Table 2 of the attachment for compatibility with nearby residential uses.

Maintaining the industrial uses is consistent with the Burroughs Creek Industrial Corridor, however some uses may not be considered appropriate given the visibility from E 19th Street and the proximity of nearby residential uses.

Uses which are permitted in the RSO (Single-Dwelling Residential Office), CN1 (Inner-Neighborhood Commercial Center), or CN2 (Neighborhood Commercial Center) Districts are considered compatible with residential uses. As noted in Table 2 of Appendix A, uses in the IL District which are also permitted in these districts include: *Work/Live Unit, Cemetery, Funeral & Interment, Health Care Office, Participant Sports and Recreation (Indoor), Religious Assembly, Eating and Drinking Establishments* (with exception of *Fast Order Food with Drive-In*), *Financial, Insurance & Real Estate Office, Business Equipment, Food & Beverage, Mixed Media Store, Personal Convenience, Personal Improvement, Repair Service Consumer and General*, and *General Retail Sales*.

The uses that are permitted in the IL District but are not included in the RSO, CN1, or CN2 zoning districts are evaluated further below:

| | |
|---|---|
| Lodge, Fraternal & Civic Assembly | This use includes uses such as 4-H clubs, bridge clubs, as well as veteran organizations. This use is permitted in the RS7, RSO, and CN1 Districts as a Special Use. It may be appropriate to require a SUP with this use as the types of assembly could vary and have differing characteristics and impacts on the neighborhood. |
| Participant Sports & Recreation (Outdoor) | <p>Typical uses include swimming pools, driving ranges, and miniature golf courses. These uses could have negative impacts on adjacent residences due to the intensity of outdoor activities. A SUP would be appropriate to insure compatibility.</p> <p>The outside activity associated with this project is an accessory area for outdoor calisthenics. This would be permitted as an accessory use to the fitness center. If the turf area were to be used as a play field for other users, not associated with the fitness center, it would require approval through the SUP process as a <i>Participant Sports and Recreation (Outdoor)</i> use.</p> |
| Fast-Order Food with Drive-In | Fast order food with a drive-in (drive-through) would probably not meet the requirements for access. A coffee shop with a drive-through window is one example of this type of use which might be compatible with the surrounding area; however, a fast food franchise would also be an example of this use. Depending on the nature and intensity of the drive-through use, this use could be incompatible with the nearby residential uses; therefore, restricting this use to approval as a SUP would be appropriate. |
| Hotel/Motel/Extended Stay | The size of a facility would be limited by the site's size and the ability to provide the required off-street parking while maintaining the required bufferyards as well as the 45 ft height limit in the IL District. In staff's opinion, the provisions of the Development Code should be adequate to minimize any negative impacts. |

| | |
|-----------------------------------|---|
| Livestock Sales | This use is permitted in both the IL and IG District; however, the noise and odor associated with livestock sales may not be compatible with nearby residential uses. |
| Large Collection Recycling Center | While processing would not occur, the noise and activity associated with a large collection recycling center may not be compatible with nearby residential uses. |

Staff Finding – Uses permitted within the IL District are compatible with the nearby industrial uses; however, some uses could have a detrimental impact on the nearby residential areas. To minimize any negative impacts, the rezoning should be conditioned to prohibit *Livestock Sales* and *Large Collection Recycling Center* and to allow the following as Special Uses through the SUP process: *Lodge, Fraternal & Civic Assembly, Fast Order Food with Drive-In*, and *Participant Sports & Recreation (Outdoor)*. The SUP process would allow the additional review to insure compatibility as recommended in the Burroughs Creek Corridor Plan.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicants Response:

"Besides the health benefits of a fitness facility, our new use engages pedestrian traffic and brings a new service to residents."

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare.

Denial of the rezoning would leave the area open for development of the uses permitted within the IG District which would include the *Intensive Industrial* and *Explosive Storage* uses. The public health, safety, and welfare would benefit from the approval of the IL zoning request by removal of the more intense industrial uses. The IL District would allow additional uses which are considered to be compatible with light intensity commercial zoning.

The proposed use would provide a fitness center as an amenity to the neighborhood which can be accessed by car or by the adjacent pedestrian/bike trail.

Staff Finding – The rezoning request would benefit the public health, safety, and welfare by removing the potential for high intensity industrial uses on the subject property which is in close proximity to E 19th Street and the nearby residential developments. The rezoning would allow the development of a fitness center at this location which could be an amenity to the neighborhood.

PROFESSIONAL STAFF RECOMMENDATION

This staff report reviews the proposed rezoning request for its compliance with the Comprehensive Plan, the Golden Factors, and compatibility with surrounding development. The rezoning request is compliant with recommendations for industrial development in *Horizon 2020* (which refers to the Burroughs Creek Corridor Plan). Staff recommends approval of the rezoning request for approximately 1.7 acres from IG (General Industrial)

District to IL (Limited Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report and subject to the following conditions to restrict uses and insure compatibility with the nearby residential uses:

1. The following uses shall be permitted in the District when approved as Special Uses through the SUP process:
Lodge, Fraternal & Civic Assembly,
Fast Order Food with Drive-In, and
Participant Sports & Recreation (Outdoor)
2. The following uses shall be prohibited in the District:
Livestock Sales, and
Large Collection Recycling Center.

TABLE 1. COMPARISON OF PERMITTED USES: IL and IG

To illustrate the differences between the IL and IG Districts, the uses which are not permitted in both districts are shown in **bold print**. These are evaluated in Table 2.

| USE GROUPS | IL | IG |
|------------------------|---|---------------------------------|
| Household Living | Mobile Home | Mobile Home |
| | Work/Live Unit | |
| Community Facilities | Cemetery | |
| | College/University | College/University |
| | Day Care Center | Day Care Center |
| | Detention Facilities (SUP) | Detention Facilities (SUP) |
| | Lodge Fraternal & Civic Assembly | |
| | Postal & Parcel Service | Postal & Parcel Service |
| | Public Safety | Public Safety |
| | Funeral & Interment | |
| | Temporary Shelter (A/SUP) | Temporary Shelter (SUP) |
| | Social Service Agency | Social Service Agency |
| | Community Meal Program (A/SUP) | Community Meal Program (SUP) |
| | Utilities, Minor | Utilities, Minor |
| | Utilities, Major (SUP) | Utilities, Major |
| Medical Facilities | Health Care Office | |
| Recreational Uses | Active Recreation | Active Recreation (SUP) |
| | Participant Sports & Recreation (Indoor and Outdoor) | |
| | Passive Recreation | Passive Recreation |
| | Nature Preserve/Undeveloped | Nature Preserve/Undeveloped |
| Religious Assembly | Campus/Community & Neighborhood Institution | |
| Animal Services | Kennel | Kennel |
| | Livestock Sale | Livestock Sale |
| | Sales and Grooming | Sales and Grooming |
| | Veterinary | Veterinary |
| Eating & Drinking Est. | Accessory Bar (A) | |
| | Fast Order Food | |
| | Fast Order Food/Drive-In | |
| | Quality Restaurant | |
| Office | Administrative and Professional | Administrative and Professional |
| | Financial, Insurance & Real Estate | |
| | Other | Other |
| Parking Facilities | Accessory (A) | Accessory (A) |
| | Commercial | Commercial |
| Retail Sales & Service | Building Maintenance | Building Maintenance |
| | Business Equipment | |

| | | |
|---|---------------------------------------|---------------------------------------|
| | Business Support | Business Support |
| | Construction Sales and Service | Construction Sales and Service |
| | Food and Beverage | |
| | Mixed Media Store | |
| | Personal Convenience | |
| | Personal Improvement | |
| | Repair Service, Consumer | |
| | Retail Sales, General | |
| Transient Accommodations | Hotel, Motel, Extended Stay | |
| Vehicle Sales & Services | Cleaning (Car Wash) | Cleaning (Car Wash) |
| | Fleet Storage | Fleet Storage |
| | Gas and Fuel Sales | Gas and Fuel Sales |
| | | Truck Stop (SUP |
| | Equipment Repair (Light/Heavy) | Equipment Repair (Light/Heavy) |
| | Inoperable Vehicles Storage | Inoperable Vehicles Storage |
| | Equipment Sales/Rentals (Light/Heavy) | Equipment Sales/Rentals (Light/Heavy) |
| | RV and Boat Storage | RV and Boat Storage |
| Industrial Facilities | | Explosive Storage |
| | Industrial, General | Industrial, General |
| | | Industrial, Intensive |
| | Laundry Service | Laundry Service |
| | Mfg & Production, Ltd. | Mfg & Production, Ltd. |
| | Mfg & Production, Tech. | Mfg & Production, Tech. |
| | Research Service | Research Service |
| | Scrap and Salvage (SUP) | Scrap and Salvage (SUP) |
| Wholesale Storage & Distribution | Exterior Storage (A) | Exterior Storage (A) |
| | Heavy (SUP) | Heavy |
| | Light | Light |
| | Mini-Warehouse | Mini-Warehouse |
| Agriculture | Agricultural Sales | Agricultural Sales |
| | Agriculture, Crop | Agriculture, Crop |
| Communications Facilities | Amateur & Receive-only Antennas (A) | Amateur & Receive-only Antennas (A) |
| | Broadcasting Tower | Broadcasting Tower |
| | Communications Service Establishment | Communications Service Establishment |
| | Telecommunications Antenna (A) | Telecommunications Antenna (A) |
| | Telecommunications Tower (SUP | Telecommunications Tower (SUP |
| | Satellite Dish (A) | Satellite Dish (A) |
| Mining | | Mining (SUP) |
| Recycling Facilities | Large Collection | Large Collection |
| | Small Collection | Small Collection |
| | Processing (SUP) | Processing |

TABLE 2. EVALUATION OF ADDITIONAL USES PERMITTED WITH REZONING TO IL

| Additional Uses | Discussion | Other Districts |
|--|--|--|
| Work/Live Unit | Residential in nature; compatible with uses in area. | Allowed in RSO (Single-Dwelling Residential- Office) and CN1/CN2 (Inner Neighborhood and Neighborhood Commercial) Districts |
| Cemetery | Compatible with residential uses. | Allowed in residential and CN1/CN2 |
| Lodge, Fraternal & Civic Assembly | Depending on size can be compatible with residential uses. | Permitted in all Residential Districts and CN1/CN2 with SUP |
| Funeral & interment | Compatible with residential uses. | Permitted in RSO and CN2 |
| Health Care Office | Compatible with residential uses | Permitted in CN1 |
| Participant Sports & Recreation (Indoor) | Compatible with residential uses | Permitted in CN2 |
| Participant Sports & Recreation (Outdoor) | Typical uses are swimming pools, driving ranges, and miniature golf courses. May be incompatible with residential uses. | Not permitted in CN1 or CN2. |
| Religious Assembly | Compatible with residential uses. | Permitted in residential and CN1 and CN2 |
| Eating and Drinking Establishments; accessory bar, fast order food (w, w/o drive-in), quality restaurant | Given the location on a minor arterial and the proximity of industrial uses eating and drinking establishments would be compatible with the area. | All uses permitted in CN1 and CN2 but fast order food with drive-in. This use is permitted in CN2 with SUP. |
| Financial, Insurance & Real Estate Office (includes banks) | Compatible with residential uses. | Permitted in RSO, CN1 and CN2 |
| Business Equipment (Retail sales and Services) | Compatible with residential uses. | Permitted in CN2 |
| Food & Beverage, Mixed Media Store, Personal Convenience, Personal Improvement, Repair Service Consumer and General, and Retail Sales, General | Compatible with residential uses. | Permitted in CN1 and CN2 |
| Hotel/Motel/Extended Stay | The maximum height for the IL District is 45 ft. Could be compatible with the nearby residences, given the access onto a minor arterial and limited size possible. | Not permitted in RSO , CN1 or CN2 |



Z-14-00097: Rezone 1.7 acres from IG District to IL District



Memorandum

City of Lawrence

Planning and Development Services

TO: Lawrence/Douglas County Planning Commission

FROM: Planning Staff

CC:

Date: 13 May 2014

RE: Follow-up Study for Special Use Permit (SUP-14-00049): Runaway Pony Bed & Breakfast, 603 Tennessee Street

On the day of the hearing for the renewal of a Special Use Permit to allow the operation of a Bed & Breakfast use in an RS-5 District, it was brought to the attention of staff that conditions potentially existed which were not in compliance with the City Code and/or conditions delineated within the approved Special Use Permit.

These items include:

1. 603 Tennessee Street is the primary residence of the owner
2. Number of beds and number of rooms for guests
3. Exterior yard conditions of 603 Tennessee Street
4. The presence of an employee/resident manager
5. Parking requirements for guests and potential employees

Following the deferral and request for more information by the Planning Commission on 23 April 2014 (Vote: 10-0), staff has studied the above listed items to ascertain the facts and varying levels of detail, as well as to study the compliance of the bed & breakfast use with the applicable codes and requirements.

SUP-4-3-09 was approved in 2009 for the applicant to utilize her principal residence as a bed & breakfast, ancillary to the use being an owner-occupied dwelling. Through the comments at the public hearing for SUP-14-00049 on 21 April 2014, a site inspection on 1 May 2014, and researching available information, staff has made the following determinations to the above listed items:

| Determination of Issues for SUP-14-00049, Runaway Pony Bed and Breakfast, 603 Tennessee Street | | | | | |
|--|---|--|--|---|---------------|
| | Item | Code | Requirement | Staff Determination | Compliance |
| 1 | The Primary Residence of the Owner | Article 5, § 20-504 (1) | A Bed and Breakfast with 3 or fewer guest bedrooms shall be operated as an incidental use to the Principal Use of an Owner-occupied Structure. | While inconclusive, information suggests that 603 Tennessee may not be the owner's primary residence. | Inconclusive |
| 2 | Number of Beds and Number of Rooms for Guests | Article 5, § 20-504; Ordinance 8456, § 3 | The real property described in Section Two hereinabove shall hereafter allow a Bed and Breakfast Establishment with three or fewer guest bedrooms operated (10 total occupants) as an incidental use to the principal use of the owner-occupied structure, for a five (5) year period of time from the effective date of this ordinance. | Structure has been advertised in multiple sources as offering more than 3 bedrooms. Seven beds observed during site visit on 1 May 2014. (2 additional rooms restricted from observation due to guest occupancy.) | Not Compliant |
| 3 | Exterior Yard Conditions | Chapter 9, Article 6 | | | Compliant |
| 4 | Presence of an employee/resident manager | Article 5, § 20-504, (1) | A Bed and Breakfast with 3 or fewer guest bedrooms shall be operated as an incidental use to the Principal Use of an Owner-occupied Structure. | People, besides the owner, are handling some of the operations of the Bed & Breakfast in an on-going and consistent fashion. | Not Compliant |
| 5 | Parking Requirements for Guests and Potential Employees | Article 9, § 20-902 | 1 per guest room + 1 per 1.5 employees | 5 spaces required, 4 provided | Not Compliant |

1. The Primary Residence of the Owner

Section 20-504 of the Land Development Code states: "A Bed and Breakfast with 3 or fewer guest bedrooms shall be operated as an incidental use to the Principal Use of an Owner-occupied Structure." The operational definition of "owner-occupied" is a structure where an individual resides a majority of the time when within the City.

Since April's Planning Commission meeting, staff has been informed of legal documents filed with the Douglas County District Court indicating 1941 Massachusetts Street as the applicant's residence during periods in 2011 (April 15th to June 11th) and 2012 (December 8th, 2011 to February 6th, 2012). Additionally, through discussions at the 21 April 2014 Planning Commission meeting, as well as through questions raised by the commission and subsequent research by staff, the information obtained suggests that 603 Tennessee Street may not be the primary residence of the owner.

It is inconclusive whether 603 Tennessee Street is the primary residence of the owner. At the least, the owner spends time away from 603 Tennessee Street, thus not meeting the intent of having the owner-occupant operate the bed & breakfast use in a consistent fashion.

2. Number of Beds and Number of Rooms for Guests

As part of the original approval given by Planning Commission (24 August 2009) and City Commission (1st Reading: 15 September 2009/2nd Reading: 22 September 2009), the Special Use Permit was, "granted for up to three guest rooms. Use of additional guest rooms shall require a new public hearing." The operation of the structure with more than three guest bedrooms would be a violation of the conditions of the Special Use Permit. At present, the bed & breakfast is being advertised on multiple websites as having six to seven bedrooms with availability to sleep 10 guests. An increase exceeding the three permitted rooms has not been approved previously.

During the site visit on 1 May 2014, staff observed various minor discrepancies in the current layout and function of the rooms when compared against the approved site plan dated 25 August 2011. The findings are outlined below, as well as on the attached annotated Site Plan.

- A. The Owner-Occupant Suite has been relocated to the basement-level;
- B. The bedroom and the sitting room have been reversed from the Basement Plan;
- C. Beds were located in rooms designated as guest sitting rooms and library/business center room;
- D. One additional bed on the 2nd Floor, and two additional beds on the 3rd Floor; bringing the total number of beds observed to seven

During the site visit, Ms. Hearn indicated that the bed & breakfast did have two occupied guest rooms: one room detailed on the approved site plan as a guest sitting room, and one approved as a guest bedroom.

Staff understands that the relocation of the owner-occupied suite to the basement-level was to help optimize the operation of the bed & breakfast, and does not have an issue with this adjustment.

3. Exterior Yard Conditions

The exterior yard of the property was inspected to ascertain if there were code violations of the City's adopted Property Maintenance Code. Staff walked the yard accompanied by Ms. Hearn. Staff observed two mounds of compost and a mound of mulch north of the detached garage. Ms. Hearn advised the compost and mulch was going to be used in the near future for the flower bed that is located between the garage and house.

Staff also observed a large pile of leaves on the east side of the detached garage. Ms. Hearn advised the leaves were put there during last fall and her intentions were to eventually use them as compost. There was one additional mulch pile at the southeast corner of the house, which will also be spread throughout the garden bed at that location in the near future.

Section 302.2 (Grading and drainage) of the Property Maintenance Code prohibits the storage of mounded soil, gravel, or mulch. Due to Ms. Hearn

stating she would be using the compost and mulch in the near future, Staff informed her there was not a violation of City Code.

The accumulation of leaves is not regulated by City Code.

4. Presence of an Employee/Resident Manager

Based on the responses by the applicant and the public during the Planning Commission meeting on 21 April 2014, and through researching reviews provided on multiple websites, staff is of the opinion that there are individuals other than the owner conducting some of the operations of the bed & breakfast. The review websites city staff were able to locate are attached to this memo. These reviews contain references to a resident manager being their contact when visiting/staying at Runaway Pony Bed & Breakfast, 603 Tennessee Street.

The intent of this code is that the owner operates the bed & breakfast. Hiring cleaning and other services, and having others operate the business during extended owner absence, complies with this intent; however, constant employment, whether as a volunteer or paid-employee, would not, in staff's opinion, meet the intent of the code.

5. Parking Requirements for Guests and Potential Employees

Article 9, Section 20-902, Schedule A, sets the required off-street parking a bed & breakfast use would need to operate: 1 per guest room + 1 per 1.5 employees. (p. 9-6) Assuming the number of guest rooms is 3 as previously approved, and including the requirements for an employee plus the owner, this would require 5 parking spaces. When approved in 2009, the use was approved with 4 off-street parking spaces.

Staff Findings

The intent of the Land Development Code is to allow for a homeowner to utilize his/her principal residence as a bed & breakfast, ancillary to the use being an owner-occupied dwelling. The Land Development Code also establishes a "Bed and Breakfast Inn" for an instance where the owner does not occupy the structure as their principal residence, or in the instance the owner does not oversee the day-to-day operations of the establishment.

The compliance issues primarily affect required off-street parking and the level of intensity at this location. Even so, the bed & breakfast use has operated without a complaint since it began operation in 2011.

Options

Given the items presented before the Planning Commission on 23 April 2014, and the information obtained as requested by the Commission since the item's deferral, the options available to the Planning Commission are:

1. Deny the Special Use Permit based on the findings of non-compliance;

2. Provide the applicant a timeframe to come into compliance and extend the Special Use Permit for 6 months, with the following conditions:
 - A. Owner shall comply with the original conditions of the Special Use Permit and Site Plan Performance Agreement;
 - B. Submit a log of guests to demonstrate compliance with the code requirement of no more than three (3) guest rooms being utilized for the operation of the bed & breakfast use;
 - C. Staff will monitor booking and other similar websites for evidence of volunteers/employees;
3. Approve the Special Use Permit for the bed & breakfast use for 5 years, subject to the following conditions:
 - A. A Special Use Permit renewal is granted for up to three guest rooms. Use of additional guest rooms shall require a new public hearing;
 - B. A Special Use Permit renewal is granted for 5 years. A new Special Use Permit shall be required to continue the bed & breakfast use; or
4. Provide the applicant an opportunity to seek approval of a Special Use Permit for designation as a Bed & Breakfast Inn, (*Section 20-504, (2): A Bed and Breakfast establishment with 4 or more guest bedrooms is considered a Bed and Breakfast Inn. (i) A Bed and Breakfast Inn shall have a full-time resident manager or Owner on the site and be licensed by the State of Kansas to do business. (ii) A Bed and Breakfast Inn shall only be permitted if it is adjacent to or within ready Access to an Arterial or Collector Street,*) subject to the following conditions:
 - A. Grant an extension of the existing Special Use permit to allow for continued operation while the applicant seeks a new Special Use Permit for a Bed & Breakfast Inn;
 - B. Approval of a bed & breakfast inn would include the following conditions at a minimum:
 - i. Grant a Special Use Permit approval for 5 years. A new Special Use Permit shall be required to continue the bed & breakfast use;
 - ii. Owner shall comply with the original conditions of the Special Use Permit, Site Plan Performance Agreement, and items delineated in Section 20-504;
 1. A Bed and Breakfast Inn shall have a full-time resident manager or owner on the site and be licensed by the State of Kansas to do business;
 - iii. Obtain Lodging License from the Kansas Department of Agriculture in accordance with Kansas State Statutes.

Currently used as
Owner-Occupant
Suite

Bedroom & Sitting
Room have been
reversed.

Currently used as
Guest Suite

Additional
Bed

Additional
Bed

Additional
Bed

RECEIVED
APR 15 2011
City Planning Office
Lawrence, Kansas

603 TENNESSEE - BED AND BREAKFAST
LAWRENCE, KANSAS

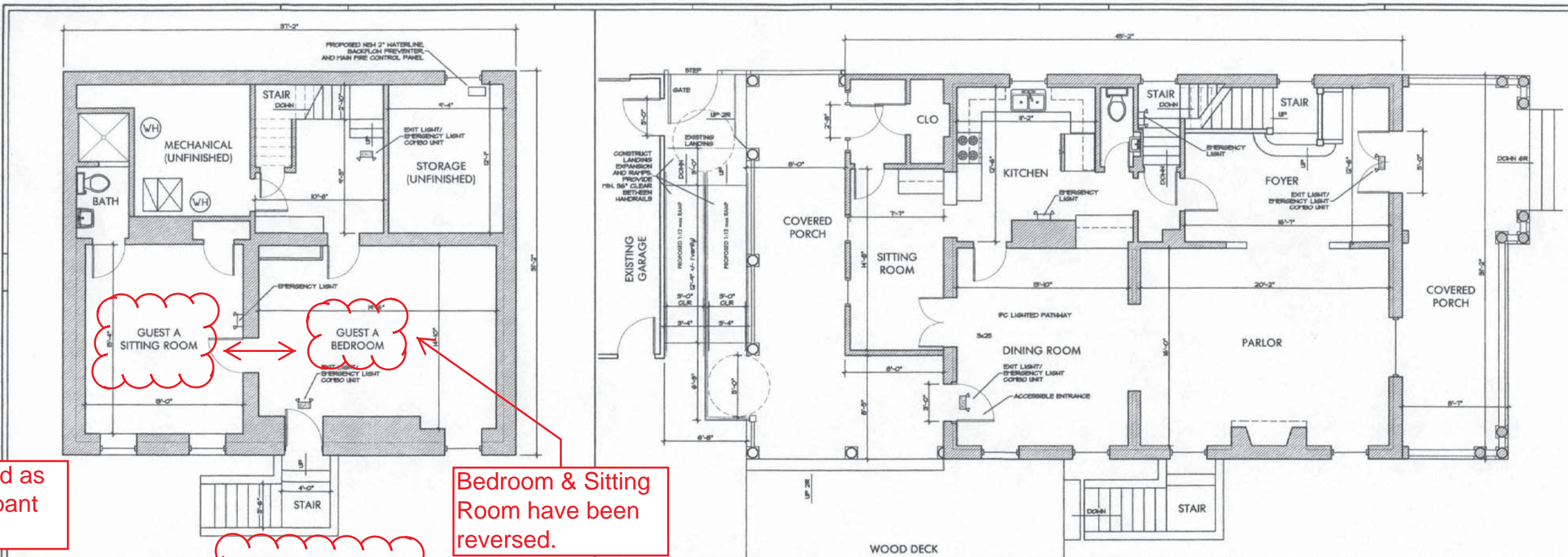


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OCIATES
920 Massachusetts
Lawrence, Kansas
66044
785-749-5804
FAX 785-749-1315

Digitally signed by Lynne
Braddock-Zoller
Reason: DR-7-88-09 and
DR-4-39-11; pg 2 of 4 CODE PLAN
Date: 2011.08.25 16:05:02
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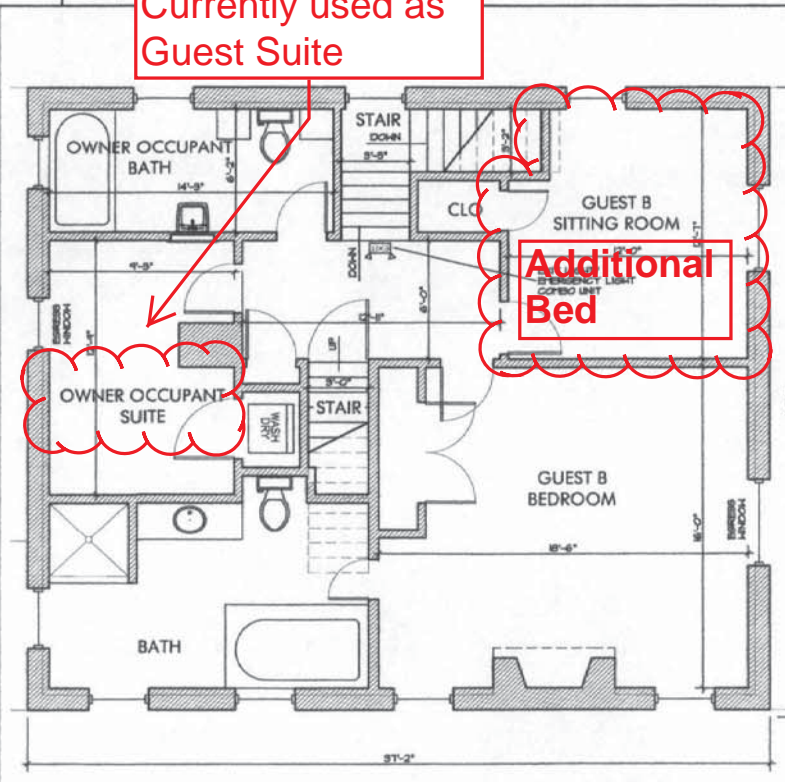
Approved & Released
Date: 04/06/2011
Checked by: TWT/ERS
Planner Initials: [Signature]
Director: [Signature]

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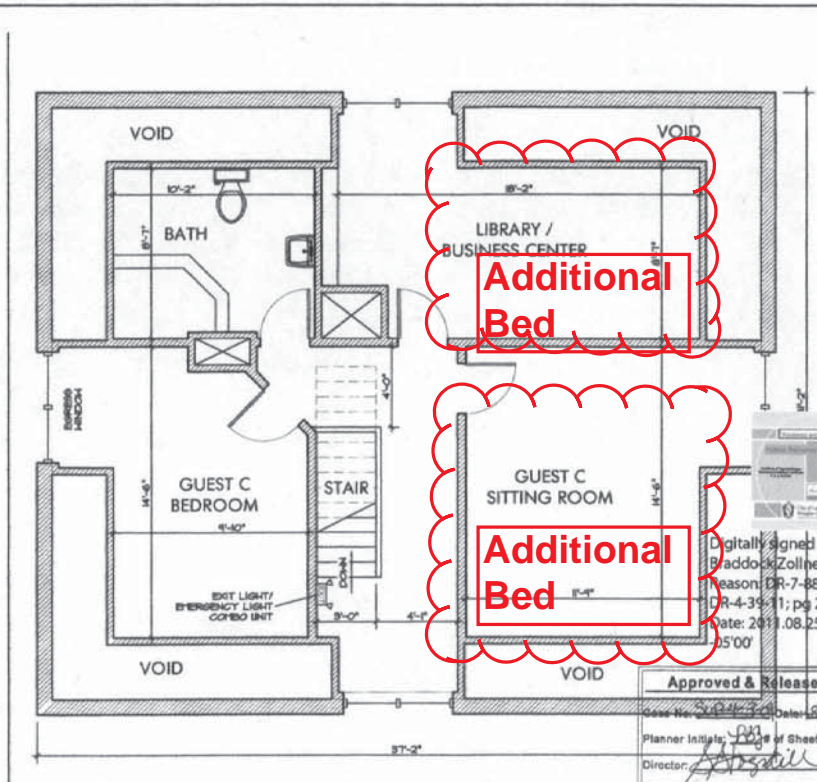


1 BASEMENT PLAN - GUEST SUITE A
1/4" = 1'-0"

2 FIRST FLOOR PLAN - COMMON AREAS



3 SECOND FLOOR PLAN - GUEST SUITE B
1/4" = 1'-0"



4 THIRD FLOOR PLAN - GUEST SUITE C
1/4" = 1'-0"

PROJECT NAME: 603 Tennessee Street
PROJECT DESCRIPTION: Conversion of existing single family home to 3 Guestrooms, Owner Occupied, Bed and Breakfast establishment. No construction or remodeling work is proposed with this plan with the exception of what is required to make an accessible route into the structure, an egress window, and installation of a Type IBC fire suppression system.
PROJECT LOCATION: 603 Tennessee Street Lawrence, Kansas 66044
OWNER: Serina Hearn, Rainbow Works, LLC, 1441 Massachusetts St. Lawrence, KS 66046
OWNERSHIP CONTACT: Serina Hearn & Tony Backus 1441 Massachusetts St. Lawrence, KS 66046 ph. 785-423-0678
ARCHITECT: Mike Myers, Hearnly Associates, Inc. 920 Massachusetts, Suite 2 Lawrence, Kansas 66044 P. 785-749-5806 F. 785-749-1315
CODES UTILIZED: 2009 International Building Code 2009 International Existing Bldg Code 2009 Uniform Plumbing Code
CONSTRUCTION TYPE: Type 5-B
FIRE SUPPRESSION: Type NFPA 13-R Throughout with Wetstandby alarm and monitoring
COOKING EQUIPMENT: Cooking shall be limited to warming and baking only. No grease-laden vapors are to be emitted. No Type-I Hood shall be installed.
OCCUPANCY GROUP: R-1 Boarding House (transient)
ALLOWABLE AREAS AND HTS: BASE ALLOWABLE: R-1, TYPE 5-B + 2-STORY, 1000 S.F. With one additional story for fully fire sprinkled.
GROUND FLOOR FOOTPRINT: 1341 S.F.
GROSS FLOOR AREAS: BASEMENT: 715 S.F. GROUND FLOOR: 1205 S.F. SECOND FLOOR: 1016 S.F. THIRD FLOOR: 760 S.F.
REVIEWED FOR CODE COMPLIANCE APR 06 2011 DEVELOPMENT SERVICES DEPT. CITY OF LAWRENCE
MAX OCCUPANCY: (to be posted) GUEST SLEEPING AREAS SHALL BE POSTED FOR A MAXIMUM OF 12 TOTAL OVERNIGHT OCCUPANTS. This occupancy cap provision is not intended to limit the number of visitors during daylight use for gatherings.
REQUIRED EXITS: BASEMENT REQUIRED 1 - PROVIDED 2 GROUND FLOOR REQUIRED 1 - PROVIDED 3 SECOND FLOOR REQUIRED 1 - PROVIDED 1 THIRD FLOOR REQUIRED 1 - PROVIDED 1
EMERGENCY ESCAPE WINDOWS: All Guest Bedrooms are to have an egress window. Existing windows which have a net area of 4 S.F. and minimum dimensions of 20" high and 20" wide are allowed per 2009 IEBC 902.4.
FIRE SEPARATIONS: Fire sprinkled - non-separated uses. Listed 30 min. fire partitions and horizontal assemblies at sleeping unit separations are omitted per Section 903.7 of the 2009 International Existing Building Code. Existing Construction Includes 1/2" Gypsum wallboard and lath and plaster finish on wood studs (in good condition)
ACCESSIBILITY: This project includes provisions for an accessible route from the parking area and into the building per Section 902.6 of the 2009 International Existing Building Code.

BUILDING CODE NOTES

Douglas CAMA Site Property Record Card

Parcel ID: 023-079-30-0-30-15-001.00-0

Quick Ref: R15073

Tax Year: 2014

Run Date: 05/02/2014 12:09:59 PM

OWNER NAME AND MAILING ADDRESS

RAINBOW WORKS LLC

ATTN HEARN SERINA A
LAWRENCE, KS 66046-2943

PROPERTY SITUS ADDRESS

603 TENNESSEE ST
KS

LAND BASED CLASSIFICATION SYSTEM

Function: 1310 Bed and breakf Sfx:
Activity: 1100 Household activities
Ownership: 1100 Private-fee simple
Site: 6000 Developed site - with building

GENERAL PROPERTY INFORMATION

Prop Class: R Residential - R
Living Units: 1
Zoning: RS5
Neighborhood: 677.0 677.0
Economic Adj. Factor:
Map / Routing: P05 U02316A
Tax Unit Group: 000041

Image Date: 12/30/2008

PROPERTY FACTORS

Topography: Above Street - 2
Utilities: All Public
Access: Paved Road, Sidewalk
Fronting: Secondary Artery
Location: Neighborhood or Spot
Parking Type: On and Off Street
Parking Quantity: Adequate
Parking Proximity: On Site
Parking Covered:
Parking Uncovered:

INSPECTION HISTORY

| Date | Time | Code | Reason | Appraiser | Contact | Code |
|------------|----------|------|--------|-----------|---------|------|
| 12/30/2013 | 10:30 AM | FR | FR | 353 | | |
| 12/06/2011 | 12:00 PM | FR | FR | 354 | | |
| 09/27/2011 | 1:40 PM | 9 | P | 354 | | |

BUILDING PERMITS

| Number | Amount | Type | Issue Date | Status | % Comp |
|-------------|--------|---------------------|------------|--------|--------|
| 11-00100279 | 30,000 | REMODEL | 04/08/2011 | O | |
| 08-00100396 | 12,000 | REMODEL | 04/30/2008 | C | 100 |
| 08-00100453 | 25,000 | NEW-DETACHED GARAGE | 04/30/2008 | C | 100 |

2014 APPRAISED VALUE

| Cls | Land | Building | Total |
|-------|---------|----------|---------|
| R | 102.000 | 485.100 | 587.100 |
| Total | 102.000 | 485.100 | 587.100 |

2013 APPRAISED VALUE

| Cls | Land | Building | Total |
|-------|--------|----------|---------|
| R | 72.210 | 506.490 | 578.700 |
| Total | 72.210 | 506.490 | 578.700 |

TRACT DESCRIPTION

PINCKNEY STREET LTS 2 & 4 & E/2 LT 6 & BEG
4 N OF NW COR LT 3 TENNESSE E ST, N 12, E
6, SWLY 12(S) TO POB 134 X 125(I)

PARCEL COMMENTS

App-Com: 2011-PUPinf2-2721-; Val-Com: Will work as Bed an Break. for 2013 #336 lp \$739

MARKET LAND INFORMATION

| Method | Type | AC/SF | Eff FF | Depth | D-Fact | Inf1 | Fact1 | Inf2 | Fact2 | OVRD | Rsn | Cls | Model | Base Size | Base Val | Inc Val | Dec Val | Value Est |
|--------|----------------|--------|--------|-------|--------|------|-------|------|-------|------|-----|-----|-------|-----------|----------|---------|---------|-----------|
| Sqft | 1-Primary Site | 16.750 | | | | EC | 170 | | | | | | 6.35 | 15,000.00 | 4.00 | 0.00 | 0.00 | 102,000 |

Total Market Land Value 102,000

Douglas CAMA Site Property Record Card

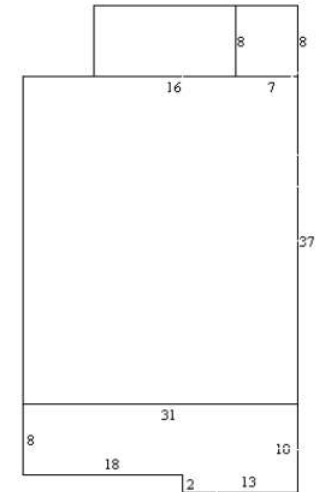
Parcel ID: 023-079-30-0-30-15-001.00-0

Quick Ref: R15073

Tax Year: 2014

Run Date: 05/02/2014 12:10:00 PM

| DWELLING INFORMATION | | | | COMP SALES INFORMATION | | | | IMPROVEMENT COST SUMMARY | | | |
|------------------------------|---------------------------|------|-----|------------------------|--------------|-------------|-----------------|--------------------------|---------|----------|-----|
| Res Type: | 1-Single-family Residence | | | Arch Style: | 09-Old Style | | | Dwelling RCN: | 669,680 | | |
| Quality: | 5.83-Excellent | | | Bsmt Type: | 4-Full | | | Percent Good: | 88 | | |
| Year Blt: | 1900 | Est: | Yes | Total Rooms: | 12 | Bedrooms: | 7 | Mkt Adj: | 100 | Eco Adj: | 100 |
| Eff Year: | | | | Family Rooms | 2 | | | Building Value: | 589,320 | | |
| MS Style: | 7-2 1/2 Story Finished | | | Full Baths: | 4 | Half Baths: | 1 | Other Improvement RCN: | 42,760 | | |
| LBCSStruct: | 1110-Detached SFR unit | | | Garage Cap: | | | | Other Improvement Value: | 32,320 | | |
| No. of Units: | | | | Foundation: | Brick - 5 | | | CALCULATED VALUES | | | |
| Total Living Area: | 3,052 | | | | | | | | | | |
| Calculated Area: | 3,047 | | | | | | Cost Land: | 102,000 | | | |
| Main Floor Living Area: | 1,275 | | | | | | Cost Building: | 621,640 | | | |
| Upper Floor Living Area Pct: | 139 | | | | | | Cost Total: | 723,640 | | | |
| CDU: | VG | | | | | | Income Value: | 0 | | | |
| Phys/Func/Econ: | VG / / | | | | | | Market Value: | 611,100 | | | |
| Ovr Pct Gd/Rsn: | | | | | | | MRA Value: | 620,400 | | | |
| Remodel: | | | | | | | FINAL VALUES | | | | |
| Percent Complete: | | | | | | | Value Method: | OVR | | | |
| Assessment Class: | | | | | | | Land Value: | 102,000 | | | |
| MU Cls/Pct: | | | | | | | Building Value: | 485,100 | | | |
| | | | | | | | Final Value: | 587,100 | | | |
| | | | | | | | Prior Value: | 578,700 | | | |



BUILDING COMMENTS

DwellCom: A1-11 0274sf , A2-20 0128sf , A3-23 0056sf

SKETCH VECTORS

A0CU37X31A1CR31D10L13U2L18U8A2U37R8CU8X16A3U37R24CU8X7H

OTHER BUILDING IMPROVEMENTS

| No. | Occupancy | MSCIs | Rank | Qty | Yr Blt | Eff Yr | LBCS | Area | Perim | Hgt | Dimensions | Stories | Phys | Func | Econ | OVR% | Rsn | Cls | RCN | %Gd | Value |
|-----|---------------------------------|-------|------|-----|--------|--------|------|------|-------|-----|------------|---------|------|------|------|------|-----|-----|--------|------|--------|
| 1 | 152-Residential Garage - Detach | D | 3.00 | 1 | 1920 | | | 380 | 78 | 8 | 20 X 19 | 1 | 3 | 3 | | | | | 16,640 | 42.0 | 6,990 |
| 2 | 152-Residential Garage - Detach | D | 3.67 | 1 | 2008 | | | 480 | 88 | 8 | 24 X 20 | 1 | 4 | 4 | | | | | 16,640 | 97.0 | 25,330 |

DWELLING COMPONENTS

| Code | Units | Pct | Quality | Year |
|--------------------------------------|-------|-----|---------|------|
| 905-Raised Slab Porch (SF) with Roof | 274 | | | |
| 905-Raised Slab Porch (SF) with Roof | 312 | | | |
| 131-Veneer, Brick | | 100 | | |
| 208-Composition Shingle | | 100 | | |
| 801-Total Basement Area (SF) | 1,147 | | | |
| 351-Warmed & Cooled Air | | 100 | | |
| 601-Plumbing Fixtures (#) | 26 | | | |
| 602-Plumbing Rough-ins (#) | 1 | | | |
| 645-Double 2-Story Fireplace (#) | 2 | | | |
| 402-Automatic Floor Cover Allowance | | | | |

DWELLING COMPONENTS

| Code | Units | Pct | Quality | Year |
|--------------------------------|-------|-----|---------|------|
| 621-Slab on Grade (% or SF) | 128 | | | |
| 622-Raised Subfloor (% or SF) | 2,924 | | | |
| 803-Partition Finish Area (SF) | 600 | | | |

Douglas CAMA Site Property Record Card

Parcel ID: 023-103-06-0-30-04-008.00-0

Quick Ref: R22339

Tax Year: 2014

Run Date: 05/02/2014 12:10:59 PM

OWNER NAME AND MAILING ADDRESS

Hearn Serina A

1941 Massachusetts St
Lawrence, KS 66046-2943

PROPERTY SITUS ADDRESS

1941 MASSACHUSETTS ST
KS
1934 VERMONT ST
KS

LAND BASED CLASSIFICATION SYSTEM

Function: 1101 Single family re: Sfx:
Activity: 1100 Household activities
Ownership: 1100 Private-fee simple
Site: 6000 Developed site - with building

Image Date: 08/05/2005

GENERAL PROPERTY INFORMATION

Prop Class: R Residential - R
Living Units: 1
Zoning: RS5
Neighborhood: 654.0 654.0
Economic Adj. Factor:
Map / Routing: P02 U03396A
Tax Unit Group: 000041

PROPERTY FACTORS

Topography: Level - 1
Utilities: All Public
Access: Paved Road
Fronting: Major Strip or CBD
Location: Neighborhood or Spot
Parking Type: Off Street
Parking Quantity: Adequate
Parking Proximity: On Site
Parking Covered:
Parking Uncovered:

INSPECTION HISTORY

| Date | Time | Code | Reason | Appraiser | Contact | Code |
|------------|----------|------|--------|-----------|---------|------|
| 12/26/2013 | 10:33 AM | FR | FR | 356 | | |
| 12/02/2011 | 3:40 PM | FR | FR | 352 | | |
| 01/10/2011 | 11:26 AM | FR | FR | 353 | | |

BUILDING PERMITS

| Number | Amount | Type | Issue Date | Status | % Comp |
|--------|--------|------|------------|--------|--------|
|--------|--------|------|------------|--------|--------|

TRACT DESCRIPTION

SOUTH LAWRENCE BLK 2 LTS 6 THRU 11 225
X 250

PARCEL COMMENTS

Prop-NC: Multiple Address; Prop-Com: AD- ALSO 1934 VERMONT; Land-Ac/Sf: ,

MARKET LAND INFORMATION

| Method | Type | AC/SF | Eff FF | Depth | D-Fact | Inf1 | Fact1 | Inf2 | Fact2 | OVRD | Rsn | Cls | Model | Base Size | Base Val | Inc Val | Dec Val | Value Est |
|--------|----------------|--------|--------|-------|--------|------|-------|------|-------|------|-----|-----|-------|-----------|----------|---------|---------|-----------|
| Sqft | 1-Primary Site | 50.000 | | | | | | | | | | | 6.27 | 7,500.00 | 6.00 | 0.00 | 0.00 | 45.000 |
| Sqft | 1-Primary Site | 6.250 | | | | EC | 25 | | | | | | 6.27 | 7,500.00 | 6.00 | 0.00 | 0.00 | 11.250 |

Total Market Land Value 56,250

Douglas CAMA Site Property Record Card

Parcel ID: 023-103-06-0-30-04-008.00-0

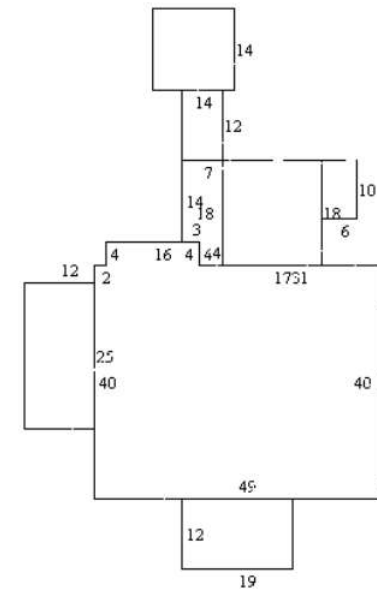
Quick Ref: R22339

Tax Year: 2014

Run Date: 05/02/2014 12:10:59 PM

| DWELLING INFORMATION | | COMP SALES INFORMATION | IMPROVEMENT COST SUMMARY |
|------------------------------|---------------------------|-----------------------------|----------------------------|
| Res Type: | 1-Single-family Residence | Arch Style: 11-Colonial | Dwelling RCN: 754,160 |
| Quality: | 4.00-Good | Bsmt Type: 4-Full | Percent Good: 78 |
| Year Blt: | 1910 Est: | Total Rooms: 11 Bedrooms: 7 | Mkt Adj: 100 Eco Adj: 100 |
| Eff Year: | | Family Rooms 1 | Building Value: 588,240 |
| MS Style: | 7-2 1/2 Story Finished | Full Baths: 5 Half Baths: | Other Improvement RCN: 0 |
| LBCSStruct: | 1110-Detached SFR unit | Garage Cap: | Other Improvement Value: 0 |
| No. of Units: | | Foundation: Concrete - 2 | |
| Total Living Area: | 6,652 | | |
| Calculated Area: | 6,645 | | |
| Main Floor Living Area: | 2,804 | | |
| Upper Floor Living Area Pct: | 137 | | |
| CDU: | AV+ | | |
| Phys/Func/Econ: | AV / / | | |
| Ovr Pct Gd/Rsn: | | | |
| Remodel: | 1980 | | |
| Percent Complete: | | | |
| Assessment Class: | | | |
| MU Cls/Pct: | | | |

| CALCULATED VALUES | |
|-------------------|---------|
| Cost Land: | 56,250 |
| Cost Building: | 732,200 |
| Cost Total: | 788,450 |
| Income Value: | 0 |
| Market Value: | 592,300 |
| MRA Value: | 585,100 |
| FINAL VALUES | |
| Value Method: | MKT |
| Land Value: | 56,250 |
| Building Value: | 536,050 |
| Final Value: | 592,300 |
| Prior Value: | 593,400 |



| BUILDING COMMENTS |
|--|
| RemDesc: 1980; DwellCom: A1-21 0228sf , A2-10 0300sf , A3-10 0114sf , A4-50/20/20 0306sf , A5-20 0060sf , A6-11 0084sf , A7-30 0196sf; DwellComp: OBY cond = A, OBY cond = A, OBY cond = A, , |

| SKETCH VECTORS |
|--|
| A0CU40R2U4R16D4R31D40L49A1R15CR19X12A2U12CL12X25A3U 44R15CU14R7D18L4U4L3A4U40R22CU18X17A5U48R39CU10X6A6 U58R15CU12X7A7U70R10CU14X14H |

| DWELLING COMPONENTS | | | | |
|--------------------------------------|-------|-----|---------|------|
| Code | Units | Pct | Quality | Year |
| 905-Raised Slab Porch (SF) with Roof | 228 | | | |
| 905-Raised Slab Porch (SF) with Roof | 84 | | | |
| 723-Carport, Gable Roof (SF) | 196 | | | |
| 131-Veneer, Brick | | 100 | | |
| 203-Clay Tile | | 100 | | |
| 801-Total Basement Area (SF) | 2,330 | | | |
| 311-Radiators, Hot Water | | 100 | | |
| 601-Plumbing Fixtures (#) | 18 | | | |
| 602-Plumbing Rough-ins (#) | 1 | | | |
| 642-Single 2-Story Fireplace (#) | 3 | | | |
| 402-Automatic Floor Cover Allowance | | | | |
| 903-Wood Deck (SF) | 72 | | 3.00 | 1980 |

| DWELLING COMPONENTS | | | | |
|-------------------------------|-------|-----|---------|------|
| Code | Units | Pct | Quality | Year |
| 902-Raised Slab Porch (SF) | 480 | | 5.00 | 1935 |
| 902-Raised Slab Porch (SF) | 180 | | 5.00 | 1935 |
| 621-Slab on Grade (% or SF) | 474 | | | |
| 622-Raised Subfloor (% or SF) | 6,684 | | | |

Douglas CAMA Site Property Record Card

Parcel ID: 023-103-06-0-30-04-008.00-0

Quick Ref: R22339

Tax Year: 2014

Run Date: 05/02/2014 12:11:00 PM

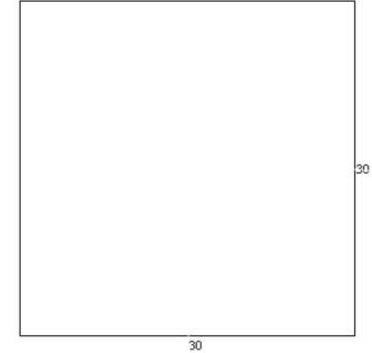
| DWELLING INFORMATION | | COMP SALES INFORMATION | | IMPROVEMENT COST SUMMARY | |
|------------------------------|---------------------------|------------------------|-----------------|--------------------------|------------------|
| Res Type: | 1-Single-family Residence | Arch Style: | 04-Conventional | Dwelling RCN: | 165,470 |
| Quality: | 3.00-Average | Bsmt Type: | 1-Slab | Percent Good: | 87 |
| Year Blt: | 1980 Est: | Total Rooms: | 5 Bedrooms: 2 | Mkt Adj: | 100 Eco Adj: 100 |
| Eff Year: | | Family Rooms | | Building Value: | 143,960 |
| MS Style: | 2-Two Story | Full Baths: | 1 Half Baths: | Other Improvement RCN: | 0 |
| LBCSStruct: | 1110-Detached SFR unit | Garage Cap: | 2 | Other Improvement Value: | 0 |
| No. of Units: | | Foundation: | None - 1 | | |
| Total Living Area: | 1,800 | | | | |
| Calculated Area: | 1,800 | | | | |
| Main Floor Living Area: | 900 | | | | |
| Upper Floor Living Area Pct: | 100 | | | | |
| CDU: | AV | | | | |
| Phys/Func/Econ: | AV / / | | | | |
| Ovr Pct Gd/Rsn: | | | | | |
| Remodel: | | | | | |
| Percent Complete: | | | | | |
| Assessment Class: | | | | | |
| MU Cls/Pct: | | | | | |

CALCULATED VALUES

| | |
|----------------|---------|
| Cost Land: | 56,250 |
| Cost Building: | 732,200 |
| Cost Total: | 788,450 |
| Income Value: | 0 |
| Market Value: | 592,300 |
| MRA Value: | 585,100 |

FINAL VALUES

| | |
|-----------------|---------|
| Value Method: | MKT |
| Land Value: | 56,250 |
| Building Value: | 536,050 |
| Final Value: | 592,300 |
| Prior Value: | 593,400 |



BUILDING COMMENTS

DwellComp: OBY cond = A,

SKETCH VECTORS

A0CU30X30H

DWELLING COMPONENTS

| Code | Units | Pct | Quality | Year |
|-------------------------------------|-------|-----|---------|------|
| 104-Frame, Plywood or Hardboard | | 100 | | |
| 208-Composition Shingle | | 100 | | |
| 621-Slab on Grade (% or SF) | 900 | | | |
| 711-Built-in Garage (SF) | 800 | | | |
| 351-Warmed & Cooled Air | | 100 | | |
| 601-Plumbing Fixtures (#) | 5 | | | |
| 602-Plumbing Rough-ins (#) | 1 | | | |
| 402-Automatic Floor Cover Allowance | | | | |
| 901-Open Slab Porch (SF) | 100 | | 3.00 | 1980 |
| 622-Raised Subfloor (% or SF) | 900 | | | |

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Thinking

Starting

Maintaining

Closing

Business Entity Search

Date: 05/02/2014

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Business Summary

Current Entity Name

RAINBOW WORKS, L.L.C.

[File Name Change Online](#)**Business Entity ID Number**

2790186

[View History and Documents](#)**Current Mailing Address:** SERINA HEARN 1941 MASSACHUSETTS, LAWRENCE, KS 66046[Update](#)**Business Entity Type:** KANSAS LTD LIABILITY COMPANY**Date of Formation in Kansas:** 10/07/1999**State of Organization:** KS**Current Status:** ACTIVE AND IN GOOD STANDING[Certificate of Good Standing](#)**Resident Agent and Registered Office****Resident Agent:** SERINA ALLISON HEARN**Registered Office:** 938 TENNESSEE, LAWRENCE, KS 66044[Update Resident Agent/Office](#)**Annual Reports**

The following annual report information is valid for active and delinquent status entities only.

[Tax Closing Month](#): 12

[The Last Annual Report on File](#): 12/2013

Next Annual Report Due: 04/15/2015

[File Online](#)

[Forfeiture Date](#): 07/15/2015

[Close Your Business](#)

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| | | | | | |
|---|---|--|--|--|---|
| Hasemeier Barbara & Michael 200 W Agnes St Mcloth 66054 913 796-2005 | Hawman Alex 2930 Crestline Dr Lwnc 66047 842-0790 | Heathman Fred 1026 N Cherry St Owa 66067 841-7099 | Heck Barb 3517 Tam Oshanter Dr Lwnc 66047 242-7420 | Henderson Shirley 2612 W 27th Ter Lwnc 66047 865-2712 | Herman Jeff 905 Balm Nola 203 S Cedar Rnt 6 |
| Hasiotis Carol & Stephen 3912 W 8th St Lwnc 66049 842-6545 | Haworth Allison & Gary Lwnc P 3 E Brookside Ln Owa 66067 841-7099 | Heck Brian W DDS Pa 4621 W 6th St Lwnc 66049 841-0397 | Heck Charles 836 E 10th St Lwnc 66049 841-0059 | Hendricks Anita & Mark 2238 Labette Rd Owa 66067 242-4079 | Hermann Rose 3321 Hermesch Richard G |
| Stephen 605 Eldridge St Lwnc 66049 856-1701 | Haxton Tom 4286 Virginia Rd Wils 66092 883-4204 | Brian W DDS Pa 4621 W 6th St Lwnc 66049 841-0397 | Charles 836 E 10th St Lwnc 66049 841-0059 | Lauretta 1032 E 1157 Rd Lwnc 66047 843-5568 | Hermesch Richard G Hermack Andrew W |
| Haskell Sherry L 872 E 1750th Rd Bldy 66006 594-3549 | Hay Donald C 3011 Labette Rd Owa 66067 242-1292 | Emil Jr 1429 Kasold Dr Lwnc 66049 841-7099 | Emily 1067 N 900th Rd Lwnc 66047 841-7099 | Hendrickson Arland 1226 N Sycamore St Owa 66067 242-6541 | Hernandez Ambros 1016 N Mulberry St Owa |
| Haskett Jason 202 W 27th St Edra 66025 690-7000 | John & Megan 916 E 1700th Rd Bldy 66006 842-6967 | Kelvin 816 E 800th Rd Lwnc 66047 841-7099 | Kelvin 816 E 800th Rd Lwnc 66047 841-7099 | Charles & Jan 206 W 4th St Prry 66073 597-5934 | Arlo S 4581 Nebraska Barbara 1327 Maple S |
| Haskins L K 1216 W 10th St Lwnc 66044 842-6967 | Laurie & Thomas 4516 Trail Rd Lwnc 66049 749-4297 | Larry 206 E Blackhawk St Owa 66067 841-7099 | Nicole & Tyson 1832 Althorn Ct Lwnc 66044 312-7777 | Don & Staci Lcmptn 66050 887-1044 | Dale 1531 S Apple Ln Owa |
| Haslam John L 1560 N 1060 Rd Lwnc 66046 842-2151 | Valerie 3428 Lazy Brook Ln Lwnc 66047 242-9324 | Heckathorne John & Kim 1111 High St Bldy 66006 838-9978 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Hendry Jeannie & Walker 1520 Stratford Rd Lwnc 66044 838-9151 | Dan & Nancy 5072 Comanche Ln |
| Hasler Helen 2551 Crossgate Dr Apt 113 Lwnc 66047 856-0657 | Hayden Bob 1720 Sand Creek Rd Pma 66076 842-5009 | Heckathorne John & Kim 1111 High St Bldy 66006 838-9978 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Hendry Jeannie & Walker 1520 Stratford Rd Lwnc 66044 838-9151 | Dan & Nancy 5072 Comanche Ln |
| Linda Lwnc 842-5009 | J Michael & Patti 5809 Sagamore Ct Lwnc 66047 856-1866 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Hendry Jeannie & Walker 1520 Stratford Rd Lwnc 66044 838-9151 | Dan & Nancy 5072 Comanche Ln |
| Haslett Skyley 2434 Morningside Dr Lwnc 66047 856-1866 | Mary Louise 2930 Peterson Rd Lwnc 66049 842-9138 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Hendry Jeannie & Walker 1520 Stratford Rd Lwnc 66044 838-9151 | Dan & Nancy 5072 Comanche Ln |
| Hasse James MD 1571 N 962 Rd Lwnc 66046 842-9138 | Sun Aprn-Bc 900 Massachusetts St Lwnc 66044 865-2400 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Hendry Jeannie & Walker 1520 Stratford Rd Lwnc 66044 838-9151 | Dan & Nancy 5072 Comanche Ln |
| Hassig Doug & Stacey 1216 Belair Ct Lwnc 66049 841-2140 | Stanley E 1526 Delaware St Lwnc 66044 242-3959 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Heck Edwin W Jr 3427 Republic Rd Oskla 66044 842-7149 | Hendry Jeannie & Walker 1520 Stratford Rd Lwnc 66044 838-9151 | Dan & Nancy 5072 Comanche Ln |
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Relationships in College

A trip to the unfamiliar world of the Bed & Breakfast Industry

POSTED ON OCTOBER 18, 2013 BY ASHLEYBOOKER27

~~By Ashley Booker~~ (<http://en.wordpress.com/about-these-ads/>)

As I walked up the steps to Runaway Pony, a bed & breakfast off Tennessee Street in Lawrence Kansas, an unfamiliar face answered the door with a friendly, "hello." Terrified as I was to enter a new place, this was comforting, and set my mind at ease.

Serina Hearn, owner of Runaway Pony Bed & Breakfast (<http://runawayponybb.com/Home.php>), was pleasant as can be.

Guests arrived just before I did. She introduced all of us and then led me up the stairs and explained the importance of every room.

She explained her heritage is a cross pollination of the Age of Discovery and each room represents the different types of people: English, African, and Chinese at that time.

While listening to wonderful stories about the history of the home, Hearn touched on how important working in a bed & breakfast really is. She explained to me, here you're in an

environment where you feel like you're visiting family.

"An environment that feels like your grandmother's house," Hearn said.

Listening to this I quite enjoyed being brought back in time and being reminded of how homey a place truly can feel. Not only has Hearn created the feeling of time standing still, but she also has renovated many other homes around the area.

As she pulled out photos to fill part of the six-person dining room table, I was amazed at how truly beautiful the homes were from such horrible conditions before.

As she looked at me, a type of sadness came over her as she explained the small amount of recognition for her hard work.

Going to a bed & breakfast for the first time (and for over an hour) was monumental. I not only learned problems with the community but also personal concerns, all from someone with a love for hospitality.

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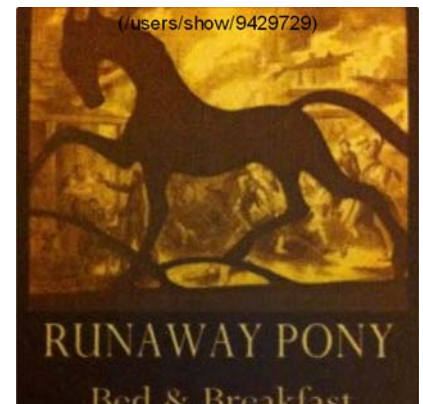
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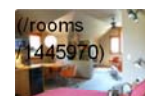


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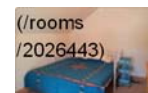
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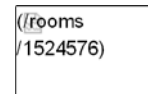
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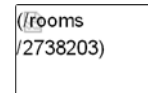
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Mariela (/users/show/459630)

Enjoyed my stay at the Runaway Pony B&B. Didn't get to meet Serina, but Vickie was a great hostess and I really enjoyed sharing stories with her!
The house is off a busy street and the railroad tracks are across the river but nothing that a good set of earplugs won't fix. I slept well.
Will definitely stay here again next time I'm in Lawrence, KS.

April 2014



Daniel (/users/show/8092638)

I very much enjoyed my stay at the Runaway Pony. The location is fantastic, and the owner is very friendly and accommodating and has lots of stories and information. The house is beautifully decorated, and the room was really comfortable. The breakfast made to order was really great. I would definitely stay here again- such a nice alternative to a larger hotel.

November 2013

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Category/Keyword:



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Business Directory

BED & BREAKFASTS

[Circle S Ranch & Country Inn](#)

Ms. Mary Cronemeyer

3325 Circle S Ln.

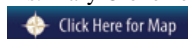
Lawrence, KS 66044

(785) 843-4124

Fax (785) 843-4474

[Send Email](#)

Ms. Mary Cronemeyer



Member Since 1995

[Runaway Pony B & B](#)

Ms. Serina Allison

Ms. Trena Reschke

603 Tennessee St.

Lawrence, KS 66044

(785) 842-6618

[Send Email](#)

Ms. Serina Allison

Ms. Trena Reschke



Located a stroll away from all downtown has to offer, our exquisite historic restoration offers relaxation, private bath, free internet and a home cooked breakfast.

Member Since 2011



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Runaway Pony B&B

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603 Tennessee Street
Lawrence, KS 66046
(785) 842-6618

Office Hours:

Mon - Fri 9am - 5pm

Visit us on [Facebook](#)

Guestbook

Showing: 1-3 of 3

Cathy said: April 24th, 2012 9:34 pm

The Runaway Pony: A great name and a beautiful, quiet, harmonious place to stay, exquisitely furnished w/a warm and wonderful atmosphere. Comfy beds, a 2-headed shower, Serina's outrageously delicious breakfast omelet & fantastic coffee make this B&B the BEST place to stay in Lawrence!! Did I mention its perfect location? : D

Jeff Johnson said: April 18th, 2012 4:41 pm

Fortunately all of the business hotels were full during my 2 day conference in Lawrence KS and our group stayed in a beautiful historic bed and breakfast christened The Runaway Pony. The owner, Serina Allison, greeted us at the door with a warm welcome, a tour of the home, and stories of the house and of the collection of art in the house. The recently remodeled 7 bedroom, 4 bath home dates back to the 1850s. The rooms and beds are comfortable, the bathrooms are modern, and the staff is friendly. I had a wonderful stay and recommend The Runaway Pony to everyone as a great place to stay and explore historic Lawrence.

Faye Longo said: April 13th, 2012 10:46 am

Beautiful house, great atmosphere and delicious food!

Sign My Guest Book

Name:

Email:

Message:

any

dslewea

Enter the two words above:



Send Message

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[\(0\)](#)

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Destination, keywords, property id

Arrival

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Beautiful Victorian in Downtown Lawrence



Exterior of the house

[Overview](#)[Reviews](#)[Rates](#)[Calendar](#)[Location](#)[Owner Info](#)[Photos](#)

Minimum stay: _____ 1 night Pets considered: _____ Ask Owner
Internet: _____ Yes Wheel chair accessible: _____ Yes

[Save to my favorites](#)**\$575**

per night (USD)

1

6 Bedroom / 3.5 Bathroom
Sleeps 10[Contact owner for availability](#)**Minimum stay:** 1 nights[Get an instant quote](#)**Owner**[Email owner](#)[Show Phone Number](#)

Speaks: english

Always make sure to call the number on the listing to confirm payment details. Only pay using credit card, PayPal, check, or direct bank transfer. [Learn More](#) (<http://www.homeaway.com/info/security?Travelers/Safe-Payment-Tips>)

Add vacation protection services to your booking

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[Feedback](#)

Lawrence house description

This beautiful historic house has been renovated with love and expertise.

The updated, fully-appointed kitchen with all stainless steel appliances opens into a breakfast nook and dining room.

The lovely living room offers a view of the park across the street.

The grand master suite with king bed offers comfort at its most luxurious.

There are five additional bedrooms which offer comfort in a gracious atmosphere.

A washer and dryer are also available for your use.

There is a back porch and patio, as well as a large yard. A two-car garage and two additional parking spaces are available.

Our property has a unique history, as does Lawrence itself. During the Civil War the city was burned, but this property escaped. Here is an excerpt from a historic publication about what happened:

THE LAWRENCE MASSACRE
BY A BAND OF MISSOURI RUFFIANS
UNDER QUANTRELL

AUGUST 21, 1863
J. S. BROUGHTON PUBLISHER
LAWRENCE, KANSAS

One of the guerrillas went to the stable of J. G. Sands, corner of Pinckney and Tennessee streets; stole his carriage horse and the pet pony 'Freddie.' While engaged in this, four others came up the alley, one of them was heard to say, 'Why in h___ are not these houses burnt.' Dismounting to execute their threat, they were met by 'Freddie' running past them, who had escaped from his captor, they were urged to assist in securing the runaway, at once remounting they all followed him, who lead them away from this part of town and before he was again secured they were engaged in other scenes of murder. This providential escape of the pony undoubtedly saved, not only the houses, but also the lives of Dr. Fuller, B. W. Woodward and J. G. Sands.

Need something smaller? Please contact us to rent one or two rooms.

Keywords: House, b & b, bed & breakfast

Guarantee the rental meets your expectations.

Ensure you're prepared in case of accidental damage.

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advertisement

Property Type

House

Accommodation Type

Vacation Rental

Meals

Guests Provide Their Own Meals

Suitability

Non Smoking Only

Wheelchair Accessible

Long-Term Renters Welcome
Events Allowed

Bedrooms: 6 Bedrooms, Sleeps 10, Beds for 10

Bedroom 1

[Feedback](#)

Bedroom 2

Bedroom 3

Bedroom 4

Bedroom 5

Bedroom 6

Other (See Description)

King size beds (1), Queen size Beds (4), Twin or Single Beds (1), Sleep Sofa or Futons (3)

Bathrooms: 3 Bathrooms, 1 Half Bathroom

Bathroom 1

Bathroom 2

Bathroom 3

Kitchen & Dining

Dining Area Seats:
0

Microwave

Refrigerator

Cooking Utensils

Kitchen

Ice Maker

Child's Highchair

Dining

Dishes & Utensils

Dishwasher

Coffee Maker

Amenities

Air Conditioning

Linens Provided

Parking Off Street

Garage

Washing Machine

Clothes Dryer

Other Amenities

Additional (6th) bedroom with twin bed

Entertainment

Stereo

Satellite / Cable

Communications

Wireless Internet

Pool & Spa

Jetted Tub

Outdoor Features

Deck / Patio

Outdoor Grill

Activities

Sight Seeing

Antiquing

Shopping

Restaurants

Cinemas

Museums

Other Activities

Across the street from Watson Park (the Train Park), close to the Lawrence Pool (swimming in season)

Reviews

[Write a review \(http://www.vrbo.com/278080/reviews/write\)](http://www.vrbo.com/278080/reviews/write)

Knockout Venue for our Wedding Party.

Guest Ann (Bristol England)

Date of stay 09/06/12 **Review Submitted** 10/08/12

We rented the whole house and had the most amazing family get together.

The house is stunning and we all felt completely at home.

Sitting out on the front porch watching the world go by and sipping wine was incredibly relaxing.

Serina breezed in to welcome us, is a great character and then breezed out again.

We all absolutely loved our time there.

Many thanks Serina.

Recommended for: Romantic getaway, girls getaway, families with teenagers, age 55+, sightseeing, families with young children.

Owner response: It was a pleasure to meet your families! So glad the atmosphere was conducive to feeling at home; but it is also true that home is where the heart is and your family is so very big hearted!!! May your reunions always be happy ones... and of course we hope to visit with you again. All the best, Serina

Did you find this review helpful? [Yes](#) | [No](#)

Helpful votes: 0/0

[Write a review \(http://www.vrbo.com/278080/reviews/write\)](http://www.vrbo.com/278080/reviews/write)

Rates

[Currency Conversion](#)

Rental basis: Per property

Rental rates quoted in:

[USD](#)

| Dates | Nightly | Weekend Night | Weekly | Monthly * | Event |
|--------------------------------------|---------|---------------|--------|-----------|-------|
| Base Rate 1 night min stay | \$575 | | | | |

Always make sure to call the number on the listing to confirm payment details.

Only pay using credit card, PayPal, check or direct bank transfer. **NEVER** pay by cash or instant money transfer services such as Western Union or MoneyGram. [Learn more \(http://www.homeaway.com/info/security?Travelers/Safe-Payment-Tips\)](http://www.homeaway.com/info/security?Travelers/Safe-Payment-Tips)

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http://www.vacationprotection.com?utm_source=vrbo&utm_medium=cross%20brand&utm_content=pdprates&utm_campaign=vpcomxs

Adding our Vacation Protection services can make sure your getaway goes smoothly, no matter what. We offer Cancellation Protection, Carefree Rental Guarantee, and Damage Protection so you can truly relax.

Protect your payments in case you need to cancel.

Guarantee the rental meets your expectations.

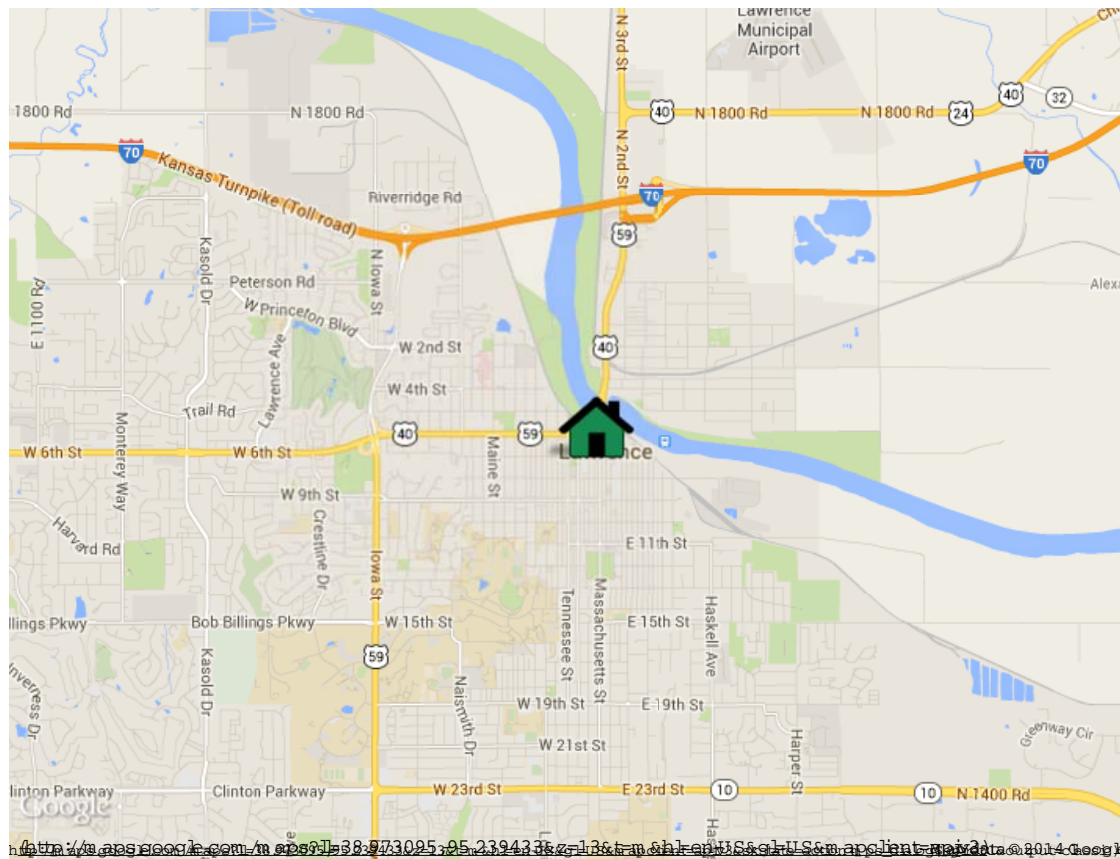
Ensure you're prepared in case of accidental damage.

Calendar

[Feedback](#)

Sorry this information is not available. Please contact the owner for more information.

Location



Owner info

Year Purchased: 2006

About the owner: I am a poet and property manager. I buy and restore Victorian homes around Lawrence. Some I sell, others I rent out.

Why the Owner Chose Lawrence:

I bought this historic property in order to restore it and turn it into a bed and breakfast. With its location and easy accessibility and its colorful history, I thought it would be perfect and I was correct.

The Unique Benefits at this House:

Everything in Downtown Lawrence is within easy walking distance - antique stores, boutiques, book stores, many different varieties of restaurants, several parks and other attractions. It is also close to the University of Kansas, which has museums, musical and theater events and a lovely campus.

Contact us

Speaks: english

Links to more information:

[CLICK HERE - Visit us on Facebook \(http://www.facebook.com/runawayponybandb\)](http://www.facebook.com/runawayponybandb)

[CLICK HERE - Runaway Pony \(http://www.runawayponybb.com/\)](http://www.runawayponybb.com/)

Photos



Exterior of the house



Living Room



Dining Room



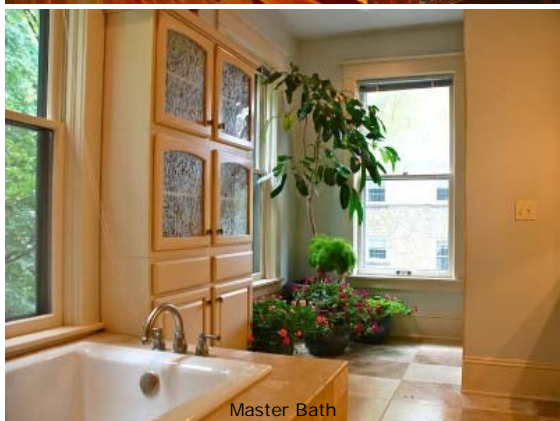
Kitchen



Foyer



Master Bedroom



Master Bath



B.W. Woodward Queen Bedroom

VRBO #278080

There have been 15351 visitors to this page since the counter was last reset in 2009.

This listing was first published here in 2009.

[Feedback](#)

Date last modified - Wednesday, December 18, 2013

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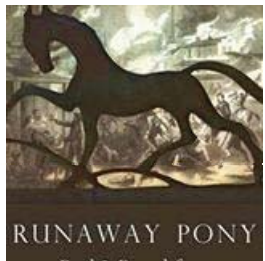
Email or Phone

☐ Keep me logged in

Password

Log In[Forgot your password?](#)**Runaway Pony B&B
is on Facebook.**

To connect with Runaway Pony B&B, sign up for Facebook today.

Sign Up**Log In****Runaway Pony B&B**

4.5 ★★★★★ (20 ratings)

255 likes · 191 were here

\$\$\$\$ (50+) · Hotel

603 Tennessee Street, Lawrence, Kansas 66044

(785) 842-6618

255[About](#)[Photos](#)[Likes](#)[Events](#)[Facebook](#)**Highlights****Runaway Pony B&B** shared a link.

March 11

A comment by Daniel about the Runaway Pony posted on AirBnB:

"I very much enjoyed my stay at the Runaway Pony. The location is fantastic, and the owner is very friendly and accommodating and has lots of stories and information. The house is beautifully decorated, and the room was really comfortable. The breakfast made to order was really great. I would definitely stay here again- such a nice alternative to a larger hotel."

<https://www.airbnb.com/rooms/1798020?s=7Ar3>

**Bed & Breakfast: Old West Lawrence in Lawrence****Reviews**[See All](#)**Emily Louni**

★★★★★

Gorgeous!!! This place is beautiful, clean, comfortable, and rich, with great home cooked breakfasts as well. Nourishing and delicious! Thank you for the amazing stay over Thanksgiving! We all love Runaway Pony so much as our home away from home! Thank you, Serina, and your lovely staff, for making our stay exactly what we needed --just the thing for each of us!

1 · about 5 months ago ·

**Ann Minnis Grider**

★★★★★

Just returned home after a lovely weekend at the Runaway Pony. Thanks Vicky for the hospitality, great gluten free breakfasts and for the fun conversations. We will be back!!

about a month ago ·

**Debi Singleton-Morehead**

I would greatly suggest a stay at the Runaway Pony..I know we will be back. A host with a beautiful spirit and the knowledge. She shared with us of the area and her also of her home country was amazing. She let our friends come join us for the evening and we had a fabulous time with them and her, and evening of laughter, friendships of new and old, wine, cheese, fruits, was a evening long to be remembered. A wonderful way to spend our Valentines get away weekend. THANK YOU SO MUCH, and our hope that time will be short until we are able to meet again... Cheers to friends ... New and Old...from - Debi and Greg over a year ago ·

**Lorraine Baughman**

Thank you so much for all you did to make our stay so wonderful, we all loved the breakfast served family style and the lovely patio. Looking forward to our next weekend in Lawrence.

Like · Comment · Share

9

**Runaway Pony B&B**

March 3

Today is Mardi Gras, Carnival Monday and Tuesday before Ash Wednesday. Two days of music, dancing, and reverie in the south. A little of that came to Lawrence when Truckstop Honeymoon arrived from New Orleans after Katrina. Tomorrow, Tuesday, they will lead a procession in downtown Lawrence around noon. It'll warm your hearts in this frigid north. See you there.

Like · Comment

3 1

**Runaway Pony B&B** changed their cover photo.

March 3



Like · Comment · Share

2 2

**Runaway Pony B&B**

January 2

Happy New Year from the Runaway Pony B&B!

Like · Comment

6 3

**Runaway Pony B&B**

January 2

Serina is currently in her other home: Trinidad and Tobago, where she is working on completing another B&B overlooking the ocean in Tobago from a mountain top. It is because of the Runaway Pony and its' amazing guests that she thinks she can build a bridge from Kansas, once an ancient tropical sea that drifted north and dried up, to the tropical paradise of Tobago.

Like · Comment

15 6

**Runaway Pony B&B**

December 6, 2013

This B+B has three things going for it:

1) Location. Easy to find, even in the dark and close to lots of

over a year ago ·

Recent Posts by Others on Runaway Pony B&B

[See All](#)**Stacy Hobelman Winkler**

Does each room have a private bath? If not, do any have a...
February 17 at 2:47pm

**A Romantic's Perspective**

Thank you Runaway Pony Bed and Breakfast for being a...
2 · November 11, 2013 at 10:57am

**Traci Garvey Forman**

Enjoyed attending the bridal shower for Amber Stroup. Th...
2 · July 28, 2013 at 9:59am

**Brett Phillippe**

Hi, Could you tell me what are the prices of your rooms? I ...
1 · July 15, 2013 at 12:13pm

**Stephen Locke**

Hello Serena! Stephen and Allison checking in! http://w...
2 1 · July 15, 2013 at 9:44am

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The Oread
Hotel

**Runaway Pony B&B** changed their cover photo.

January 2



Like · Comment · Share

2 2

**Runaway Pony B&B** shared a link.

December 6, 2013

<http://www.youtube.com/watch?v=4EmNoOgL3CA>

Woody Tasch

fun restaurants that are within walking distance. My husband and I drove in from Denver and after a long day of driving, the convenience factor is big.

2) Aesthetics. The innkeeper, Serina, has impeccable taste. Walking into the inn is a visual feast for the eye with a mixture of colors and textures that are rich, without being overwhelming. My husband is a minimalist and even he enjoyed the decor. From the blue china plates set for breakfast to the antique water pitcher and glasses positioned outside of our room, I enjoyed the welcoming and luxurious feel of this B+B. Serina was trained in fine arts and her past life as a fashion designer in London has transferred over beautifully into a fashion designer of houses. She has a gift for bringing the past alive (e.g., Victorian-era houses) in a fresh, new way. While we were there in November, the grounds and patio outside were still gorgeous. I can only imagine what it looks like in the spring or summer.

3) Innkeeper. "Warm and vibrant" describes both the dwelling and its owner. I was surprised when Serina asked me what I wanted to have for breakfast and created her own dish that encompassed the desires of multiple guests--a gluten-free egg dish that was delish. No cookie cutter meals here! Serina makes you feel like you are at the home of a wildly creative friend who you haven't seen in years.

Our stay in Lawrence was the first stop of a 3000+ mile road trip across the US. We stayed in several types of lodging during our trip--from modern roadside chains to a classic large resort to a Civil War era estate. The Runaway Pony was one of the best, providing a memorable package of convenience, comfort, and value.

I look forward to my next visit to the Runaway Pony Bed and Breakfast.

Like · Comment

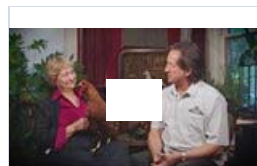
13 1 1



Runaway Pony B&B shared a link.
December 4, 2013

<http://www.youtube.com/watch?v=697HBG3y2oU>

Click on link to see Pat and Bryan interview!

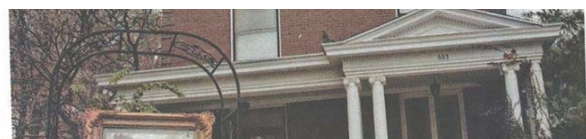


Pat Foreman

Like · Comment · Share



Runaway Pony B&B changed their cover photo.
November 18, 2013



Like · Comment · Share

1



Runaway Pony B&B changed their cover photo.
December 5, 2013



Like · Comment · Share

5



Runaway Pony B&B
December 4, 2013



Like · Comment · Share

2 1



Runaway Pony B&B
November 18, 2013



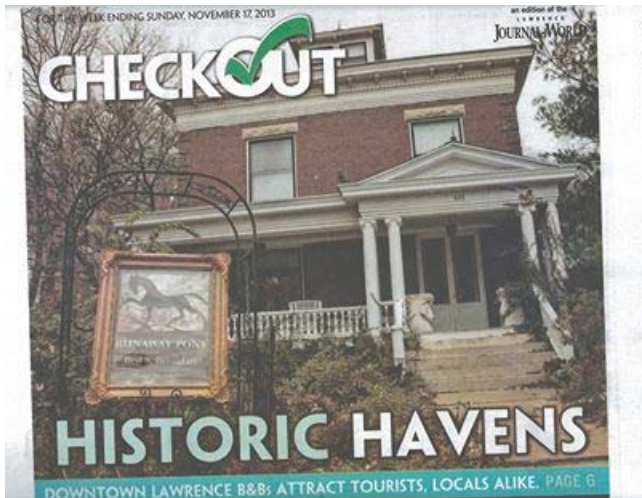
Like · Comment · Share

1



Runaway Pony B&B
November 15, 2013

For those who don't get the print version of the LJW, here is a copy of the cover of the insert yesterday! Thanks again for the wonderful article!



Like · Comment · Share

17 2



Runaway Pony B&B shared a link.
November 14, 2013

Thank you, Lawrence Journal World, for writing a lovely article about the two sister bed and breakfasts in downtown Lawrence! Please check it out.



Downtown Lawrence bed and breakfasts welcome tourists, locals | Lawrence.com
www.lawrence.com

Like · Comment · Share

3 1



Runaway Pony B&B
June 19, 2013

The rebirth of last year's Kale! The garden is so happy this year.

Like · Comment

Another lovely review of the Runaway Pony:

"The home is so beautiful- an elegant oasis in the heart of downtown Lawrence! I love that it's within walking distance of some of the best Lawrence eateries (think Free State Brewery, the Eldridge, 715.) Yet there's no reason to leave come breakfast time- inn keeper Serina Hearn makes the most incredible frittata I've ever had! I'd recommend anyone staying overnight in Lawrence to check this place out!"

Thank you for the kind words Rhea!

Like · Comment

5



Runaway Pony B&B shared a link.
November 15, 2013

Thank you Ashley for visiting me and getting to know the Runaway Pony.
I enjoyed your article!



<http://ashleybooker27.wordpress.com/2013/10/18/90/>
ashleybooker27.wordpress.com

Like · Comment · Share

3



Runaway Pony B&B
October 14, 2013

Today it finally sunk in that Fall is really here! Time to mulch the garden that has been so wonderful this summer. I cannot begin to describe how much joy it's brought along with surprises such as Shiso and Evening Primrose volunteers which came with bulbs I had been offered by a friend. With summer's bounty almost over it is now time to pull out the scrapbook of pictures and celebrate another wonderful year at the Pony. I'll start planting photos in FB instead of basil, majoram, tomatoes, and kale!

Like · Comment

10



Runaway Pony B&B
June 19, 2013

Just found this on TRIP ADVISOR!!! Thank YOU lovely lady from San Francisco!!!

This is what a B&B should be--gorgeous woods, traditional architecture;, large garden and patio/deck. The owner, Sirena made sure that our needs were met., and she has exquisite taste for renovation. The downstairs area and the king suite were truly grand. It is located 2 blocks from all the boutique

shops of the quaint and unique town of Lawrence, KS, 35 minutes west of Kansas City Metro . We enjoyed driving up and down the residential streets gawking at the huge , porched homes in the neighborhood.
It is also situated within walking distance of Kansas University.

Room Tip: the king suite was the best as it had a huge bathroom and extra long soaking tub, and views of the p...

[Like](#) · [Comment](#)

6



Runaway Pony B&B
June 19, 2013

Planted tomatoes, asparagus, basil, and enjoying seeing the kale from last year, that survived winter, go to seed now. I expect lots of babies soon for fall!!!



[Like](#) · [Comment](#) · [Share](#)

1 2

2013



Runaway Pony B&B changed their cover photo.
June 19, 2013



Runaway Pony B&B
June 18, 2013



Like · Comment · Share

4



Runaway Pony B&B
June 18, 2013

The garden is just so rich! I'm in love.



Like · Comment · Share

8

2



Runaway Pony B&B
April 8, 2013

Over the next few days keep in mind April showers bring May flowers!



Like · Comment · Share

9

1

My trip to Trinidad and Tobago was fabulous. I'm working on my dream of sky-bridge destination to give Mid-Westerners a chance to visit my twin islands and stay up in the mountains over-looking the Caribbean sea!

Like · Comment

11

2



Runaway Pony B&B changed their cover photo.
June 18, 2013



Like · Comment · Share



Runaway Pony B&B changed their cover photo.
June 7, 2013



Like · Comment · Share

3



Runaway Pony B&B
April 4, 2013

Here at the Runaway Pony we are glad to see Spring is finally arriving!


Runaway Pony B&B
 March 28, 2013

Caring for a B&B; especially one that is frequented by artistic, intelligent, cutting edge thinkers, is like being part of Chaucer's Tales. The journeyers stop in to rest and stories are exchanged... Back in November we celebrated Tom Pecore Wesco's art. Tom, talked about his paintings, poets read from works inspired by Tom's art and lovely Ardys Ramberg sang solo. More photos to come.

[Like](#) · [Comment](#)

2


[Like](#) · [Comment](#) · [Share](#)

7

2


Runaway Pony B&B changed their cover photo.
 March 27, 2013

[Like](#) · [Comment](#) · [Share](#)

3

1


Runaway Pony B&B changed their cover photo.
 March 28, 2013

[Like](#) · [Comment](#) · [Share](#)

3


Runaway Pony B&B
 March 26, 2013

Spinning Goddesses (8 photos)

Runaway Pony B&B
 March 27, 2013

We'd like to thank Lawrence for being such a great attraction. Otherwise our first year wouldn't be such a success. Happy Spring/Easter/Ishtar!





Like · Comment · Share

5 5



Runaway Pony B&B changed their cover photo.
March 26, 2013



Like · Comment · Share

1



Runaway Pony B&B
March 18, 2013

A portrait of Serina by Abigail — at [Runaway Pony B&B](#).



Like · Comment · Share

7 1

Like · Comment · Share

5 1



Runaway Pony B&B changed their cover photo.
March 26, 2013



Like · Comment · Share

4 4



Runaway Pony B&B
March 25, 2013

The Raucous Spinning Goddesses, traveled with their spinning wheels and vegetable dyed yarns, to spent two wonderful days spinning, and telling stories at Pony. My favorite was about the esoteric value of spinning as a meditation and how Gandhi often spun while at protests.

My other was about a cat and a possum but that's too long a tail for here...

Like · Comment

1



Runaway Pony B&B
March 9, 2013

KU FILM SYMPOSIUM ANNUAL PARTY (12 photos)



Like · Comment · Share

3



Runaway Pony B&B changed their cover photo.
March 9, 2013



Like · Comment · Share

1



Runaway Pony B&B
February 26, 2013

Let it snow!! Inside the Runaway we are toasty warm and red, cinnamon french toast and strawberry capote. Stories of Nepal and Puerto Rico and taking photos with one year old grand-daughters dressed in traditional Korean!

Like · Comment

6



Runaway Pony B&B changed their cover photo.
February 26, 2013



Like · Comment · Share

7



Runaway Pony B&B
March 9, 2013

The beautiful KU Film Prof. Tamara L Falicov and her adorable daughter at the film Symposium annual bash for all their hard working students and professors at Pony!

Like · Comment

1



Runaway Pony B&B
February 26, 2013

We are ready for daffodils!!!!

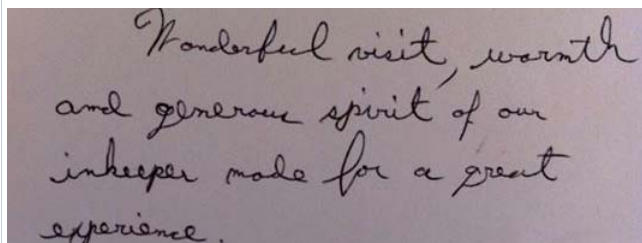


Like · Comment · Share

8 2



Runaway Pony B&B changed their cover photo.
February 10, 2013



Like · Comment · Share

4

2012



Runaway Pony B&B changed their cover photo.
December 12, 2012



Likes
2012



Like · Comment · Share

1



Runaway Pony B&B
December 7, 2012

Crees Holiday Party 2012 (19 photos)



Like · Comment · Share



Runaway Pony B&B
November 12, 2012

Final Fridays Lawrence



Runaway Pony B&B hosts Tom Pecore Weso featured in this issue of Lawrence Magazine

November 17, 2012 at 7:00pm in CST
Runaway Pony B&B in Lawrence, Kansas

Like · Comment · Share

1



Runaway Pony B&B shared a status.
November 12, 2012

Doris and Daughter All Occasions Decorating and Event Planning



The University
of Kansas



Theatre
Lawrence



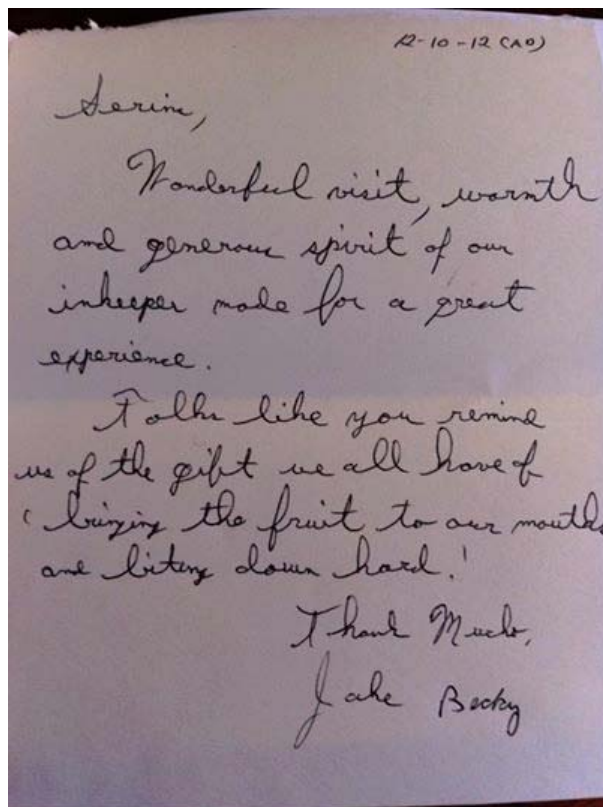
The Oread

+13



Runaway Pony B&B
December 12, 2012

from Jake & Becky (a couple that stayed in our Innkeeper's Suite) Saturday evening! Such wonderful kind words...thank you!



Like · Comment · Share



Runaway Pony B&B shared a status.
November 12, 2012

A Beautiful Wedding

Tom Pecore Weso, featured in this issue of Lawrence Magazine, shows his Native-influenced paintings and prints Nov. 17, 7pm at Runaway Pony. Kansas City and Lawrence poets Julianne Buchsbaum, Xanath Caraza, Brian Daldorph, Denise Low, Silvia Kofler, James Bengier, Allison Serina Hearn, and Kevin Cummings respond to individual paintings with verse created for the occasion. Ar dys Ramberg performs. A chapbook of the paintings and poems, "Runaway Pony: An Anthology of Verse after Paintings by Thomas Pecore Weso," will be published in conjunction with the show. Additional

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Like · Comment · Share



Runaway Pony B&B shared a status.
November 12, 2012

Lawrence Magazine

Tom Pecore Weso, featured in this issue of Lawrence Magazine, shows his Native-influenced paintings and prints Nov. 17, 7pm at Runaway Pony. Kansas City and Lawrence poets Julianne Buchsbaum, Xanath Caraza, Brian Daldorph, Denise Low, Silvia Kofler, James Bengier, Allison Serina Hearn, and Kevin Cummings respond to individual paintings with verse created for the occasion. Ardys Ramberg performs. A chapbook of the paintings and poems, "Runaway Pony: An Anthology of Verse after Paintings by Thomas Pecore Weso," will be published in conjunction with the show. Additional poets in the book are Caryn Mirriam-Goldberg, Diane Glancy, and Damaris Hill

Like · Comment · Share



Runaway Pony B&B
November 12, 2012

Lawrence Chamber of Commerce Theatre Lawrence Lawrence Public Library Lawrence Old-Fashioned Christmas Parade



Runaway Pony B&B hosts Tom Pecore Weso featured in this issue of Lawrence Magazine

November 17, 2012 at 7:00pm in CST
Runaway Pony B&B in Lawrence, Kansas

Like · Comment · Share

1



Cain Robberson
July 1, 2012 near Lawrence, KS

Thank you Allison Serina Hearn for an awesome breakfast and

poets in the book are Caryn Mirriam-Goldberg, Diane Glancy, and Damaris Hill

Like · Comment · Share

1



Runaway Pony B&B shared a status.
November 12, 2012

Old West Lawrence, Lawrence, Kansas

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Like · Comment · Share



Runaway Pony B&B
November 12, 2012

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Like · Comment

4



Runaway Pony B&B created an event.
November 12, 2012



Runaway Pony B&B hosts Tom Pecore Weso featured in this issue of Lawrence Magazine
November 17, 2012 at 7:00pm in CST
Runaway Pony B&B in Lawrence, Kansas

Like · Comment · Share



Runaway Pony B&B shared a link.
May 29, 2012

the radio spot @ [Runaway Pony B&B](#)! 1320 KLWN AM

3 1



Runaway Pony B&B shared a link.
May 14, 2012

Tell us what you think! Visit Runaway Pony's website at www.runawayponybb.com and sign our guestbook.

Runaway Pony Bed & Breakfast -
runawayponybb.com

Check out <http://runawayponybb.com>! Runaway Pony Bed &

Like · Comment · Share

1 1



Runaway Pony B&B
May 12, 2012

KLWN SUNDAY MORNING May 6th (45 photos)



Like · Comment · Share

1



Runaway Pony B&B changed their cover photo.
May 6, 2012



Like · Comment · Share

1



Come stay at Runaway Pony and enjoy the...



Lawrence Busker Festival
www.visitlawrence.com

Downtown Lawrence will get even

Like · Comment · Share

2 1



Runaway Pony B&B changed their cover photo.
May 12, 2012



Like · Comment · Share



Runaway Pony B&B created an event.
May 9, 2012



KLWN Sunday Mornings LIVE from Runaway Pony B & B
May 12, 2012
Runaway Pony B&B in Lawrence, Kansas

Like · Comment · Share



Runaway Pony B&B
May 6, 2012



Runaway Pony B&B changed their cover photo.
May 6, 2012



Like · Comment · Share

1



Like · Comment · Share

4

1



Runaway Pony B&B shared Runaway Pony B&B's album.
April 23, 2012

April 14th Susan Brown, Susan Tate and Mike Murphrey (9 photos)

Susan Brown: Lawrence City Library promotion genius.



Like · Comment · Share

2



Runaway Pony B&B
May 6, 2012

LIVE KLWN SUNDAY MORNINGS (27 photos)



Like · Comment · Share

2

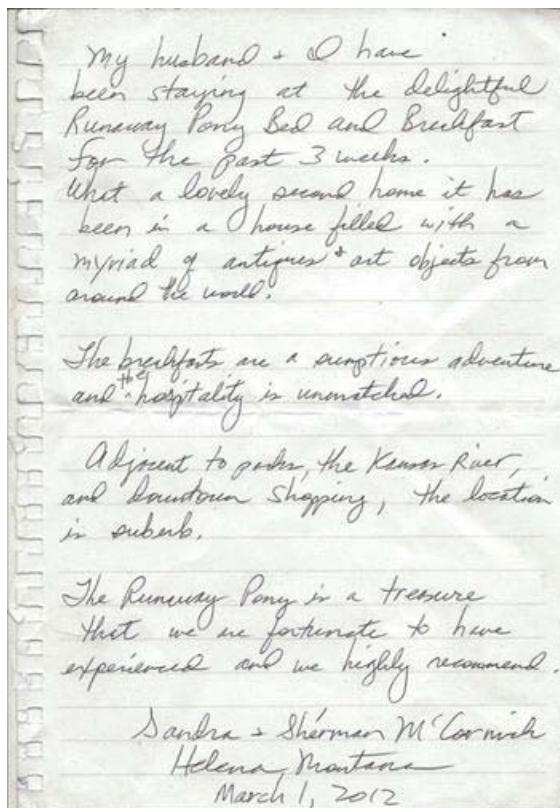


Runaway Pony B&B
April 23, 2012



Runaway Pony B&B
April 23, 2012

So happy to have Sherman & Sandra back at the Pony.



Like · Comment · Share

4



Runaway Pony B&B
April 22, 2012

What a wonderful morning. The best yet for my vision of building a community of artists, humanists and just great people in Lawrence: Left to right: DaMaris- fellow poet, fiction writer, and West Indian; Molly artist and Co-ordinator for Final Fridays, Ashley (whose secret I am yet to discover...) best friends with Faith, singer, composer... all interviewed by KLWN's own JAY WALCH this morning!!!!

Like · Comment

1 1



Dave Greenbaum
April 22, 2012 near Lawrence, KS

great breakfast this morning [Runaway Pony B&B](#) listening to the live broadcast of 1320 KLWN. Really didn't know about this charming and seductive Bed and Breakfast until today. Thanks [Jay Wachs](#) for inviting us.

3 2



Runaway Pony B&B

April 14th Susan Brown, Susan Tate and Mike Murphrey
(9 photos)



Like · Comment · Share

1 1 1



Runaway Pony B&B shared Molly Murphy's status.
April 23, 2012

Getting up early on a Sunday morning to do Final Fridays radio is not so bad when it is at the Runaway Pony Bed & Breakfast: French toast, coffee, juice and frittatas with some great artists, Jay Wachs from KLWN and the lovely (and lively,) Serina Allison of the Runaway Pony.

Like · Comment · Share

1



Runaway Pony B&B changed their cover photo.
April 22, 2012



Like · Comment · Share

2 1



Runaway Pony B&B changed their cover photo.
April 7, 2012





April 6, 2012

Missy came back to Runaway Pony with her husband! Here she is at breakfast!!!



Like · Comment · Share

2



Like · Comment · Share

2



Runaway Pony B&B

March 15, 2012



Like · Comment · Share

4

1



Runaway Pony B&B shared a link.

March 15, 2012

Listen to the Runaway Pony B&B radio commercial

<http://cl.ly/3J3f0c3Q1o0f3S0S0d2X/Runaway%20Pony.mp3>

Runaway Pony Commercial

Jay Wachs KWLN 1320 - Runaway Pony Commercial

Runaway Pony

f.cl.ly

Like · Comment · Share

1

1



Runaway Pony B&B shared a link.

March 15, 2012

News-Talk 1320 KLWN Lawrence, Kansas is proud to announce the debut of "Sunday Mornings" beginning April 1, 2012.

The one-hour arts magazine style show airs Sunday Mornings from 8:30am to 9:30am and is performed live on location from The Runaway Pony Bed & Breakfast, an artist's retreat and Victorian bed and breakfast in Lawrence Kansas.

The show will feature segments on art, music, literature, theater and history and will include live and recorded performances and interview... [See More](#)



The News And Talk Of Lawrence, 1320 KLWN - KLWN
www.klwn.com

The News and Talk of Lawrence

Like · Comment · Share

2 1



Runaway Pony B&B changed their cover photo.
March 14, 2012



Like · Comment · Share

1



Runaway Pony B&B
March 8, 2012



Like · Comment · Share

3 1



Runaway Pony B&B
February 29, 2012

Join Us on KLWN AM 1320. Sunday Morning 8:30am to 9:30am.



Sunday Morning in Lawrence with Jay Wachs

April 1, 2012 at 8:30am
1320 AM, KLWN and www.klwn.com

Like · Comment · Share

1 1



Runaway Pony B&B created an event.
February 29, 2012



Sunday Morning in Lawrence with Jay Wachs
April 1, 2012 at 8:30am
1320 AM, KLWN and www.klwn.com



Runaway Pony B&B
March 14, 2012

We have wonderful dinner parties that provide an atmosphere of elegant celebration!



Like · Comment · Share

1



Runaway Pony B&B
March 7, 2012

Chamber of Commerce luncheon (9 photos)

Guests said it was a "Cornucopia of abundance...." — at [Runaway Pony B&B](#).



Like · Comment · Share

1 1



Runaway Pony B&B
February 29, 2012



Runaway Pony B&B

February 28, 2012



Like · Comment · Share

5



Runaway Pony B&B

February 28, 2012

"A delightful experience at a wonderful historic establishment with all the amenities. Close to Downtown yet a peaceful retreat! I heartily recommend the Runaway Pony!" - Philip Bradley

Thank you Philip! It really was so much fun last night welcoming KISS FM and KLWN backbones to Runaway Pony's time capsule to grandmother's home.

Like · Comment

4



Runaway Pony B&B

February 13, 2012

Members of Film and Media Study Party (29 photos)

After the symposium: FUN! — at Runaway Pony B&B.



Radio Production Dinner (29 photos)



Like · Comment · Share

3



Runaway Pony B&B added 5 photos to the album Members of Film and Media Study Party.

February 14, 2012



Like · Comment · Share

2



Runaway Pony B&B

January 25, 2012

Untitled Album (6 photos)





[Like](#) · [Comment](#) · [Share](#)

2



Runaway Pony B&B

January 11, 2012

First guests at B&B came after Christmas! Five wonderful days of getting to know each other. Brother and sister coming from DC, and Minnesota, to visit parents and couple from upstate New York visiting grandchildren; conversations spanning ...

[See More](#)



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5

1



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1

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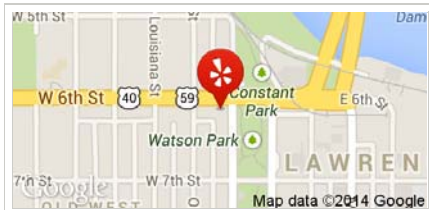
Facebook © 2014 · [English \(US\)](#)



Runaway Pony Bed & Breakfast



1 review

[Details](#)[Bed & Breakfast](#)[Edit](#)

603 Tennessee St
Lawrence, KS 66044

[Edit](#)[Get Directions](#)

(785) 842-6618

runawayponybb.com

Exterior of the Runaway Pony
B&B by Rhea W.

[See all 10 photos](#)

Recommended Reviews

Yelp Sort [Date](#) [Rating](#) [Elites](#)

English 1



Ella Jane G.
 Springfield, MO
 4 friends
 14 reviews



2/4/2014

First to Review

Husband and I took a last minute trip to Lawrence this weekend, and I booked the Runaway Pony for us. He'd never stayed in a bed and breakfast before, I grew up staying in them. The price was better than prices for hotels in the area with comparable amenities, it has a 15 minute walk from the concert we were going to, and had great reviews on Trip Advisor - total no brainer.

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Our room was lovely, beautifully furnished, and very comfortable. I seriously did not want to get out of bed in the morning. We had paid for a third floor room, but because there was a visiting professor staying on the third floor and I made clear at the booking that we were coming in for a show and would be in and out late in the night, we were upgraded to a second floor room. Each floor shares a bathroom, so it was extra nice to have a floor to ourselves. The bathrooms are both incredible, huge, with every amenity you could ask for. I've never had a problem with sharing bathrooms at B&Bs, but if that's something that squicks you out, or you demand hours in there on your own, you might want to check and see if you'll be the only guests on the floor, or cough up the cash for the second floor suite with an in-suite bathroom.

[Edit business info](#)[Work here? Claim this business](#)

Hours



Ella Jane G.
 First to review

People also viewed



Halcyon House Bed & Breakfast
 5 reviews



Circle S Guest Ranch & Country Inn
 3 reviews



The Eldridge
 22 reviews
 This place is right downtown, the only hotel on Mass street.

Work Here? Claim this Business

- Respond to reviews and privately message customers
- Claiming is free, and only takes a minute

We woke up Saturday morning to the smell of breakfast cooking and couldn't stay in bed for very long. Vicki (the house manager) served us homemade cheese biscuits and gravy and veggie omelettes - absolutely delicious. We enjoyed chatting with the visiting professor, and then with Vicki about the history of the house. We lingered a bit too long and were late meeting some friends for second breakfast!

This is definitely the place to stay in Lawrence. Next time we go up for a show, we'll get our friends to rent out the attic with us - you get a discount - to save them from spending more at hotels with horrible continental breakfasts and antiseptic rooms.

Page 1 of 1

2 other reviews that are not currently recommended

Best of Yelp Lawrence – Bed & Breakfast



Halcyon House Bed & Breakfast

★★★★★ 5 reviews



Circle S Guest Ranch & Country Inn

★★★★☆ 3 reviews

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Runaway Pony Bed & Breakfast

All 4 Lawrence B&Bs / inns

603 Tennessee Street, Lawrence, KS 66046

[Hotel amenities](#)



1 photo

Ranked #1 of 4 Lawrence B&B and Inns

10 Reviews

We can't find prices for this accommodation

Our online travel partners don't provide prices for this accommodation, but we can [search other options in Lawrence](#)

Check In

Check Out

mm/dd/yyyy

mm/dd/yyyy

Related hotels...



The Oread

120 Reviews

Lawrence, KS



Virginia Inn

Great Value!

71 Reviews

Lawrence, KS



Holiday Inn Express

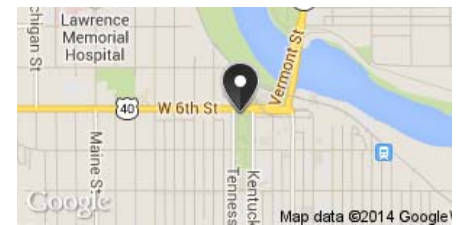
Lawrence

101 Reviews

Lawrence, KS

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[Interactive map](#)

10 people have reviewed this hotel

[Write a Review](#)

Traveler rating

| | |
|-----------|---|
| Excellent | 8 |
| Very good | 2 |
| Average | 0 |
| Poor | 0 |
| Terrible | 0 |

See reviews for

| | |
|--------------------------|---|
| Families | 3 |
| Couples | 3 |
| Solo | 2 |
| Business | 2 |

Rating summary

| |
|---------------|
| Sleep Quality |
| Location |
| Rooms |
| Service |
| Value |
| Cleanliness |

Traveler tips help you choose the right room. [Room tips \(6\)](#)

10 reviews sorted by: **Date** | [Rating](#)

[English first](#)



AnnieG1962

Kansas City, Missouri

1 review



1 helpful vote

"Great place to unwind and recharge!"

Reviewed 4 weeks ago

My husband and I needed a weekend getaway in order to recharge our batteries. The Runaway Pony was our pick and we were very happy with the choice. Vicky, the manager, greeted us at the door and was very gracious. She showed us around, asked what time we would like to eat breakfast and gave us the keys. We stayed in the second floor King Suite, so we had a huge modern private bath to enjoy! The king bed was comfy and I loved that the room was cool, not warm. I do not sleep well in overly heated spaces. We woke both mornings to the smell of yummy food cooking and Vicky was kind enough to accommodate our gluten free diets. The breakfast was fresh, healthy and very filling. You are a great cook, Vicky!! The Runaway Pony is tastefully decorated and beautiful. The grounds were still in winter mode, although daffodils and tulips were starting to emerge in the spacious yard. The B&B is a close walk to Mass Street, which is where numerous restaurants, bars, shops and music venues are located in this fun college town. We had a great stay and will definitely be back. Thanks again, Vicky, for the wonderful hospitality! We especially enjoyed talking with you this morning before we had to head back to reality. See you again!!

Stayed March 2014, traveled as a couple

| | |
|---------------|-------------|
| Value | Rooms |
| Location | Cleanliness |
| Sleep Quality | Service |

[Less](#)

Was this review helpful? ☒ Yes ☐ No 1

[Ask AnnieG1962 about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

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[10 Hotels in Lawrence KS](#)

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
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
Hotels around Lawrence


- 


DoubleTree by Hilton Kansas City - Overland Park
4.0 out of 5, 314 reviews
Last reviewed Apr 24, 2014
- 


Embassy Suites Hotel Kansas City - Plaza
3.5 out of 5, 488 reviews
Last reviewed Apr 24, 2014
- 


Quality Inn
3.0 out of 5, 56 reviews
Last reviewed Apr 24, 2014
- 


BEST WESTERN Lawrence
3.5 out of 5, 130 reviews
Last reviewed Apr 23, 2014
- 

Days Inn - Lawrence
2.5 out of 5, 94 reviews
Last reviewed Apr 23, 2014
- 

Holiday Inn Lawrence
3.0 out of 5, 100 reviews
Last reviewed Apr 23, 2014
- 

Super 8 Lawrence
3.0 out of 5, 85 reviews
Last reviewed Apr 21, 2014
- 

Econo Lodge
4.0 out of 5, 54 reviews
Last reviewed Apr 20, 2014
- 

Virginia Inn
4.5 out of 5, 71 reviews
Last reviewed Apr 20, 2014
- 


Holiday Inn Express Lawrence
4.5 out of 5, 101 reviews
Last reviewed Apr 19, 2014
- Country Inn & Suites Topeka-West**
4.0 out of 5, 81 reviews



[wakatopatopa](#)
Springfield, Missouri

2 reviews

 Reviews in 2 cities

 1 helpful vote

"The place to stay in Lawrence"

Reviewed February 4, 2014

Husband and I took a last minute trip to Lawrence this weekend, and I booked the Runaway Pony for us. He'd never stayed in a bed and breakfast before, I grew up staying in them. The price was better than prices for hotels in the area with comparable amenities, it has a 15 minute walk from the concert we were going to, and had great reviews on Trip Advisor - total no brainer.

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Our room was lovely, beautifully furnished, and very comfortable. I seriously did not want to get out of bed in the morning. We had paid for a third floor room, but because there was a visiting professor staying on the third floor and I made clear at the booking that we were coming in for a show and would be in and out late in the night, we were upgraded to a second floor room. Each floor shares a bathroom, so it was extra nice to have a floor to ourselves. The bathrooms are both incredible, huge, with every amenity you could ask for. I've never had a problem with sharing bathrooms at B&Bs, but if that's something that squicks you out, or you demand hours in there on your own, you might want to check and see if you'll be the only guests on the floor, or cough up the cash for the second floor suite with an in-suite bathroom.

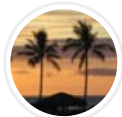
We woke up Saturday morning to the smell of breakfast cooking and couldn't stay in bed for very long. Vicki (the house manager) served us homemade cheese biscuits and gravy and veggie omelettes - absolutely delicious. We enjoyed chatting with the visiting professor, and then with Vicki about the history of the house. We lingered a bit too long and were late meeting some friends for second breakfast!

This is definitely the place to stay in Lawrence. Next time we go up for a show, we'll get our friends to rent out the attic with us - you get a discount - to save them from spending more at hotels with horrible continental breakfasts and antiseptic rooms.

Room Tip: No tub on the third floor - but an amazing shower. Second floor bathroom has a soaking tub with jets...

[See more room tips](#)

Stayed January 2014, traveled as a couple



KRISTY M
AMES

Reviewer

3 reviews

3 hotel reviews

Less Value Location Rooms Cleanliness Service
Was this review helpful?

[Ask wakatopatopa about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

"Skip the hotel; stay at this B&B"

Reviewed December 3, 2013

I was in town for a quick one day/one night visit with my daughter, a student at KU. I've stayed at several of the hotels in town, but my stay at this B&B is one of my favorite. The house is lovely, the rooms are all beautifully furnished, and the hospitality is unparalleled. Owner Serina Allison is very personable and made me feel right at home. She also cooked up a delicious and filling breakfast. I can't say enough good things about Runaway Pony Bed & Breakfast. If you're visiting Lawrence, definitely give it a try.

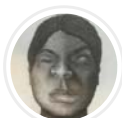
Stayed November 2013, traveled solo

Value Location Rooms Cleanliness Service
Sleep Quality

Less
Was this review helpful?

[See all 3 reviews by KRISTY M for Lawrence](#)
[Ask KRISTY M about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



Mary C
Saint Joseph, Missouri,
United States
1 review

"The best place to stay in Lawrence!"

Reviewed November 21, 2013

My husband and I had a wonderful stay here for our anniversary. Each room had so many fun little things to look at. The bookshelf was stocked with delightful reads. The owner was so sweet and made us a delicious meal fit for a king (and queen). The location was perfect for us to walk to the main street where our concert was playing. We will definitely stay here again, and this time we will bring the kiddos! I can't say enough about this place. It is the best!

Stayed October 2013, traveled as a couple

Value Location Rooms Cleanliness Service
Sleep Quality

Less
Was this review helpful?

[Ask Mary C about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



Mary H
Keene, New Hampshire
1 review

"Lovely"

Reviewed September 17, 2013

This is a great B&B. I was a guest for three weeks earlier this year. When it was time to return to Lawrence this summer, I didn't even consider any of the many other places to stay. It is the perfect balance of homey-ness and indulgence.

Room Tip: The innkeeper's suite is my favorite, but the attic rooms are all very comfy if you have a group...



Last reviewed Apr 16, 2014
4.5 out of 5, 132 reviews
Last reviewed Apr 15, 2014



Baymont Inn Lawrence
3.5 out of 5, 122 reviews
Last reviewed Apr 14, 2014



Chateau Avalon
3.5 out of 5, 224 reviews
Last reviewed Apr 13, 2014



Kansas City Jellystone RV Park and Resort
3.0 out of 5, 9 reviews
Last reviewed Feb 6, 2014

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Hotels

[Comfort Hotel Wellington](#)
3.5 out of 5, 235 reviews
Last reviewed Apr 24, 2014

[Hard Rock Hotel at Universal Orlando](#)
4.5 out of 5, 3,244 reviews
Last reviewed Apr 23, 2014

[Melbourne Marriott](#)
4.5 out of 5, 623 reviews
Last reviewed Apr 23, 2014

[Hapuna Beach Prince Hotel in Hawaii](#)
4.0 out of 5, 1,429 reviews
Last reviewed Apr 24, 2014

[Blue Horizon Hotel in Vancouver](#)
4.5 out of 5, 1,073 reviews
Last reviewed Apr 20, 2014

[Cove Haven Resort in Lakeville](#)
3.5 out of 5, 1,110 reviews
Last reviewed Apr 24, 2014

Travel Destinations

[Park City hotels](#)
1,950 hotels, 10,886 Reviews

[Duluth hotels](#)
53 hotels, 6,103 Reviews

[Noosa](#)
192 hotels, 9,658 Reviews

[Doha](#)
143 hotels, 9,862 Reviews



Zandra B
New York City, New York
1 review

[See more room tips](#)

Stayed September 2013, traveled on business

| | |
|---------------|-------------|
| Value | Rooms |
| Location | Cleanliness |
| Sleep Quality | Service |

Was this review helpful?

[Ask Mary H about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

"Come as a guest, leave as a friend!"

Reviewed September 14, 2013

The delightful and intimate Runaway Pony is perfectly situated to historic downtown Lawrence and across the street from a lovely park. It is also located within walking distance of the great University of Kansas.

The fully-renovated 1850's house itself, is quaint and charming; filled with beautiful antiques, books everywhere, interesting rooms to explore, and lots of Victorian eye candy. The ambiance is absolutely welcoming, warm, peaceful, and wonderful, from the very moment you walk in. Serena, the proprietress, and Vicki, the house manger, made me feel completely at home and contented.

I had the run of the house without any of the usual B&B stuffiness. My room was a third floor, Queen room, that was quite cozy and comfortable. I shared a nice, contemporary bathroom with two other bedrooms. I have never felt so relaxed and rested staying somewhere that was not my own home.

You will awake to a wonderful and mouthwatering aroma each morning. Breakfasts, (many of the fresh ingredients coming from the garden) were FABULOUS, absolutely the best savory egg frittatas I have ever had in my life. It was scrumptious, and I am somewhat of a foodie! You will make new international and fascinating acquaintances and have engaging and lively conversations around the dining room table.

Serena and Vicki, were incredibly friendly, personable, generous, kind, thoughtful, and entertaining, with lots of captivating stories and humorous anecdotes. I cannot praise enough, the gracious hospitality; an abundance of love, care, and consideration offered each guest. I highly recommend the Runaway Pony to everyone visiting the Land of Oz. I don't think you will be disappointed!

Room Tip: Room Tip: There is only one room that has an ensuite bathroom and one room that has a private bathro...

[See more room tips](#)

Stayed August 2013, traveled solo

| | |
|---------------|-------------|
| Value | Rooms |
| Location | Cleanliness |
| Sleep Quality | Service |

[Less](#)

Was this review helpful?

[Ask Zandra B about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



harryajones
dayton oh

"Great Location"

Reviewed July 4, 2013

This B&B was really nice on the interior with the usual overabundance of Victorian knickknacks. This is not a criticism - I like them. The owner is

Contributor

★ 14 reviews

8 hotel reviews

Reviews in 8 cities

1 helpful vote



Alias605

Hyattsville, MD

Senior Contributor

★ 29 reviews

14 hotel reviews

Reviews in 18 cities

16 helpful votes



Carrie4444

Grapevine, Texas

Senior Contributor

★ 24 reviews

7 hotel reviews

Reviews in 11 cities

15 helpful votes

not resident at the facility - she greeted us in the evening and was there to prepare breakfast in the morning. There is a resident house keeper who has a full time job just keeping the place dusted. The only real negative I have about the place is that the exterior was definitely in need of maintenance and the grounds were a bit shabby. Since Lawrence is a college town, it abounds with reasonably priced restaurants, bistros and brew-pubs, all within easy walking distance. Making a choice for dinner was difficult with such a variety available. A beautiful park is directly across the street and is perfect for walking off over-indulgences at one of the eateries.

Stayed June 2013, traveled with family

Value
Location
Sleep Quality

Rooms
Cleanliness
Service

[Less](#)Was this review helpful? [Ask harryajones about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

"Nice Place"

Reviewed March 2, 2013

Great location near downtown, very comfortable rooms, the home is large and beautiful, price was just right, the Master Suite is huge and comfy with an amazing bathroom. Homemade breakfast was truly homemade and delicious. I would recommend it.

Room Tip: The Master Suite has an amazing bathroom[See more room tips](#)

Stayed February 2013, traveled on business

Value
Location
Sleep Quality

Rooms
Cleanliness
Service

Was this review helpful? [Ask Alias605 about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

"Just like visiting friends"

Reviewed December 29, 2012

My husband and I stayed at the Runaway Pony B & B this past Christmas Eve and Christmas. The house is a fully renovated late 1800's home, an incredible blend of old-fashioned charm with all the modern amenities. The home was decorated for the holidays, with a large decorated Christmas tree and many additional festive green boughs throughout the house. We spent time in the living room, drinking hot chocolate, and enjoying the lit tree. We felt very much at home, just like we were with friends.

Room Tip: I would definitely ask for the suite on the second floor, as it has it's own bathroom. It is hu...[See more room tips](#)

Stayed December 2012, traveled with family

Value
Location
Sleep Quality

Rooms
Cleanliness
Service

[Less](#)Was this review helpful?

[Ask Carrie4444 about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.



californiaCalifornia
San Francisco, California

Contributor

- ★ 12 reviews
- 🏨 5 hotel reviews
- 🌐 Reviews in 6 cities
- 👍 16 helpful votes

"Beautifully kept B&B"

Reviewed December 8, 2012

This is what a B&B should be--gorgeous woods, traditional architecture;, large garden and patio/deck. The owner, Sirena made sure that our needs were met., and she has exquisite taste for renovation. The downstairs area and the king suite were truly grand. It is located 2 blocks from all the boutique shops of the quaint and unique town of Lawrence, KS, 35 minutes west of Kansas City Metro . We enjoyed driving up and down the residential streets gawking at the huge , porched homes in the neighborhood. It is also situated within walking distance of Kansas University.

Room Tip: the king suite was the best as it had a huge bathroom and extra long soaking tub, and views of the p...

[See more room tips](#)

Stayed December 2012, traveled with family

| | |
|---------------|-------------|
| Value | Rooms |
| Location | Cleanliness |
| Sleep Quality | Service |

[Less](#)

Was this review helpful?

[See all 3 reviews by californiaCalifornia for Lawrence](#)
[Ask californiaCalifornia about Runaway Pony Bed & Breakfast](#)

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

1-10 of 10 reviews

1

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Lawrence**

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Comfort Inn & Suites

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Eldridge Hotel



**Hampton Inn
Lawrence**



**SpringHill Suites
Lawrence**



**BEST WESTERN
Lawrence**

120 reviews

132 reviews

127 reviews

130 reviews

[View all 17 hotels in Lawrence, ranked by popularity](#)

Been to Runaway Pony Bed & Breakfast? Share your experiences!

[Write a Review](#)

[Add Photos & Videos](#)

Additional Information about Runaway Pony Bed & Breakfast

Address: 603 Tennessee Street, Lawrence, KS 66046

Location: United States > Kansas > Lawrence

Hotel Style:

Ranked #1 of 4 B&Bs / Inns in Lawrence

Owners: What's your side of the story?

If you own or manage Runaway Pony Bed & Breakfast, register now for free tools to enhance your listing, attract new reviews, and respond to reviewers.

[Manage your listing](#)



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Some photos provided by VFM Leonardo.

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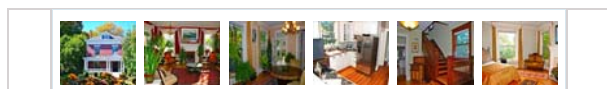
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Exterior of the house



| | |
|--------------------|-----------|
| Bedrooms | 6 |
| Sleeps | 10 |
| Bathrooms | 3 |
| Separate WC | 1 |

[Write a Review](#) [View Property Details](#)

Photos and Description of this 6 bedroom holiday home in Kansas - Runaway Pony

House, 6 Bedrooms + Other (See Description), 3.5 Baths, (Sleeps 10)

This beautiful historic house has been renovated with love and expertise.

The updated, fully-appointed kitchen with all stainless steel appliances opens into a breakfast nook and dining room.

The lovely living room offers a view of the park across the street.

The grand master suite with king bed offers comfort at its most luxurious.

There are five additional bedrooms which offer comfort in a gracious atmosphere.

A washer and dryer are also available for your use.

There is a back porch and patio, as well as a large yard. A two-car garage and two additional parking spaces are available.

Our property has a unique history, as does Lawrence itself. During the Civil War the city was burned, but this property escaped. Here is an excerpt from a historic publication about what happened:

THE LAWRENCE MASSACRE

BY A BAND OF MISSOURI RUFFIANS

UNDER QUANTRELL

AUGUST 21, 1863

[More Details](#)

[About The Owner](#)

I am a poet and property manager. I buy and restore Victorian homes around Lawrence. Some I sell, others I rent out.

The Owner purchased this house in 2006

[Why The Owner chose Kansas](#)

I bought this historic property in order to restore it and turn it into a bed and breakfast. With its location and easy accessibility and its colorful history, I thought it would be perfect and I was correct.

[What makes this house unique](#)

Everything in Downtown Lawrence is within easy walking distance - antique stores, boutiques, book stores, many different varieties of restaurants, several parks and other attractions. It is also close to the University of Kansas, which has museums, musical and theater events and a lovely campus.

1 Reviews of Property 278080 in Kansas, USA



Ann
Bristol England

Knockout Venue for our Wedding Party.

- **5 out of 5**
- Review Submitted: **08-Oct-2012**
- Date of Stay: **Sep 2012**

We rented the whole house and had the most amazing family get together.
The house is stunning and we all felt completely at home.
Sitting out on the front porch watching the world go by and sipping wine was incredibly relaxing.
Serina breezed in to welcome us, is a great character and then breezed out again.
We all absolutely loved our time there.
Many thanks Serina.

Recommended for: Age 55+, Girls Getaway, Sightseeing, Families with Teenagers, Families with Young Children, Romantic Getaway

Owner's Response: It was a pleasure to meet your families! So glad the atmosphere was conducive to feeling at home; but it is also true that home is where the heart is and your family is so very big hearted!!! May your reunions always be happy ones... and of course we hope to visit with you again.

All the best,
Serina

Helpful votes: **4/4** Did you find this review helpful? [Yes](#) [No](#)

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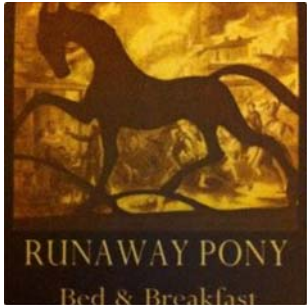
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Hey, I'm Serina!

US · Member since October 2013

A poet with a passion for restoring Victorian homes.



H
2 REVIEWS

Verifications

- (**Email Address**
Verified
- (**Phone Number**
() - 89
- (**Positively Reviewed**
2 Reviews

About Me

Listings (1)



Reviews (2)

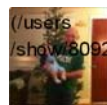
F Reviews From Guests



Mariela (/users/show/459630)

Enjoyed my stay at the Runaway Pony B&B. Didn't get to meet Serina, but Vickie was a great hostess and I really enjoyed sharing stories with her! The house is off a busy street and the railroad tracks are across the river but nothing that a good set of earplugs won't fix. I slept well. Will definitely stay here again next time I'm in Lawrence, KS.

April 2014



Daniel (/users/show/8092638)

I very much enjoyed my stay at the Runaway Pony. The location is fantastic, and the owner is very friendly and accommodating and has lots of stories and information. The house is beautifully decorated, and the room was really comfortable. The breakfast made to order was really great. I would definitely stay here again- such a nice alternative to a larger hotel.

November 2013

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Serina Allison Hearn
603 Tennessee St
Lawrence, Kansas 66044
8th May, 2014

Dear Mr. Crick, Mr. McCullough, City Planners and Planning Commissioners,

I stated at the Planning meeting, April, 21st, that 603 Tennessee is my principle residence. It is where I spend most of my time, it is where I live, where friends and family visit, and where I retreat to after a hard days work.

However, last July, I unexpectedly regained my former matrimonial home, which my ex received possession of in the divorce settlement. The house, a Kansas State historic registered property, is in much need of upkeep. To be able to oversee work on it, I moved my office back into it. Over the last 14 years I have spearheaded the restoration of 20 Victorian houses and am "house mother" to approx. 100 KU students. I spend long hours working on these historic Oread properties, making sure my tenants are comfortable and their homes well maintained.

I did not expect to get this house back but due to unmet obligations by the other party, it is what happened. My liability to the bank is a reality. Its existence as a place of work does not mean that I do not have a home to go to after work. My home at 603 Tennessee is where I live and where I go to get away from the demands of my rental/restoration work.

At the last meeting I must admit that I was unable to predict that anyone would accuse me of not living at 603 and was unprepared to give proof to counteract the no proof offered by my accusers. Since then I have thought of the many places where my primary home address is documented at 603 Tennessee, and evidence of activities only performed at ones primary residence.

1. When **my family, friends, or children, visit they stay with me at 603 Tennessee my home.**
2. It is at 603 where I **host all of my social gathering: Thanksgiving, Christmas, Easter, poetry readings, etc.**
3. I love gardening and have over the years **worked extremely hard on making an extensive garden** which grows not only flowers, native plants, but greens to feed my table. This year I have prepared an area for a **Monarch butterfly Wayside Station** and am waiting for Professor Chip Taylor's sale this coming Saturday (10th May) to purchase the necessary Milkweed plants.
4. My life insurance at **West Coast Life Insurance** is attached to 603 Tenn.
5. I am the **President of the Oread Neighborhood Association**. 603 Tenn. is my home address where the **City sends me mail.**
6. I am a member of the **African Violet Society** and have hosted several meetings at my home 603 Tenn.
7. I belong to the **gym at The Summit** on New Hampshire and my home address is listed at 603 Tenn.
8. My **tax returns** currently being completed with my accountant of the past 14 years reflects 603 Tennessee as my principle residence.
9. City record shows **my driver's license, tags and taxes** for my two vehicles registered to 603.

There are not enough hours in the day for me so when **what is personal, and what I love most, happens at 603 Tennessee** then it should be clear to anyone who knew me where my principle home is.

Yes, I have difficulty remembering what names are attached to which properties. The last 4 years in particular have been extremely stressful. Stress causes all kinds of memory problems especially for a woman my age. Until the divorce I owned 30 mortgages but I am the sole member of Rainbow Works L.L.C. and so when the bank loaned my company the original mortgage/construction money to restore 603 Tennessee, and also attached my personal name to the documents, it meant to me that I am the personal owner of 603. Landmark Bank owns 10 of my properties and I would never dream of arguing with them about how they want their property labeled.

The photograph of my leaf pile submitted by Ms. Ogle could only be taken by standing on my property. The leaf pile is not visible from the alley or from Mr. Clarks house. It is not visible from Tennessee St or 6th street. It's not even an eye saw to those of us at 603 as it is camouflaged by two trees and at the very south end of the 2 and half lots that comprises the property. On 21st April, her father's house was already under contract and was sold within 3 weeks from going on the market. The appearance of my yard in no way created a problem to the sale of the house.

Ms. Olge's claim that I have a live in manager is fabrication. Claims about a house manager from OWL association members based on supposition, and interpretation, from reviews on Trip Adviser don't seem like proof enough to find me in violation or guilty of breaking the SUP rules.

I grew up in Trinidad and Tobago and the UK and carry a British Passport. I do not vote as I am considered an alien resident in this country. However, I pay my taxes and as an owner occupant of 603 Tenn. I believe I have the right to have friends visit and have the right to go on vacation, and business trips, and still call 603 my

primary residence.

- a. Is it a violation of the SUP that I should not be allowed to travel overseas to see my father on his 80th birthday, especially since he had a stroke, without people who don't even live there making accusations to the City about how I arrange for my home to be cared for while I am gone?
- b. Is it a violation of the SUP for me to travel to see one of my daughter's plays, or visit my other daughter at the University of Chicago?
- c. Is it a violation of the SUP that I cannot have friends stay in the house while I am gone who will help look after things for me?
- d. Is it a violation of the SUP if my friends, or mother, visit and spend time at my home, 603 Tenn., in bedrooms not used for guests?
- e. Is it a violation of the SUP that I cannot remarry, have a lover spend the night, or spend the night elsewhere?
- f. Will my lover, or friend, be considered an employee if they help out while I am gone, or while I am there?
- g. Does a SUP, or neighbor, have a legal right to specify what sort of lifestyle another should live?
- h. Am I right in assuming that having a SUP does not mean that my friends, Vicki and Troy Hester, cannot stay at 603 Tenn. when I am overseas, or live with me at 603 when I am home.

When Vicki was asked *where does she live?* at the Planning meeting she said *I live with Serina at Mass St;* and indeed sometimes she does stay at Mass St, but mostly she has lived out of Kansas, either visiting one of her ten children, her parents, or is with her husband in Seattle. Neither she, nor I had any idea that we were walking into a trial and that she and I were guilty until proven innocent. As she said afterwards, she was in shock at the tone of the meeting.

On the other hand, I remember another such SUP meeting when I applied for, on the recommendation of the historic resource department, a SUP for 637 Tennessee to keep a 2nd kitchen in a basement apartment. This basement apartment was approved by the City in 1980 for use of the then Girls Achievement Center house-parents, and which existed when I purchased the property in 2006. The same OWL neighborhood association hired an attorney to fight this SUP to keep a pre-existing kitchen. In the process they accused me then of planning to rent to KU students in a duplex situation. It was never my intention to do such a thing. Fortunately, I succeeded in selling 637 Tennessee and withdrew my application. Once my application was withdrawn OWL association withdrew from its position that the 2nd kitchen needed to be taken out. 637 Tennessee has been for sale, with Mrs. Dever, it's realtor, since last summer. It continues to have a 2nd kitchen in the basement because once I ceased to own it the neighborhood activists chose not to harass the new owners.

I am asking that the OWL neighborhood association bias against me does not influence the planning departments decision to support this special use of 603 Tennessee as they did up until 21st April, a month ago. In the 5 years I have had the SUP there has not been one complaint. The Runaway Pony B&B/home has not adversely affected the quality of life of anyone in the neighborhood. It has improved the aesthetic of the 600blk of Tennessee. 603 is the first house that greets you when you turn left of 6th street to go toward campus off the 170. To my knowledge, until this application for renewal, there have been NO complaints to the City. The Runaway Pony B&B, my primary residence, gives it's visitors fond memories of a wonderful stay at a historic Lawrence home.

Please find attached several supporting documents.

1. Statement of our monthly B&B transient taxes paid to Department of Revenue
2. Spread sheet detailing the breakdown of how many bookings we made each month in comparison with the number of times we had SUP permission to rent to guests.
3. West Coast Life Insurance
4. Land Mark National Bank Promissory Note (my personal name is on it along with my business address)
5. Home address of President of ONA association
6. Copy of Driver's license registered to 603 Tennessee.

Sincerely,

Serina A. Hearn



LJWORLD.COM

KUSPORTS.COM

LAWRENCE.COM

WELLCOMMONS



Downtown Lawrence bed and breakfasts welcome tourists, locals

By **Nadia Imafidon**

Thursday, November 14, 2013

[Discuss / Share](#)



Photo by Mike Yoder

Karen Doue is manager and owner of the Halcyon House Bed and Breakfast, 1000 Ohio St. The large, two-story open kitchen and dining area is a centerpiece and important gathering spot for residents.

Halcyon Room Rates

Carriage House (separate unit) - \$139

Garden Suite (private entrance) - \$119

Master Suite (king bed) - \$119

Good Times Suite (king bed) - \$119

Gambler's room (queen bed) - \$119

Nooks and Crannies (Queen bed, shared bath w/ Butterfly room) - \$69

Butterfly Room (two twin beds) - \$69

Atrium (queen bed, shared bath w/ Den) - \$69

Den (queen bed) \$69



Photo by Richard Gwin

Peaceful Getaway: [Halcyon House](#), 1000 Ohio St.

For 28 years, the Halcyon House has been providing a charming and warm escape for couples, visiting professors, business associates and Kansas Athletics fans (and even Lawrence residents) looking for a special getaway without having to travel far.

Opened by Esther Wolfe in 1985 (the house itself built in 1885), the Downtown Lawrence haven has been going strong since the start.

"We've had people start with Esther in '85 and they still come," says Karen Doue, the business' current owner and manager. The property is still owned by Wolfe and her daughter. "We've watched some of their kids go through school, and you hate to see them go away, because they don't come as often after they have kids."

Doue has hosted people from all over the world and all walks of life, reserving a room, or sometimes the entire house, whether it's a couple of women who want to spend the weekend shopping in Downtown Lawrence, or a group of nine couples participating in a marriage counseling/renewal seminar (think Tyler Perry's "Why Did I Get Married?").

Fully equipped with theme rooms such as the "Good Times Suite," "Nooks and Crannies" and the "Butterfly Room," the Halcyon House opens up to a beautiful, spacious living area next to the warm kitchen, where homemade breakfasts of eggs, sweet breads, waffles, jam, granola and other specialty items await the guests. Seven rooms are available in the three-story house, along with a suite with a private entrance and a separate unit with a kitchenette.

"Some people have been in every room; that was their goal," Doue says. "Everything's peaceful in here. It's very homey. Everything's good."

Historian's Retreat: [Runaway Pony](#), 603 Tennessee St.

Located at 6th and Tennessee, Runaway Pony Bed & Breakfast is a beautiful Victorian house restored by owner and avid preservationist Serina Allison.

Allison has been involved with the restoration of 20 Victorian homes in Lawrence, planning everything from room dimensions to color schemes, and discovering the historical background of each property. Before restoring houses, she was a fashion designer in London, having studied at St. Martin's School of Art.

Runaway Pony Bed & Breakfast at 603 Tennessee St. is the former home of J.G. Sands, one of the survivors of Quantrill's Raid. It's now owned by Serina Allison, who has spent countless hours making the home a showplace for visitors and guests.

Runaway Pony Rates and Amenities

Price Range: \$80-\$150 a room

General amenities:

- Air conditioning
- WiFi
- Off-street parking
- Linens provided

Outdoor Features:

- Large yard
- Deck/patio
- Gas/electric grill
- Charcoal grill

"I can walk into a house and know what it should look like," Allison says of the homes she has renovated that were completely rundown when she purchased them. "If I saw the world the way it really is, I would not be an artist."

This bed and breakfast is named for heroic pony Freddie of original owner J.G. Sand, one of the first anti-slavery Easterners to settle Lawrence in 1855. During Quantrill's Raid in 1863, pro-slavers sacked Lawrence and had planned to kill Sands and his two neighbors, B.W. Woodward and Dr. A. Fuller, and burn down their homes. Freddie the pony created a distraction while escaping and led the murderous group away, saving the lives of these three men and their homes.

"I love history," Allison says. "It seems I'm always giving a history lesson to my guests on Sunday morning over breakfast. That's my favorite part."

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Comments

Use the comment form below to begin a discussion about this content.

Commenting has been disabled for this item.



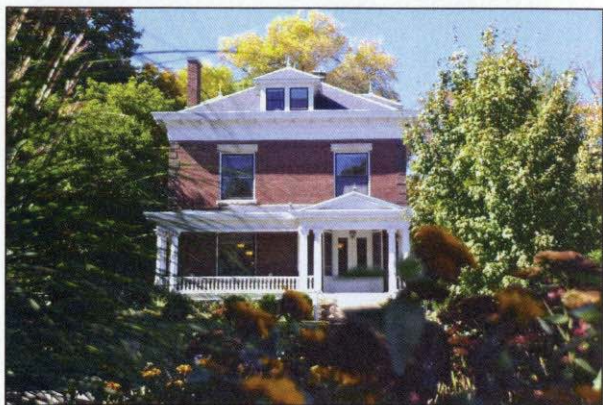
The Story of J.G. Sands' Home at 603 Tennessee Street

In August 1863, five hundred Missouri pro-slavers sacked Lawrence and killed over 150 men, leaving 250 children orphaned and 80 women widowed. Sands and his two neighbors, B.W. Woodward and Dr. A. Fuller, were slated to be murdered that August morning, but fate saved them. Freddie, the Sands' children's pony, refused to be kidnapped by Quantrill's guerrillas. In the commotion of Freddy's escape, the three sleeping men awoke and fled to safety.

The legacy of their survival remains: three years later, Mr. Woodward built the Round Corner Drug Store on Massachusetts St., Kansas' longest operating pharmacy of 147 years. He and Dr. Fuller, former mayor and Yale graduate, formed part of the original quorum that became KU Medical Center in 1866.

Mr. Sands reopened his twice burnt Saddle and Harness Repair Shop at 722 Massachusetts St., embodying Lawrence's motto:

From ashes to immortality.



Creative Director and Owner of Runaway Pony B&B

Serina Allison is an avid preservationist and history lover who has been involved with the restoration of twenty Victorian homes in Lawrence, Kansas. She was born in Trinidad, W.I. and studied fashion at St. Martin's School of Art, London, U.K. in the 70s. Her one-of-a-kind haute couture ball gowns were sold in places like Harrods, Knightsbridge.

Serina Allison is a published poet of two books:

Dreaming the Bronze Girl

Mid America Press 2002

Atlas of Our Birth

Woodley Memorial Press 2010

In creating the **Runaway Pony B&B**, Serina Allison hopes to provide the kind of hospitality that reminds guests of yesteryear: when the world strolled more graciously through life, when conversation around the dinner table was a celebration of family, and where beautiful interiors stimulated curiosity about history.

All are welcome!



RUNAWAY PONY

Bed & Breakfast

603 Tennessee Street
Lawrence, KS 66044

Serina Allison

785-331-9489

www.RunawayPonyBB.com

RunawayPonyBandB@gmail.com



Runaway Pony B&B: A New Lawrence Tradition

We offer a home away from home:
A time capsule that will take you back to the
charm and warmth of grandma; a place where
you can relax and feel cared for.

Located in Old West Lawrence at the corner
of 6th and Tennessee, we are a three-minute
stroll from historic Massachusetts St. and the
best sites, shopping, and eating Downtown
Lawrence has to offer:

- ~ Free State Brewery
- ~ Tellers
- ~ Liberty Hall
- ~ Antique Mall
- ~ Lawrence Art Center
- ...and much, much more!

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Or visit our website for more information at:
www.runawayponybb.com



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- ~ Company Retreats
- ~ Luncheons
- ~ Bridal Showers
- ~ Baby Showers
- ~ Dinner Parties
- ~ Birthday Parties
- ~ Retirement Parties
- ~ Graduation Celebrations
- ~ Reunions

All of your special events!

Item 1

Miscellaneous Tax
Division of Taxation
915 SW Harrison St
Topeka KS 66612-1588
Nick Jordan, Secretary of Revenue
Steve Stotts, Director of Taxation



Phone: 785-368-8222
FAX: 785-291-3988
www.ksrevenue.org

Sam Brownback, Governor

May 6, 2014

STATEMENT OF GROSS RECEIPTS
SERINA HEARN dba RUNAWAY PONY BED & BREAKFAST
Transient Guest Tax Acct # 016-0056 G001

| Tax Period | Transient Guest Tax Paid |
|-------------------|---------------------------------|
| February 2012 | \$122.95 |
| March 2012 | \$174.64 |
| April 2012 | \$384.54 |
| May 2012 | \$486.09 |
| June 2012 | \$308.93 |
| July 2012 | \$124.20 |
| August 2012 | \$134.70 |
| September 2012 | \$353.00 |
| October 2012 | \$159.90 |
| November 2012 | \$137.46 |
| December 2012 | \$404.75 |
| January 2013 | \$280.50 |
| February 2013 | \$430.56 |
| March 2013 | \$418.50 |
| April 2013 | \$413.64 |
| May 2013 | \$499.68 |
| June 2013 | \$400.50 |
| July 2013 | \$302.70 |
| August 2013 | \$202.50 |
| September 2013 | \$289.50 |
| October 2013 | \$286.80 |
| November 2013 | \$541.32 |
| December 2013 | \$286.84 |

Miscellaneous Tax
Division of Taxation
916 SW Harrison St
Topeka KS 66612-1588

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Phone: 785-368-8222
FAX: 785-281-3988
www.ksrevenue.org

Sam Brownback, Governor

| | |
|---------------|----------|
| January 2014 | \$90.78 |
| February 2014 | \$160.20 |
| March 2014 | \$222.30 |

Total Transient Guest Tax Paid

\$7,617.48

The tax due on this account has been paid in full for the periods of February 2012 through March 2014.

Prepared by: Linda Stumbaugh
Public Service Administrator II
Division of Taxation
Customer Relations/Miscellaneous Tax

603 Tennessee Street
AKA
Runaway Pony B B

February 2012 - March 2014

| Month | Monthly Mortgage | Utilities (Average) | Maintenance | Breakfast, Groceries clean up | Advertising, Misc. (includes linens) | Number of bookings per month | 6% Transient Guest Tax Paid | Percentage of 91 possible bookings per month |
|---|------------------|---------------------|-------------|----------------------------------|---|---------------------------------|--------------------------------|--|
| Feb-12 | \$4,513.81 | \$833.00 | \$499.58 | \$416.00 | \$5,759.17 | 16 | \$122.95 | 18% |
| Mar-12 | \$4,513.81 | \$833.00 | \$652.50 | \$598.00 | \$2,845.62 | 23 | \$174.64 | 25% |
| Apr-12 | \$4,513.81 | \$833.00 | \$331.00 | \$1,352.00 | \$395.29 | 52 | \$384.54 | 57% |
| May-12 | \$4,513.81 | \$833.00 | \$632.63 | \$1,664.00 | \$482.00 | 64 | \$486.09 | 70% |
| Jun-12 | \$4,513.81 | \$833.00 | \$1,035.75 | \$1,092.00 | \$294.25 | 42 | \$308.93 | 46% |
| Jul-12 | \$4,513.81 | \$833.00 | \$1,714.52 | \$416.00 | \$1,175.00 | 16 | \$124.20 | 18% |
| Aug-12 | \$4,513.81 | \$833.00 | \$322.50 | \$1,248.00 | \$526.08 | 18 | \$134.70 | 20% |
| Sep-12 | \$4,513.81 | \$833.00 | \$653.69 | \$546.00 | \$940.11 | 48 | \$353.00 | 53% |
| Oct-12 | \$4,513.81 | \$833.00 | \$1,289 | \$468.00 | \$983.74 | 21 | \$159.90 | 23% |
| Nov-12 | \$4,513.81 | \$833.00 | \$2,063.50 | \$1,404.00 | \$1,820.88 | 18 | \$137.46 | 20% |
| Dec-12 | \$4,513.81 | \$833.00 | \$2,806 | \$962.00 | \$1,874.76 | 54 | \$404.75 | 59% |
| Jan-13 | \$4,513.81 | \$833.00 | \$2,908.00 | \$1,482.00 | \$22.14 | 37 | \$280.50 | 41% |
| Feb-13 | \$4,513.81 | \$833.00 | \$945.00 | \$1,456.00 | \$184.29 | 57 | \$430.56 | 63% |
| Mar-13 | \$4,513.81 | \$833.00 | \$284.60 | \$1,430.00 | \$646.81 | 56 | \$418.50 | 62% |
| Apr-13 | \$4,513.81 | \$833.00 | \$589.00 | \$1,716.00 | \$312.60 | 55 | \$413.64 | 60% |
| May-13 | \$4,513.81 | \$833.00 | \$1,143.13 | \$1,404.00 | \$122.94 | 38 | \$499.68 | 73% |
| Jun-13 | \$4,513.81 | \$833.00 | \$243.60 | \$1,014.00 | \$97.47 | 54 | \$400.50 | 59% |
| Jul-13 | \$4,513.81 | \$833.00 | \$266.00 | \$702.00 | \$99.35 | 39 | \$302.70 | 43% |
| Aug-13 | \$4,513.81 | \$833.00 | \$240.00 | \$1,014.00 | \$1,882.32 | 27 | \$202.50 | 30% |
| Sep-13 | \$4,513.81 | \$833.00 | \$610.00 | \$1,014.00 | \$1,377.85 | 39 | \$289.50 | 43% |
| Oct-13 | \$4,513.81 | \$833.00 | \$1,296.83 | \$1,014.00 | \$2,100.00 | 39 | \$286.80 | 43% |
| Nov-13 | \$4,513.81 | \$833.00 | \$1,148.50 | \$1,872.00 | \$239.93 | 72 | \$541.32 | 79% |
| Dec-13 | \$4,513.81 | \$833.00 | \$356.00 | \$1,014.00 | \$124.49 | 39 | \$286.84 | 43% |
| Jan-14 | \$4,513.81 | \$833.00 | \$93.86 | \$312.00 | \$309.27 | 12 | \$90.78 | 13% |
| Feb-14 | \$4,513.81 | \$833.00 | \$85.00 | \$546.00 | \$871.59 | 21 | \$160.20 | 23% |
| Mar-14 | \$4,513.81 | \$833.00 | \$151.00 | \$780.00 | \$277.89 | 30 | \$222.30 | 33% |
| TOTAL | \$117,359.06 | \$21,658.00 | \$22,361.30 | \$26,936.00 | \$25,765.84 | 987 | \$7,617.48 | |
| AVERAGE | \$4,513.81 | \$833.00 | \$860.05 | \$1,036.00 | \$990.99 | 38 | \$292.98 | 43% |
| | | | | | | | | |
| | | | | | | | | |
| **Figures calculated using 91 possible bookings per month (3 bdrms x 31 days month) | | | | | | | | |

Item 3

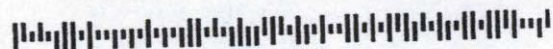
West Coast Life Insurance Company
Customer Service
P.O. Box 12687
Birmingham, AL 35202-6687

Protective
West Coast
Life Insurance Company

April 03, 2014

66310
SERINA A HEARN
603 TENNESSEE ST
LAWRENCE KS 66044-2367

Statement Date: 04/03/2014



THIS IS NOT A BILL



Item 4



003438-01000008054000000D20102820131028201301

PROMISSORY NOTE

| Principal | Loan Date | Maturity | Loan No | Call / Coll | Account | Officer | Initials |
|--|------------|------------|---------|-------------|------------|---------|----------|
| \$ [REDACTED] | 10-28-2013 | 10-15-2014 | 8054 | 300 | [REDACTED] | BC | |
| References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing "****" has been omitted due to text length limitations. | | | | | | | |

Borrower: RAINBOW WORKS, L.L.C.
Serina A. Hearn
1941 Massachusetts St.
Lawrence, KS 66046-2943

Lender: Landmark National Bank
4621 W. 6th St.
Lawrence, KS 66049
(785) 838-9400

Item 5



City of Lawrence
PLANNING & DEVELOPMENT SERVICES

PRSRT STD
U.S. POSTAGE
PAID
LAWRENCE, KS
66044
PERMIT #570

1 1 129

Oread Neighborhood Association
Serina Hearn
603 Tennessee St
Lawrence, KS 66044-2367



**PLEASE JOIN US FOR AN OVERVIEW OF THE
RENTAL LICENSING AND INSPECTION PROGRAM**

The City of Lawrence Planning & Development Services Department is hosting three educational seminars to assist property owners, property managers, tenants and the public with the transition to the recently adopted Rental Licensing and Inspection Program (Ord. 8840). Current single-family zoned rental properties will be affected by these changes starting on July 1, 2014. All other rental units in the City of Lawrence will become part of the Rental Licensing and Inspection Program starting on January 1, 2015. Our goal is to make this a smooth transition by answering your questions regarding the regulations and logistics of the Ordinance. We will review the initial licensing, license renewal and inspection processes followed by a question and answer session. The seminars will be held on the following dates:

- **May 15th / 6:00-8:00 p.m.** – Union Pacific Depot, 402 N. 2nd Street. This seminar will focus mainly on the transition of single-family properties into the new program, although anyone is welcome to attend.
- **June 3rd / 10:00 a.m. - Noon** – Douglas County Fairgrounds Dreher Building, 2110 Harper Street. This seminar will focus on all aspects of the program, from transitioning single-family properties into the new program and all rental properties within the city beginning January 1, 2015.
- **June 18th / 6:00 - 8:00 p.m.** – Lawrence Free State High School commons, 4700 Overland Dr. This seminar will focus on all aspects of the program, from transitioning single-family properties into the new program and all rental properties within the city beginning January 1, 2015.

Please contact us with questions at (785) 832-7700 or visit www.lawrenceks.org/pds/rental-licensing

**Kansas Department of
Revenue**

Division of Vehicles

Thank you! Your address change request has been sent to the Kansas Department of Revenue. If your request cannot be processed, you will be notified by e-mail within five days. Please note - this request merely updates the driver's license files, which is all that is required of you by law. You will not be receiving a new license in the mail. If you wish to obtain an updated license with the new address on it, you will need to appear in a driver's license office and make that request. Photo fee will be charged.

Special information for those that intend this submission to change their voter registration.

Please click below to update your voter registration with your county election officer. Information you have already entered will be completed on the registration form for your convenience. You must click below to update your registration to your new address.

Name: SERINA ALLISON HEARN

Driver License Number:

[REDACTED]

Date of Birth:

[REDACTED]

New Address:

603 TENNESSEE ST

LAWRENCE KS 66044

You should now print this page and keep it with your driver's license at all times.

Continue

Item 6

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item:

PC Staff Report
04/21/2014

ITEM NO. 4 SPECIAL USE PERMIT FOR BED AND BREAKFAST; 603 TENNESSEE STREET (JSC)

SUP-14-00049: Consider renewal of a Special Use Permit for an adaptive reuse of a Designated Historic Property located at 603 Tennessee Street for a Bed and Breakfast. Submitted by Serina Hearn for Rainbow Works L.L.C., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of SUP-14-00049, a renewal of a Special Use Permit for 603 Tennessee Street for use as a Bed and Breakfast, based upon the findings presented in the body of the staff report, and subject to the following conditions:

1. A Special Use Permit renewal is granted for up to three guest rooms. Use of additional guest rooms shall require a new public hearing.
2. A Special Use Permit renewal is granted approval for 5 years. A new Special Use Permit shall be required to continue the Bed and Breakfast use.

Applicant's Reason for Request: *Special Use Permit Renewal for a Bed and Breakfast*

KEY POINTS

- The existing structure is currently utilized for an existing bed and breakfast.
- No exterior alterations or site modifications are proposed at this time.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Publication of a Special Use Permit ordinance per Section 20-1306(j).

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- No written comments were received prior to the publishing of this staff report.

GENERAL INFORMATION

Current Zoning and Land Use:

RS5 (Single-Dwelling Residential) District; existing residence.

Surrounding Zoning and Land Use:

To the north, south, and west RS5 (Single-Dwelling) Residential District: existing single family residences.

To the east OS (Open Space) Buford M. Watson Jr. Park.

Summary of Special Use

The property is located on the southwest corner of Tennessee Street and 6th Street. The property is developed with a two and a half story house with two detached garage structures. The proposed use is for the operation of a Bed and Breakfast with an on-site manager and three guest rooms. The proposed use is defined in section 20-1763 of the Development Code as:

20-1763 BED AND BREAKFAST. An establishment located within a Detached Dwelling that is the principal residence of the operator, where short-term lodging is offered for compensation and that includes the service of one or more meals to guests.



603 Tennessee Street

In addition to the findings required of Section 20-1306 of the Land Development Code, additional standards of review are required for an adaptive reuse listed in section 20-501 of the Development Code. These combined findings are listed below.

Site Plan Review:

The applicant does not propose any physical changes to the site or the approved site plan.

Parking

Parking for this use will be accommodated by an existing driveway parking area from 6th Street and alley access in the rear of the property.

Required Parking: 1 per guest room plus 1 per 1.5 employees

Parking Proposed: Four total spaces.

Review and Decision-Making Criteria (20-1306(i))

1. **WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE**

Staff Finding – The proposed use complies with the provisions of the Bed and Breakfast use in Section 20-504 and the Special Uses requirements in Section 20-1306. The use is allowed in the RS5 with approval of a Special Use Permit. In correspondence dated 26 March 2014, the applicant wrote to indicate the owner occupies living quarters within the structure as required in Section 20-504: "Bed and Breakfast Establishment," which requires, "A Bed and Breakfast with 3 or fewer guest bedrooms shall be operated as an incidental use to the Principal Use of an Owner-occupied Structure."

2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS

The applicant has indicated that the maximum rooms available at this time will be three. There will be a full-time resident manager on the property. There are no proposed changes to the site. Because of the limited use as a bed and breakfast, there will be minimal impact in terms of scale and operating characteristics. The lighting proposed for the structure is residential in scale, and has not adversely impacted the area. A traffic impact study has been completed by the applicant. The study indicates that the impact of this new use will be negligible. Sixth Street is a principal arterial, and Tennessee Street is a major collector street. There is parking on-site for the proposed use.

Staff Finding – The proposed use is compatible with the single-family residential use and public park that exists in the neighborhood.

3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED

The information available to staff indicates that the introduction of a bed and breakfast use into a historic district does not diminish the property values of the district. In addition, there is no evidence that the existing bed and breakfast on the same block has had any negative impact on the value of property in the area.

Staff Finding – The proposed use will not cause substantial diminution in the values of other property in the neighborhood.

4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT

Review of this project by planning staff indicates no additional modifications or alterations are required for this site. If, in the future, additional rooms are to be included in this use, new means of egress may be required for the expansion. The increase of use from a single-family residential to a resident manager and three rooms is negligible; therefore, it does not impact transportation or utility services.

Staff Finding – The proposed use does not preclude the ability to service the existing uses in respect to public safety, transportation, and utilities.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

The applicant was required to sign a site plan performance agreement before the release of the site plan.

Staff Finding – Adequate assurances of continuing maintenance will be address with the site plan performance agreement.

6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT

The property is developed with an existing residence, with two single-story garages. No physical changes to the site are proposed.

Staff Finding – The proposed use will not cause significant adverse impacts on the natural environment.

7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO WHAT THAT TIME PERIOD SHOULD BE.

The introduction of new uses into a residential neighborhood should be done with careful consideration to the unique aspects and character defining elements of the neighborhood. This is particularly important in a designated historic district. The continued use of this bed and breakfast should be monitored for impacts on the historic district as well as the neighborhood. Because of the uniqueness of this area, the bed and breakfast special use should be reviewed at five year intervals.

In addition, any alterations to the approved special use plan, including the use of additional bed rooms over three, should be reviewed and approved by the Historic Resources Commission, Planning Commission, and the Lawrence City Commission at public hearings to determine the overall impact of the change on this historic neighborhood.

Staff Finding – The proposed use should be reviewed by the Planning Commission and the City Commission every five years to evaluate the impact of the special use on the character-defining and neighborhood quality of this important historic neighborhood.

Conclusion

The adaptive reuse of historic structures is often vital to the continued use of these structures. The National Park Service recommends the adaptive reuse of structures if the original use is no longer viable. The continued use of the structure so that it does not fall into disrepair is the key to the preservation of architectural heritage. The National Park Service also recommends that the adaptive reuse is one that will require minimal changes and that can be easily reversed.

The adaptive reuse of a single-family residence to a bed and breakfast meets these criteria and is a recommended reuse by the National Park Service, and the National Trust for Historic Preservation, for single-family structures.

The bed and breakfast use is recognized by the Land Development Code as a use that can be compatible with the RS5 District, with a Special Use Permit. Due to the corner location and size of this structure, a bed and breakfast use is appropriate.



**SUP-14-00049: Special Use Permit for Runaway Pony Bed & Breakfast
Located at 603 Tennessee Street**



April 16, 2014

RE: SUP-14-00049, Runaway Pony Bed & Breakfast located at 603 Tennessee

Dear Planning Commissioners,

My father, David Clark, owns the property at 411 W 6th Street, which is the adjoining property to the west of 603 Tennessee. He is quite elderly and is hearing impaired and has asked that I help him draft comments in regards to the SUP for the Runaway Pony Bed and Breakfast.


Above all, we would like to clarify the misrepresentation of his support when this Special Use Permit was first considered and granted in 2009. Unbeknown to him, it was stated that Serina Hearn had discussed the option of a Bed and Breakfast with Mr. Clark and that he was in full support. He has stated that Serina did not request his support and that he was never in agreement that this property should be allowed to operate as a Bed and Breakfast.

The following are concerns related to the operation of the Bed & Breakfast, some of which appear to be in conflict with the conditions of the permit. If this permit is granted, we would appreciate confirmation by the City of Lawrence that all conditions of the permit are being met. We have also attached photos, all taken within the past year.

1. Adequate parking. The permit requires 4 designated parking spaces. Although 2 garages exist on the property, it appears they are used for storage, not parking. Two paved parking spaces do exist with access off 6th St. Access off the alley, although used to park one vehicle or trailer at times, consists of a dirt and gravel path into the yard. During large gatherings/parties, adequate parking is not available.
2. Owner occupied structure. The business now has a live-in manager and does not appear to be the owner's primary residence.
3. Limit of 3 guest rooms. Various references to this property state it contains 5-7 bedrooms. The original site plan shows 3 guest rooms with separate bedrooms and sitting rooms. In reading online reviews submitted for the Bed and Breakfast, it appears some of the sitting rooms are actually available as bedrooms.
4. A large brush/debris pile is located on the east side of the alley garage. The brush pile is a concern as it is very unsightly and an overall indication of the lack of maintenance of this property. The landscaping contains large dead plants. Planting containers and trash are strewn behind the 6th St garage, which is out of view for the Bed and Breakfast but in full view from the front yard of our property.
5. Trash containers, which according to the site plan, were to be stored on the east side of the alley garage, are kept along the alley and have not always been adequate for the amount of trash generated.
6. Reference was made to an existing Bed and Breakfast at 7th and Tennessee as justification for the one at 603 Tennessee. We do not believe a Bed and Breakfast has existed at that location since 1998.

Again, we would like to communicate our objection to this property being used as a Bed and Breakfast, as it seems more a commercial business rather than a homeowner/resident sharing their home. On behalf of my father and myself, thank you for your time and consideration.

Sincerely,


David Clark


Patty Clark Ogle



Brush and debris off alley by garage



View from 6th Street



Dead plants in landscape



View from front yard of 411 W. 6th Street



Overflowing trash containers



Parking off alley

TO: The Lawrence/Douglas County Planning Commission
FROM: Jim O'Malley
RE: SUP renewal for 603 Tennessee
DATE: April 21, 2014

I live at 626 Ohio Street, within 200 feet of 603 Tennessee.

The SUP approved by the Planning Commission and City Commission in 2009 was for an owner-occupied Bed and Breakfast Establishment with 3 guest bedrooms, in compliance with section 20-504 of the Development Code. This reflected the understanding of the neighbors and OWLA that Ms. Hearn would live in the house and run it as a B & B with 3 guest bedrooms.

The SUP specifically required removal of the phrase "with On-Site Manager" from the Proposed Occupancy line of the site plan. It also required replacement of the phrase "Caretaker's suite" with "Owner's Suite." (The minutes from the 2009 Planning Commission are attached.)

The staff report on the renewal request may reintroduce a resident manager who may not be the owner.

The staff report states that "There will be a full-time resident manager on the property."

Will that manager be the owner?

The report does say that on March 26, Ms. Hearn "wrote to indicate the owner occupies living quarters within the structure." That's in the present tense. What about the future and the "full-time resident manager"?

Owner-occupancy is crucial for maintaining the single-family residential character of the district.

Allowing evasion of the owner-occupancy requirements will allow purely commercial uses in single family neighborhoods. That would be a bad precedent. There is a real difference between a small B & B run by the owners in their own residence and a B & B owned by a business and run purely as a business. The clear intent of the Code is to allow the former, but not the latter.

I would object to any changes in the conditions of the SUP that would allow a resident manager who is not the owner. However, I have no issue with renewal of the SUP with the original conditions unchanged.

James J. O'Malley

PLANNING COMMISSION MEETING

August 24 & 26, 2009

Meeting Minutes

August 24, 2009 – 6:30 p.m.

Commissioners present: Blaser, Carter, Chaney, Finkeldei, Harris, Hird, Moore, Rasmussen, and Student Commissioner Shelton

Staff present: McCullough, Stogsdill, Day, Finger, J. Miller, Zollner, and Ewert

MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of July 20 & 22, 2009.

Motioned by Commissioner Harris, seconded by Commissioner Carter, to approve the July 20 & 22, 2009 Planning Commission minutes.

Motion carried 6-2, with Commissioners Blaser and Rasmussen abstaining. Student Commissioner Shelton voted in favor.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

There were no committee reports.

COMMUNICATIONS

Mr. Scott McCullough reviewed new attachments/communications that were posted to the online Planning Commission agenda after the initial posting date.

No written action of any waiver requests/determinations made to the City Engineer.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.
- No abstentions.

ITEM NO. 1 SPECIAL USE PERMIT FOR A BED & BREAKFAST; 603 TENNESSEE ST (LBZ)

SUP-4-3-09: Consider an amended Special Use Permit application, repealing the Adaptive Reuse of a Historic Property element of the application, for property located at 603 Tennessee Street for a Bed & Breakfast. Submitted by Rainbow Works LLC, property owner of record. *Deferred from the 7/20/09 Planning Commission meeting.*

STAFF PRESENTATION

Ms. Lynne Braddock Zollner presented the item.

Commissioner Harris inquired about ownership and asked who is considered the owner occupant with a corporation.

Ms. Zollner said the chief executive officer or someone the corporation designates.

APPLICANT PRESENTATION

Mr. Tony Backus, said the house has been for sale for a long time and they have had people request that they turn it into a bed and breakfast. He said there has been lots of positive response for a bed and breakfast in the community.

No ex parte communications by the Commissioners

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Harris asked if this Special Use Permit would need to be revisited if it changed ownership.

Mr. McCullough said that has not been recommended as a condition for this permit.

ACTION TAKEN

Motioned by Commissioner Finkeldei, seconded by Commissioner Chaney, to approve SUP-4-3-09, a Special Use Permit for a Bed and Breakfast located at 603 Tennessee Street based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Publication of an ordinance per Section 20-1306(j).
3. Final Inspection and approval by the Fire Department before occupancy as a Bed and Breakfast.
4. Applicant shall provide a revised site plan to show the following changes:
 - a. existing fencing
 - b. site summary table
 - c. existing building elevations
 - d. correct the following text on the face of the site plan:
 1. remove "with On-Site Manager" from Occupancy – Proposed
 2. remove Employees – (1)
 3. add DR-7-88-09 under Historic Resources Commission
 4. removed "Caretaker's Suite" under Floor Areas and Uses. Identify as 'Owners Suite'
5. Applicant shall provide a revised site plan to include the following notes:
 - a. "SUP is granted approval for 5 years. A new SUP shall be required before July 2014 to continue the Bed and Breakfast use."

b. "SUP is granted for up to three guest rooms. Use of additional guest rooms shall require a new public hearing."

6. Any signage associated with the bed and breakfast must be reviewed and approved by the Historic Resources Administrator prior to installation.

Unanimously approved 8-0, with Student Commissioner Shelton voting in favor.

From: Jocelyn Kitchen [<mailto:JKitchen@usd497.org>]

Sent: Tuesday, May 06, 2014 12:19 PM

To: Scott McCullough

Cc: Jeff Crick

Subject: The Runaway Pony 603 Tennessee

To Whom It May Concern,

I have known Serena Allison Hearn since our children became friends in 1997. Over the years I have witnessed her passion for Lawrence history and restoration of old houses, some of which seemed beyond repair. When Allison bought 603 Tennessee, it had been vacant for several years and was badly in need of attention. I visited the house often and witnessed Allison throwing herself into the restoration of that property and was often regaled with stories of both the difficulties she encountered undertaking this monumental project and the history she uncovered. I have spent evenings with Alison perusing archives investigating the origins of Mr. Sands, pre-Quantrill Lawrence, and the story of "The Runaway Pony".

Over the years Allison has poured herself into uncovering the potential of many Lawrence historic treasures. "The Runaway Pony" is no exception.

Since its restoration, I have been fortunate enough to be invited to many events in this gracious beautiful home. I have often had breakfasts and dinners with her guests with Allison energetically sharing her latest historical discovery and delicious creative meals, and certainly providing a positive lens through which visitors experience Lawrence. Over the past few years our daughters have grown and scattered, but "The Runaway Pony" has been the home where we reunite for lovely holiday meals, and is the home I have come to associate with my friend Allison.

Sincerely,

Jocelyn Kitchen
Para Educator Gifted
LMCMS



Cathy Joritz
Assistant Professor
Film & Media Studies
T: 785 979 3323
E: cjoritz@ku.edu

April 29, 2014

To Whom it May Concern

It has come to my attention that there is some question as to whether the Runaway Pony is the residence of Serina Hearn. I would like to confirm that from everything I have witnessed and know about Serina Hearn and the Runaway Pony, it certainly is.

I lived in Germany for decades previous to moving to Lawrence, KS. I first met Serina Hearn when I came to Lawrence to interview for my position as Assistant Professor of Animation, University of Kansas. I met her at the lovely and unique Runaway Pony Bed & Breakfast where I was to overnight for several consecutive days.

Serina was a welcoming and warm daily presence during my stay. We breakfasted early every morning and we'd talk about my day in the evening. We discussed her many hand-picked decorations, art objects, household items, garden and, of course, Lawrence. I found everything about the Runaway Pony beautiful and tenderly cared for. The house reflects Serina's personality, interests and impeccable taste.

After accepting the position at the University of Kansas I returned to Lawrence months later to look for an apartment. Again I stayed at the Runaway Pony and again, Serina Hearn was a constant presence there. We grew to be close acquaintances and after moving to Lawrence we stayed in touch. I was invited to the Pony the many times when Serina dined and entertained friends.

Because I live at Highpointe (6th Street) and frequent downtown Lawrence, I drive by the Pony often and usually see Serina Hearn's car parked in the driveway.

The Film & Media Studies Department often has visiting directors, camera people and other professionals and the Runaway Pony is *the* our choice for our guests. Because of my apartment's close proximity I breakfast with these guests and then drive them from the Pony to Oldfather Studios. I love having the opportunity – regardless of how brief – to breakfast and chat with Serina.

When I have time to visit with Serina outside of business, we meet at the Pony. When I give Serina gifts, I give her things for the Pony. Anyone who knows Serina and has visited the Pony knows everything in the Pony is a direct reflection of Serina. It is her home and it is the most beautiful home I've experienced since being here.

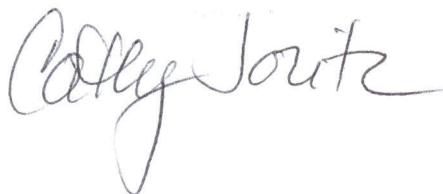
As a person who lives in both Germany and the US, I understand what it means to have several residences. It is quite a juggling act – at least for me. I appreciate and marvel at the care Serina Hearn devotes to her homes. She has the unique gift of creating a personal living space that is both incredibly beautiful, comfortable and a promotional boon to the city of Lawrence.

There is no doubt in my mind that the Runaway Pony serves as home/residence to Serina Hearn. For clarity's sake, I am speaking solely for myself and not for KU or the Film & Media Studies Department.

Please feel free to contact me regarding this matter if you have any questions.

Sincerely,

Cathy Joritz



To whom it may concern:

May 7, 2014

I am writing to inform you that from what I have observed, the Runaway Pony is indeed the permanent residence of Serina Hearn. I will describe my observations and experiences at the Runaway Pony that lead me to believe that this is the case.

I met Serina several years ago as I made a phone call to the Runaway Pony. At that point, I was given a small amount of funds from the National Academy of Sciences to house a visiting scientist (Dr. Rezq Basheer – Salimia) from Palestine in order that he could collaborate with me on plant ecology research during the summer of 2012. The University of Kansas had no faculty housing left for that summer, and a number of apartments in Lawrence were either fully booked or too costly for the funds that I had been allotted. Serina worked with me to house this scientist for three weeks (at a loss to her, but she cared more about the hospitality shown to this important guest). It was a wonderful experience for him to work in the U.S., and he left with a wonderful impression of American culture and hospitality. This was mainly due to the hospitality shown by Serina at the Runaway Pony. I will give some examples: while he was visiting, she often had dinner prepared for him and other guests (not a part of the B&B package). She invited Lawrence friends to her home (the Runaway Pony) to meet this scientist on a number of occasions. During those visits (I was included), we had a wonderful breakfast or dinner, and talked about the culture of the different countries that we represented. This is indeed a home setting, and the Runaway Pony is a place where Serina and friends meet to explore culture, art, and science. Lawrence would be a much better place if others were as opening of their homes as Serina, and this is no doubt her permanent residence.

After this scientist left, my mother who lives with me in Lawrence (Joyce Dipperry) was diagnosed with a brain tumor. Having undergone chemotherapy every other week, my mother was a bit down and troubled. In response to this, Serina would often gather friends at the Runaway Pony for tea and pastries, as well as wonderful conversations. These were a source of inspiration and would always cheer up my mother. We did this on a number of occasions during the spring of 2013. Again, the Runaway Pony is a place where Serina lives, has friends over, and provides amazing hospitality to others. It is no doubt her true home.

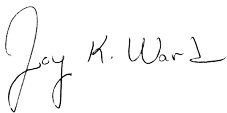
We have also assembled at Serina's home (the Runaway Pony) for Christmas tree lightings, Thanksgiving dinners, and holiday parties. I also have stopped in unexpectedly on a number of occasions (approx. 5 times), and I have always found Serina to be present in this home.

If you have never visited the Runaway Pony, I encourage you to do so. It is a residence that involves impeccable taste, class, and much of the art (and poetry) that were made by Serina or close friends. I wish that every residence in Lawrence was as wonderful!

This is my sole opinion and does not reflect that of the University of Kansas, my Department or my College. However, since the Runaway Pony has served as a venue for my professional guests to the U.S., I felt that Serina's contributions to the University of Kansas should be noted, as well as the wonderful hospitality that she has provided at her home to my family.

Sincerely,

Joy K. Ward Ph.D.



Associate Professor
University of Kansas
Department of Ecology & Evolutionary Biology

Phone: 785-864-5218
Email: joyward@ku.edu
Website: <https://sites.google.com/site/joywardlab/>

7 May, 2014

City Commission of Lawrence
Office of the Mayor
City Hall
Lawrence, KS 66044
USA

RE: In Support of SUP Renewal for 603 Tennessee St.

Dear Planning Commissioners;

Serina A. Hearn, resident 603 Tennessee St., Lawrence, KS 66044, is my mother. She is also one of my business advisors and mentors. This letter is written in support of the renewal of Special Use Permit (SUP) for her primary residence.

I spent the better part of my childhood in Lawrence, KS, living part time with my mother and part time with my father, Hume Feldman, Chairperson of the Physics Department at the University of Kansas, resident of 511 Tennessee St.

I graduated from Lawrence High School in 2008. During my high school days my mom, step-family and myself resided at 1941 Massachusetts St., where I was registered at LHS. In 2008 I moved to New Haven, CT, where I spent the next four years attending Yale University. My first visit back to Lawrence was in 2009, when I returned for Christmas. At that time my younger sister, Zoey, was residing full time at my mom's new residence at 603 Tennessee St., as my father was on a Sabbatical and not living in Lawrence for the year. My mother maintained her office at 1941, and my stepfather at the time was still residing full-time at the Massachusetts residence. I stayed at the new residence at 603 where my mother was now working on the interiors.

In 2010 I returned to Lawrence for Christmas with my at-the-time boyfriend, Justin Dobies (now an LA based actor and copyeditor). We stayed at my mom's now full-time residence of 603 Tennessee St. For the entire visit we only went to 1941 Mass. once, for an annual Christmas Party, the last of its kind. I did not return to Lawrence again until 2012, and was only there for a few days. At that time, as well, my mother was living at 603 Tennessee St. She and her now ex-husband had separated fully, and he was living in the Mass. residence as part of the divorce settlement.

I graduated Yale University in May 2012 and moved back to my mother's home country, Trinidad and Tobago, in the Caribbean. I started working at one of the oldest and most renowned theatre

7 May, 2014

production companies in the region, the Trinidad Theatre Workshop. I also began working to build up a dream my mother and I have long shared of creating an eco retreat on the smaller of the twin islands: Tobago, where artists and others wishing to escape from the world and enjoy tropical beauty can get a chance to do so at an affordable cost.

Considering her full-time all consuming work of running her rental/restoration business along with her Bed and Breakfast, my mother is unable to come and start up that business herself. Under her advice and guidance I am seeking to fulfill our dream. She tries to come to the islands we both call "home" about twice a year , to see my grandparents, and to check on my progress . She lends me her experienced eye and ear, but her *primary* place of residence is in Lawrence, KS, at her beautiful home/ B&B, from which she always brings stories full of laughter and entertainment. I hope that the retreat I begin in Tobago can bring as much joy as hers does now in Lawrence.

I am deeply distressed to learn that her SUP for adaptive reuse, which helps to defer the astronomical costs after restoration, combined with mortgage, utilities, and upkeep, might be denied due to the claims of a few individuals who have not been privy to her personal living situation. But as someone who knows the details of her day to day life, who has over the past 6 years visited and stayed with her at her primary residence, and is lucky enough to be following in her footsteps, I submit this letter in total honesty, and hope, that you will give her and her home the chance that they deserve.

Please feel free to contact me (email being the best way to reach me).

Thank you for your time and consideration,

Looking forward,



Timmia Hearn Feldman

Director of School for the Arts

Trinidad Theatre Workshop

Trinidad and Tobago

West Indies

t. 868 742 1671

e. timmiahearn@gmail.com

w. www.trinidadtheatreworkshop.com

**David and Carmen Penny
643 Tennessee Street
Lawrence, Kansas**

May 8, 2014

**City of Lawrence
Planning and Zoning
6th and Massachusetts Streets
Lawrence, Kansas 66044**

Dear Commissioners,

I am writing concerning the renewal of the SUP for the Runaway Pony Bed and Breakfast at 603 Tennessee St.

First of all, I support the renewal of the SUP. As a home owner in the same block on Tennessee St., it has been apparent to us that the Runaway Pony Bed and Breakfast has been a very positive addition to our neighborhood for the last few years. Our family has owned two houses in this block; one at 643 Tennessee for nearly a century and the other at 639 Tennessee for more than fifty years. My 88 year old uncle, Paul Penny, lives across the alley from us on Ohio Street.

Second, my grandfather, Myrl Penny, served on the county commission and was one of the founders of the Douglas County Historical Society. He owned two houses in the seven hundred block of Tennessee. Having served on the Lawrence City Commission myself and having dealt with zoning issues, I (as well as the other city commissioners) supported the adaptive use of historical houses in hopes of restoring these buildings with multiple uses in places such as Old West Lawrence.

For instance, The Merc was originally located a few blocks from our home on 7th Street in Old West Lawrence in what used to be one of the small stores internal to our neighborhood. We were happy with The Merc because we had a neighborhood grocery store which we could walk to as well as other Old West Lawrence businesses when we were young.

The Runaway Pony Bed and Breakfast is a perfect fit to the adaptive historical uses. It is proof that the previously run down 603 Tennessee house could be restored and adaptively could be established as a nice bed and breakfast. Not too long ago, our own home at 643 Tennessee had been the Carriage House bed and breakfast for a number of years in the 1990s which attracted a number of important visitors to Lawrence.

Third, I was surprised to hear that there are a few very vocal neighborhood activists out canvassing against the bed and breakfast SUP renewal. The Old West

Lawrence neighborhood has much more disruptive commercial activities such as The Color Run, The Mother Earth News, and others which have used Watson Park facing our homes on Tennessee Street with loud music, closed streets, porta-pots, etc. often from early in the morning, through several days, and late into the night. Because the post office does not provide sufficient parking for their workers, six days a week most of the street parking in the seven hundred block of Tennessee and the first half of eight hundred block of Tennessee as well as 7th Street are filled with postal workers vehicles. Also, we have homeless people in the park across the street from our homes. Until now, we have not complained about disruptive activities in the park but maybe the City of Lawrence should discount our taxes for our Old West Lawrence homes on Tennessee Street across from the park for these unzoned activities.

Hypocritically, these few neighborhood activists say nothing about these very disruptive city-approved park events but are trying to stir up trouble about a city-approved permit for a very quiet, non-disruptive bed and breakfast. Frankly, some of these same complainers do not keep their sidewalks and curbs clear of snow for pedestrians and passengers getting out of cars. I think that it is time for these people to quit straining for gnats and swallowing camels. They need to take care of their own properties and to stop trying to run other people's properties, especially properties which have improved our neighborhood. These people have no historical perspective of Old West Lawrence in sharp contrast to some of the neighbors and relatives who have lived here for decades and would like to see more of the neighborhood with adaptive uses to restore its historical diversity.

Lastly, we hope that the zoning commission approves this renewal SUP for the Runaway Pony Bed and Breakfast.

Sincerely,

David and Carmen Penny
643 Tennessee St.

Vicki Hester
Visiting residents:
603 Tennessee, Lawrence, KS
1941 Massachusetts, Lawrence, KS
West Bay Drive, Olympia, WA
Autumn Ridge Drive, Sandy, UT
Sigler Street, Riverview, FL
Saratoga Avenue, Honolulu, HI

RECEIVED

MAY 13 2014

City County Planning Office
Lawrence, Kansas

13th May, 2014

Dear Planning Commissioners,

This letter is written in defense of the renewal of the Special Use Permit for 603 Tennessee St.. A small group claiming to represent OWL neighborhood has come forward, after five years of no complaints, with irrational phantom arguments concerning this renewal.

On April, 21st, I attended a meeting at City Hall for a simple renewal of a Special Use Permit for the delightful historic home at 603 Tennessee. I sat through some other zoning or planning applications, which were quickly brought to a vote and approved with unanimous consent.

Interestingly, two of these issues in the meeting involved 196 foot towers containing digital and wireless technology.

The contrast between these two applications was significant: Something as dangerous as erecting a 196 ft. pole with electronic equipment was approved, with very little to no opposition, but a hearsay opposition to a small neighborhood bed and breakfast, something completely without danger to any person or citizen became a trial that lasted over an hour.

This letter is not intended to find fault with the planning committee members. I understand that all people have varying degrees of immunities toward a virus-like spread of negativity and prejudices. Awareness is the first line of defense. But to actually deny the extension of the Special Use Permit based on nothing more than grapevine gossip of a select group of neighbors is equivalent to agreement with their cause. Creative manipulation of you, the city planners, as public servants bound by oath, should not be tolerated. The opposition for the Special Use Permit for this small business has no basis in reality. I do not claim to know who the "leader of the pack" is for opposing the SUP. I believe whomever leads this cause is using other well-meaning neighbors by canvassing door to door. Sometimes people are uninformed and believe an emotional reaction is grounded in reality and so join the cause with signature or letter. I believe that no peaceful person, public servant or neighbor wants to participate in this symbolic lynching of a neighborhood small homeowner business.

The neighborhood opposition group seems to be randomly organized, pays no taxes to the City and has neither positive ideas nor money to invest in the reuse of the historic property at 603 Tennessee. There is nothing wrong at *The Runaway Pony* and yet there exists an attempt to create a wrong that needs fixing.

At the April meeting I was spoken of in the third person as an employee, "resident manager" or "house manager" of *The Runaway Pony*. I have no such employment. I am Serina's friend who helps out when she is visiting her aging parents and family in the country of her birth. Internet reviewers --attempting to be kind to me during her absence -- and neighborhood zealots cannot define my employment status. I get to define those terms.

It is no secret that Serina Hearn owns multiple properties in Lawrence, KS. However, I can testify that 603 is her home and principal residence. If the neighbors feel left out in their involvement with our personal lives I cannot answer for them. I can, with this letter, call upon you, as publically elected servants of your city to please abstain from assigning me employment where none exists.

This planning committee did their own research concerning the renewal of the five year Special Use Permit and wrote a positive report including this:

"The adaptive reuse of historic structures is recommended when original use is no longer vital and continued use is key to the preservation of architectural heritage and a Bed and Breakfast is a recommended reuse."

...But the following words and phrases became part of the planning meeting:

| | |
|---|--------------------------------------|
| Integrity | City Commission Hearing |
| Non-compliance | Owner as Resident |
| Allegations | Exterior in Need of Maintenance |
| Process | Owner Occupancy Murky |
| Test Case | Compliance with Code |
| Technicality | Live in Structure |
| Enforcement Hearing | On-Site Manager |
| Quasi-Judicial | Trip Advisor |
| Investigate | Run it Safely |
| Complaint | Compensation |
| Defend | Protect the Community |
| Concerns | Misuse of Property |
| Resident Manager | Community Not Protected |
| Zoning Code | Relationship with neighbors |
| Owner Occupied | Renewing SUP Raises Concerns |
| Responsibility | How do you Determine Occupancy? |
| Compatible with Single Family Neighborhood | Testimony of Neighbors |
| Principle Residence | Gather Evidence |
| Vacation Time | Cannot Stake Out House |
| Family Leave | Evidence |
| B&B is wagging the SUP dog | We Pursue Over-Occupancy |
| Business model cannot spread through the neighborhood | Community View |
| Precedent | How you Represent Yourself |
| Vetted by City Attorney | Process |
| Driver's license | Neighbors Conflicting |
| Library card | Inspection |
| Credit cards | Complaint Process |
| Staff | Enforcement Process |
| Enforcement of Conditions in SUP | Testimony |
| Complaints Investigated | Bureau of Labor Statistics |
| No Complaints Issued | Person in Service of Another |
| No Complaints to Investigate | Employer has Power to Direct Details |
| Out of Compliance | |

All these words and phrases would be at home in a court of law where Serina Hearn could seek legal protection through an attorney. Some of the questions asked of her at the planning meeting bordered on harassment and violation of her rights as a taxpayer and property owner. Some topics had no place at a simple planning meeting involving a Special Use Permit. This is the reason I can say that the meeting was hijacked by the neighborhood zealots, some of whom have never lived in *Old West Lawrence* but were obviously recruited for comments based on third party connection to the neighborhood.

I repeat again, Planning Committee, your elected positions and various temperaments have been carefully manipulated to punish an unwelcome neighbor.

Travelers love staying at the Runaway Pony B&B; it's guests eat and shop downtown. The money they spend helps other local businesses.

Please, renew the Special Use Permit which allows visitors of Lawrence to enjoy the hospitality of Serina, and *The Runaway Pony B&B* at her home.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vicki Hester', with a large, sweeping flourish extending from the end of the name.

Vicki Hester

TO: The Lawrence-Douglas County Planning Commission
FROM: Tresa Hill, 705 Tennessee St.
RE: Renewal of Special Use Permit for Bed & Breakfast at 603 Tennessee St., Lawrence
DATE: May 12, 2014

The following is my response to comments made by Commissioners and the City's planning staff during the April 21, 2014 hearing on renewal of a special use permit for operating a B & B inn at 603 Tennessee St.

The SUP requires the B&B be owner occupied. The Commissioners could not identify a single document indicating that the B&B's owner, Serina Hearn, identified 603 Tennessee as her address. All evidence available suggest an address on Massachusetts St. Ms. Hearn's friend, Vicki said "(I) live at 1941 Massachusetts St. with Sarina", and comments on Trip Advisor from guests of the B&B state directly that Serina does not occupy the B&B. If 603 Tenn. is not a primary residence then the B&B operation is not secondary to the primary use as a residence as is required by the Development Code. If this is the case, the property is operated commercially in a single family zone, a use which harms the single family character and the value of property in Old West Lawrence (OWL).

The Commission questioned whether adequate (and required) parking exists at the site. Adequate off street parking should be available for Ms Hearn, her friend and perhaps manager of the B&B (who said she lives with Ms. Hearn on Massachusetts St.), as well as spaces for each guest room (limited to 3 by the SUP), and for the family Ms. Hearn said occupies the other 4 *bedrooms* in the property. This off street parking does not exist. Two spaces are available in the driveway off 6th Street. Another two vehicles might park in the garage, but until recently the garage was used only for storage. Lack of adequate parking affects the general welfare of the neighbors as well as guests of the B&B.

Multiple times City planning staff representatives said they had not heard from neighbors before. There is e-mail documentation of complaints addressed to the City early on from the then president of the Old West Lawrence Association. Complaints did not continue because we do want to be a friendly neighbor and do not want to be in the position of supervising and enforcing the SUP. That is the City's responsibility. If we are expected to do this, why would we ever support another SUP if it will result in conflict and expense for private investigations and actions to require enforcement?

We heard repeatedly that Lawrence needs a good B&B. A B&B located on the same block went out of business because it could not be profitable. We need a B&B that is both profitable and LAWFUL. As stated by the commissioners, we neighbors need to have trust and confidence in compliance with the SUP. So far that is lacking.

Commissioners said they were "not a jury"; but they are responsible, along with the City, for enforcing zoning regulations and a development code that provides for the health, safety and welfare of residents of the city and county. In that role Commissioners are a regulatory body charged with (among other things) considering: (i) whether lack of adequate parking is a safety issue, and (ii) whether changing site use from single family to commercial (in violation of the SUP) creates a loss of property value to surrounding properties thus harming property owners who live and maintain their properties in reliance on single family zoning. A listing on "airbnb" (dated 4/21/14) suggests 603 is either operated as or is actively advertised as a hotel/restaurant that would not comply with the existing SUP for the property. Similar comments on Trip Advisor suggest that the property is possibly operating as an unregulated hotel/restaurant instead of a B&B permitted by the SUP. The evidence we have observed as neighbors suggest there are major issues regarding compliance with the SUP conditions. This is not a minor complaint or a merely "technical" issue for those of us who reside in OWL, have invested in OWL, and intend to protect OWL as the unique area it is. If you are not the appropriate regulator to supervise and enforce your own regulations, please tell us who is.

OWL residents are committed to single family zoning. It is our foundation as a vibrant neighborhood and the SF zoning has reversed declining property values and encouraged major reinvestment in the historic homes and the new homes of OWL. We can live with B&Bs as part of our neighborhood IF they comply with the Development Code and the SUP and are truly secondary aspects of an owner occupied primary residence in a single family zone. We expect that any SUP regulated owner/occupants will be good neighbors, supply adequate parking for their guests, maintain their property and comply with the SUP and all state and local laws that permit their otherwise non-compliant use of their properties. Our interests are just as important to the community as the success of any small business.

I cannot support renewal of the SUP for 603 Tennessee until I have assurance the conditions of the SUP will not be reduced and that those conditions will be vigorously enforced by the City – without expectation that the accommodating neighbors must bear the burden of proof. Ms. Hearn should consider what being a good neighbor means – as I and my neighbors have done on her behalf.

From: Sally Howard [<mailto:sallyahoward@gmail.com>]

Sent: Saturday, May 10, 2014 10:05 PM

To: Jeff Crick; Scott McCullough

Cc: Serina Allison Hearn

Subject: Fwd: Special Use Permit -- 603 Tennessee

I don't believe I had the correct email address for you. Please include my email below in the administrative record for the Special Use Permit Renewal for 603 Tennessee. Thank you,

Sally

Begin forwarded message:

From: Sally Howard <sallyahoward@gmail.com>

Date: May 10, 2014 11:01:13 PM EDT

To: jcrick@lawrence.org, smccullough@lawrence.org

Cc: Serina Hearn Allison <all1is@yahoo.com>

Subject: Special Use Permit -- 603 Tennessee

Jeff and Scott,

My name is Sally Howard. I am the Deputy Commissioner for Policy, Planning and Legislation at the Food and Drug Administration. I currently reside in Washington D.C., but continue to own property in Lawrence, Kansas, and hope to be returning there after I finish my job with the Obama Administration. I understand that you are holding a hearing for the renewal of the SUP for 603 Tennessee street. I also understand that some of Serina's neighbors are opposed, and are claiming that she does not reside at the home. It's a pity that Serina's neighbors are so antagonistic toward her. I hope you've been to the Runaway Pony. It's a beautiful addition to Lawrence. As with the other historic homes that Serina has bought, she's restored it to a work of art. It's fitting as well, that in a town rich with border war history, Serina named the bed and breakfast after events surrounding the home. It's a wonderful tribute to the history of our town.

I frequently come back to Lawrence, as my son and my fiance live there. When I come back, I always stop by the Pony to visit Serina. While Serina owns a number of houses, the only residence she has is 603 Tennessee.

If I could attend the meeting on Monday, I would lend my support to renewal of this Special Use Permit. I agree with the staff recommendation that the permit should be renewed.

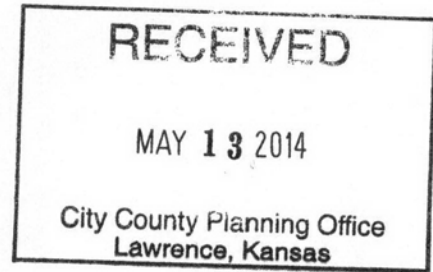
Best,

Sally Howard
1801 Park Road, NW
No. 10
Washington D.C. 20010

Linda L Keeler, M.D.

lkeeler@ku.edu

12th May, 2014



Dear Planning Commissioners,

This letter is written in support of the Special Use Permit to allow 603 Tennessee to continue to be a B&B, requested by Serina Hearn.

I have known Serina Hearn since 2006 when her oldest daughter, Timmia, and my youngest son, Ben Kincaid, were representing Kansas at the National History Day Competition in Baltimore Md. Over the years we have developed a close friendship.

Serina's bed and breakfast has been a significant undertaking. Not only did she restore a derelict house to its current beautiful condition, but after having the house on the market for two years in 2008/2009, she accepted the difficult fact that the market was flooded with houses and no one was buying. It was then that she came up with the idea to turn it into a B&B so that she could continue to pay her construction mortgage. She applied to give 603 Tennessee full B&B status, but this was opposed by the OWL neighborhood association. Again, she conceded to overwhelming forces and agreed to apply for a Special Use Permit which would please the neighborhood and she became an owner resident in the hope of eventually opening her home as a B&B.

The work that goes into maintaining a B&B is daunting. Even more daunting was the expense it took to convert 603 from residential to the standards required by the City of Lawrence to responsibly provide for B&B guest safety. It took another 2 years to find the \$50,000 needed to add fire code requirements of a sprinkler system, exit signs, and a handicap accessible ramp and then to repair the damage caused by cutting into every room in the house.

During 2010, with Serina's marriage in trouble, she began to live more and more at 603 Tennessee with her daughter Zoey. It became not only Serina's home, impeccably kept and well maintained, but the home she shares with her B&B guests. Her table is a wonderful example of what is best about Lawrence -- open and inviting, with excellent food and conversation. She has celebrated with her friends, and her children, a number of Thanksgivings meals, Christmas celebrations and Easter holidays at "The Pony" which my family and I have attended.

Serina and I are also both members of the African Violet Club, which holds monthly meetings at member's homes. We have met in Serina's living room several times, the last time was in March of this year.

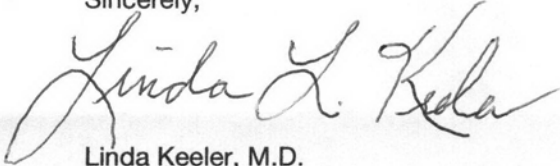
Usually after church on Sunday mornings I visit Serina in her home, where I often meet some of her guests. They are from various age groups, but are generally middle-aged couples, some former Lawrence residents and former KU students returning to KU for reunions. There are professionals from medicine, law and visiting faculty who are visiting the university conducting research or creative projects. There are also musicians, artists, poets, as well as sons and daughters of Lawrence residents who have come to comfort their terminally ill parents. In the

summer months there are either newly weds on their honeymoons, or wedding guests from out of town. All of whom leave feeling that their B&B stay in Lawrence, was very special.

As Serina is a history enthusiast, visitors staying at The Runaway Pony are always given historic information about the house, and general history about Lawrence in the context of its' role leading to the Civil War. Lawrence is extremely lucky to have such an offering as the Runaway Pony in terms of lodging, and to have such a unique hostess opening her home.

I urge you to approve the renewal of the SUP for 603 Tennessee also known as the Runaway Pony B&B.

Sincerely,

A handwritten signature in cursive script that reads "Linda L. Keeler". The signature is fluid and elegant, with the first name "Linda" being the most prominent.

Linda Keeler, M.D.
lkeeler@ku.edu

TO: The Lawrence-Douglas County Planning Commission
FROM: James J. O'Malley
RE: Renewal of Special Use Permit for Bed & Breakfast at 603 Tennessee
DATE: May 6, 2014

I live at 626 Ohio, on the same alley as 603 Tenn. Evidence presented at the April Planning Commission meeting cast doubt on whether Ms. Hearn has been complying with the law and the conditions of the SUP. Specifically, the evidence cast substantial doubt on whether she resides at 603 Tenn., rents out no more than three guest bedrooms, and provides the required off-street parking.

Renewal of the SUP should not even be considered until the City ensures that the B & B has been brought into compliance with the law and all the conditions of the current SUP. If the SUP is renewed, its requirements should be tightened by the addition of verification and enforcement provisions, such as: 1) at least one (unannounced) annual inspection by the City, preferably during a time the B & B is likely to be rented; 2) an annual sworn affidavit by the owner stating that the B & B has been her principal residence during the preceding year, and has been operated in compliance with the other conditions of the SUP and applicable zoning regulations; 3) documentation of residency at 603 Tenn.; and 4) a record of the number of guests and the number of guest bedrooms rented out each day of the year. The SUP should also include a provision that it will be automatically revoked if any of its requirements are found to have been violated.

The Requirements of the SUP Are Not Technicalities.

B & Bs are allowed in single-family residential zoning districts like Old West Lawrence only through SUPs. The requirements are not mere technicalities; they are what keeps the special use compatible with the single-family character of the neighborhood.

The number of guest bedrooms is not a technicality. The SUP for 603 Tennessee limits the B & B to three guest bedrooms. A B & B with 4 or more guest bedrooms must have a state license and is subject to state hotel and restaurant regulations. See K.S.A. 36-501(a) and (e), 36-503, 36-506, and 36-507. If there are more than 3 guest bedrooms, and there is no state license, the B & B is an unlicensed hotel and restaurant in violation of state law, and the City is enabling it.

Owner-occupancy is not a technicality. It keeps the B & B use compatible with single-family zoning. Section 20-504 of the Development Code requires that a B & B with 3 or fewer guest bedrooms must "be operated as an incidental use to the Principal Use of an Owner-occupied Structure."

Owner-occupancy keeps the residential use of the property primary, and the commercial use incidental and compatible with the single family residential character of the neighborhood. If Ms.

Hearn does not in fact live at 603 Tenn., the B & B is a purely commercial use not allowed by the Development Code and the SUP in a single family residential district.

Legalities aside, owner-occupants tend to take better care of their properties than absentee landlords do. They have an additional incentive to do so because, unlike absentee owners, they live there.

The Requirements of the SUP Protect the Neighborhood

There was evidence at the April meeting that the yard at 603 Tennessee has not been well maintained, to the annoyance of the next-door neighbor to the west. The neighbors' letter included photos of the yard. Those conditions were long-standing, and continued into April 2014. See attached photos taken on April 21, 2014. After that date, I personally observed the garage being emptied of stored property that had made it unusable for parking.

However, my main concern is the cumulative effects on the neighborhood if owners are granted SUPs and then allowed to ignore the law and introduce purely commercial uses into our single-family neighborhood. At some point, the number of purely commercial uses allowed into a residential neighborhood will substantially change its character and diminish its quality of life, and reduce the value of nearby single-family houses.

Old West Lawrence is a rarity – a well preserved, well maintained, historic, single-family residential neighborhood with many medium to large-sized house near downtown and the university. However, In the 1960s and 1970s, OWL was shabby and run down. Many of the houses were cut up into apartments. OWL was zoned single-family residential when the City adopted zoning in the 1960s. That was crucial to the revival of the neighborhood.

Old West Lawrence homeowners have invested millions of dollars in the neighborhood in reliance on the single-family zoning, returning their houses to single-family use. By 2010, 80% to 90% of the houses in the Old West Lawrence Historic District were owner-occupied single-family homes. The County appraises the value of the 126 properties in the Old West Lawrence Historic District at just under \$38 million, and the historic district is only a small part of the Old West Lawrence neighborhood.

Old West Lawrence is protective of its single family-character and zoning. We do not want to see the introduction of purely commercial uses and multi-family investment properties with absentee owners as has happened in the nearby Oread neighborhood. Such uses threaten the quality of life in our neighborhood and the substantial financial investment we have made in reliance on the single-family zoning.

Photos of 603 Tenn. taken on April 21, 2014















Old West Lawrence Association
Kathryn Nemeth Tuttle, President
knemethtuttle@gmail.com

May 12, 2014

TO: Lawrence-Douglas County Planning Commission

FROM: Kathryn Nemeth Tuttle, OWLA President

Re: Renewal of Special Use Permit for 603 Tennessee St., Runaway Bed & Breakfast

I write on behalf of the Executive Committee of the Old West Lawrence Association to register our opposition to the renewal of the Special Use Permit (SUP) for the Runaway Bed & Breakfast at 603 Tennessee Street unless there is clear evidence that (1) the conditions of the SUP are being met and (2) the City is enforcing these SUP conditions and ensuring that the B&B is lawful and in compliance with local and state regulations.

Single-family residences define the essential character of Old West Lawrence and a B&B that operates out of compliance with SUP requirements, like the one at 603 Tennessee, threatens our unique neighborhood and our property values. In addition, we fully expect the City of Lawrence, including the Planning Commission and City staff, to take full responsibility for enforcing the Special Use Permits that they approve. Enforcement should not rely on citizen complaints, but be seen as a responsibility of the City and the Commission.

Maintaining the quality of Old West Lawrence is important for the entire Lawrence community, not just OWLA and the neighbors who live here. Please consider the impact of renewal, without verified compliance, on the community we all share.

----- Forwarded message -----

From: "humeaf" <humeaf@gmail.com>

To: "Scott McCullough" <smccullough@lawrenceks.org>

Subject: SUP for 603 Tennessee St.

Date: Sun, May 18, 2014 9:01 am

Dear Planning Commissioners,

I am writing in support of the renewal of the SUP for 603 Tennessee St., Lawrence, KS 66044.

I live in the 500 block of Tennessee St.. I have seen the dramatic change to the 603 Tennessee property from the time it was a run down and shabby house to its present state, a vibrant house with lovely and well cared for grounds, a welcome model for our neighborhood.

Although it is a bed and breakfast, I never saw any activity that is not in keeping with a residential community. The only times I ever see a parking problem in the neighborhood, it is in the weekend when the day is exceptionally hot and the pool is open, or there is some special activity or celebration in the Train Park across the street.

I am a professor in, and Chair of, the Department of Physics and Astronomy at the University of Kansas. Guests of the Department who stayed in the Runaway Pony B&B have always been pleased and impressed by the hospitality. Serina Hearn (who is my ex-wife), has done an excellent job of restoring the place and our daughters, who grew up in Lawrence, are very happy to have both their parents living only a block away from each other.

Serina is a true cosmopolitan and an exceptional host. I am sure she makes every visitor, from near or far, feel welcome in Lawrence. I believe that having a facility of this caliber in Lawrence is a real asset and a fantastic showcase for our town, county and state. Closing the place down will be a true loss to the community.

Yours sincerely,

Professor Hume A. Feldman

Department Chair
Physics & Astronomy
1082 Malott Hall
785-864-4626
feldman@ku.edu



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

May 18, 2014

RECEIVED

MAY 19 2014

City County Planning Office
Lawrence, Kansas

To Mr. Bryan Culver, Chairman, and Planning Commissioners
Lawrence-Douglas County Metropolitan Planning Commission

RE: FOLLOW-UP STUDY FOR SPECIAL USE PERMIT (SUP-14-00049): RUNAWAY
PONY BED & BREAKFAST, 603 TENNESSEE STREET

Dear Chairman Culver and Planning Commissioners:

After reviewing the choices presented to you regarding the renewal of the SUP for the Runaway Pony Bed and Breakfast, the Land Use Committee came to two major conclusions:

1. This is a clear case of non-compliance with the SUP conditions that were required, and this has been acknowledged by the City staff.
2. There is no way that the SUP can be renewed without major effects on how the staff, property owners, and in fact the community will be adversely affected.

The reason is because our zoning and planning regulations are laws with the same requirement for enforcement and compliance as are all other laws. When they are not complied with and the situation is allowed to continue, as would be the case with options 2, 3, and 4, this sets a precedent for similar situations and behavior, or for that matter, for lack of enforcement of and/or compliance with almost any of our other planning laws.

This situation seems to have come about because the conditions of the SUP weren't enforced when they first become non-compliant, and this fact was not noted until the SUP came up for renewal. The staff seemed to have been reliant on the neighbors' complaints rather than on their own system for determining compliance. In situations like this, where non-compliance is not readily apparent to the neighbors, it appears to us as unrealistic for the staff to depend on citizen complaints for enforcement of the ordinances. With the only two methods for checking on compliance not being realized—inspection or complaints—we believe that the only other outcome to create an incentive to comply with our laws would be to insure negative consequences for the offender, not rewards, for ignoring our planning laws.

Therefore, we question the recommendations that the SUP be renewed regardless of the conditions for renewal. We suggest that if the applicant wants an SUP, that she have to start over completely and apply for the appropriate land use category according to her intentions.

We hope our suggestions are helpful. Thank you for your concerns in this matter.

Sincerely yours,
Cille King
Cille King
President

Alan Black
Alan Black, Chairman
Land Use Committee

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
5/21/14

ITEM NO. 9A: IL TO GPI; 11.66 ACRES; 2900 & 2920 HASKELL AVE (SMS)

Z-14-00108: Consider a request to rezone approximately 11.66 acres from IL (Limited Industrial) District to GPI (General Public and Institutional Use) District, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). Submitted by Landplan Engineering PA, on behalf of Unified School District 497, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 11.66 acres from IL (Limited Industrial) District to GPI (General Public and Institutional Use) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report

REASON FOR REQUEST

Applicant's Response:

"Current zoning does not support school uses. The subject property has been an existing parking lot for the industrial use."

KEY POINTS

- The subject property is a portion of the Hiper Technology property that is located near the northeast corner of 31st and Haskell. A portion of the parcel has been acquired by KDOT for the relocated Haskell Avenue improvements related to the K-10 interchange. The remaining portion is being replatted into two lots. This lot is to be used for the new Lawrence College & Career Center and the adjacent lot (containing the existing Hiper building) will be developed by the EDC for workforce training.

ASSOCIATED CASES

- PP-14-00109: Preliminary Plat for LCCC and Peaslee Addition, a two-lot institutional and industrial subdivision.
- SUP-14-00110: Special Use Permit for an Institutional Development Plan for the Lawrence College & Career Center located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). The project proposes the construction of a new two-phase structure containing 56,000 sq. ft. and associated parking and site improvements.

OTHER ACTION REQUIRED

- City Commission approval of rezoning request and adoption/publication of ordinance.
- Planning Commission approval of Preliminary Plat, PP-14-00109.
- Planning Commission consideration and recommendation of Special Use Permit application.
- City Commission approval of Special Use Permit application, SUP-14-00110, and adoption/publication of ordinance.
- Submittal and administrative approval of site plans prior to release of Building Permits.

- Administrative approval of the Final Plat.
- Recording of the Final Plat with the Douglas County Register of Deeds.
- Application and release of Building Permits prior to development.

PUBLIC COMMENT

- None as of the printing of staff report.

Project Summary

This project includes the rezoning of approximately 11.66 acres located on the east side of Haskell Avenue between E 29th Street and relocated E 31st Street from IG to GPI (General Public & Institutional). The property is being rezoned and replatted to accommodate the development of the proposed Lawrence College & Career Center proposed by USD 497. The adjacent property is proposed to be developed with the Dwayne Peaslee Technical Training Center. Because the school district property exceeds ten acres, an Institutional Development Plan approved through the SUP process is required in Section 20-1307 of the *Land Development Code*.



Figure 1. Zoning Exhibit. Subject property outlined.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"Map 3-2 Lawrence Future Land Use of Horizon 2020 – this area is shown Industrial Use. The surrounding area is shown Single-family Residential to the north and Industrial Use to the west and south."

A review of the Comprehensive Plan recommendations follows.

- **The Lawrence Future Land Use Map (Map 3-2, page 3-4)**, shows this area as Office, Research, and Industrial/Warehouse Distribution. The property is currently zoned in compliance with these recommendations as it is zoned for industrial uses (IL). The proposed use, a school owned and operated by USD 497, is a 'Community Facility' type use which is not permitted in this zoning district.

The *Land Development Code* specifically created a district to accommodate public and semi-public uses including public school facilities. The GPI District is a Special Purpose Base District primarily intended to accommodate institutional uses occupying significant land areas. The district regulations are designed to provide the school district with flexibility for patterns of uses while ensuring that development patterns along the edges of the site are compatible with adjoining uses.

- **Chapter 10 - Community Facilities (page 10-1 & 10-3)**

The introduction to Chapter 10 notes that public and semi-public uses are often difficult land uses to project in the future. Needs arise and the community must seek the appropriate locations for such uses dependent upon the populations they will serve.

A number of educational-related needs were identified during the *Horizon 2020* process. One of particular relevance was the need to develop a county-wide vocational and technical training center to support workforce skill gaps vital to the future success of existing businesses. The proposed project, in conjunction with programs to be provided by the EDC, will be a significant step toward meeting this need.

Staff Finding – The proposed rezoning request conforms to *Horizon 2020* policies related to community facilities, specifically educational needs, as well as economic development policies.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING ANY OVERLAY ZONING

Current Zoning and Land Use: IL (Limited Industrial) District; parking lot and vacant portion of the former Hiper Technology property.

Surrounding Zoning and Land Use: To the north and east:
RS7 (Single-Dwelling Residential) District; *Detached Dwellings*

To the south and west:
IL (Limited Industrial) District; *vacant portion of former Hiper Technology parcel and Manufacturing Uses*

To the west across Haskell Avenue:
IG (General Industrial) District; *existing Industrial Uses and Gas & Fuel Sales*

Staff Finding – The subject property is located near properties that are zoned for single-dwelling residential and industrial uses. Residential uses abut the property on the north and east sides. Industrial uses are located to the south and west. Additional nonresidential uses are anticipated to the west following the completion of the Haskell Avenue & K-10 interchange. The proposed rezoning to the GPI District will accommodate educational facilities that are compatible with the adjacent uses.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response:

"This lot is adjacent to single-family residential to the east and north. The area to the west is vacant but has been planned for industrial uses. The area to the south is also planned for industrial uses."

Staff Finding – While the property abuts residential uses on the north and east, the existing street system does not provide vehicular access. The property's character is more closely aligned with the existing nonresidential uses at the 31st & Haskell intersection.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

Staff Finding – No area or neighborhood plans have been adopted for this area. The Comprehensive Plan is the guiding plan for this area.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response:

"The uses of the site as a College & Career Center are suitable uses for the site."

Staff Finding – The property is currently IL (Limited Industrial) and is suitable for *Industrial* uses. Due to its proximity to the new K-10 interchange, the property is also suitable for the proposed GPI (General Public and Institutional) District. The proposed educational uses are not permitted in the IL District, but are uses that are compatible with the surrounding uses and access from a major arterial street.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response:

"The property has been used as a parking lot since being annexed in the 1960s, with little or no expressed interest in the site to enlarge the existing facility."

Staff Finding – The property is currently part of a developed lot. This portion of the property contains an overflow parking lot and undeveloped property.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicants Response:

"Approving this rezoning application will not adversely affect the neighboring properties."

Staff Finding – Rezoning this property from IL to GPI removes the industrial uses from the district. The proposed GPI District provides additional safeguards to the abutting residential properties with a 40' setback along those property lines. The potential uses in the GPI District are compatible with the existing industrial uses to the south and west. Approval of the proposed rezoning should not detrimentally affect nearby properties.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicants Response:

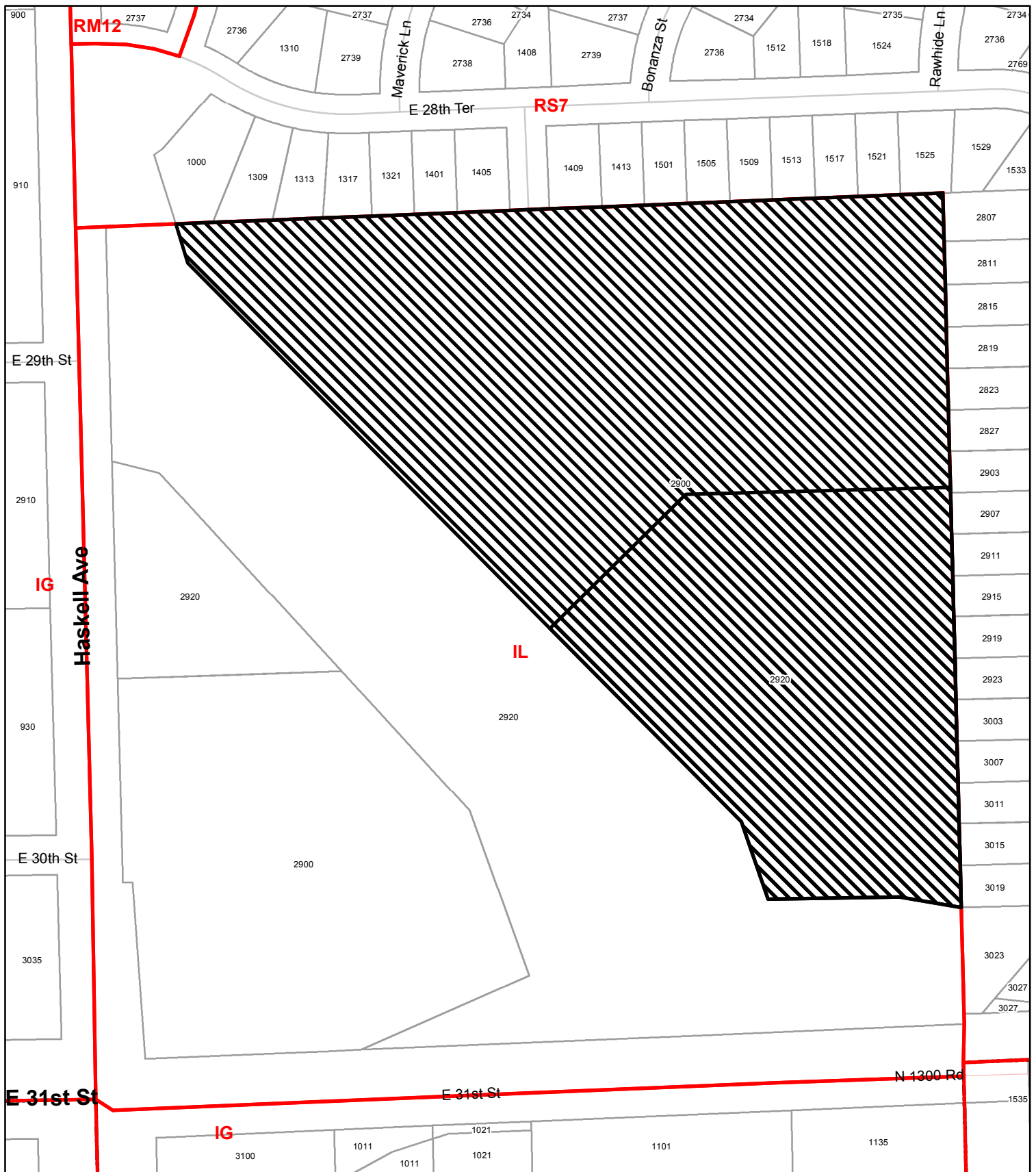
"Approval of this application will fill a need of the community for College and Career Center. The adjacent building will be used to expansion of the classroom at a later date."

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare.

Staff Finding – The proposed USD 497 College & Career Center cannot be developed in the current IL zoning district. The use is compatible with the nearby residential and nonresidential uses and will complement the proposed EDC Training Center to be located in the Hiper building to the south. Rezoning to GPI allows the development while providing increased safeguards to the abutting residential properties with the larger setback restrictions in the proposed district.


PROFESSIONAL STAFF RECOMMENDATION

This staff report reviews the proposed location for its compliance with the Comprehensive Plan, the Golden Factors, and compatibility with surrounding development. The rezoning request is compliant with recommendations in *Horizon 2020*. Staff recommends approval of the rezoning request for approximately 11.66 acres from IL (Limited Industrial) District to GPI (General Public and Institutional Use) District from and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.



Z-14-00108: Rezone 11.66 acres from IL District to GPI District
SUP-14-00110: Special Use Permit for Lawrence College
and Career Center

Lawrence-Douglas County Planning Office
 May 2014

 Subject Property



PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
05/21/14

ITEM NO. 9B: SPECIAL USE PERMIT; INSTITUTIONAL DEVELOPMENT PLAN; 2900 & 2920 HASKELL AVE (SMS)

SUP-14-00110: Consider a Special Use Permit for an Institutional Development Plan for the Lawrence College and Career Center, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). The project proposes the construction of a new two-phase structure containing 56,000 sq. ft. and associated parking and site improvements. Submitted by Landplan Engineering PA on behalf of Unified School District 497, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of SUP-14-00110, a Special Use Permit for Permit for an Institutional Development Plan for the Lawrence College and Career Center, a *Community Facility - School* use, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue) including approval of a waiver from Section 20-1307(c)(2)(ii) to provide two access points, based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Applicant shall provide a revised site plan with the following changes:
 - a. Graphically show the dedicated cross access easement provided from Haskell Avenue to proposed Lot 2.
 - b. Graphically show the dedicated utility easement for the existing sanitary sewer service line that connects the existing EDC building with the sanitary sewer main along the north property line.
 - c. Provide a note that indicates that either a temporary asphalt curb or wheels stops will be provided along the north edge of the Phase 1 northernmost parking bay.
 - d. Provision of an exhibit that identifies the extent of Phase 2 improvements and a note on the plan that indicates subsequent site plan revisions to the Institutional Development Plan may be processed administratively.
 - e. Provide a note on the plan that states lighting fixtures shall be provided with a full cut-off fixture and be directed down.
2. Review and approval of revised plan by City Public Works, Utilities and Parks staff.
3. Applicant shall provide a photometric plan including lighting fixture details for review and approval prior to issuance of a building permit.
4. Execution of a site plan performance agreement.
5. Filing of the approved IDP at the Register of Deeds and publication of an ordinance for the Special Use Permit.

Applicant's Reason for Request:

"The 30,000 sq. ft. center, to be located near 31st and Haskell Ave will support Career Pathways by replicating high-performance, 'real-world' workplace environments: providing specialty labs and studio areas for students to create, share, evaluate and revise thoughtful learning products; facilitating innovation and collaboration by creating venues that encourage creativity, research, ideation, prototyping and testing; offering flexible space planning, furniture reconfiguration and building systems so that teachers and students can adapt the environment to meet learning goals; promoting a common intellectual mission with transparency between learning environments that encourages

‘visible learning’ and collaborative reflection; and facilitating communication and presentation through robust audio-visual systems.”

KEY POINTS

- This property is proposed to be rezoned to the GPI (General Public & Institutional) District and contains more than 10 acres. Therefore approval is required through a Special Use Permit per Section 20-1307 of the Development Code.
- Section 20-1307(c)(2)(ii) indicates that educational development sites should have two access points; therefore a waiver from this standard is required as part of the SUP.
- This site plan shows both Lots 1 and 2 of the proposed subdivision, PP-14-00109 (Item No. 7C on this agenda). The proposed improvements will be located on Lot 1. Lot 2 will be redeveloped as the complementary Dwayne Peaslee Training Center by the EDC.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits and 20-1307, Institutional Development Plans.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- PP-14-00109: Preliminary Plat for LCCC and Peaslee Addition, a two-lot institutional and industrial subdivision.
- Z-14-00108: IL (Limited Industrial) District to GPI (General Public and Institutional Use) District, 11.66 acres.
- Planning Commission approval of Preliminary Plat.
- City Commission approval of rezoning and adoption of ordinance.
- City Commission approval of the Special Use Permit and adoption of ordinance.
- Administrative approval of a Final Plat.
- The approved Final Plat must be recorded with the Register of Deeds Office prior to release of the Special Use Permit for issuance of a building permit.
- Release of Special Use Permit site plan to Development Services for Building Permits.

ATTACHMENTS

1. Page Map
2. Institutional Development Plan
3. Applicant Letter - Momena

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Applicant indicated that 70% of high school students will be bussed from their primary high school sites to the center. Haskell Avenue is a major arterial street. Additional traffic volumes will be assessed prior to construction of Phase 2 and/or development of the EDC Training Center on the adjacent property.
- *Downstream Sanitary Sewer Analysis* – The revised downstream sanitary sewer analysis and cover letter dated May 1, 2014 provided by Landplan Engineering has been reviewed and is accepted for this project to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76.
- *Drainage Study* – The proposed improvements will decrease the existing impervious surface by 12.1%. Per Section 1.6 E.2.C of the City's Stormwater Management Criteria, no detention is required for this site.
- *Retail Market Study* – Not applicable to project.

PUBLIC COMMENT

- No public comment was received prior to the printing of this staff report.

GENERAL INFORMATION

Current Zoning and Land Use: IL (Limited Industrial) District – *proposed to be rezoned to GPI (General Public and Institutional District)*; parking lot and vacant portion of the former Hiper Technology property.

Surrounding Zoning and Land Use: To the north and east:
RS7 (Single-Dwelling Residential) District; *Detached Dwellings*

To the south and west:
IL (Limited Industrial) District; *vacant portion of former Hiper Technology parcel and Manufacturing Uses*

To the west across Haskell Avenue:
IG (General Industrial) District; *existing Industrial Uses and Gas & Fuel Sales*

Institutional Development Plan

Section 20-1307 states the purpose of the IDP is "*to provide a community vision for the long-term use and development of public institutional space and lands so that they are designed to be compatible with surrounding land uses and contribute to the neighborhood and character of the area in which they are located. Providing this community vision for institutional buildings and sites also allows adjacent and nearby property owners to anticipate future non-residential development patterns and plan for the use and enjoyment of their property accordingly.*" When sites are over 10 acres in size, the IDP is reviewed through the Special Use Permit process to provide public review of the proposed uses and site layout.

Summary of Special Use

The School District's design team provided the following description of the proposed use:

The College & Career Center (CCC) is an educational building that will house career based learning programs for high school juniors and seniors from Free State and Lawrence High Schools. Initial construction of approximately 31,500 sf will house the following career pathways: Health Science/Emergency Services, Bioscience/Forensic Science, Law & Government, Computer Integrated Manufacturing, Interactive Design, and Technology Solutions. The site has been arranged to provide for up to an additional 30,000 sf of future construction. It is the intent of the District and EDC to enter into a shared parking agreement to accommodate future demand in the combined facilities. *(Staff Note: The site plan has been revised since this description was provided and a more specific building size is identified on the plan.)*

Site Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE PROPOSED TOTAL QUANTITIES PER THE DEVELOPMENT FOR LCCC

| LCCC (phase1) Area (Sq. Ft.) | | Area (Sq. Ft.) | | % |
|------------------------------|-------------------|---------------------|-------------------|------|
| Existing Buildings | 0 | Proposed Buildings | 28,000 | 6% |
| Existing Pavement | 185,805 | Proposed Pavement | 45,933 | 9% |
| Existing Impervious | Subtotal: 185,805 | Proposed Impervious | Subtotal: 73,933 | 15% |
| Existing Pervious | 296,229.96 | Proposed Pervious | 408,102.96 | 85% |
| Property Area | 482,034.96 | | 482,034.96 | 100% |
| LCCC (phase2) Area (Sq. Ft.) | | Area (Sq. Ft.) | | % |
| Existing Buildings | 28,000 | Proposed Buildings | 56,000 | 12% |
| Existing Pavement | 45,933 | Proposed Pavement | 68,000 | 14% |
| Existing Impervious | Subtotal: 73,933 | Proposed Impervious | Subtotal: 124,000 | 26% |
| Existing Pervious | 408,102.96 | Proposed Pervious | 358,034.96 | 74% |
| Property Area | 482,034.96 | | 482,034.96 | 100% |

Site Plan Review

As noted above, the Institutional Development Plan provides an overall view of the anticipated development. The School District intends to construct the College & Career Center in two phases. In the first phase, the proposed two-story building will contain 28,000 square feet of classrooms, labs, studios and offices. The initial infrastructure will include an improved entrance drive from relocated Haskell Avenue with a drop-off area at the building entrance and 45 new parking spaces to the east of the entrance drive. The parking area will include a looped drive to also provide cross-access to the existing Hiper Technology building located on proposed Lot 2. That building will be remodeled to provide space for the proposed Dwayne Peaslee Training Center by the Economic Development Corporation (EDC). A separate site plan will be submitted for administrative review for those related site improvements.

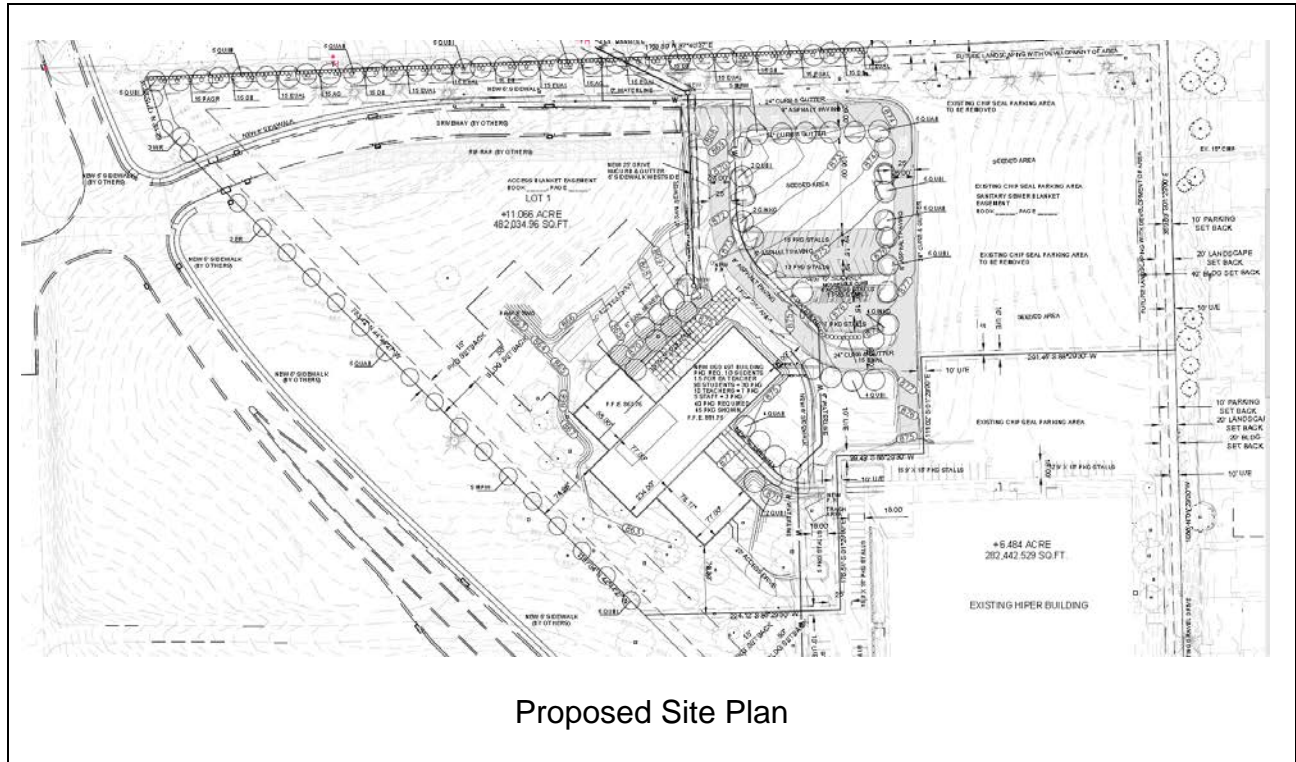
In the second phase, the LCCC building will be expanded to the northwest to provide an additional 28,000 square feet. Additional parking will be expanded to the north between the looped entrance drives to accommodate the additional uses. This SUP plan needs to be revised to provide a 'full build-out' exhibit to show the ultimate development. A revised site plan will be administratively reviewed prior to construction of Phase 2 building and parking improvements.

The District has indicated that a majority of the high school students will be transported by bus from their primary high school campus which will significantly reduce the initial parking demands. Additional spaces may need to be constructed when evening uses are provided at the site. As noted above, the District and EDC intend to enter into a shared parking agreement to accommodate future needs when both facilities are in operation.

Some of the site improvements will be constructed as part of the Haskell Avenue/K-10 interchange project. The majority of the new entrance drive (which will align with E 29th Street west of Haskell) and the new sidewalk along relocated Haskell Avenue will be constructed with

the highway project. The site construction will need to be coordinated with those improvements (noted on the plan as 'by others'.)

Approximately four acres in the northeastern corner of the site is currently paved and has been used as truck and trailer parking. The majority of this chip and seal area will be removed and seeded. This will provide a reduction in overall impervious surface and significant green space between the abutting residences and the new parking lot.



Landscaping and Screening

The site plan proposes planting a significant number of White Oak and Ginkgo trees. The City's Horticulture Manager has indicated that these are extremely slow growing, expensive and difficult to establish without extensive irrigation. She has provided suggestions to modify the species selection to include plants that are drought tolerant, cold hardy, indigenous to Kansas and contribute to the environmental/wildlife habitat at a reasonable cost to the project. She has suggested alternatives that provide an opportunity for the school site to be part of a learning corridor between the Baker Wetlands and Prairie Park. Modifications to the landscape plan have been requested. *(The applicant has provided a revised plan which addresses some of these comments. Additional review and discussion will be required prior to approval.)*

Street Trees: Street trees are provided along the relocated Haskell Avenue frontage.

Interior and Perimeter Landscaping: Interior parking lot landscaping is provided with end islands for the two parking bays to be constructed in the first phase as well as the future parking bays. This will provide an opportunity for the landscaping to mature and parking spaces to be added as needed. Trees are provided along the north side of the ultimate parking lot area and along the south side of the looped drive to provide a significant amount of landscaping in the initial construction phase.

Trees area also proposed northwest and southeast of the building. The trees northwest of the building are part of a landscaped plaza area between the first and second building phases.

Buffer Yard Requirements: This property is proposed to be rezoned to the GPI District. Section 20-1307(c)(2)(i)(a) requires provision of a Type 2 Buffer Yard for educational sites. The plan identifies a 40' wide building setback and 20' wide landscape setback along both the north and east sides of the property abutting the adjacent residential areas. Trees and shrubs are proposed along approximately two-thirds of the northern boundary to screen the initial phase of development. The plan indicates future landscaping will be provided along the remainder of the north boundary and the eastern boundary with future development. Staff has notified the applicant that additional shrubs may need to be added to fill in gaps in the existing tree line along the north boundary if headlights become an issue.

Mechanical Equipment: The site plan includes a note that indicates all mechanical equipment, whether roof mounted or ground mounted, will be appropriately screened.

Lighting

Additional details regarding the site lighting are required. The applicant intends to use building mounted lighting for this site. All lighting fixtures will need to be directed down and be provided with a full cut-off. A photometric plan and review of lighting fixture details is required to be provided for staff review and approval prior to issuance of a building permit.

Applicable Design Guidelines

There are no specific design guidelines applicable to this proposed improvement. Final elevations have not been prepared for this site at this time.

Access

Vehicular access to this site is provided from the new entrance at relocated Haskell Avenue, an arterial street. Section 20-1307(c)(2)(ii) indicates that educational development sites should have two access points, one from a residential collector street. This requirement is intended for neighborhood elementary or middle school sites. This site is intended to be a community-wide facility and access will be readily accessible via K-10 once the interchange and highway project are completed.

A public street is stubbed south of E 28th Terrace to the north boundary of this site. However, due to the anticipated community-wide draw, it does not seem appropriate to connect this site directly to the adjacent local neighborhood streets. Approval of the SUP plan should include a waiver from the requirement to provide two separate vehicular access points to the site.

Pedestrian Connectivity

A new 6' sidewalk will be constructed along the east side of Haskell Avenue. The applicant will construct a new 6' sidewalk along the north side of the entrance drive, as well as interior walks around the new building and connection to the EDC building. If additional connectivity is desired, a walk could be added between the entrance drive and the stub street that connects to E 28th Terrace to the north.

Floodplain

This property is not located within the regulatory floodplain.

1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE

The setbacks in the GPI District are as follows: Front— 40 feet; abutting R Districts – 40 feet; abutting non-R Districts – 15 feet. The site plan indicates that the proposed building is setback more than 50 feet from the substantial Haskell Avenue right-of-way. The proposed building is located approximately 100 feet from the new lot line creating the EDC property. The plan also identifies the required 40 foot building setback along the north and east property lines adjacent to the existing residential neighborhoods.

402,034.39 S.W.F.T

19 PKG STALLS
8 ASPHALT PAVING
13 PKG STALLS
NEW 12 SIDEWALK
NEW 8 SIDEWALK
NEW 6 SIDEWALK
NEW 4 SIDEWALK
NEW 2 SIDEWALK
NEW 1 SIDEWALK
NEW 1/2 SIDEWALK
NEW 1/4 SIDEWALK
NEW 1/8 SIDEWALK
NEW 1/16 SIDEWALK
NEW 1/32 SIDEWALK
NEW 1/64 SIDEWALK
NEW 1/128 SIDEWALK
NEW 1/256 SIDEWALK
NEW 1/512 SIDEWALK
NEW 1/1024 SIDEWALK
NEW 1/2048 SIDEWALK
NEW 1/4096 SIDEWALK
NEW 1/8192 SIDEWALK
NEW 1/16384 SIDEWALK
NEW 1/32768 SIDEWALK
NEW 1/65536 SIDEWALK
NEW 1/131072 SIDEWALK
NEW 1/262144 SIDEWALK
NEW 1/524288 SIDEWALK
NEW 1/1048576 SIDEWALK
NEW 1/2097152 SIDEWALK
NEW 1/4194304 SIDEWALK
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A photometric plan is required prior to issuance of a building permit. The plan will be submitted for staff review and should include lighting fixture details. Full cut-off fixtures are required to limit off-site glare. As noted earlier, staff has indicated additional shrubs may need to be planted along the north or east property lines to fill in 'gaps' in the existing tree line if headlights from the parking lot become a problem for adjacent residents.

Section 20-1307(c)(2)(ii) indicates that educational development sites should have two access points, one from a residential collector street. As noted above, this requirement is intended for neighborhood elementary or middle school sites. This site is intended to be a community-wide

facility and access will be readily accessible via K-10 once the interchange and highway project are completed. Approval of the SUP plan should include a waiver from the requirement to provide two separate vehicular access points to the site.

Staff Finding –As conditioned and with the Commission waiver from the second access requirement, the Special Use Permit site plan complies with the requirements set out in the Development Code.

2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS

Applicant's Response: *Yes, this proposed use in terms of scale and site design fit in the corner lot. The amount of green space that surround the proposed use help buffer the light and noise that could be generated by this use.*

The proposed use of the property will intensify the activity on-site, but should be similar in character to the past office/manufacturing uses. The new structure is being located to face Haskell Avenue and away from the adjacent residential uses. Significant improvements in terms of reduced pavement areas and new landscape materials will create a campus environment with the redevelopment of the EDC property.

Staff Finding – The proposed educational facility will be compatible with adjacent uses.

3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED

Applicant's Response: *No, this lot will not change the surrounding property values of residential uses. The development will provide a useful service to the surrounding community.*

The proposed LCCC will establish a community-wide service located at the new Haskell Avenue/K-10 interchange. The location allows the facility to be easily accessed and will provide increased investment in a gateway improvement into the community.

Staff Finding – The construction of the College & Career Center is not anticipated to result in any diminution of value of other property in the neighborhood and represents added investment in the Haskell Avenue corridor.

4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT

A new public water line and sanitary sewer main will be extended into the property to serve the College & Career Center. The existing sanitary service line from the Hiper building to the sanitary main along the north property line crosses the existing chip & seal parking area that is to be seeded with Phase 1 improvements. The EDC has proposed that the service line be permitted to remain in place with an agreement for maintenance if repairs are needed in the

future instead of extension of the sanitary sewer main all the way south to the existing building. An administrative waiver will need to be approved for this request before the Special Use Permit and plat can be completed. The applicant has indicated that a blanket sanitary sewer easement will be dedicated. The Utilities Engineer has indicated that the service line must be field verified and a specific utility easement dedicated for that location.

As noted above, the proposed improvements will be coordinated with the construction of the relocated Haskell Avenue as part of the highway interchange improvements. A portion of the new entrance drive will be constructed with the street improvements. As part of the preliminary plat of the property, a dedicated cross access easement will be required to provide access for proposed Lot 2 to Haskell Avenue.

Staff Finding – As conditioned, sufficient safety, transportation and utility facilities will be available to serve the subject property.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

This proposed development will be owned and operated by USD 497. The SUP plan provides the overall scope for the development. A revised site plan will be required prior to construction of Phase 2 improvements. A separate site plan will be administratively reviewed for the development of the Peaslee Training Center that is owned by the Economic Development Corporation of Lawrence and Douglas County.

Staff Finding – The site plan documents will function as the enforcement tools to assure that maintenance and use of the property is consistent with the approval.

6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT

Applicant's Response: *There will be no impacts to the natural environment. The development will clean up vacant ground.*

The proposed building is designed to take advantage of the natural terrain with access at each level. The parking and looped drive areas are located on the plateau at the top of the site. A number of existing trees are located along the Haskell frontage and should be retained with this development.

Staff Finding – The proposed use should not cause significant adverse impacts on the natural environment.

7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO WHAT THAT TIME PERIOD SHOULD BE.

Time limits are established on Special Use Permits to permit a periodic review to determine if the use remains compliant with the area or if a rezoning would be appropriate. The SUP review process is required because the property proposed to be rezoned to the GPI District exceeds 10 acres. The Institutional Development Plan serves as the master plan for this facility and provides

the public with a long-range view of the site development. It would not be appropriate to place a time limit on this use.

Staff Finding – The SUP process is required by the Development Code due to the size and zoning of the property. It would not be appropriate to place a time limit on this use.

Conclusion

The proposed improvements will positively impact the area by providing community-wide training services in the area. The development will also provide an improved gateway at the Haskell Avenue/K-10 interchange. The use is compatible with, and appropriate for this location. Staff recommends approval of the Special Use Permit as conditioned.



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17 March 2014

Scott McCullough
Planning and Development Services
City of Lawrence
6 East 6th Street
Lawrence, Kansas 66044

Lawrence USD 497 – College and Career Center

Dear Scott:

Lawrence USD 497 and the design team are pleased to make application to the City of Lawrence for review and approval of plans to develop a new College and Career Center building at 29th Street and Haskell. In addition to the plans that have been provided for this application, we offer the following supplemental information to further describe the intended use of the facility.

Building Use. The College and Career Center (CCC) is an educational building that will house career based learning programs for high school juniors and seniors from Free State and Lawrence High Schools. Initial construction of approximately 31,500 sf will house the following career pathways: Health Science/Emergency Services, Bioscience/Forensic Science, Law & Government, Computer Integrated Manufacturing, Interactive Design, and Technology Solutions. The site has been arranged to provide for up to an additional 30,000 sf of future construction.

Parking. Normal student capacity for the building will be 150 students. Maximum student building capacity will be 200 students. It is anticipated that 70 percent of students will be bussed to and from their home high schools leaving an estimated 45 to 60 students parking at the facility. There will be 9 to 12 faculty and administrative staff parking requirements. Normally 12 to 15 visitors/mentors may be at the facility at any one time. The maximum anticipated requirement for parking during a normal day totals 87 vehicles. Events may require parking for up to 125 vehicles. 120 parking stalls have been identified in the initial phase of construction on the site plan.

Additional parking will be provided as indicated on the plan once increased capacity is required to serve the phase two expansion. The plan identifies approximately 75 parking stalls on the adjacent Hiper building site which more than meet the current needs of that facility. It is the intent of the District and EDC to enter into a shared parking agreement to accommodate future demand in the combined facilities.

Phased Site Development. The District will construct initial parking as indicated above to City standards. Driveways, sidewalks and landscape buffering will be provided as required by the City for the portion of the site that will be developed in the initial phase. The District will remove the existing gravel lot and seed the area as open space. It is the



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intent that future parking will be added in the area indicated on the plan as that parking is required with future development. The seeded open space will serve as a buffer between adjacent properties and the new parking until future development occurs.

District/City Cost Sharing. It is the intent of the District to develop an agreement with the City to equitably share utility and sidewalk costs for the site. Those discussions are ongoing.

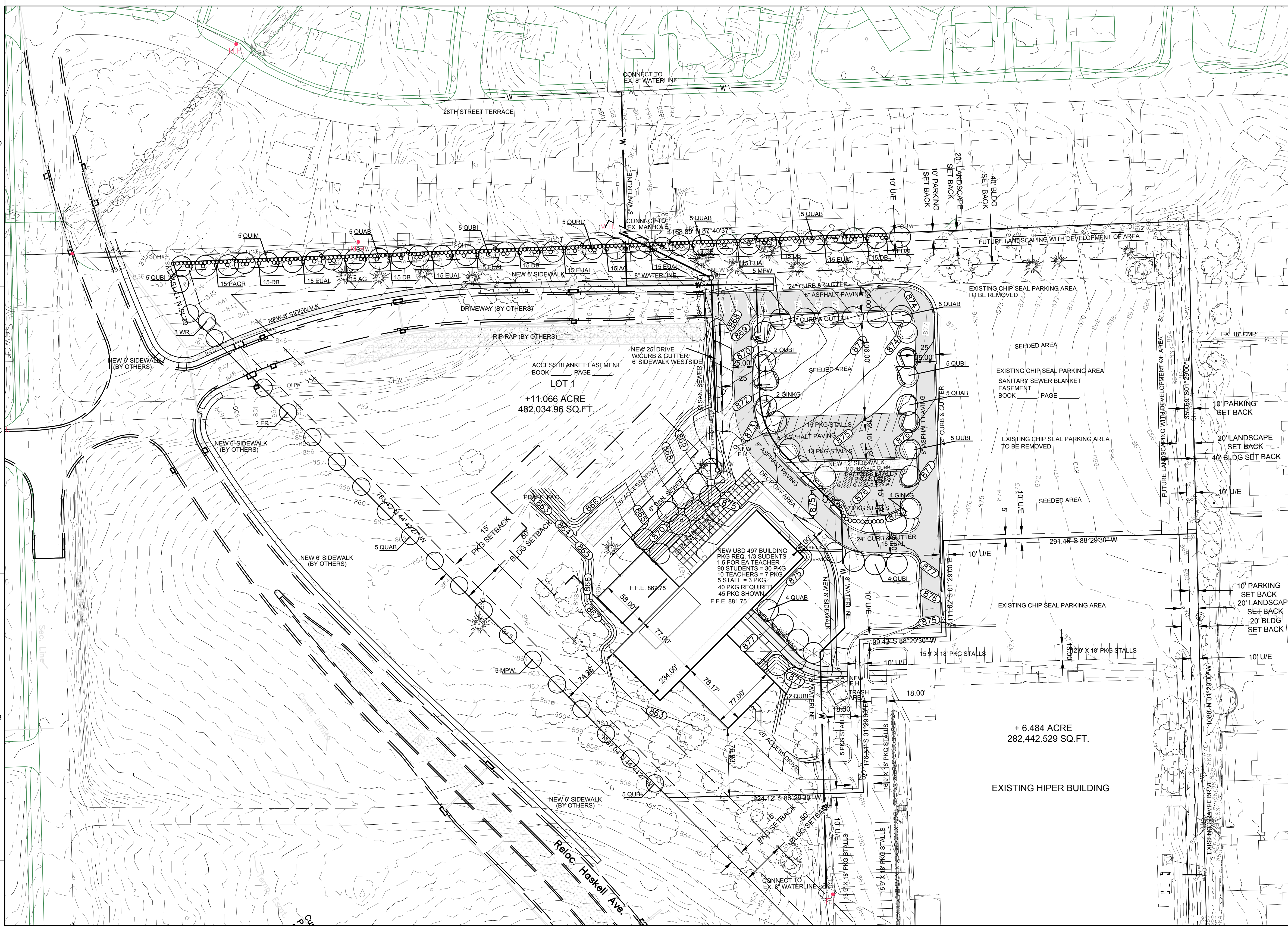
Neighborhood Meeting. The District and design team held an open house for neighbors on 11 March 2014. Property owners within 500 feet of the site were notified of the open house. Five neighbors attended.

The District and design team appreciate the availability and cooperation received by City professionals as we have embarked on this project. We are available to respond to any questions you may have regarding this submittal.

Best Regards,

Gary A Nevius, AIA
Principal

CC: Kyle Hayden, Patrick Kelly, Dean Youngers (USD 497)
Dan Sabatini, AIA (Sabatini Architects)



| Landscape Schedule | | | |
|--------------------|-------|--|---------------------|
| QTY | ID | DESCRIPTION | SIZE/CONDITION |
| 33 | QUBI | QUERCUS BICOLOR Swamp White Oak; | 2-1/2" CALIPER; B&B |
| 6 | GINKG | GINKGO L. Ginkgo | 2-1/2" CALIPER; B&B |
| 2 | ER | EASTERN REDBUD Cercis canadensis | 1-1/2" CALIPER; B&B |
| 3 | WR | WHITE REDBUD Cercis canadensis 'Alba' | 1-1/2" CALIPER; B&B |
| 34 | QUAB | QUERCUS ALBA White Oak | 2-1/2" CALIPER; B&B |
| 5 | QUIM | QUERCUS IMBRICARIA Shingle Oak | 2-1/2" CALIPER; B&B |
| 5 | QURU | QUERCUS RUBRA Northern Red Oak | 2-1/2" CALIPER; B&B |

| QTY | ID | DESCRIPTION | SIZE/CONDITION |
|-----|------|---|---------------------|
| 10 | MPW | MALCLURA POMIFERA 'Whiteshield' White Shield Osage | 2-1/2" CALIPER; B&B |
| 45 | AG | ANDROPOGON GERARDI Bluestem Grass | 5 GAL. CONT. |
| 60 | DB | ILEX GLABRA 'Shamrock' Shamrock Inkberry; | 5 GAL. CONT. |
| 112 | EUAL | EUONYMUS ALATUS 'COMPACTUS' Burning Bush | 5 GAL. CONT. |
| 15 | PAGR | CORTADERIA SELLOANA Pampas Grass | 5 GAL. CONT. |

General Notes

- EXISTING ZONING: IL
- PROPOSED ZONING: GPI
- CURRENT USE: INDUSTRIAL USE / PARKING LOT
- TOPOGRAPHIC INFORMATION OBTAINED FROM A AERIAL SURVEY PERFORMED BY M.J. HARDEN & LANDPLAN ENGINEERING, 2013.
- PROPOSED DRIVE AND PARKING AREAS TO HAVE CURB AND GUTTER TO MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
- ASPHALT PAVEMENT SHALL MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
- PROPOSED CONCRETE PAVEMENT TO BE 4" PORTLAND CEMENT CONCRETE ON COMPACTED SUBGRADE UNLESS OTHERWISE NOTED.
- PROPOSED STORM STRUCTURES SHALL MEET OR EXCEED CITY OF LAWRENCE MINIMUM STANDARDS.
- WALL MOUNTED LIGHTING SHALL BE LOCATED AT BUILDING ENTRANCES. ALL LIGHTING SHALL BE SHIELDED TO PREVENT GLARE OFF-SITE.
- THE CITY OF LAWRENCE SHALL NOT BE RESPONSIBLE FOR DAMAGE TO PAVEMENT DUE TO THE WEIGHT OF REFUSE VEHICLES.
- THIS SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES. APPENDIX A TO 28 CFR PART 36.
- ACCESSIBLE SPACES ARE TO BE SIGNED AND STENCILED PER ORDINANCE 20-912(g).
- PER SECTION 20-1006(b): EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITIES BOXES AND METERS, SHALL BE FULLY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND FROM STREET RIGHTS-OF-WAY (AS MEASURED 6 FEET ABOVE GROUND LEVEL). SCREENING SHALL BE IN THE FORM OF LANDSCAPE PLANTINGS OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE ARCHITECTURE OF THE PRINCIPAL BUILDING.
- ISLANDS WILL BE PLANTED WITH SHRUBS OR GROUNDCOVER WHERE NO TREES ARE PLANTED. AS NOTED, 20-1003(v)(5) REQUIRED A MIXTURE OF TWO OR MORE PLANT MATERIALS-NOT AN EITHER/OR SITUATION.
- SITE PLAN INCLUDES IMPROVEMENTS ON LOT 1 AND A PORTION OF LOT 2. LAWRENCE COLLEGE CAREER CENTER & THE DWAYNE PEASLEE TECHNICAL TRAINING CENTER.
- A REVISED SITE PLAN WILL BE SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR PHASE 2 IMPROVEMENTS.

Interior Parking Lot Landscaping

THE DATA PROVIDED IN THE FOLLOWING TABLE REPRESENTS THE INTERIOR PARKING LOT LANDSCAPE PROVIDED PER PROPOSED PARKING LOT.

| Interior Parking Lot Landscape Requirements | |
|--|---------------------------|
| Number of Stalls x 40 s.f. = Required Interior Landscaping | |
| LAWRENCE COLLEGE AND CAREER CENTER | |
| Parking Stalls | 45 |
| Interior Parking Lot Landscape Required | 40 s.f. x 40 stalls=1,800 |
| Interior Parking Lot Landscape Provided | 25,216 |

Building Use

| | | |
|-------------------|----------------------|--|
| FACULTY: | 1 STALL/1.5 TEACHERS | 15/1.5=10 |
| VISITOR: | 1 STALL/1 VISITOR | 00/0 = 1 |
| STUDENTS: | | |
| FULL-TIME: | | |
| 10-12: | 1 STALL/3 STUDENTS | 90/3 = 30 |
| COLLEGE STUDENTS: | 1 STALL/1.5 STUDENTS | 50/1.5 = 34 (EVENING CLASS AFTER 6 PM) |

Parking Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE REQUIRED PARKING, PER USE IN THE DEVELOPMENT, FOR LAWRENCE COLLEGE AND CAREER CENTER.

| | |
|-------------------------------------|-------------------------------------|
| Use: School (GPI) | 1 stall per 1.5 teachers/employees. |
| | 1 stall per 3 students. |
| Teachers/Employees | 15/1.5=10 stalls |
| Students | 90/3=30 stalls |
| Required parking | 10+30=40 required stalls |
| Existing parking | 5 existing stalls |
| Provided parking | 45 proposed stalls |
| Accessible stalls required (2 Van.) | 4 |
| Accessible stalls provided | 4 (Van/Auto) |

Site Summary

THE DATA WITHIN THE FOLLOWING TABLE REPRESENTS THE PROPOSED TOTAL QUANTITIES PER THE DEVELOPMENT FOR LOCC.

| LOCC (phase1) | | Area (Sq. Ft.) | Area (Sq. Ft.) | % |
|---------------------|-------------------|---------------------|----------------------|------|
| Existing Buildings | 0 | Proposed Buildings | 28,000 | 6% |
| Existing Pavement | 185,805 | Proposed Pavement | 45,933 | 9% |
| Existing Impervious | Subtotal: 185,805 | Proposed Impervious | Subtotal: 73,933 | 15% |
| Existing Pervious | 296,229.96 | Proposed Pervious | Subtotal: 408,102.96 | 85% |
| Property Area | 482,034.96 | | 482,034.96 | 100% |
| LOCC (phase2) | | Area (Sq. Ft.) | Area (Sq. Ft.) | % |
| Existing Buildings | 28,000 | Proposed Buildings | 56,000 | 12% |
| Existing Pavement | 45,933 | Proposed Pavement | 68,000 | 14% |
| Existing Impervious | Subtotal: 73,933 | Proposed Impervious | Subtotal: 124,000 | 26% |
| Existing Pervious | 408,102.96 | Proposed Pervious | 358,034.96 | 74% |
| Property Area | 482,034.96 | | 482,034.96 | 100% |

Legal Description

A TRACT OF LAND IN LOT 1 KING INDUSTRIAL PARK SUBDIVISION, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 37 MARY'S LAKE ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY KANSAS; THENCE SOUTH 01°29'00" EAST, ALONG THE WEST LINE OF SAID MARY'S LAKE ADDITION 359.99 FEET THENCE SOUTH 88°29'30" WEST, 291.45 FEET, THENCE SOUTH 01°29'00" WEST, 111.02 FEET, THENCE SOUTH 88°29'30" WEST, 99.43 FEET, THENCE SOUTH 01°29'00" WEST, 176.51 FEET, THENCE S 88°29'30" WEST, 224.12 FEET, TO THE EASTERLY LINE OF A PERMANENT ROADWAY RIGHT OF WAY EASEMENT DESCRIBED IN TRACT 36 OF DOUGLAS COUNTY DISTRICT COURT CASE 13-CV-51; THENCE NORTH 44°44'27" WEST, ALONG SAID RIGHT-OF-WAY EASEMENT, 783.42 FEET, THENCE NORTH 17°12'28" WEST, 82.15 FEET, TO THE SOUTH LINE OF CHAPARRAL, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE NORTH 87°40'37" EAST, 1168.89 FEET ALONG THE SOUTH LINE OF SAID CHAPARRAL AND THE SOUTH LINE OF LOT 39 IN SAID MARY'S LAKE ADDITION TO BEGINNING POINT OF BEGINNING, CONTAINS 11.066 ACRES, MORE OR LESS, TO BE PLATTED AS LOT 1, LAWRENCE COLLEGE CAREER CENTER & THE DWAYNE PEASLEE TECHNICAL TRAINING CENTER.

A Special Use Permit for

**LAWRENCE
COLLEGE & CAREER
CENTER
USD 497**
Lawrence, Kansas



11011 Cody Street
Suite 175
Overland Park, KS 66210
913.317.6772

www.MOMENTApa.com

Associate Architect
Sabatini Architects
730 New Hampshire St. #233
Lawrence, KS 66644

Civil
Landplan Engineering
1600 Genessee St.
Kansas City, MO 64102

MEP
Henderson Engineers
8345 Lenexa Dr. #300
Lenexa, KS 66214

Structural
KH Engineering Group
15377 West 95th St.
Lenexa, KS 66219



**Lawrence College &
Career Center**
Lawrence Kansas

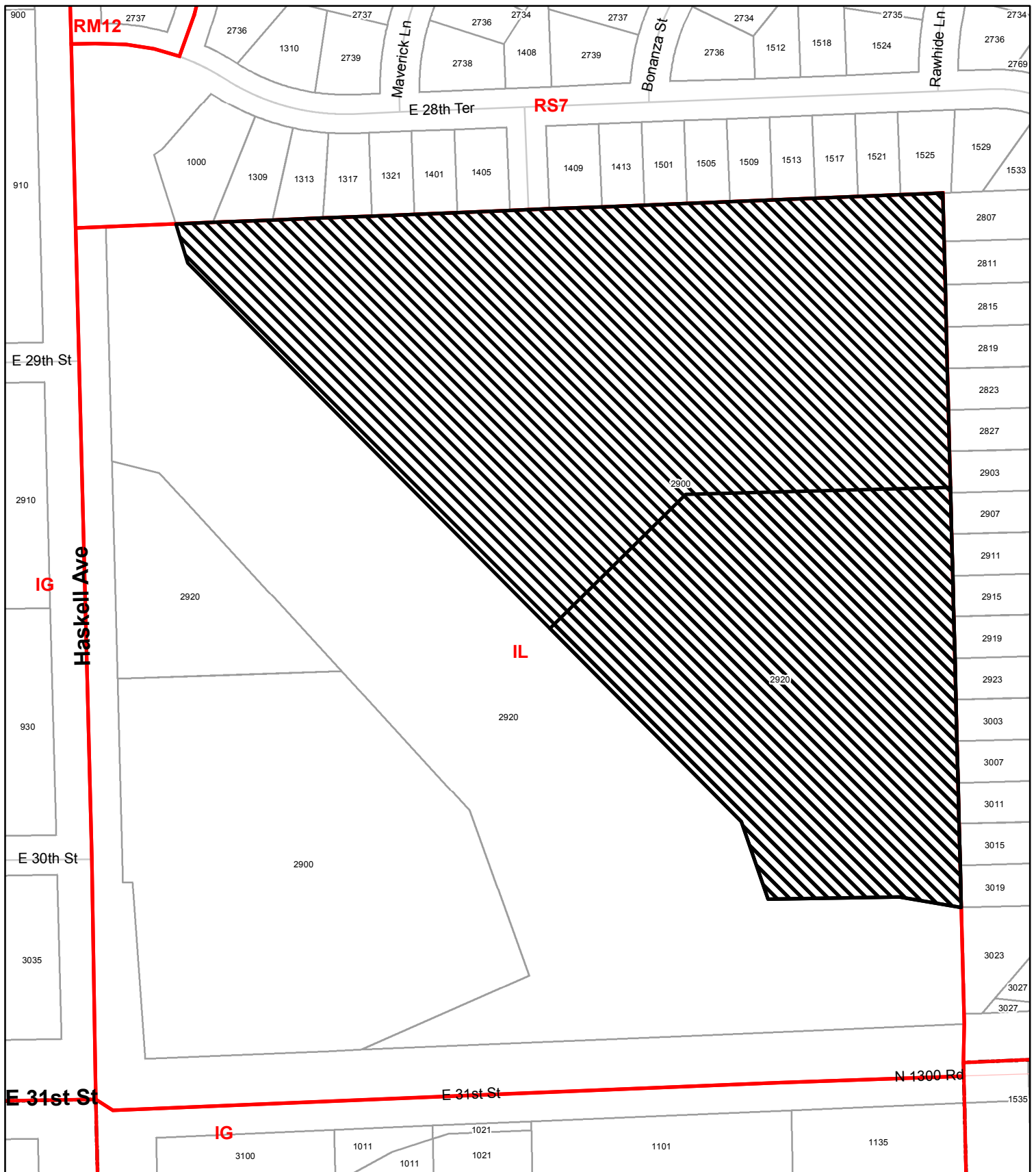
Project #: 20133030
Date: 3.17.14

| Revision Schedule | | |
|-------------------|---------------------|-------------|
| Number | Description | Date Issued |
| 1 | Parking Lot Updated | 4.10.14 |
| 2 | City Planning Rev. | 5.6.14 |
| 3 | City Planning Rev. | 5.7.14 |
| 4 | City Planning Rev. | 5.13.14 |

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**SPECIAL USE
PERMIT**

SUP100



Z-14-00108: Rezone 11.66 acres from IL District to GPI District
SUP-14-00110: Special Use Permit for Lawrence College
and Career Center

Lawrence-Douglas County Planning Office
 May 2014

 Subject Property



PLANNING COMMISSION REPORT
Regular Agenda – Non-Public Hearing Item

PC Staff Report
PP-14-00109

ITEM NO. 9C: PRELIMINARY PLAT FOR LCCC & PEASLEE ADDITION; 2900 & 2920 HASKELL AVE (SMS)

PP-14-00109: Consider a Preliminary Plat for LCCC and Peaslee Addition, a two-lot institutional and industrial subdivision, located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). Submitted by Landplan Engineering PA on behalf of Unified School District 497 and the Economic Development Corporation of Lawrence & Douglas County, property owners of record.

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat of the LCCC and Peaslee Addition subject to the following condition:

1. Applicant shall provide a revised preliminary plat with the following changes:
 - a. Graphically show the proposed dedication of a cross access easement from Haskell Avenue to proposed Lot 2.
 - b. Graphically show the proposed utility easement for the existing sanitary sewer service line that connects the existing EDC building with the sanitary sewer main along the north property line of Lot 1.
 - c. Provide a note on the face of the preliminary plan indicating the date of approval of the waiver request from Section 19-214 of the City Code.
 - d. Correction of the legal description as noted by the City's GIS Coordinator in review.
 - e. Correction of plat to remove 29th Street label from the entrance drive.

Reason for Request: *Subdivision requirement prior to construction.*

KEY POINTS

- The property is a portion of Lot 1, King Industrial Park Subdivision, due to right-of-way acquisition for the relocation of Haskell Avenue and 31st Street related to the completion of K-10 highway.
- This request is being considered concurrently with an application for rezoning [Z-14-00108] and a Special Use Permit for an Institutional Development Plan [SUP-14-00110] on proposed Lot 1.

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

- Z-14-00108: IL (Limited Industrial) District to GPI (General Public and Institutional Use) District, 11.66 acres.
- SUP-14-00110: Special Use Permit for an Institutional Development Plan for the Lawrence College & Career Center located at 2900 & 2920 Haskell Ave (east of the proposed relocated Haskell Avenue). The project proposes the construction of a new two-phase structure containing 56,000 sq. ft. and associated parking and site improvements.

Other action required:

- Planning Commission consideration and recommendation of rezoning request.
- City Commission approval of rezoning request and adoption/publication of ordinance.
- Planning Commission consideration and recommendation of Special Use Permit application.
- City Commission approval of Special Use Permit application, SUP-14-00110, and adoption/publication of ordinance.
- Submittal and administrative approval of a site plan for Lot 2 improvements prior to release of Building Permits.
- Administrative approval of the Final Plat.
- Recording of the Final Plat with the Douglas County Register of Deeds.
- Application and release of Building Permits prior to development.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Applicant indicated that 70% of high school students will be bussed from their primary high school sites to the center. Haskell Avenue is a major arterial street. Additional traffic volumes will be assessed prior to construction of Phase 2 and/or development of the EDC Training Center on the adjacent property.
- *Downstream Sanitary Sewer Analysis* – The revised downstream sanitary sewer analysis and cover letter dated May 1, 2014 provided by Landplan Engineering has been reviewed and is accepted for this project to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76.
- *Drainage Study* – The proposed improvements will decrease the existing impervious surface by 12.1%. Per Section 1.6 E.2.C of the City's Stormwater Management Criteria, no detention is required for this site.
- *Retail Market Study* – Not applicable to project.

PUBLIC COMMENT

No public comment was received prior to publication of this staff report.

Site Summary

| | |
|--------------------------|--|
| Gross Area: | 17.55 acres |
| Number of Existing Lots: | Portion of Lot 1, King Industrial Park Subdivision |
| Number of Proposed Lots: | 2 lots |
| | Lot 1 – 11.066 acres [proposed GPI District] |
| | Lot 2 -- 6.484 acres [IL District] |
| Right-of-Way Dedicated: | None -- [r-o-w has been previously dedicated and/or recently acquired for planned r-o-w improvements in this immediate area] |

GENERAL INFORMATION

Current Zoning and Land Use: IL (Limited Industrial) District; parking lot and vacant portion of the former Hiper Technology property.

Surrounding Zoning and Land Use: To the north and east:
RS7 (Single-Dwelling Residential) District; *Detached Dwellings*

To the south and west:
IL (Limited Industrial) District; *vacant portion of former Hiper Technology parcel and Manufacturing Uses*

To the west across Haskell Avenue:
IG (General Industrial) District; *existing Industrial Uses and Gas & Fuel Sales*

STAFF REVIEW

This property is part of the King Industrial Park Subdivision which was platted in 1979. The property is a parcel created after the acquisition of right-of-way for the relocation of Haskell Avenue and 31st Street as part of the K-10 highway improvements. The southern portion of the property is developed with the existing Hiper Technology building (former King Radio/Allied Signal/Honeywell) which has been acquired by the Economic Development Corporation of Lawrence and Douglas County (EDC) for the Dwayne Peaslee Training Center. The northern portion of the property includes a large chip & seal parking/truck storage area and undeveloped property that has been acquired by USD 497 for the development of the Lawrence College & Career Center.

Compliance with Zoning Regulations for the proposed GPI District and IL District

Lot 1 contains approximately 11 acres and exceeds the minimum 5 acre lot size in the GPI District. The property is not encumbered by the regulatory floodplain. Minimum setbacks are established in Article 6 of the Development Code and are considered in the Institutional Development Plan review.

Lot 2 is currently zoned IL and contains approximately 6.48 acres. The minimum lot size in the IL District is 20,000 square feet. The proposed lot line between the two lots is located so that the existing building conforms to the minimum 15' setback required in the IL District.

The proposed lots comply with the Dimensional Standards in Section 20-601(b).

Streets and Access

The property is located on the northeast corner of relocated Haskell Avenue and E 31st Street. Both streets will continue to function as principal arterials in the area. The right-of-way has been acquired by KDOT as part of the K-10 improvement project. There is no dedication of right-of-way proposed with this preliminary plat.

A new entrance drive to this property will be constructed as part of the relocation of Haskell Avenue construction. The access will be located at the northern end of Lot 1. No access is proposed to E 31st Street. There is a significant grade differential between the south property line and the street.

A cross access easement will need to be dedicated to provide access from the public street to Lot 2.

Utilities and Infrastructure

A new public water line and sanitary sewer main will be extended from the north to serve the proposed development on Lot 1. Lot 2 currently has a sanitary sewer service line from the existing building that connects to the public main located along the north property line of Lot 1. This service line does not comply with current City Code in that it will cross a separate lot once the property is platted. The Utilities Department has indicated that once the service line location, depth and condition are field verified, an easement can be dedicated to allow this line to remain in service instead of constructing a main to the existing building. The applicant will need to request a waiver from Section 19-214 of the City Code for this exception. Approval of this waiver will need to be noted on the face of the preliminary plat.

Easements and Rights-of-way

The preliminary plat indicates that new 15' utility easements will be provided along the south and west boundaries of the property as well as new internal 15' easements for the water and sanitary sewer extensions. A 10' perimeter easement is provided along the east boundary. An existing 15' easement is located along the north boundary of Lot 1. The plat proposes to vacate 5' of this easement leaving a 10' easement. An additional 15' of easement remains along the south side of the abutting residential subdivision, resulting in a total easement width of 25'.

The existing King Industrial Park Subdivision included a 25' gas line easement that crossed the property diagonally from the northeast corner to the southwest corner. The gas line no longer exists and the easement will be vacated with this plat.

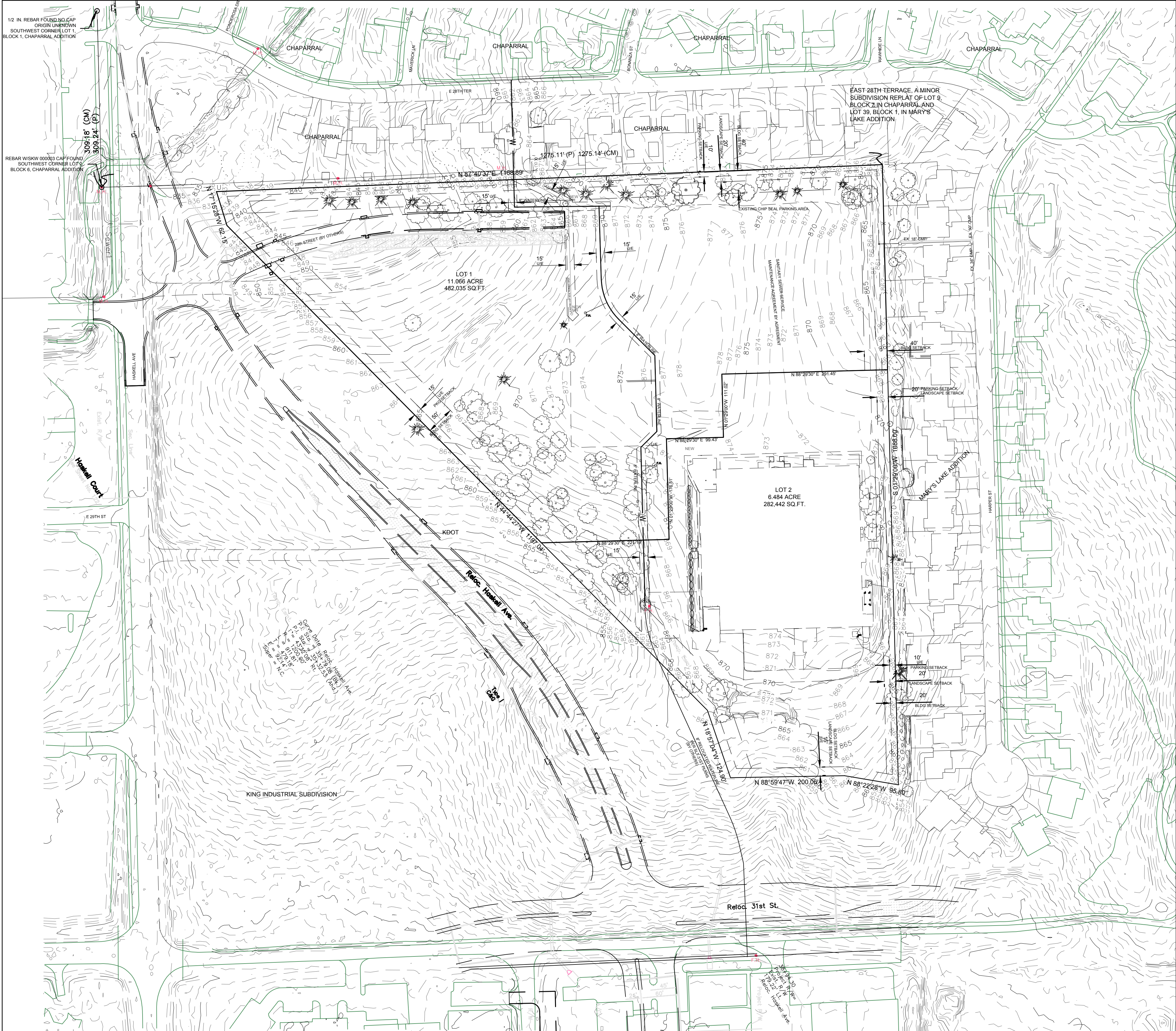
As noted above, no new street right-of-way is dedicated with this plat.



Preliminary Plat shows perimeter easements and interior easements between Lot 1 and Lot 2 for water line extension and sanitary sewer extension into Lot 1.

The preliminary plat is an essential element in the development process. Minor revisions to the legal description bearings along the east and south sides of Lot 2 are needed. Conditions have been recommended to reflect the necessary dedication of cross access for Lot 2 and to identify the necessary waiver and dedication of utility easement to accommodate the existing sanitary sewer service line that serves the existing building but crosses Lot 1 to access the public main.

With the noted conditions, the preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code.

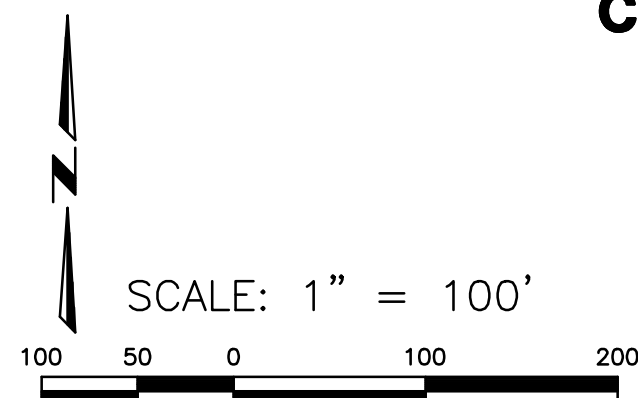


Benchmarks

BM1 CHISLED "□" S.E. CORNER OF CONCRETE PAD WITH ELECTRIC BOX ON IT AT S.E. CORNER OF BUILDING ELEV. 874.00
BM2 CHISLED "⊠" ON TOP OF RETAINING WALL AT SOUTH END OF WALL AT S.W. CORNER OF BUILDING ELEV. 873.21

Legend

- | | | | |
|----|-----------------|-----|------------------------|
| BM | BENCH MARK | UGT | UNDER GROUND TELEPHONE |
| MH | MANHOLE | UGE | UNDER GROUND ELECTRIC |
| CH | FIRE HYDRANT | W | WATERLINE |
| ★ | CONIFEROUS TREE | STM | STORM SEWER LINE |
| ○ | DECIDUOUS TREE | SAN | SANITARY SEWER LINE |
| | | | TREELINE |



General Notes

- DEVELOPER: USD 497
110 McDONALD DRIVE
LAWRENCE, KANSAS 66044
- OWNER: USD 497 & ECONOMIC DEVELOPMENT CORP OF LAWRENCE & DOUGLAS COUNTY
 - LAND PLANNER/ENGINEER/LAND SURVEYOR: LANDPLAN ENGINEERING, P.A.
1310 WAKARUSA DRIVE
LAWRENCE, KS 66049
 - PROPERTY ADDRESS: 29th & HASKELL AVE.
LAWRENCE, KS 66044
 - TYPICAL SOIL TYPES:
MARTIN SILTY CLAY LOAM, 3 TO 7 PERCENT SLOPES
MARTIN SOILS, 3 TO 7 PERCENT SLOPES, ERODED
OSKA SILTY CLAY LOAM, 3 TO 6 PERCENT SLOPES
WOODSON SILT LOAM, 1 TO 3 PERCENT SLOPES
 - TOPOGRAPHIC INFORMATION OBTAINED FROM FIELD SURVEY PERFORMED BY LANDPLAN ENGINEERING, NOVEMBER 2014.
 - EXISTING LAND USE: INDUSTRIAL USE
 - PROPOSED LAND USE: SCHOOL AND INDUSTRIAL USE
 - EXISTING ZONING: IL
 - PROPOSAL ZONING GPI & IL
 - DEVELOPER IS RESPONSIBLE FOR THE COST OF ANY RELOCATION OF EXISTING UTILITIES, TO SERVE THE PROPOSED SUBDIVISION.
 - ALL NEW TELEPHONE, CABLE TELEVISION AND ELECTRICAL LINES MUST BE LOCATED UNDERGROUND.
 - A PUBLIC ACCESS EASEMENT SHALL BE DEDICATED ACROSS THE PROPERTY BETWEEN LOT 1 & LOT 2 FROM HASKELL AVE. PRIOR TO FINAL APPROVAL OF FINAL PLAT.

Site Summary

GROSS AREA: 764,478 SF / 17.550 AC
RIGHTS-OF-WAY AREA: 0 SF / 0.000 AC
NET AREA: 764,478 SF / 17.550 AC
AVG. LOT SIZE: 382,239 SF / 8.775 AC
TOTAL LOTS: 2

GPI ZONING AREA (LOT 1): 482,035 SF / 11.066 AC
IL ZONING AREA (LOT 2): 282,442 SF / 6.484 AC

Provisions of Financing of Roads, Sewer, Water and other Public Services

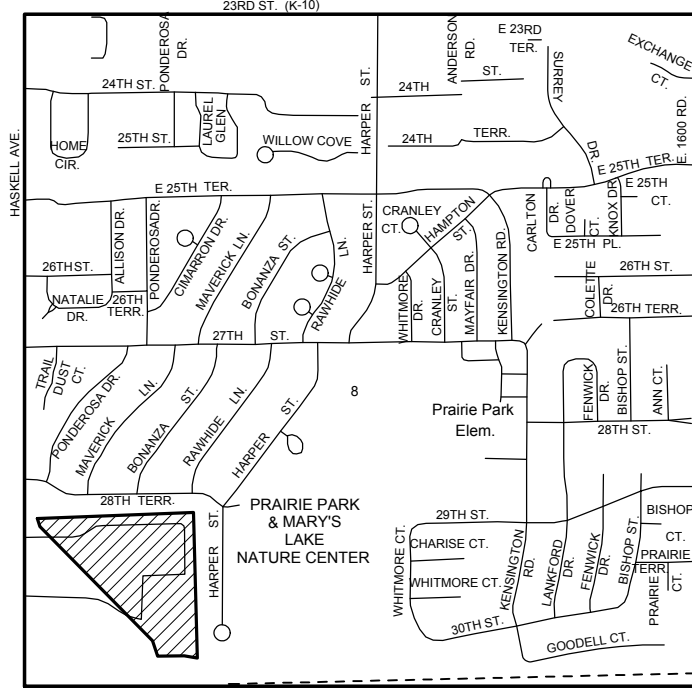
- THE SUBDIVISION WILL NOT HAVE NEW PUBLIC OR PRIVATE STREETS.
- THE SUBDIVISION WILL PROVIDE A CONNECTION TO THE EXISTING WATER LINE ON E. 28TH TERRACE. THIS WATER LINE CONNECTION WILL BE PROVIDED BY PRIVATE FINANCING.
- THE SUBDIVISION WILL PROVIDE A CONNECTION TO THE EXISTING SANITARY SEWER LINE RUNNING NORTH/SOUTH ALONG THE EASTERN PLAT BOUNDARY. THIS SANITARY SEWER CONNECTION WILL BE PROVIDED BY PRIVATE FINANCING. SEWER SERVICE WILL COME FROM E. 28TH TERRACE SEWER LINE.
- PROPOSED WATER AND SANITARY SEWER LINE ON SITE IMPROVEMENTS ARE TO BE PROVIDED BY PRIVATE FINANCING AND WILL NOT DEPEND IN ANY WAY ON A VOTE, PETITION OR OTHER COLLECTIVE ACTION OF PROPERTY OWNERS IN THE SUBDIVISION.

Legal Description

A TRACT OF LAND IN LOT 1 KING INDUSTRIAL PARK SUBDIVISION, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 37 MARY'S LAKE ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY KANSAS; THENCE SOUTH 01°29'00" EAST, ALONG THE WEST LINE OF SAID MARY'S LAKE ADDITION 1088.00 FEET TO THE NORTH LINE OF A PERMANENT ROAD RIGHT-OF-WAY EASEMENT DESCRIBED IN TRACT 35 OF DOUGLAS COUNTY DISTRICT COURT CASE 13-CV-51; THENCE NORTH 88°22'28" WEST, 95.80 FEET ALONG SAID RIGHT-OF-WAY EASEMENT, THENCE SOUTH 88°59'47" WEST, ALONG SAID RIGHT-OF-WAY EASEMENT, 200.06 FEET; THENCE NORTH 18°57'04" WEST, ALONG SAID RIGHT-OF-WAY EASEMENT, 124.90 FEET; THENCE NORTH 44°42'27" WEST, ALONG SAID RIGHT-OF-WAY EASEMENT, 1,197.04 FEET, THENCE NORTH 17°15'28" WEST, 62.15 FEET, TO THE SOUTH LINE OF CHAPARRAL, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE NORTH 87°40'37" EAST, 1168.89 FEET ALONG THE SOUTH LINE OF SAID CHAPARRAL AND THE SOUTH LINE OF LOT 39 IN SAID MARY'S LAKE ADDITION TO THE POINT OF BEGINNING. CONTAINS 17.550 ACRES, MORE OR LESS.

Location Map



A Preliminary Plat for
**A REPLAT OF A PORTION OF LOT 1,
KING INDUSTRIAL PARK SUBDIVISION
CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS**

**LCCC AND PEASLEE
ADDITON**
Lawrence, Kansas



11011 Cody Street
Suite 175
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Associate Architect
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730 New Hampshire St. #233
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Kansas City, MO 64102

MEP
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Lenexa, KS 66214

Structural
KH Engineering Group
15377 West 95th St.
Lenexa, KS 66219



**Lawrence College &
Career Center**
Lawrence Kansas

Project #: 20133030
Date: 3.17.14

Revision Schedule

| Number | Description | Date Issued |
|--------|-------------|-------------|
| 1 | City Rev. | 5.6.14 |
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**PRELIMINARY
PLAT**

P100