

From: Michael S Almon [paradigm@ixks.com]  
Sent: Friday, June 02, 2006 1:41 PM  
To: Paul Patterson  
Cc: Sheila Stogsdill; Bobbie Walthall  
Subject: Re: 03-28-06 Corrected CC Minutes

Sheila Stogsdill wrote:

> Paul --  
>  
> Please correct and ask Bobbie to repost to CC agenda. Thanks.  
>  
> Sheila

Hi Paul:

Just curious, will these corrections be made soon, so as to be of any consequence?

Thanks for your attention,  
Michael Almon

>  
>  
> -----Original Message-----  
> From: Michael S Almon [mailto:paradigm@ixks.com]  
> Sent: Friday, June 02, 2006 7:57 AM  
> To: Sheila Stogsdill  
> Cc: Paul Patterson; Klingenberg, Gwendolyn; Mansur, Beth Anne;  
> Grauerholz, James ; Heckler, Richard; Brown, Aaron ; Comstock, Craig ;  
> Noever, Rhett J; Good, Janet; Tomc, Matt  
> Subject: 6 June 06 CC agenda Item #9(b) SP-03-27-06  
>  
>  
> Hello Sheila:  
> Thank you for your comments about how land use conditions might be  
> attached to the Salvation Army site plan SP-03-27-06. However, I am  
> submitting an addition to your 1 June Staff Report about this item  
> (attached herein). While you have discussed the enforceability of such  
> conditions and have included the Salvation Army version of such  
> conditions, I am astonished that nowhere under Agenda Item #9(b) have  
> you included the Neighborhood Coalition proposal for such site plan  
> conditions. Instead, an untitled version is buried in the "rezoning"  
> part of #9(a) under the generic caption of "correspondence".  
>  
> The Salvation Army proposal is a nine-item list of "commitments" that  
> are legally quite non-specific and contain no periodic review  
> provisions. The Eastside Neighborhood Coalition proposal includes a

> nine-item list of legally worded use activities, specific time  
> constraints and surrogate UPR review and revocation provisions, and  
> definitions of terminology.  
>  
> Both proposals were discussed at the 3 May 2006 negotiation session  
> between the Salvation Army and the Eastside Neighborhood Coalition.  
> Both proposals are on the table. To avoid the appearance of favoritism  
> towards the Salvation Army, I think you would be wise to present both  
> proposals in the City Commission agenda on equal footing: that is  
> equally identified, equally accessible , and equally referenced and  
> evaluated in your Staff Report.  
>  
> Please revise your staff report accordingly, and include as  
> "Attachment B" the "Neighborhood Coalition Proposed Site Plan  
> Conditions", or at the  
>  
> very least, make it an identified item under Agenda Item #9(b) along  
> with the other site plan attachments.  
>  
> Also, please include this e-mail as an attachment under Agenda Item  
> #9(b).  
>  
> thanks so much for your work,  
> Michael Almon  
>  
>  
>  
>  
> Subject: 03-28-06 Corrected CC Minutes  
>  
>  
>  
> Hello again Sheila:  
> Please include the corrected minutes of the City Commission from 28  
> March 2006 under Agenda Item #9(a) for the 6 June 2006 meeting agenda  
> (attached herein).  
>  
> The attached "Excerpt from the City Commission Minutes dated 3/28/06"  
> include my comments made that evening regarding initiation of rezoning  
> of the Salvation Army property. Your currently posted minutes excluded  
> my comments, though part of the official minutes.  
>  
> Please correct the 03-28-06 Minutes accordingly, and include under  
> Agenda Item #9(a) as posted for next Tuesday's agenda, 6 June 2006.  
>  
> Thanks again,  
> Michael Almon

# *The Salvation Army Lawrence, KS*

Our mission is to:

- Proclaim the gospel of Jesus Christ
- Lead others to Christ through caring relationships
- Disciple them in love
- Provide helping ministries to meet the needs of our community without discrimination



**The Salvation Army**  
**Worship & Community Center**  
**& Booth Residential Center**  
HASKELL & LYNN STREETS • LAWRENCE, KANSAS

**WORSHIP & COMMUNITY CENTER PROGRAMS & SERVICES**

Worship opportunities  
Sunday school (all ages)  
Group Bible studies  
Music programs/lessons  
Character building programs for children & youth (scouting type programs for boys/girls)  
Youth leadership development  
After school program (children)  
Recreational leagues for all ages (basketball, volleyball, soccer, floor hockey, etc.)  
Programs for senior citizens  
Women's ministries  
Men's ministries  
Family outreach events  
Marriage enrichment  
Parenting classes  
Life skills classes  
Arts & crafts activities (all ages)  
Community care ministries (nursing homes and shut-ins)  
Vacation Bible school  
Summer day camp (children)

**COMMUNITY & SEASONAL ASSISTANCE PROGRAMS**

Community food bank  
Rent assistance  
Utility assistance  
Community meals  
Holiday meals (Christmas)  
Holiday food distribution (Thanksgiving & Christmas)  
Christmas toys & clothing for underprivileged children  
Winter coat drive & distribution  
Summer camp (residential camping experiences for children and youth)  
Disaster relief services

**BOOTH RESIDENTIAL PROGRAM (families, women, & men)**

Case management services  
Educational opportunities  
Recovery programs  
Relational & recreational activities  
Employment readiness & coaching  
Health & mental health services  
Residential services  
Housing & meals

**The Salvation Army  
Haskell & Lynn Streets  
Lawrence, KS**

**Booth Residential Program**

**Days/Times of Operation:**

Sunday through Saturday, twenty four hours a day, 365 days a year.

**Program Requirements:**

The Booth Residential Program is a 120 day rehabilitative program whose aim is to assist individuals and families in moving from homelessness to self reliance. All residents are required to meet a minimum of once weekly with a case manager to review the progress of their personal or family action plan. Case managers will assist the individual or family in developing an action plan. The action plan will take into consideration an individual's or family's situation and the community resources available to meet their plan needs. The residents are required to *actively* pursue their action plan and participate in programs, classes, services, or activities that may be considered as being beneficial to the resident or resident family reaching the action plan goals and objectives. Any resident (individual or family) that is working their action plan and making every attempt to succeed will be allowed to continue in the program until its successful conclusion even after the 120 day limit.

**Program Services:**

The program is to provide case management, educational opportunities, employment readiness and coaching, health services, mental health services, recovery groups, relational activities, recreational activities, residential services, housing, and meals, to homeless individuals and families who agree to participate in The Salvation Army's Booth Residential Program of Lawrence, KS. Some of these services will be provided offsite by other participating agencies.

**Program Objectives:**

Provide homeless individuals and families with a basic understanding of the causes for the individual's or the family's homeless situation. Provide them with information, tools, and skills that will assist them in overcoming the causes of their homelessness. Develop in each resident and family member a sense of self worth, self confidence, self reliance, and hope. Provide opportunities for spiritual, mental, emotional, and physical development, growth, and well being. Move each program participant, (individual or family), into a position to succeed in a transitional or permanent housing situation.



Monday, April 10, 2006

We, The Salvation Army of Lawrence, Douglas County pledge to our community . . .

- That we will continue to preach the Gospel and meet human need without discrimination where ever need is found.
- That we will uphold the dignity of every person that comes within our sphere of influence.
- That we will, as much as it is in our power, protect the dignity and sanctity of our neighbors.
- That while assisting one part of the community, we will not seriously interfere with the interests of another.
- That we will strive to be good stewards of resources and to do the most good possible for our community.
- That we will work in concert with the city, the county, other helping agencies, churches, and community groups to provide the programs, services, and activities needed most in our community.
- That we will keep an "open door" policy with the community. We will invite members of the neighborhood to sit on a social service advisory council that will deal directly with neighborhood concerns and make recommendations about current and future programs and services as they relate to Salvation Army social services. These concerns, suggested solutions, and recommendations about programming will be brought to The Salvation Army advisory board and administration for review and implementation.
- That we will not now or in the future enter into a contract with the Department of Corrections for our Haskell and Lynn facilities to be used for programs housing parolees or early released prisoners.
- That we will not knowingly allow our property to become the *hang-out* of any group or individual and we will not knowingly allow any illegal activities to take place on or around our property or facilities.
- That we will keep our property and facilities neat, clean, well-groomed, and attractive.

*The Woods on 19<sup>th</sup> Homeowners' Association, Inc.*

1852 Villo Woods Ct.

Lawrence, KS 66044

June 2, 2006

Lawrence City Commission  
c/o Mayor Mike Amyx  
6 East 6<sup>th</sup> Street  
Lawrence, KS 66044  
CC: City Manager, Dave Corliss.

**RE: June 6, 2006 City Commission Meeting, Regular Agenda Item, No. 9.**

Honorable City Commission:

On behalf of the Woods on 19<sup>th</sup> Homeowner's Association, I have reviewed the site plan and the materials prepared by the City Staff. The Woods respectfully requests that the City Commission not deviate from its original ruling approving the Salvation Army's previous site plan extension upon the condition that there would not be any further extensions.

The City Commission placed that condition on its approval after specifically addressing the potential rezoning the Bullene property with the Salvation Army.

Additionally, the City Commission was fully aware of the neighborhood indignation concerning the lack of a Special User Permit requirement for this Bullene facility. The Woods on 19<sup>th</sup> requests that the City Commission honor its commitment to the Eastern Lawrence Neighborhoods and enforce the stipulated condition it imposed.

I have [attached](#) those minutes to the email transmittal of this letter. I would like those minutes to be before the Commission when deciding this matter and placed on the agenda for consideration.

Two meetings were held to resolve all matters between the City, the Salvation Army, and the neighborhoods. A compromise could not be reached on this matter. The Woods was willing to sit down and attempt to resolve issues with all parties involved. We participated in good faith. Unfortunately, what was ultimately proposed in this case was too little too late. The Salvation Army proposal does not adequately address the needs of the neighborhoods.

Please do not use the failure of talks as a rationale for approval of any Salvation Army endorsed plan. That would not only be unfair, but would discourage future attempts at compromise in the future.

Also please understand that the matter before the Commission is not whether to place the Salvation Army facility on Bullene. The O-1 zoning was specifically chosen by the Burroughs Corridor Committee because it allows a homeless shelter.

The issue before you is truly about whether the City should honor its previous commitment not to extend the site plan any further and whether to grant the Salvation Army a two year waiver of the rules in the new development code.

I understand that as you review this material you will probably be confusing and may be a bit surprised by the complexity of the matter before you: You have two zoning codes, a corridor plan, two staff recommendations, a planning commission recommendation, a site plan, a Staff - Salvation Army deal, numerous legal contingencies, and irritated neighbors.

Down to its basics, the issue is not that complicated. It is the details necessary to get the Salvation Army what it wants that complicate matters.

Essentially what is requested by the Salvation Army is a denial of the rezoning and a full two-year extension of old code rights and privileges with respect to the Bullene property. The site plan is the vehicle chosen to accomplish the latter objective by using it as a bookmark for the purpose of “grandfathering” old code provisions.

The neighbors obviously do not agree to this. The stated purpose of construction site plans and the restrictions are entirely construction oriented. Site plans are intended to regulate the mode and manner of construction, not ongoing use of the completed facility. That is why it is called a “site plan” not a “use plan.”

The “commitments” offered to neighbors in “Attachment A” by the Salvation Army are an extremely questionable use of a site plan. I would encourage the City to stick to its original stipulated condition, reject contrived attempts to extend privileges established by the old code and move forward with rezoning. We can address any conditions on the facility within their proper context, the special use permitting process.

The Salvation Army wants to avoid the O-1 zoning and the new Development Code because otherwise it will have to endure a special use permit process, which is typically required of most zonings in or near residential areas for homeless shelters

This may be a problem for the Salvation Army because it announced last May that discussions had been initiated with the Kansas Department of Corrections regarding parolee housing in total contradiction to past representations previously made to neighbors about the nature of the facility.

Needless to say, residents in the area were left a bit irritated with the Salvation Army organization and its advisory board. Regardless of the Salvation Army’s resistance to the idea of a special use permit, the parolee controversy provides reason enough to change

the zoning classification to one that requires City oversight of the facility through such a permit.

The permitting process will enable neighbors to have their voices heard in a forum that is not just talk. The procedures and functions within the special use permit process lend it credibility and enforceability. Moreover, a special use permit is subject to periodic review and is oriented at protecting neighborhoods on an on-going basis.

The predominant demographic in the Woods on 19<sup>th</sup> is young families, many with small children. It is no secret that the current Salvation Army has had issues with drug and associated activity near its property. Unfortunately, the needy often attract those that prey upon their despair. There is a legitimate concern among the mothers and fathers in the Woods that a facility not subject to clear on-going city oversight may compromise the safety of our neighborhood. We would like to keep the Woods as a place where parents feel safe to let children ride bikes and play outside.

It is time to move forward, not look back to the old code or broken promises. The Woods asks that you please follow through and do what must be done. Please approve the rezoning and temporarily deny consideration of the site plan until a special use permit is issued.

Sincerely,

*Matthew R. Tomc*

**Matthew R. Tomc**

President,

The Woods on 19<sup>th</sup> Homeowners' Association, Inc.