

LAW OFFICES  
**BARBER EMERSON, L.C.**

1211 MASSACHUSETTS STREET  
POST OFFICE BOX 667  
**LAWRENCE, KANSAS 66044**

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

JOHN A. EMERSON  
BYRON E. SPRINGER  
RICHARD L. ZINN  
CALVIN J. KARLIN  
JANE M. ELDREDGE  
MARK A. ANDERSEN\*  
CHERYL L. TRENHOLM\*  
TERENCE E. LEIBOLD\*  
TERRENCE J. CAMPBELL\*

\*ADMITTED IN KANSAS AND MISSOURI

Matthew S. Gough  
Email: mgough@barberemerson.com

MATTHEW D. RICHARDS\*  
LINDA K. GUTIERREZ  
MATTHEW S. GOUGH\*  
CATHERINE C. THEISEN  
KRISTOPHER S. AMOS

RICHARD A. BARBER  
(1911-1998)

GLEE S. SMITH, JR.  
OF COUNSEL

November 20, 2007

Mayor Sue Hack and City Commissioners  
City Hall, PO Box 708  
Lawrence, KS 66044

Re: November 27, 2007 City Commission Agenda  
Triple T, LLC-Oread Inn Development Project  
Data and Support for Proposed Findings

Dear Mayor Hack and City Commissioners:

At the November 13, 2007 City Commission meeting, you requested that Triple T, LLC (the "**Company**") provide additional information related to the following findings: (1) based on a consideration of all relevant factors, there is no feasible and prudent alternative to the proposed Oread Inn Redevelopment Project (the "**Project**"); (2) the Project includes all possible planning to minimize harm to the Hancock Historic District, the Oread Historic District, and the Jane A. Snow Residence (collectively the "**Historic Properties**") resulting from the Project; and (3) the Project is entitled to a Certificate of Appropriateness for the demolition of certain existing structures and the construction of the Project. The Project is not a "historic" property because none of the existing structures are included on a state or federal historic register. K.A.R. 118-3-(h). The existing structures do not contribute to any "historic" properties. The Project is merely located in the environs of the Historic Properties.

Included with this letter is a packet of information prepared by the Company. Part I of the packet is a detailed summary of facts and arguments supporting the Company's positions. Part II of the packet is a financial feasibility report that illustrates why the Project cannot be reduced in size. The enclosed information is in addition to the evidence and information that the City Commission has previously considered, including the following:

- The testimony of Paul Werner
- The testimony of Nancy Longhurst
- The testimony of David Longhurst
- The reports prepared by the Historic Resources Staff
- The testimony of Lynne Braddock Zollner, Historic Resources Administrator
- The testimony of Jody Meyer, HRC Member
- The testimony of Dennis Brown, on behalf of the Lawrence Preservation Alliance
- The testimony of Jeff Morrow, former owner of 1140 Indiana Street
- The testimonies of additional members of the general public, as described in the minutes to the November 13, 2007 meeting

- Letters and suggested findings from Barber Emerson, L.C., attorneys for the Company
- Testimony and letters from Carol von Tersch, owner of the Snow Residence
- Letters from the University of Kansas and the KU Alumni Association
- Testimony and letters from Marci Francisco, member of the Oread Neighborhood Association
- Letter from Candace Davis on behalf of the Oread Neighborhood Association

**There is No Feasible and Prudent Alternative to the Project**

The Supreme Court of Kansas has issued an opinion that is directly on point to the City Commission's responsibilities in this case. In *Reiter v. City of Beloit, Kansas*, 263 Kan. 74, 947 P.2d 425 (1997), the Supreme Court considered whether the City of Beloit properly considered all relevant factors in finding that no feasible and prudent alternative existed to rezoning property to accommodate a Casey's General Store. 263 Kan. at 75-77. In *Reiter*, the Supreme Court recognized that "no feasible and prudent alternative" standard varies depending on whether historic properties will be destroyed:

**K.S.A. 75-2724 . . . covers a wide spectrum of possible actions, which do not always implicate a taking of the protected property. In these situations, the phrase "no feasible and prudent alternative" will not be construed as tightly as those situations in which the actual destruction of historic property is involved. The decision by the governing body must be made on a case-by-case basis, taking into consideration all of the relevant factors.**

263 Kan. at 93 (emphasis added). The Supreme Court held that ". . . the ultimate question [in the "feasible and prudent" and "all possible planning" tests] is whether the governing body took a hard look at all relevant factors and, using plain common sense, based its determination upon the evidence." 263 Kan. at 94.

The *Reiter* court held that a "relevant factor" means something more than mere suggestions as to possible alternatives. 263 Kan. at 89. There must be sufficient factual information to support a conclusion that a proposed alternative is feasible and prudent. *Id.* Otherwise, such factual information can not form the premise of such a conclusion and is not relevant. *Id.* at 89-90. The *Reiter* definition is consistent with the Kansas regulations, which define "relevant factors" as "pertinent information submitted by project proponents or project opponents in written form, including evidence supporting their positions." K.A.R. 118-3-1(j). Under the regulations and *Reiter*, the City Commission need only consider "relevant factors" supported by evidence and submitted in writing.

The information contained in the enclosed packet and the information supported by written evidence which was previously submitted constitute "relevant factors" that the City Commission must consider. As shown in the enclosed packet, the *size* of the project is an economic issue, and the *height* of the project is a design issue that falls in the "all possible planning" component of the City's analysis. No

historic properties will be destroyed by the Project, and the “feasible and prudent” standard is consequently not construed as tightly. *Reiter*, 263 Kan. at 93. The evidence in this case, after a “hard look” at the relevant factors and applying “plain common sense,” supports the findings proposed by the Company. *Reiter*, 263 Kan. at 94.

### **The Project Includes All Possible Planning to Minimize Harm to the Historic Properties**

As described in greater detail in Part I of the packet, there has been extensive planning to minimize harm to the Historic Properties. The Oread Apartments and the “Lemesany” House, both of which are located in the Hancock District, will be renovated if the Project proceeds. Off-street parking is provided by an underground parking facility. The Company has designed the Project to move the height and the mass of the hotel towards the campus, as close as possible to the large campus buildings located along Oread Avenue. Neighbors will have improved sidewalk access to Mississippi Street. Pedestrians will benefit from improved crosswalks at the intersection of 12<sup>th</sup> and Oread. Oread Avenue will more closely resemble its original design when the road is split and divided by landscaping and trees. The intersection at 12<sup>th</sup> and Oread will be realigned to improve traffic concerns. A new circle drive will allow cars to revert back to campus or to the neighborhood without traversing around the block or making a u-turn on Oread Avenue. The parking garage doors have been redesigned so that lights will not shine into the residential structures across the street. The proposed materials are compatible with the environs of the listed historic properties. The scale and proportion of the doors, windows and other architectural elements are consistent with a residential aesthetic. All of these improvements are designed to minimize harm to and coalesce with the Historic Properties.

### **Issuance of a Certificate of Appropriateness**

The City Commission should grant a Certificate of Appropriateness for both demolition and construction. Although this point may have been de-emphasized during the public hearing, the “**least stringent evaluation**” must be applied to the Project. City Code 22-505(A)(4). There are four standards of review under section 22-505. The most intense standard of review applies to designated landmarks, which requires “most careful scrutiny.” 22-505(A)(1). Two intermediate standards of review apply to key contributory structures or other structures within an historic district, respectively. The Project, which is not located within an historic district, is subject to the least of all possible standards of review. The Certificate of Appropriateness should be approved because there is no evidence that the Project **significantly** encroaches on, damages, or destroys the Historic Properties. 22-505(A)(4). The burden of proof is on the HRC or other interested parties to affirm the denial. *Id.* Notwithstanding that burden of proof, there is no evidence illustrating *how* the size or height of the Project **significantly** encroaches upon, damages or destroys the Historic Properties. Consequently, the City Commission should grant a Certificate of Appropriateness for both demolition and construction.

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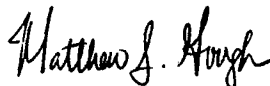
**Conclusion**

The Company requests the City Commission to make the following findings during the City Commission meeting on November 27, 2007:

- (1) based on a consideration of all relevant factors, there is no feasible and prudent alternative to the Project;
- (2) the Project includes all possible planning to minimize harm to the Historic Properties resulting from the Project; and
- (3) the Project is entitled to a Certificate of Appropriateness for the demolition of the existing structures and the construction of the Project.

The Company respectfully submits the enclosed packet of additional information in support of those proposed findings.

Very truly yours,



Matthew S. Gough  
of Barber Emerson, L.C.

MSG:jsm

cc: Triple T, LLC  
Paul Werner  
Tim Homburg  
Carol von Tersch  
Marci Francisco  
Devon Kim  
David Corliss  
Diane Stoddard



OREAD CIRCLE RE-DEVELOPMENT  
THE OREAD  
12<sup>th</sup> & INDIANA



NSPJ  
NEARING STAATS PRELOGAR & JONES AIA CHARTERED  
ARCHITECTS

paulwerner  
ARCHITECTS

# OREAD CIRCLE RE-DEVELOPMENT THE OREAD 12<sup>th</sup> & INDIANA

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## I City Commission Findings for “No Feasible and Prudent Alternative” and “Program includes all possible planning”

The applicant proposes that the City Commission make the following findings in regards to the proposed Mixed-Use Hotel project at 12<sup>th</sup> & Indiana.

The City Commission finds, based on a consideration of all relevant factors listed below and attached hereunto, that there is no feasible and prudent alternative to the proposed development of The Oread, Mixed-Use Hotel project at 12<sup>th</sup> Street and Oread Avenue, as submitted by the applicant and that the Program includes all Possible Planning to minimize harm to the environs of the Hancock Historic District, the Oread Historic District and the Jane A. Snow Residence as a result of the project.

### The Relevant Factors:

- The project site is being developed in its historic uses.
- The project’s location will facilitate needs of the University, the Neighborhood, the City, and Lawrence’s Tourism and Conference industry.
- The project’s size, scale and proportion, and massing, as proposed, does not exceed an Environs precedent that has already been set regarding large buildings abutting residential areas.
- The project, as proposed, is a substantial upgrade and greatly enhances the environs of the existing site.
- The applicant has taken the right path, collaborating with the Oread Neighborhood, ECM and the University to gain support from these individuals and groups.
- The project, as proposed, will be a renaissance to the area. Reversing the long-time issues of boarding housing (designed to be a party house), parking, vandalism, noise, trash, excessive drinking and dangerous pedestrian problems with underage alcohol consumption and general blight of the neighborhood.
- The project, as proposed, will direct capital specifically to the surrounding neighborhood and Historic District making it financially viable to find solutions to:
  - Existing problematic and dangerous traffic and pedestrian issues.
  - Unfinished public improvements.
  - Infrastructure improvements.

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- Renovation of contributing structures within the Hancock Historic District.
- The project, as proposed, will account for 100% of its parking needs on-site with no impact on neighborhood on-street parking.
- The design, as proposed, has given a great deal of attention to not only creating a building compatible with its Environs but also the importance of this building being a Landmark for the community.
- The project, as proposed, will create new full-time and part-time employment opportunities.
- The project, as proposed, will create NEW revenue for:
  - The City of Lawrence
  - Douglas County
  - The School District
- ALL AT ZERO COST TO THE PUBLIC.

The following written evidence and materials substantiates the listed findings above and are for the purpose of further informing the City Commission and the Mayor of these findings that support our view that there is No Feasible and Prudent Alternative use of the site and that our Program includes all Possible Planning.

We would be happy to review any alternate findings as “Relevant Factors” as defined and submitted in accordance with K.S.A. 75-2724(a) and *K.A.R. 118-3-1(e)*

**Any alternate findings regarding the project and the site cannot be considered unless they have been submitted in the required fashion.**

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- **No Feasible and Prudent Alternative:**

- Definition of “**Feasible** – ‘Capable of being accomplished or brought about; possible’” -American Heritage Dictionary
- Definition of “**Prudent** – ‘Wise in handling practical matters; exercising good judgment or common sense’” -American Heritage Dictionary

We believe our Mixed-Use Hotel project, as proposed, is the only Feasible and Prudent alternative use for this site. Any other use, size, scale, configuration, or non-use, of this specific site cannot be deemed as both a Feasible AND Prudent use of the property. The following written evidence and materials will support this view.

- **Applying the Facts:**

- **Technical Issues:**

- **Zoning:**

- The site is currently zoned CN (Commercial Neighborhood) and RM32 (The highest density Multi-Family designation).
    - Planning Commission has approved the site to be re-zoned as PCD-2 (Planned Commercial).

Given the current state of blight of the Oread neighborhood and the concerns of the neighborhood members regarding the declining livability of the neighborhood, we believe that re-zoning the property to the PCD-2 designation is the only Feasible and Prudent alternative.

**Feasible** in the sense that the developer is not changing the historic uses of the properties with the new zoning designation (high density multi-family and neighborhood commercial)

**Prudent** in the sense that it allows the developer to fully utilize a unique site in a specific location, creating a landmark project that can be used and enjoyed by the citizens of Lawrence, the University and its visitors, as well as reversing the long-term trend of the deterioration of the neighborhood.

Leaving the properties zoned “as-is” is not a Feasible and Prudent alternative.

Ignoring the Oread Neighborhood Association’s pleas (as they presented at the City Commission Study Session on November 7, 2007) to address the issues of boarding housing (designed to be a party house), parking, vandalism, noise, trash, excessive drinking and dangerous pedestrian problems with underage alcohol consumption, and general blight of the neighborhood with homes, sidewalks and streets in disrepair would be **Infeasible and Imprudent**.

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#### ▪ Site Location:

- The site is located in a “Fringe” area of the neighborhood. Uses that are included in the vicinity of the site are University Buildings, Neighborhood Commercial, Multi-unit Apartments, Apartment Houses, Greek Housing, Scholarship Housing and Owner Occupied Housing.
- The Public side of the University has needs that a Mixed-Use Hotel can accommodate
  - Visiting Professors
  - Visiting Alumni
  - Visitors to the Museum
  - University need for banquet/reception space.
  - University need for seminar space.
- The Neighborhood has needs that a Mixed-Use Hotel can accommodate.
  - Community meeting space.
  - Neighborhood Commercial Services.
    - Restaurant/ Food Services
    - Retail Services
    - Bar/ Entertainment Services.
  - Reception / Banquet Spaces.
  - Individual / Group use of Open Space and Terraces.
  - Guest Lodging / Extended Stay Services.
- The site is located along the current delivery route of the vendors that service the University as well as Public and University mass transit.
  - Food and beverage services for both the Union and the Alumni Center pass by this site.
  - The traffic study that was performed showed no measurable increase in the existing traffic loads with the introduction of the Mixed-Use Hotel project as proposed. The traffic report is on record at the City Planning Offices.

Given the site’s proximity to the University and the types of uses that are prevalent in the immediate vicinity of the site, we believe that there is **No Feasible and Prudent Alternative** location for a Mixed-Use Hotel project.

It would be **Infeasible** and **Imprudent** to locate the project in any other area adjacent to the University (East, West, North or South side). This would involve the acquisition and demolition of significantly more Single Family Residences, would require a significant change in the zoning (as most of the remaining areas are zoned a lower density multi-family or Single Family) and would place the building in the midst of a high percentage of Single-Family Residences.

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#### ■ **Historic Environs:**

- Site is located within the 500-foot Environs area of both the Hancock and Oread Historic Districts.
  - Located in the Environs of the Hancock Historic District are the University of Kansas campus buildings (ECM, Alumni Center, etc.), the Mississippi Street Parking Garage and Memorial Stadium
  - Located in the Environs of the Oread Historic District are the University of Kansas campus buildings (ECM, Alumni Center, etc.), Corbin and GSP scholarship halls and several large footprint, multi-unit apartment buildings
- Site is located within the 250-foot Environs area of the Snow House.
  - Located in the Environs of the Snow House are the University of Kansas Mississippi Street Parking Garage and Memorial Stadium

We believe that the Environs review should take into account as Relevant Factors the relationship between homes in the Historic Districts and the large structures abutting them. The majority of these buildings were in place at the time of the establishment of both Historic districts and thus should be considered as part of the Historic district's associated surroundings and elements that serve to characterize this neighborhood.

- Addressing the Staff Recommendations in the HRC Staff Report (Item No. 6: DR-07-93-07. 618 12<sup>th</sup> Street) by Lynne Zollner we propose the following rebuttals to the standards and evaluations that the proposed project did not meet these standards and thus was denied the "Certificate of Appropriateness" from the HRC.

**"Standards for Evaluating the Effect of Projects on Environs" and "Chapter 22, Section 5" as defined in Mrs. Zollners staff report.**

1. *The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.*
  - a) There are no distinctive buildings on the proposed site. In the staff report Ms. Zollner states that only one of the buildings (1142 Indiana) "appears to retain its architectural integrity". The other buildings "*have had significant alterations that have compromised their architectural integrity*". The proposed Mixed-Use Hotel project would better characterize the Environs than what is there currently.
2. *The environs of a property should be used as it has historically been used or allow the inclusion of new use that require minimal change to the environs' distinctive materials, features, and spatial relationships.*
  - a) The proposed Mixed-Use Hotel continues the historic use of the site as both multi-family and neighborhood commercial. The inclusion of a new use is not being proposed.

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3. *Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.*
  - a) Again, there are no "character-defining buildings, structures, landscape features, etc." on the proposed site. Only sparse details remain on buildings that have been altered over the years and the buildings "have had significant alterations that have compromised their architectural integrity".

We believe our design reflects a compatible reconstruction of the existing buildings that are proposed to be demolished.

The one and three story portions that face 12<sup>th</sup> Street (the South side of the building) are neighborhood commercial in use and are compatible with the historic use of this portion of the site.

The one and two story portions of the building along Indiana (the West side of the building) take on a more residential scale and pattern.
4. *New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.*
  - a) The proposed Mixed-Use Hotel project does not destroy "character-defining features" as there are none evident on the site. Using the precedent that already exists in the Environs of both the Hancock and Oread Historic Districts, spatial relationships between large structures and residential homes are numerous and have been accepted as what defines the Environs. We have incorporated many design elements that reduce the size, scale and proportion, and massing of the building. This will further be elaborated on in the Design Issues portion of our findings.
5. *Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and it's environment, or to use a property for its originally intended purpose.*
  - a) The proposed Mixed-Use Hotel project should be considered a compatible use as its uses reflect the historic uses of the sites as both multi-family and neighborhood commercial. As for the alteration of the building, structure, site or object, we would be demolishing buildings that already "have had significant alterations that have compromised their architectural integrity".
6. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environs.*
  - a) The intent of this comment is not clear. We interpret this requirement to be for "alterations and additions" to existing buildings which we are not proposing and thus this requirement is not applicable.



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The current buildings, structures, landscape features and spatial relationships at the 12<sup>th</sup> & Indiana site as well as the existing buildings, structures, landscape features and spatial relationships throughout the Environs of the Hancock and Oread Historic Districts are the Environs to which our project must be compared.

We believe that the proposed Mixed-Use Hotel, as an urban in-fill, at the fringe area of the University and the neighborhood, does not exceed the Environs precedent that has already been set regarding large buildings abutting residential areas.

The re-development of the site, to the proposed Mixed-Use Hotel, provides a substantial upgrade to the neighborhood Environs in the quality of Architecture, character defining features and spatial relationships compared to the current site that has evolved into a “student ghetto” with Environs that are made up of poorly maintained rental properties and commercial properties that are run down.

The Environs that can be observed from the Snow House are 90-degree off-street parking, outdoor bar terraces and buildings that have no historic integrity remaining.

If the Yellow Sub and Crossings buildings “characterize” the neighborhood, it would be **Infeasible** and **Imprudent** to “retain and preserve” what is there currently. With that, we believe that there is **No Feasible and Prudent Alternative** to our proposal.

#### ▪ Oread Neighborhood Cooperation:

- May 16<sup>th</sup> Initial Meeting with: Candice Davis, Marci Francisco, Devon Kim & Carol Von Tersch of the Oread Neighborhood, Thad Holcombe of ECM, and Lynne Zollner from the City of Lawrence.
  - Discussed potential of the site and the density requirements of a Hotel.
  - Thad suggested that we be as “transparent” as possible.
- Subsequently met on June 21<sup>st</sup> & June 28<sup>th</sup>
  - Neighborhood group proved to be a valuable asset regarding acceptable Architectural Style, Materials, Building Massing, pedestrian & traffic flow, etc.
  - July 9<sup>th</sup>, held an open invitation Oread neighborhood meeting at Marci Francisco’s house to inform the neighbors and answer questions of the neighborhood.
  - Kevin Corbett from the University of Kansas Alumni Organization, Dennis Brown from the Lawrence Preservation Alliance and numerous neighbors were in attendance.
- Met July 26<sup>th</sup> to preliminarily discuss the acquisition of the lot to the North to get Oread Neighborhood reaction.
  - Acquisition of the lot allowed us to not only move the building to the North to decrease the impact on the Hancock Historic District (and specifically the Snow

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House) but to also increase the on-site parking capabilities and add additional amenities to the Hotel.

- Between August 15<sup>th</sup> and November 27<sup>th</sup>, we corresponded with Oread neighbors on several occasions to discuss any final comments and to review the evolution of the design.
- At every point in the City approval process, one or multiple members of the Oread Neighborhood have stood up and spoken in support of the project.
- We have freely given any and all information requested of us by the City, the local media and any opponents of the project.

Neighborhood support for projects is often elusive and difficult to obtain. We believe we have taken the right path collaborating with the Oread Neighborhood, ECM and the University to gain support from the individuals and groups closest to our project.

There is **No Feasible and Prudent Alternative** to the means by which we have undertaken this process.

#### ▪ **Infrastructure Improvements:**

##### ○ **The Problems:**

The 12<sup>th</sup> Street & Oread Avenue intersection has admittedly been a problem in both the City's and the University's eyes.

- **Traffic Circulation:** Traffic is greatly congested in the bottleneck created by the acute angle of Oread Avenue to 12<sup>th</sup> Street.
  - City buses traveling from the north, up Indiana Street must make a sharp left turn at 12<sup>th</sup> Street to then make the sharp right turn at Oread. In many cases, buses either have to back-up and re-negotiate the turn or force the northbound traffic to back-up and let the bus pass.
  - On-street parallel parking along 12<sup>th</sup> Street, Oread Avenue and Indiana Street, as well as 90-degree parking in front of the establishments at 12<sup>th</sup> and Indiana (Yellow Sub, The Crossing) constrict the available street width.
- **Pedestrian Traffic:** Pedestrians attempting to cross 12<sup>th</sup> Street at Indiana or Oread have no defined crossing point in this area.
  - Pedestrians are left to walk between parallel parked cars or 90 degree parked cars to cross 12<sup>th</sup> Street.
  - Pedestrian safety is at risk because of the blind turn of traffic moving south on Indiana Street and east onto 12<sup>th</sup> Street.
- **The Solutions:**
  - **Realignment of Oread Avenue to 12<sup>th</sup> Street as a 90-degree, T-intersection.**
    - Buses and large service vehicles will no longer be required to make the tight turns.

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- Widening and splitting of Oread Avenue will eliminate the bottleneck and allow for better flow of vehicular traffic at this intersection.
- In addition, the split Oread Avenue will reflect the historic split drive on 12<sup>th</sup> Street to the west of Indiana, re-creating the tree-lines drive of the original Oread Avenue.
- **Removal of on-street parallel parking and 90-degree parking on 12<sup>th</sup> street between Indiana and Louisiana.**
  - Pedestrian sight lines will be opened up and designated crossing points (nodes) will be created along the direct route of pedestrian traffic.
- **Protect pedestrian travel across 12<sup>th</sup> Street & Indiana Street.**
  - Protected, parallel parking along each side of the re-aligned Oread Avenue will open corners of the intersection for pedestrian crossing.
  - Sidewalks along the east side of Indiana and along the south side of 12<sup>th</sup> Street will direct pedestrian flow to nodes of crossing at 12<sup>th</sup> Street.
  - Marked crosswalks (nodes) that traverse across 12<sup>th</sup> Street, on each side of the re-aligned Oread Avenue and across the split Oread Avenue will define pedestrian flow.
- **Circle drive will act to regulate traffic speed and flow.**
  - The Oread Circle drive will create a “bookend” to the Chi Omega fountain, thus defining the formal entrances to the KU campus.
  - Circle drive will also allow cars to revert back to campus or to the neighborhood without traversing around the block or making a u-turn in the middle of the street.
- **Other Site Improvements:**
  - **Historic 12<sup>th</sup> Street:**
    - The stairs that connect 12<sup>th</sup> Street to Mississippi will be reconstructed per the approved drawings.
  - **Renovation of the Historic Oread Apartments:**
    - The developer has committed that the apartments will either be renovated to be re-used as apartments or to converted to contain mix of residential uses and small businesses.
  - **Cleaning up in front of the City water tanks.**
    - The overgrown brush will be removed and the water tanks will be screened from Oread Avenue. A landscaped courtyard area will be designed in the newly acquired green space.

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One of the most obvious actions by the developer that attests to his commitment, not only to the project, but also to the neighborhood, is the extensive infrastructure work that is being proposed.

#### **All of which is being undertaken at no expense to the citizens of Lawrence**

(this will be elaborated on later in these findings)

The response to a **Feasible and Prudent Alternative** in regards to improvements of not only the infrastructure, but also the surrounding neighborhood would be a resounding NO.

#### ▪ **Parking:**

Also of great concern from the onset of the project is the public on-street and off-street parking shortage not only in the vicinity of the site, but also throughout the Oread neighborhood.

The design reflects accommodating 100% of the required parking spaces needed for all uses of the Mixed-Use Hotel- **On-Site**.

An agreement with the University to use their Mississippi Street parking facility, during the off-hours, further reduces the possibility that any visitor and/or guest of the Mixed-use Hotel will use any of the existing public on-street and off-street surrounding the site.

Again, to the Parking issue, we see **No Feasible and Prudent Alternative** that could address 100% of the parking requirements for the project.

#### ▪ **Design Issues:**

The Fritzel name is synonymous with high-quality architectural design, elegant forms and an overall emphasis on longevity and quality of the structures they build.

The developer and the Architects have worked with the Oread Neighborhood leaders to create a design that addresses all of the requirements for a building that is not only located in the Environs of a Historic District but also will be characterized as a landmark building for the Neighborhood, the University of Kansas and the City of Lawrence.

The Environs review by the HRC requires that certain criteria be observed in the design of a new building and are addressed below:

- **Materials, character-defining features, size, scale and proportion, and massing:**
  - The proposed Mixed-Use Hotel was designed in a style that integrates it into a neighborhood that is an eclectic mix of period homes, newer residential structures and formal University buildings.
  - Prominent **Materials** are Brick, Stone, Steel Framed Windows and Metal Cornices.
  - The **Massing** of the buildings steps back at the second floor creating a more pedestrian **Scale and Proportion** of the building along the sidewalks at 12<sup>th</sup>

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

Street and Indiana Street while containing the **Massing** of the building to the central part of the site.

- The building's elements at the South and Southwest corner along 12<sup>th</sup> Street are **Character Defining Features** that reflect the historic use of this corner and takes on a more neighborhood commercial feel at the pedestrian level. The building forms adjacent to the sidewalk along Indiana continue a more residential **Scale and Proportion** as the building moves to the North.
- The South face of the building aligns with the homes to the West and the apartment to the East, creating a large **Character Defining** front yard area that includes grass, planting beds, outdoor patios and pedestrian sidewalks.
- The **Massing** of the building along Indiana steps back to the East to further minimize the **Massing** from the North and the building **Size** decreases in height to follow the natural slope of the site from South to North.
- **Scale and Proportion** of the doors, windows and other Architectural elements are consistent with a residential aesthetic.
- The building steps in and out and variations in materials break up the **Massing** of the building and visually reduce its **Size**.
- Large outdoor public terraces create **Character Defining Features** at the First, Fifth and rooftop. Integrated into the design is a "Green Roof" concept includes planting beds and trees in planters in addition to outdoor seating.
- An "interior" service drive is a **Character Defining Feature** that plays to the historic alley pattern in the Oread neighborhood and conceals the loading dock and trash compactor.
- Entrances and exits from the parking garage do not directly align with the adjacent houses to the West so no car lights are shining into the neighbors windows and the drives are on a downhill slope.

Concerns with how the building integrates into the existing environment have been at the forefront of discussions from the onset of the project.

The Oread Neighborhood liaisons, many who have an Architectural background, have been a valuable asset to the current aesthetic of this project.

Preservation Consultation by Carol Von Tersch, who has an Architectural background and is a founding member of the Lawrence Preservation Alliance; Marci Francisco, a licensed Architect, who has designed numerous projects in and around the historic districts in Lawrence. Carol and Marci, along with Candice Davis and Devon Kim, provided the design team with an abundance of knowledge, expertise and history of the area, all of which is reflected in the current design.

# OREAD CIRCLE RE-DEVELOPMENT

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Meticulous attention has been given to the Materials, Character-Defining Features, Size, Scale and Proportion, and Massing while at the same time addressing the programming requirements needed to make the building financially viable (this will be elaborated on later in these findings).

The design, as proposed, has given a great deal of attention to not only creating a building compatible with its Environs but also the importance of this building being a Landmark for the community. It has been well received by the individuals and groups who have an interest in the success of the building for the community and the re-development of the neighborhood.

Architectural aesthetics can long be debated as to which “style” of Architecture is best. Judging whether one style, form, size, scale and proportion and massing of Architecture is better than the other is purely the opinion of the individual and thus cannot be held in any higher regard than what is proposed.

The reputation of the developer and the quality, thoughtful design that they are renown for, and that is exhibited here, is the standard to which **No Feasible and Prudent Alternative** should be judged against. And there is none.

- **Relationship to Community-Wide Plan:**

- Consistent with Horizon 2020.

- **Economic Issues:**

- A complete analysis of the economic profiles is outlined under Part II.

# OREAD CIRCLE RE-DEVELOPMENT

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- **Program Includes all Possible Planning:**

The following written evidence and materials clearly identify all alternative solutions that have been investigated, comparing the differences among the alternative solutions and their effects and the mitigation measures proposed by the project proponent that address an adverse effect determination.

- **Solution #1 – Keep the sites “As-is”**

- It would be considered irresponsible of the local government to ignore the pleas of the Oread Neighborhood Association concerning issues of boarding housing (designed to be a party house), parking, vandalism, noise, trash, excessive drinking and dangerous pedestrian problems with underage alcohol consumption, and general blight of the neighborhood with homes, sidewalks and streets in disrepair.
- It would eliminate the only viable site, directly adjacent to the University, to develop into a Mixed-Use Hotel and force the University or a developer into placing this use into a single-family residential area and thus demolishing several homes and creating greater traffic issues.
- Traffic and pedestrian issues at 12<sup>th</sup> & Oread would be left in their dangerous, problematic states.

The sites “As-is” provide a microcosm of all of these concerns.

- **1140 Indiana Street** is a 3-story multi-unit apartment complex with large outdoor balconies and un-regulated on and off-street parking.
- **1142 Indiana Street** is a 2-story home that has been converted to boarding housing and has un-regulated on and off-street parking.
- **1144 Indiana Street** is a 2-story home that has been converted to a commercial use. One tenant left the interior severely vandalized. The building does not comply with the current Zoning and Building Code requirements and has insufficient off-street parking.
- **618 West 12<sup>th</sup> Street** is a 1-story bar with an outdoor terrace that have been the root of many noise complaints. The building does not comply with the current Zoning and Building Code requirements and has insufficient off-street parking.
- **620 West 12<sup>th</sup> Street** is a 1-story home that has been converted to a commercial use. The building does not comply with the current Zoning and Building Code Requirements and has insufficient off-street parking.

- **Solution #2 – Re-zone the sites to the most common Zoning.**

- The most common zoning in this area is RM-32 (high-density, multi-family). Given the combined lots are roughly three-quarters of an acre, the zoning would allow 24 units.
- Unregulated on-street and off-street parking would still be an issue.
- Traffic and pedestrian issues at 12<sup>th</sup> & Oread would be left in their dangerous, problematic states.
- Completely re-developing the site with high-density multi-family would eliminate all Neighborhood Commercial. This, in turn, would decrease the sales tax base for the

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

community and the city, leaving less available sales tax dollars to designate towards public improvements.

- It would also amplify the neighborhood's issues with boarding housing (designed to be a party house), parking, vandalism, noise, trash, excessive drinking and dangerous pedestrian problems with underage alcohol consumption, and general blight of the neighborhood with homes, sidewalks and streets in disrepair.
  - It would eliminate the only viable site, directly adjacent to the University, to develop into a Mixed-Use Hotel and force the University or a developer into placing this use into a single-family residential area and thus demolishing several homes and creating greater traffic issues.
- **Solution #3 – Re-zone the sites to a Commercial Zoning with a small building.**
    - If the sites were to be re-zoned to a CN (Commercial Neighborhood) or PCD-2 (Planned Commercial) the developer would be required to abide by the current zoning regulations.
    - A smaller Commercial development (a bar or a restaurant) would be limited in size to fit the off-street parking requirements and thus is would make it economically difficult to cover land acquisition and operations costs.
    - Unregulated on-street and off-street parking would still be an issue.
    - Traffic and pedestrian issues at 12<sup>th</sup> & Oread would be left in their dangerous, problematic states.
    - It would eliminate the only viable site, directly adjacent to the University, to develop into a Mixed-Use Hotel and force the University or a developer into placing this use into a single-family residential area and thus demolishing several homes and creating greater traffic issues.
  - **Solution #4 (as proposed by the applicant) – Re-zone the sites into a Commercial Zoning with a Mixed-Use Hotel.**
    - By allowing the zoning, (PDC-2, Planned Commercial) proposed by the developer and approved by the City of Lawrence's Planning Commission, to develop a project type that would be the only Feasible and Prudent alternative solution to many issues for the neighborhood, the University and the City.
    - The proposed Mixed-Use Hotel would provide solutions for the Neighborhood's needs for:
      - Community meeting space.
      - Neighborhood Commercial Services.
        - Restaurant/ Food Services
        - Retail Services
        - Bar/ Entertainment Services.
      - Reception / Banquet Spaces.
      - Individual / Group use of Open Space and Terraces.
      - Guest Lodging / Extended Stay Services.
      - 100% on-site, controlled parking, thus eliminating overflow parking into the neighborhood streets.
      - A financially stable and long-term source for property and sales tax revenues.



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- Eliminating dangerous and problematic traffic and pedestrian issues at 12<sup>th</sup> & Oread by re-aligning Oread Avenue with 12<sup>th</sup> Street and creating designated pedestrian crossings.
  - Renovating the character-defining buildings within Hancock Historic District that are historically significant.
  - Completing public improvement projects important to neighborhood leaders.
  - The proposed Mixed-Use Hotel would provide solutions to the University's need for:
    - Visiting Professors
    - Visiting Alumni
    - Visitors to the Museum
    - University need for banquet/reception space.
    - University need for seminar space.
    - An on-campus Mixed-Use Hotel amenity that many Universities across the country as well as every other Big 12 school offers.
  - The proposed Mixed-Use Hotel would provide solutions to the City's need for:
    - Eliminating dangerous and problematic traffic and pedestrian issues at 12<sup>th</sup> & Oread by re-aligning Oread Avenue with 12<sup>th</sup> Street and creating designated pedestrian crossings.
    - Increased property and sales tax revenue for:
      - The City of Lawrence
      - Douglas County
      - The School District
- Please be reminded, that if the University were to privately develop a project like this on their property, it would eliminate any revenues from the City of Lawrence's, the County's and the School District's tax base.
- New full and part time employment opportunities.
  - Additional tourism and conference revenue.

# OREAD CIRCLE RE-DEVELOPMENT THE OREAD 12<sup>th</sup> & INDIANA

## II Financial analysis of the project

The following financial analysis covers how the project, as proposed, pencils out regarding:

- Property Tax
- A projected scenario for how paying off bonds – TIF and sales tax payments are made with NEW revenue
- A feasibility analysis
- 25-Year NEW revenue projections
- TIF / TDD Cost Estimates

*Disclaimer: The following information is based upon preliminary estimates, which will be supplemented during the process of analyzing the feasibility of the project for purposes of K.S.A. 12-1770 et seq.*

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

## Tax Summary

PROPERTY TAX					
TAX ENTITY	MILLS	TODAY	2010	FOR TIF	TOTAL
State	1.500	\$ 476.29	\$ 6,187.50	\$ -	\$ 6,187.50
County	29.995	\$ 9,524.28	\$ 9,524.28	\$ 114,205.10	\$ 123,729.38
City of Lawrence	26.787	\$ 8,505.65	\$ 8,505.65	\$ 101,990.73	\$ 110,496.38
USD 497	57.562	\$ 18,277.60	\$ 82,500.00	\$ 154,943.25	\$ 237,443.25
Clinton Cemetery	0.815	\$ 258.79	\$ 3,361.88	\$ -	\$ 3,361.88
<b>TOTALS:</b>	<b>116.659</b>	<b>\$ 37,042.60</b>	<b>\$ 110,079.30</b>	<b>\$ 371,139.08</b>	<b>\$ 481,218.38</b>

SALES TAX FROM THE OREAD			
TAX ENTITY	SALES TAX	TDD TAX	FOR BOND
State	\$ 291,229.39		
County	\$ 54,948.94		\$ 54,948.94
City of Lawrence	\$ 54,948.94	\$ 54,948.94	\$ 109,897.88
<b>TOTALS:</b>	<b>\$ 401,127.27</b>	<b>\$ 54,948.94</b>	<b>\$ 164,846.82</b>

	TOTAL FINANCED	ANNUAL PAYMENT	
Parking Structure:	\$ 6,000,000	\$ 513,316.07	22-years @ 6.5% Private Placement
Public Improvements:	\$ 5,374,228	\$ 408,000.72	20-years @ 4.5%
<b>Annual Payment:</b>		<b>\$ 921,316.79</b>	
Paid by TIF:		\$ 371,139.08	
Paid by Sales Tax:		\$ 109,897.88	
Paid by TDD:		\$ 54,948.94	
<b>Total by TIF, Sales Tax and TDD:</b>		<b>\$ 535,985.90</b>	
<b>Paid by Developer:</b>		<b>\$ 385,330.89</b>	

**Direct Visitor Spending in  
the City of Lawrence by  
Visitors staying at  
at The Oread**

*Based on CVB study done in 2006*

Food/Beverage Revenue:	\$ 370,818.00
Retail Revenue:	\$ 237,293.00
Other/Miscellaneous Revenue:	\$ 222,605.25
<b>TOTAL (not including Room Rev):</b>	<b>\$ 830,716.25</b>
Subtract half the food/beverage revenue:	\$ (185,409.00)
<b>NET NEW REVENUE OUTSIDE OF THE OREAD:</b>	<b>\$ 645,307.25</b>

**NEW REVENUE TO THE PUBLIC:**

	CITY	COUNTY	USD 497	
5% Transient Guest Tax:	\$ 136,567.13			5% times room revenue
7% Liquor Tax:	\$ 49,712.53			7% times liquor revenue
Sales Tax:	\$ 6,453.07	\$ 6,453.07		2% of direct visitor spending
Property Tax:			\$ 64,222.40	Increase in property tax
<b>TOTAL:</b>	<b>\$ 192,732.73</b>	<b>\$ 6,453.07</b>	<b>\$ 64,222.40</b>	<b>\$ 263,408.20</b>

Value of new public improvements to the City of Lawrence:	<b>\$ 5,374,228.00</b>
<b>New revenue to the City, County and USD 497(20-years):</b>	<b>\$ 6,013,646.67</b>
Direct cash payments by the Developer (20-years):	<b>\$ 7,706,607.93</b>
Paid by the Developer in Property Tax (20-years):	<b>\$ 9,624,367.50</b>
<b>Paid by the General Public:</b>	<b>\$ 0.00</b>

# OREAD CIRCLE RE-DEVELOPMENT

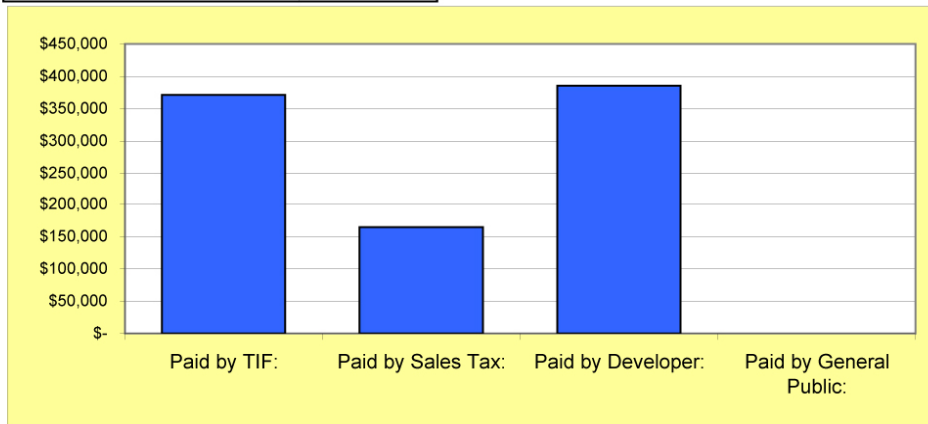
## THE OREAD

### 12<sup>th</sup> & INDIANA

Parking Structure Payment:	\$ 513,316.07
Public Improvements Payment:	\$ 408,000.22
<b>TOTAL PAYMENTS:</b>	<b>\$ 921,316.29</b>

Paid by TIF:	\$ 371,139.08
Paid by Sales Tax:	\$ 164,846.82
Paid by Developer:	\$ 385,330.40
<b>Paid by General Public:</b>	<b>\$ 0.00</b>
<b>TOTAL PAID:</b>	<b>\$ 921,316.30</b>

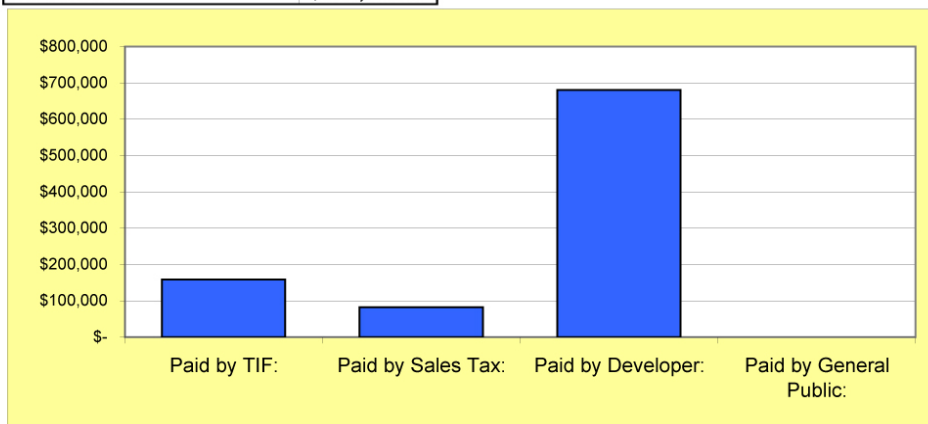
**Projected Scenario for  
paying off bonds -- TIF  
and Sales Tax payments  
are made with NEW  
revenue**



Parking Structure Payment:	\$ 513,316.07
Public Improvements Payment:	\$ 408,000.22
<b>TOTAL PAYMENTS:</b>	<b>\$ 921,316.29</b>

Paid by TIF:	\$ 158,569.54
Paid by Sales Tax:	\$ 82,423.41
Paid by Developer:	\$ 680,323.34
<b>Paid by General Public:</b>	<b>\$ 0.00</b>
<b>TOTAL PAID:</b>	<b>\$ 921,316.29</b>

**What if we're wrong and  
actual NEW revenue is  
only half of what has been  
projected?**



**2**

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

#### TOTAL COST (hotel, condos, parking, public improvements):

<b>TOTAL COST:</b>	<b>\$ 37,000,000.00</b>
Contingency:	\$ 374,227.70
Bonds @ 4.5%:	\$ 5,374,227.70
Bonds @ 6.5%:	\$ 6,000,000.00
Equity:	\$ 16,000,000.00
Loan:	\$ 10,000,000.00

## Feasibility Analysis

#### 3-Year Fixed Costs:

Public Improvements:	\$ 1,224,000.06
90% of Parking:	\$ 1,385,953.39
52.61% of Operating Expenses:	\$ 8,661,003.40
<b>TOTAL 3-YEAR FIXED EXPENSE:</b>	<b>\$ 11,270,956.84</b>

20-year TIF Bond @ 4.5%

22-year Private Placement Bond payments @ 6.5%

#### 3-Year Variable Costs:

10% of Parking:	\$ 153,994.82
47.39% of Operating Expenses:	\$ 7,801,652.74
<b>TOTAL 3-YEAR VARIABLE EXPENSE:</b>	<b>\$ 7,955,647.57</b>

22-year Private Placement Bond payments @ 6.5%

#### 3-YEAR TOTAL EXPENSE:

<b>3-YEAR TOTAL EXPENSE:</b>	<b>\$ 19,226,604.41</b>
------------------------------	-------------------------

#### 3-Year's Total Revenue:

Total Hotel Revenue:	\$ 17,636,682.25
TIF Revenue:	\$ 1,113,417.24
Sales Tax and TDD Revenue:	\$ 486,153.57
<b>3-YEAR TOTAL REVENUE:</b>	<b>\$ 19,236,253.06</b>

	8-LEVELS	7-LEVELS	6-LEVELS	5-LEVELS	4-LEVELS
square feet:	115,846	105,430	96,989	88,548	78,132
Per Square Foot Fixed expense:	\$ 97.29	\$ 106.90	\$ 116.21	\$ 127.29	\$ 144.26
Per Square Foot Variable expense:	\$ 75.46	\$ 75.46	\$ 75.46	\$ 75.46	\$ 75.46
Per Square Foot "Revenue":	\$ 182.46	\$ 182.46	\$ 182.46	\$ 182.46	\$ 182.46
Profit/Loss per square foot:	\$ 9.70	\$ 0.09	\$ (9.21)	\$ (20.29)	\$ (37.26)
<b>PROFIT/LOSS:</b>	<b>\$ 1,124,121</b>	<b>\$ 9,649</b>	<b>\$ (893,506)</b>	<b>\$ (1,796,661)</b>	<b>\$ (2,911,133)</b>

The next page shows the breakdown between fixed and variable expenses.

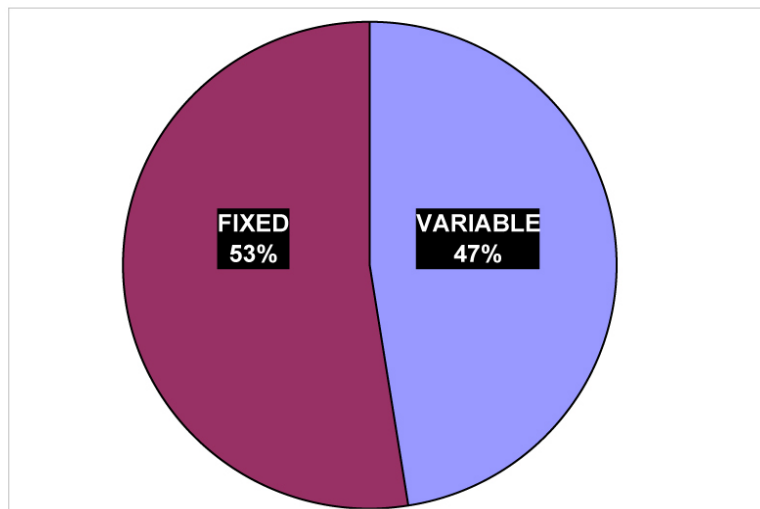
# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

	VARIABLE	FIXED
Variable Wages	\$ 1,110,713.00	
Operating Expenses	\$ 2,130,689.00	
Depreciation	\$ 262,500.00	\$ 2,362,500.00
Mortgage Payment	\$ 268,404.30	\$ 2,415,638.70
Real Estate Tax	\$ 91,869.00	\$ 826,821.00
Parking Bond Payment	\$ 153,994.80	\$ 1,385,953.20
F&B COGS	\$ 2,578,488.00	
Variable Wages F&B	\$ 1,610,366.00	
Operating Expenses F&B	\$ 1,328,518.00	
Credit 60% of reserve	\$ (423,280.00)	
Fixed Wages Hotel		\$ 800,675.00
TIF Payment		\$ 1,224,000.00
Fixed Wages F&B		\$ 1,098,756.00
<b>TOTAL</b>	<b>\$ 9,112,262.10</b>	<b>\$ 10,114,343.90</b>
	47.39%	52.61%
		\$ 19,226,606.00

Operating Expenses:  
 Cleaning Supplies  
 Guest Amenities  
 Linens  
 Paper Supplies  
 Uniforms  
 Equipment Rental  
 Advertising  
 Repair and Maintenance  
 Utilities  
 Admin  
 Credit Card discount



## Variable and Fixed Expenses

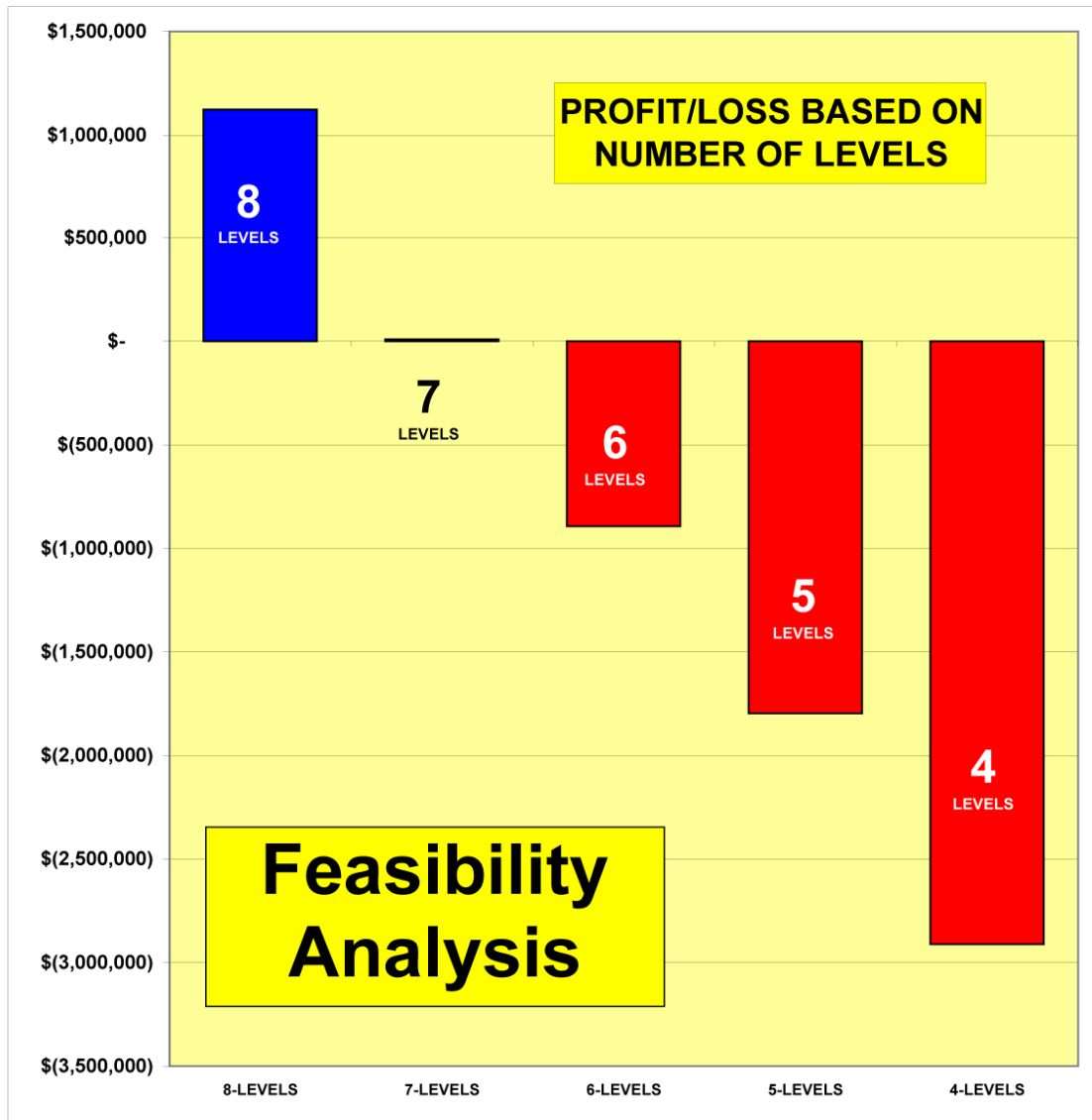
4

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

	8-LEVELS	7-LEVELS	6-LEVELS	5-LEVELS	4-LEVELS
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<b>PROFIT/LOSS:</b>	<b>\$ 1,124,121</b>	<b>\$ 9,649</b>	<b>\$ (893,506)</b>	<b>\$ (1,796,661)</b>	<b>\$ (2,911,133)</b>



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11/20/2007 Oread Summary presentation feasibility (2)

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

## 25-YEAR NEW REVENUE PROJECTIONS

	YEAR 1	YEAR 2	YEAR 19	YEAR 20	YEAR 21	YEAR 22	YEAR 24	YEAR 25
<b>City of Lawrence</b>								
Property Tax	\$ 8,506	\$ 8,506	\$ 8,506	\$ 8,506	\$ 110,496	\$ 110,496	\$ 110,496	\$ 110,496
Guest Tax	\$ 125,713	\$ 134,521	\$ 184,470	\$ 186,556	\$ 186,556	\$ 188,421	\$ 192,208	\$ 194,130
Liquor Tax	\$ 49,713	\$ 50,707	\$ 71,002	\$ 72,422	\$ 73,871	\$ 75,348	\$ 78,392	\$ 79,960
Sales Tax	\$ 6,453	\$ 6,742	\$ 7,455	\$ 7,464	\$ 62,413	\$ 62,413	\$ 62,413	\$ 62,413
<b>TOTAL CITY</b>	<b>\$ 190,385</b>	<b>\$ 200,476</b>	<b>\$ 271,433</b>	<b>\$ 274,948</b>	<b>\$ 433,336</b>	<b>\$ 436,679</b>	<b>\$ 443,510</b>	<b>\$ 447,000</b>
<b>Douglas County</b>								
Property Tax	\$ 9,524	\$ 9,524	\$ 9,524	\$ 9,524	\$ 123,729	\$ 123,729	\$ 123,729	\$ 123,729
Guest Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Liquor Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sales Tax	\$ 6,453	\$ 6,742	\$ 7,455	\$ 7,464	\$ 62,413	\$ 62,413	\$ 62,413	\$ 62,413
<b>TOTAL COUNTY</b>	<b>\$ 15,977</b>	<b>\$ 16,266</b>	<b>\$ 16,979</b>	<b>\$ 16,989</b>	<b>\$ 186,143</b>	<b>\$ 186,143</b>	<b>\$ 186,143</b>	<b>\$ 186,143</b>
<b>USD 497</b>								
Property Tax	\$ 82,500	\$ 82,500	\$ 82,500	\$ 82,500	\$ 237,443	\$ 237,443	\$ 237,443	\$ 237,443
<b>TOTAL USD 497</b>	<b>\$ 82,500</b>	<b>\$ 82,500</b>	<b>\$ 82,500</b>	<b>\$ 82,500</b>	<b>\$ 237,443</b>	<b>\$ 237,443</b>	<b>\$ 237,443</b>	<b>\$ 237,443</b>
<b>TOTAL REVENUE</b>	<b>\$ 288,862</b>	<b>\$ 299,242</b>	<b>\$ 370,912</b>	<b>\$ 374,437</b>	<b>\$ 856,922</b>	<b>\$ 860,265</b>	<b>\$ 867,096</b>	<b>\$ 870,586</b>
<b>EXISTING REVENUE</b>								
City	\$ 8,506	\$ 8,506	\$ 8,506	\$ 8,506	\$ 8,506	\$ 8,506	\$ 8,506	\$ 8,506
County	\$ 9,524	\$ 9,524	\$ 9,524	\$ 9,524	\$ 9,524	\$ 9,524	\$ 9,524	\$ 9,524
USD 497	\$ 18,278	\$ 18,278	\$ 18,278	\$ 18,278	\$ 18,278	\$ 18,278	\$ 18,278	\$ 18,278
<b>TOTAL EXISTING</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>	<b>\$ 36,308</b>
<b>NEW REVENUE</b>								
City	\$ 181,879	\$ 191,970	\$ 262,927	\$ 266,442	\$ 424,830	\$ 428,173	\$ 435,005	\$ 438,495
County	\$ 6,453	\$ 6,742	\$ 7,455	\$ 7,464	\$ 176,618	\$ 176,618	\$ 176,618	\$ 176,618
USD 497	\$ 64,222	\$ 64,222	\$ 64,222	\$ 64,222	\$ 219,166	\$ 219,166	\$ 219,166	\$ 219,166
<b>TOTAL NEW REVENUE</b>	<b>\$ 252,555</b>	<b>\$ 262,934</b>	<b>\$ 334,604</b>	<b>\$ 338,129</b>	<b>\$ 820,615</b>	<b>\$ 823,958</b>	<b>\$ 830,789</b>	<b>\$ 834,279</b>
<b>TOTAL PAYROLL:</b>	<b>\$ 1,430,618</b>	<b>\$ 1,494,675</b>	<b>\$ 1,652,684</b>	<b>\$ 1,654,819</b>	<b>\$ 1,654,819</b>	<b>\$ 1,654,819</b>	<b>\$ 1,654,819</b>	<b>\$ 1,654,819</b>

This sheet shows the revenue that will be generated for the City (not including revenue being used for TIF and Bond payments), the existing revenue being generated and the difference between the two, which is all new revenue to the City, County and USD 497.

<b>TOTAL NEW PAYROLL:</b>	<b>\$ 40,633,808</b>
<b>TOTAL NEW REVENUE FOR CITY OF LAWRENCE:</b>	<b>\$ 6,822,180</b>
<b>TOTAL NEW REVENUE FOR DOUGLAS COUNTY:</b>	<b>\$ 1,029,057</b>
<b>TOTAL NEW REVENUE FOR USD 497:</b>	<b>\$ 2,380,276</b>
<b>TOTAL NEW REVENUE FOR OUR COMMUNITY:</b>	<b>\$ 10,231,513</b>

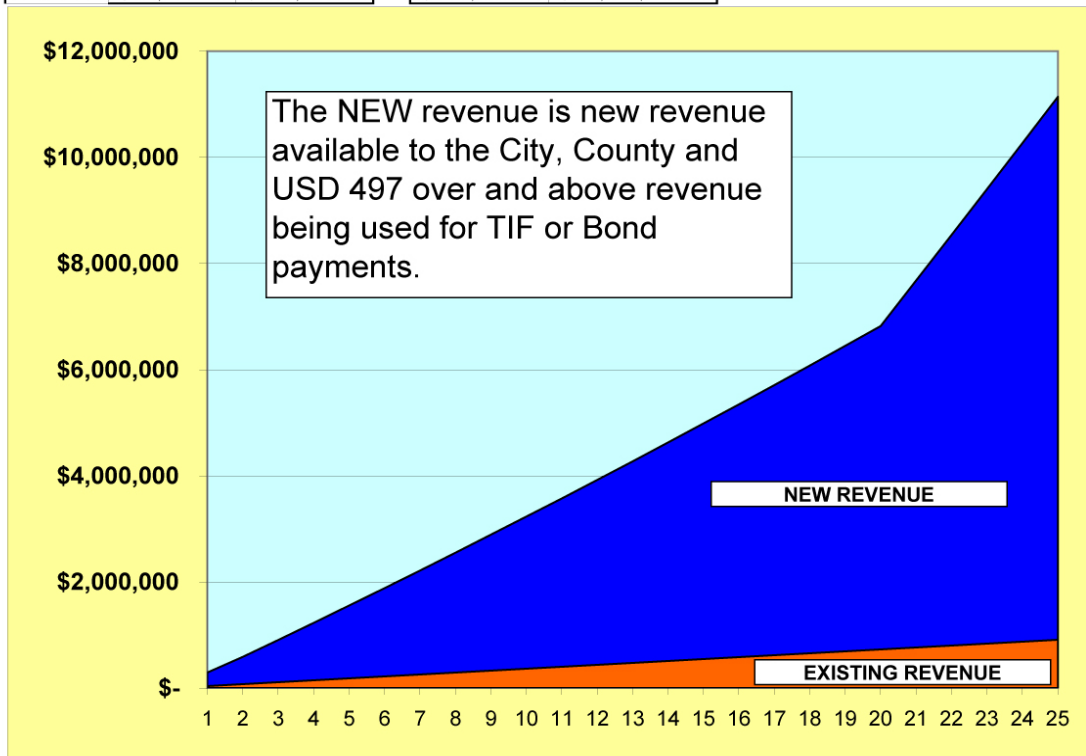


# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

	YEARLY		CUMULATIVE	
	EXISTING	NEW	EXISTING	NEW
YEAR 1	\$ 36,307.53	\$ 252,554.67	\$ 36,307.53	\$ 252,554.67
YEAR 2	\$ 36,307.53	\$ 262,934.44	\$ 72,615.06	\$ 515,489.12
YEAR 3	\$ 36,307.53	\$ 279,858.48	\$ 108,922.59	\$ 795,347.60
YEAR 4	\$ 36,307.53	\$ 284,994.95	\$ 145,230.12	\$ 1,080,342.55
YEAR 5	\$ 36,307.53	\$ 290,252.56	\$ 181,537.65	\$ 1,370,595.11
YEAR 6	\$ 36,307.53	\$ 293,133.25	\$ 217,845.18	\$ 1,663,728.36
YEAR 7	\$ 36,307.53	\$ 296,055.41	\$ 254,152.71	\$ 1,959,783.76
YEAR 8	\$ 36,307.53	\$ 299,019.69	\$ 290,460.24	\$ 2,258,803.45
YEAR 9	\$ 36,307.53	\$ 302,026.76	\$ 326,767.77	\$ 2,560,830.21
YEAR 10	\$ 36,307.53	\$ 305,077.28	\$ 363,075.30	\$ 2,865,907.49
YEAR 11	\$ 36,307.53	\$ 308,171.94	\$ 399,382.83	\$ 3,174,079.44
YEAR 12	\$ 36,307.53	\$ 311,311.44	\$ 435,690.36	\$ 3,485,390.88
YEAR 13	\$ 36,307.53	\$ 314,496.49	\$ 471,997.89	\$ 3,799,887.37
YEAR 14	\$ 36,307.53	\$ 317,727.80	\$ 508,305.42	\$ 4,117,615.18
YEAR 15	\$ 36,307.53	\$ 321,006.11	\$ 544,612.95	\$ 4,438,621.29
YEAR 16	\$ 36,307.53	\$ 324,332.17	\$ 580,920.48	\$ 4,762,953.45
YEAR 17	\$ 36,307.53	\$ 327,706.72	\$ 617,228.01	\$ 5,090,660.17
YEAR 18	\$ 36,307.53	\$ 331,130.54	\$ 653,535.54	\$ 5,421,790.71
YEAR 19	\$ 36,307.53	\$ 334,604.42	\$ 689,843.07	\$ 5,756,395.13
YEAR 20	\$ 36,307.53	\$ 338,129.15	\$ 726,150.60	\$ 6,094,524.28
YEAR 21	\$ 36,307.53	\$ 820,614.56	\$ 762,458.13	\$ 6,915,138.84
YEAR 22	\$ 36,307.53	\$ 823,957.53	\$ 798,765.66	\$ 7,739,096.37
YEAR 23	\$ 36,307.53	\$ 827,348.71	\$ 835,073.19	\$ 8,566,445.07
YEAR 24	\$ 36,307.53	\$ 830,788.87	\$ 871,380.72	\$ 9,397,233.94
YEAR 25	\$ 36,307.53	\$ 834,278.80	\$ 907,688.25	\$ 10,231,512.74



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11/20/2007 Oread Summary presentation New Revenue Chart

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

#### THE OREAD INN TIF / TDD COST ESTIMATES 11/19/07

#### A

Indiana Street	Qty	Unit	Unit Price	Extension
Street demo	15,000	sq ft	2.00	30,000.00
Street prep (grading / fly ash)	15,000	sq ft	3.00	45,000.00
Pavement 8" concrete	8,400	sq ft	8.25	69,300.00
Curb	300	ln ft	16.00	4,800.00
Approach 1 pavement	450	sq ft	25.00	11,250.00
Approach 1 curb	70	ln ft	16.00	1,120.00
Approach 2 pavement	450	sq ft	25.00	11,250.00
Approach 2 curb	70	ln ft	16.00	1,120.00
Accent sidewalk	60	ln ft	60.00	3,600.00
Sidewalk	310	ln ft	20.00	6,200.00
ADA ramps	7	ea	1,500.00	10,500.00
Emergency lane	3,150	sq ft	20.00	63,000.00
Engineering	1	ls	10%	25,714.00
Contingency	1	ls	15%	42,428.10
<b>Total Indiana Street</b>				<b>\$325,282.10</b>

#### B

Oread Street	Qty	Unit	Unit Price	Extension
Street demo	24,000	sq ft	2.00	48,000.00
Street prep (grading / fly ash)	24,000	sq ft	3.00	72,000.00
Pavement 8" concrete	21,000	sq ft	8.25	173,250.00
Curb	1,500	ln ft	16.00	24,000.00
Approach 1 pavement	625	sq ft	25.00	15,625.00
Approach 1 curb	70	ln ft	16.00	1,120.00
Approach 2 pavement	625	sq ft	25.00	15,625.00
Approach 2 curb	70	ln ft	16.00	1,120.00
Accent sidewalk	60	ln ft	60.00	3,600.00
Sidewalk 1	600	ln ft	20.00	12,000.00
Sidewalk 2	600	ln ft	40.00	24,000.00
ADA ramps	10	ea	1,500.00	15,000.00
Pedestrian roundabout	1	ls	50,000.00	50,000.00
Vehicular roundabout	1	ls	150,000.00	150,000.00
Island roundabout streetscape	1	ls	50,000.00	50,000.00
Storm sewer	850	ln ft	100.00	85,000.00
Storm sewer	4	boxes	6,000.00	24,000.00
Engineering	1	ls	10%	76,434.00
Island roundabout streetscape	1	ls	15%	126,116.10
<b>Total Oread Street</b>				<b>\$966,890.10</b>

#### C

12th Street	Qty	Unit	Unit Price	Extension
Street demo	39,600	sq ft	2.00	79,200.00
Street prep (grading / fly ash)	39,600	sq ft	3.00	118,800.00
Pavement 8" concrete	25,080	sq ft	8.25	206,910.00
Curb	1,200	ln ft	16.00	19,200.00
Approach	6000	sq ft	25.00	150,000.00
Accent sidewalk	300	ln ft	60.00	18,000.00
Sidewalk 1	110	ln ft	20.00	2,200.00
Sidewalk 2	200	ln ft	25.00	5,000.00
ADA ramps	11	ea	1,500.00	16,500.00
Truck access drive	2,000	sq ft	30.00	60,000.00
12th Street stairway	1	ls	50,000.00	50,000.00
Engineering	1	ls	10%	72,581.00
Contingency	1	ls	15%	119,758.65
<b>Total 12th Street</b>				<b>\$918,149.65</b>

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

THE OREAD INN  
TIF / TDD COST ESTIMATES  
Page 2

#### D

Streetscape	Qty	Unit	Unit Price	Extension
Retaining walls	1	ls	75,000.00	75,000.00
City water tank	1	ls	75,000.00	75,000.00
Plantings	1	ls	140,000.00	140,000.00
Trees 4"-6"	120	ea	1,500.00	180,000.00
Irrigation	1	ls	100,000.00	100,000.00
12th St. existing island rehab	1	ls	15,000.00	15,000.00
Turf	1	ls	20,000.00	20,000.00
Benches	20	ea	2,000.00	40,000.00
Street lights	40	ea	3,000.00	120,000.00
Sculptures	1	ls	100,000.00	100,000.00
Pedestrian shelter	2	ea	30,000.00	60,000.00
Engineering	1	ls	10%	92,500.00
Contingency	1	ls	15%	152,625.00
<b>Total Streetscape</b>				<b>\$1,170,125.00</b>

#### E

Water and Sanitary	Qty	Unit	Unit Price	Extension
8" pvc water line along Oread incl fittings, trenching, backfill, pavement repair, etc.	340	In ft	150.00	51,000.00
8"x8" tapping sleeve and valve	1	ea	2,000.00	2,000.00
12"x12"x12" tee	1	ea	800.00	800.00
12" gate valve	2	ea	1,300.00	2,600.00
12"x12"x4" tee	1	ea	200.00	200.00
4" gate valve	1	ea	500.00	500.00
12"x12"x8" tee	1	ea	800.00	800.00
8" gate valve	1	ea	750.00	750.00
12"x12"x12" tapping sleeve and valve	1	ea	3,500.00	3,500.00
Fire hydrant assembly	2	ea	2,100.00	4,200.00
12"x8" reducer	1	ea	300.00	300.00
Lift station basement	1	ea	15,000.00	15,000.00
Repl casting/lid on MHSW361219-105	1	ls	400.00	400.00
Rehab of MHSW361219-105	7	vf	135.00	945.00
CIPP install - Indiana 12th-11th 8"	594	lf	32.00	19,008.00
CIPP install - Indiana 11th w to alley 8"	142	lf	32.00	4,544.00
CIPP install - alley btw IN & MS 11th-9th 8"	1349	lf	32.00	43,168.00
Construct std manhole over existing SS (4'x6')	1	ea	2,500.00	2,500.00
Extra depth manhole (4' diam)	2	lf	120.00	240.00
8" SS pipe (S & W of MH)	20	lf	62.00	1,240.00
Connect to existing 8" VCP	2	ea	300.00	600.00
Remove / replace asphalt pavement	96	sf	5.25	504.00
Flowable mortar	18	cy	75.00	1,350.00
Traffic control	1	ls	500.00	500.00
Construct std manhole over existing SS (5'x6')	1	ea	3,000.00	3,000.00
Extra depth manhole (5' diam)	12	lf	140.00	1,680.00
Construct std manhole (4'x6')	1	ea	2,500.00	2,500.00
8" SS pipe	200	lf	62.00	12,400.00
Remove / replace concrete gutter	16	lf	28.00	448.00
Remove / replace concrete sidewalk	70	sf	12.00	840.00
Remove / replace asphalt pavement	180	sf	5.25	945.00
Flowable mortar	31	cy	75.00	2,325.00
Traffic control	1	ls	1,000.00	1,000.00
8" PVC - wat in along Oread (incl fittings, trenching, backfill, pavement repair, etc.)	750	lf	150.00	112,500.00

continued next page

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

THE OREAD INN  
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Page 3

#### E

<b>Water and Sanitary, Cont'd:</b>				
	Qty	Unit	Unit Price	Extension
Flowable fill (for both main and services)	270	cy	80.00	21,600.00
Long service lines (including fittings)	150	lf	50.00	7,500.00
Reconnect existing services	4	ea	500.00	2,000.00
Fire hydrants	2	ea	2,100.00	4,200.00
6x8 MJ gate valve	1	ea	800.00	800.00
8x12 MJ gate valve	1	ea	1,000.00	1,000.00
Connect to existing water main	2	ea	1,000.00	2,000.00
Engineering	1	ls	10%	33,338.70
Contingency	1	ls	15%	55,008.86
City Inspection	1	ls	3%	12,652.04
<b>Total Water and Sanitary</b>				<b>\$434,386.60</b>

#### F

<b>City Impact Fees</b>				
	Qty	Unit	Unit Price	Extension
Water	1	ls	34,810.00	34,810.00
Sewer	1	ls	72,130.00	72,130.00
Tap Fees	1	ls	50,000.00	50,000.00
Permit Fees	1	ls	40,000.00	40,000.00
<b>Total City Impact Fees</b>				<b>\$196,940.00</b>

#### G

<b>Site Utilities</b>				
	Qty	Unit	Unit Price	Extension
Electric / phone / cable	1	ls		150,000.00
Westar fee of \$65,000 plus lab & equip for prep & installation				
Engineering	1	ls	10%	15,000.00
Contingency	1	ls	15%	24,750.00
<b>Total Site Utilities</b>				<b>\$189,750.00</b>

#### H

<b>Site Work</b>				
	Qty	Unit	Unit Price	Extension
Garage excavation	40,000	cy	10.00	400,000.00
Demo	1	ls	140,000.00	140,000.00
Stabilization / shoring	1	ls	120,000.00	120,000.00
Engineering	1	ls	10%	66,000.00
Contingency	1	ls	15%	108,900.00
<b>Total Site Work</b>				<b>\$834,900.00</b>

#### I

<b>Parking Structure</b>				
	Qty	Unit	Unit Price	Extension
Parking Structure	1	ls	6,000,000.00	6,000,000.00
Engineering	1	ls	10%	600,000.00
<b>Total Parking Structure</b>				<b>\$6,600,000.00</b>

# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA

THE OREAD INN  
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Page 4

#### In Summary...

##### **Public Street Improvements**

A	Indiana Street	325,282.10
B	Oread Street	966,890.10
C	12th Street	918,149.65
D	Streetscape	<u>1,170,125.00</u>

**Total Public Street Improvements** **\$3,380,446.85**

##### **Public Water and Sanitary**

E	Water and Sanitary	<u>434,386.60</u>
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**Total Public Water and Sanitary** **\$434,386.60**

##### **City Impact Fees**

F	City Impact Fees	<u>196,940.00</u>
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**Total City Impact Fees** **\$196,940.00**

##### **Site Utilities**

G	Site Utilities	<u>189,750.00</u>
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**Total Site Utilities** **\$189,750.00**

##### **Site Work**

H	Site Work	<u>834,900.00</u>
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**Total Site Work** **\$834,900.00**

##### **Parking Structure**

I	Parking Structure	<u>6,600,000.00</u>
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**Total Site Work** **\$6,600,000.00**

**Total TIF / TDD District Estimate** **\$11,636,423.45**



# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

12<sup>th</sup> & INDIANA



# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

12<sup>th</sup> & INDIANA

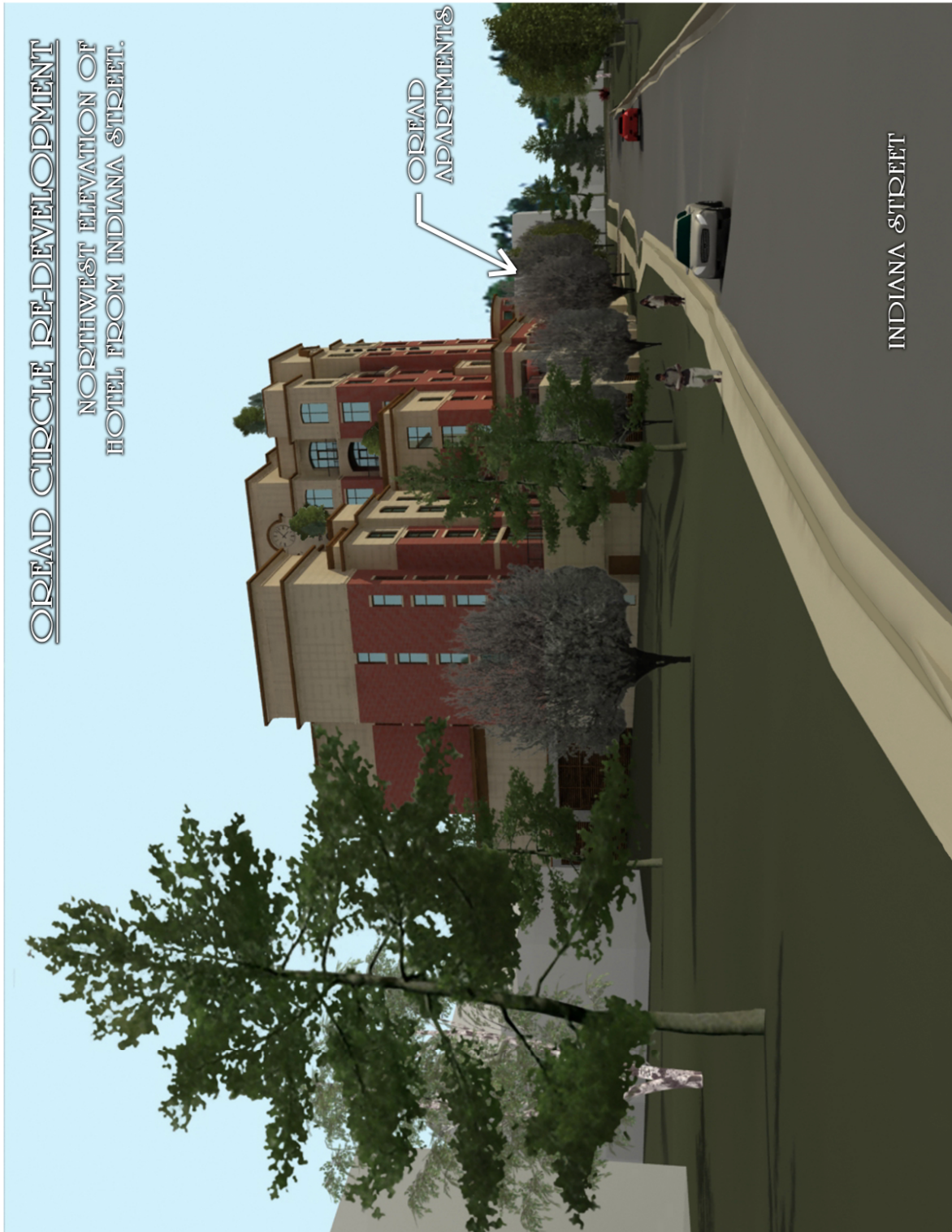




# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

12<sup>th</sup> & INDIANA





# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

12<sup>th</sup> & INDIANA

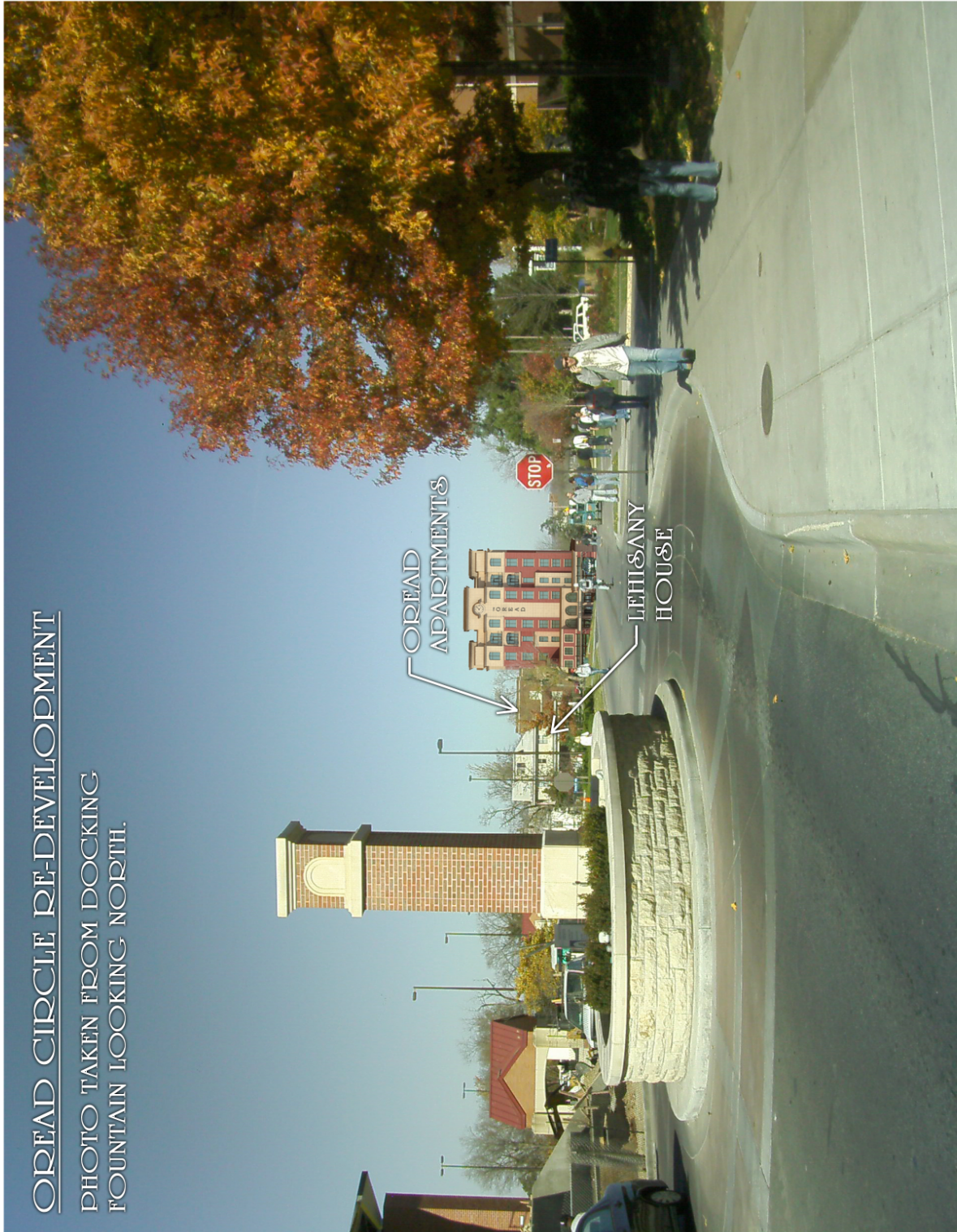




# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

### 12<sup>th</sup> & INDIANA



OREAD CIRCLE RE-DEVELOPMENT

PHOTO TAKEN FROM DOCKING  
FOUNTAIN LOOKING NORTH.



# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

12<sup>th</sup> & INDIANA



OREAD CIRCLE RE-DEVELOPMENT

PHOTO TAKEN FROM INDIANA  
LOOKING SOUTH.

GREEK  
HOUSE



# OREAD CIRCLE RE-DEVELOPMENT

## THE OREAD

12<sup>th</sup> & INDIANA

