

From: Lichtwardt, Robert W [mailto:licht@ku.edu]
Sent: Sunday, August 10, 2008 5:10 PM
To: David L. Corliss
Subject: Type A Homeless Shelters and Workplaces

Dear David,

This is in regard to the proposed text amendment to change the homeless shelters to include the Type A Homeless Shelter for families of up to 15 persons as accessory uses. My main point has been that accessory uses have no description or controls written into the zoning ordinance and therefore are not controlled by the ordinance or by other regulations, although accessory uses as structures do have minimal restrictions. However, as accessory uses these Type A Homeless Shelters have no city oversight or controls because there is no registration, license, or permit that is required. This is also true where the homeless workplaces are permitted as accessory uses. Although there may be no concern regarding the administration of this kind of program through the faith based Family Promise, because this is a general permitted use in the zoning ordinance itself this is open to any private individual or organization to use.

Without proper controls there is always the possibility that there would be abuse of the families and the other residents that these facilities were designed to benefit. For the protection of the residents of the homeless facilities and workplaces, they need city oversight.

Thank you for your concern about this issue. I hope that the City Commission will give this more careful consideration before it is passed.

Betty Lichtwardt

From: Lisa Harris [lharris@ku.edu]
Sent: Monday, August 11, 2008 5:07 PM
To: mdever@sunflower.com; robchestnut@sunflower.com; mikeamyx515@hotmail.com; suehack@sunflower.com; boog@lawrence.ixks.com
Cc: Joseph Rexwinkle; Scott McCullough
Subject: Text Amendment TA-04-03-08 homeless shelter changes

Follow Up Flag: Follow up
Flag Status: Completed
Dear City Commissioners:

I am writing to ask you to defer the text amendments on homeless shelters to allow for revision — and for citizen and planning commission review in that process.

Here are a few of my concerns with the current wording.

I think there need to be more guidelines for what management plans should contain to address public safety and neighborliness, especially for any shelter allowed to operate

near citizens' homes. Also, management plans and SUPs are not required for Type A night shelters, and I think they should be.

As I read it, when a management plan is required, it does not have to require that any staff be qualified or trained, does not have to require background checks or other screening, and does not have to address whether visitors are allowed inside or outside the property. A plan *does* require rules of conduct, but sets no parameters for what would be needed in a residential neighborhood.

Other concerns:

- There is no established review process for management plans for Type A shelters.
- Type A night shelters could operate 365 days a year.
- Transportation is not required to be provided to or from Type A day or night shelters.

A few comments about the draft planning commission minutes on this item: My comment about a four-plex was not to express concern that one would be built, but that, by allowing four families in one house, the house essentially would become a four-plex in use. The code does not allow that in single family neighborhoods in other circumstances. Also, my question about the white areas on the map in the staff presentation pertained to my thought that by eliminating planned unit developments from consideration for Type A shelters, we are setting up in inequitable situation where some areas are exempt from consideration simply because it's awkward to address this with code changes, the way the code is written. We ought to be able to find a way to work around that.

The above observations aside, here's what I think about Type A shelters after having a chance to digest the code changes further. While I support the concept of having day-only transient shelters in a community (especially those that would help people get back on their feet), I do not support having them in residential neighborhoods. Besides the density issue in single-family neighborhoods, my reasons primarily have to do with the sense of stability in a neighborhood, affect on property values and desirability for purchase for surrounding properties, and concern about crime and safety. The code states that management plans need to address how to communicate with police and respond to emergencies. I think those conditions are wise, but it gives one pause for putting a facility that needs such a plan among our citizens' homes.

I might be able to support Type A night shelters in churches in residential areas if the use were restricted along the lines described by the Family Promise model, to one week per quarter, and with some strong conditions.

We are not the only city that has grappled with this. In 2006 the City of Las Vegas considered changing its zoning to allow a day shelter (operating under the radar) to continue to operate in a residential neighborhood. The staff, planning commission, and city commission all denied the request. The city did, however, acknowledge the value the service the facility was providing and helped identify a new location in a mixed use area. By the way, this was a Family Promise facility.

I support your and staff's intention to serve the homeless in Lawrence with essential services, and I will help in any way I can to increase our options for that in a way that makes the best sense for the community as a whole. I know this is not an easy issue, and it is an important one.

Thank you for your consideration,

Lisa Harris

From: Rachelle Christie [rachristie20@yahoo.com]
Sent: Monday, August 18, 2008 6:41 PM
To: David L. Corliss
Subject: Family Promise Program

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States. Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded. Please do not delay us any longer in carrying out this important ministry.

From: Randy Beeman [rbeeman@sunflower.com]
Sent: Tuesday, August 19, 2008 8:43 AM
To: David L. Corliss
Subject: Family Promise

Dave, First Christian Church strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. We feel that we are part of the solution here in Lawrence to family homelessness.

Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. I believe the safeguards Family

Promise provides have proved in other communities around the country that it is no threat or blight on the local neighborhood.

Dave, I hope that you encourage the city to allow the Family promise day center to locate in residential areas to continue to be an important component in ending homelessness of families in Lawrence.

Since we need to start as soon as possible, please do not delay Family Promise in carrying out this important ministry.

Randy Beeman

From: Christine Winters [cwinters@sunflower.com]

Sent: Tuesday, August 19, 2008 7:37 PM

To: David L. Corliss

Subject: Code Changes for Family Promise

Dave,

Slightly more than 30 years ago, I was close to the situation of the people Family Promise intends to help. I was a single parent of two children ages 3 and 6 making slightly more than minimum wage, and unable to pay for medical insurance. I had parents who had the means to help me; my place of employment continued to stay in business; and neither my children nor I had a chronic or debilitating illness. Because I had the help of family and friends during the tough times, I was able to feed my children, maintain a place for them to live, and help them get an education.

The Family Promise program is designed to help families similar to the way I was helped -- a little help to get back on your feet. The program screens the participants very closely. Participants with drug, alcohol, and physical abuse problems aren't allowed to enter the program. The participants must be willing to actively search for jobs and housing. They must save a set amount of their take home pay to get them back in their own home. The families are active participants in making it work and changing their lives for the better. They work one on one with a trained professional to help them mainstream back into society. This program has worked for 20 years in New Jersey and also in other parts of the United States. Its success rate is better than 70%.

In Lawrence, there are more than 100 homeless families per year. That is approximately 250 children. 250 CHILDREN NOT HAVING A HOME TO LIVE IN. Children need a yard to play in. Parents need a place where they can take their children that is safe from the perils of most homeless shelters. Just as you would like to raise your children in a residential area, these parents deserve to be able to have their children in a residential neighborhood where their outdoor playtime can be as normal as possible. Just as you want your family to be safe at night, these parents deserve to feel their children are safe also. The faith-based organizations are willing to provide the space and the funds to make this program work. The City of Lawrence needs to do its part to help these residents get back on their feet.

Please do not delay in passing the code changes for the day center to be in a residential neighborhood and allowing the churches to house homeless families overnight. We need to act now to provide appropriate shelter before the cold weather hits. Even one child without a safe place to sleep at night is too many.

Christine Winters

> From: Len Andyshak [mailto:revlen@ku.edu]

> Sent: Tuesday, August 19, 2008 9:23 AM

> To: David L. Corliss

Subject: In support of Family Promise

> Dear Mr Corliss,

Please know that many of us in Lawrence are very excited about the possibility of participating in Family Promise through our churches and are thrilled at the chance to help homeless families in this practical way. This program has been very successful in many communities and would be a wonderful addition to our community.

Len Andyshak

From: Judy Williams [jwilli305@msn.com]

Sent: Tuesday, August 19, 2008 8:17 AM

To: David L. Corliss

Subject: homeless/daycare/churches

I support Family Promise of Lawrence. My church has agreed to provide shelter and food for homeless families with children for one week every three months. Because of the screening process that Family Promise provides in selecting the homeless families for its program, I feel secure in allowing these families to stay in my church building overnight. They will be served by members of my church. I believe it is our right to carry out this ministry and we are protected by the First Amendment of the Constitution of the United States.

I firmly believe that Family Promise should be permitted to locate its Day Care Center in a residential area. It would be best for the children. I owned and operated a Day Care Center for twenty years in a residential neighborhood here in Lawrence and never experienced one complaint. I anticipate that the result would be the same. The safeguards Family Promise provides have proven to be successful in other communities around the country. There has been no threat of blight to the neighborhoods. The fears that others have voiced are unfounded. Thank You for your attention to this concern for homeless families in our community.

Judy Williams

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From: Hilda Enoch [henoch@sunflower.com]

Sent: Tuesday, August 19, 2008 2:35 AM

To: David L. Corliss
Subject: I Left Out a Word in the Subject Line...
Dear David--

I'd be appreciative IF you'd insert the word --deserve--in the Subject line --as I intended in the letter below --(but it's late!) --to read:

"Family Promise needs and deserves community support"

Thank You. --Hilda

From: KHite@mizehouser.com
Sent: Tuesday, August 19, 2008 8:22 AM
To: David L. Corliss
Subject: social services need in Lawrence

Mr. Corliss,

I am sure you are probably being inundated with communication about Family Promise, both for and against. I don't want to add to this communication with a long letter or email. However, I am on the board of Family Promise and wanted to make myself available if I can be of any assistance in communicating. It seems that we have been associated, because of the housing status of the people we intend to serve, with the chronic homeless. I think with appropriate communication of our model of operation and the screening and rigors of our program that we can overcome this prejudice.

Another reason I wanted to contact you was to inquire whether there is any way that we can begin some provisional special use process. Our goal was to have a day center available to begin providing services by November 1st. The location we have in mind is an exceptionally good one because of its proximity to the community resources that the people we serve will need in order to reshape their lives and move back into permanent housing. It is a misconception of the community to think of this as a shelter of any type as it is simply a center from which training and preparation can occur. It is a workforce training center social services agency more than anything else.

It grieves me to see that we are moving toward fall and winter with such a good program stalled on the runway. Any assistance you can provide in advising us of the most expedient way to proceed would be very appreciated.

Thank you for all you do for the community.

All the best,

Ken

Kenneth R. Hite, CPA

Mize, Houser & Company
120 East Ninth
Lawrence, KS 66044
Phone: (785) 842-8844
Fax: (785) 842-9049
Email: khite@mizehouser.com

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From: Carol and Victor Carr [vicandcarol@sunflower.com]
Sent: Tuesday, August 19, 2008 8:39 AM
To: David L. Corliss
Subject: Lawrence Family Promise Program

Dear Mr. Corliss,

My congregation, First Christian Church, strongly supports Family Promise of Lawrence. There is a group of people anxious to get started and help MAKE A DIFFERENCE. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members..

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

PLEASE DO NOT DELAY US ANY LONGER in carrying out this ministry.

Sincerely,

CAROL ANN CARR
230 Michigan St., Lawrence, Ks.
842-2331

From: Carl Burkhead [carlb@sunflower.com]
Sent: Tuesday, August 19, 2008 7:49 PM
To: Sue Hack; mdever@sunflower.com; Boog Highberger; Mike Amyx; Rob Chestnut
Subject: Family Promise

Dear Commissioners:

I know this is late, but I also know that you won't find a better solution to the part of the homeless problem in Lawrence involving children than you will with the Family Promise ministry. First off, you have a ministry with a well known track record. Secondly, you have a Distinguished Professor who is heading up the local ministry. Thirdly, you have at least a dozen churches that want to be a part of the ministry. Finally, you have other churches that are willing to serve in a support role. What is the cost to the City to help with the homeless problem? Nothing? This isn't even a faith-based ministry involving Federal money. It's a ministry where people are willing to help other people. I think the gains far outweigh the losses. Carl Burkhead

From: Julie Avila [jewelsavila@yahoo.com]

Sent: Wednesday, August 20, 2008 5:17 PM

To: David L. Corliss

Subject: Family promise

Dear David,

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Vince and Julie Avila
637 N. Nottingham Rd.
Lawrence, KS 66049

From: Ryan Hickman [hickman@sunflower.com]

Sent: Wednesday, August 20, 2008 10:56 AM

To: David L. Corliss

Subject: Family Promise Code Change Approval

Dave,

Our congregation at Morning Star Church strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

We look forward to helping those in need in our community and would appreciate the support of the city in helping our community solve a problem that has gone unnoticed and unsolved for far too long. The homeless families with children need to be helped and they can be helped through this ministry and

without tax payer dollars. Please approve the code changes and let people get started helping other people.

Ryan D. Hickman
President, Midwest Student Ministries

From: tbrinson@midweststudentministries.com

Sent: Wednesday, August 20, 2008 6:10 PM

To: David L. Corliss

Subject: Family Promise of Lawrence

Dear Dave Corliss and City Commission,

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Thank you for your time,

Torrie Brinson
tbrinson@midweststudentministries.com

From: Rich Lorenzo [mailto:rlorenzo@sunflower.com]

Sent: Wednesday, August 20, 2008 12:06 PM

To: David L. Corliss

Subject: Family Promise

Dave:

I attend Morning Star Church and we strongly support Family Promise of Lawrence and have agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise

provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Thanks,

Rich

Richard A. Lorenzo
Senior Financial Consultant

Berthel Fisher & Co. Financial Services
3310 Mesa Way, Suite 101
Lawrence, KS 66049
785.843.7070
785.843.2763 (fax)

From: Rick Mullen [rick@msclawrence.com]
Sent: Wednesday, August 20, 2008 10:16 AM
To: David L. Corliss
Subject: Family Promise

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Regards,

Rick Mullen

Rick Mullen
Executive Pastor
Morning Star Church
998 N. 1771 Rd., Lawrence, KS 66049
(785) 749-0023

From: ncarson@midweststudentministries.com

Sent: Wednesday, August 20, 2008 10:43 PM

To: David L. Corliss

Subject: Family Promise

Dear Dave,

I just wanted to write you to let you know that I'm a part of Morning Star Church which plans to host Family Promise one week every three months. This is such an important and necessary program for our city.

Please carry out this ministry. Please also endorse a day center in a residential area for the children's safety.

Thank you.

Naomi Carson

2708 Harrison Pl.

Lawrence, KS 66047

From: thevarajoo [t@sunflower.com]

Sent: Wednesday, August 20, 2008 1:16 PM

To: David L. Corliss

Subject: Family Promise of Lawrence

Mr. Corliss,

Please approve the code change to allow Family Promise to open it's doors to serve the homeless. If helping homeless is a crime or has to be mulled over, it's a shame on humanity.

Please don't put "road blocks" on a group of citizens trying to help the homeless., regardless of the group. What was the last thing you personally did to help the homeless? This could be it.

Thanks,

Paul

From: Rachel Leland [mailto:rachleland@yahoo.com]

Sent: Wednesday, August 20, 2008 3:26 PM

To: David L. Corliss

Subject: Family Promise

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is

protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Sincerely,

Rachel Leland

From: Madalon Vann [vannx10@yahoo.com]

Sent: Wednesday, August 20, 2008 10:04 PM

To: David L. Corliss

Subject: Family Promise Day Center

Mr. Corliss, I am a resident of the Barker neighborhood as well as a parishioner of one of the churches that are going to house the homeless families that come through Family Promise. I would like to urge the city to pass the new regulations that would make it possible for Family Promise to locate in a residential neighborhood. I attended the Barker neighborhood meetings on this issue and found the comments and fears to be totally unfounded. If they are concerned about neighborhood blight they need to report 2 homes on the 1500 block of Rhode Island as well as 2 homes on the 1500 block of New Hampshire to the city for condemnation. They are that run down. The issue about cars doesn't hold water. It is rare to find homeless families with cars since they generally can't afford to keep them or run them. If they are concerned about kids hanging around they only need to watch the kids from Central Jr. High gather at the Community Theatre to smoke and throw their trash around. I lived right beside Central for 4 years. I have worked with homeless families and single parents for 27 years and have not ever witnessed the issues my neighbors were talking about. This location at 1501 Rhode Island would be ideal for families as it is centrally located to shopping within walking distance as well as numerous potential areas of employment. It is also in walking distance of several schools, Central, LHS and Cordley. My family and I will be involved in volunteering at the home and have no concerns about being around the families that would be screened for the program. Please allow this program to start up immediately. We have a problem with homeless families and need as many homes and or day centers as we can establish in Lawrence. All these families need are a hand up to permanent living. Thank You for your time. Sincerely, Madalon Vann

From: jsmith2@sunflower.com

Sent: Wednesday, August 20, 2008 11:04 AM

To: David L. Corliss

Cc: lawrencefamilypromise@yahoo.com

Subject: Family Promise program

Our congregation (St. Johns) strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to help provide food for homeless families with children for one week every three months. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please help us by not delaying us any longer in carrying out this important ministry and service to the community.

Larry and Jewel Smith
1432 Lawrence Avenue
Lawrence, Kansas 66049

From: Jeremy Brakenhoff [mailto:jeremybrakenhoff@gmail.com]
Sent: Wednesday, August 20, 2008 1:25 PM
To: David L. Corliss
Subject: Family promise

Hello Dave-

I wanted to write to show my support for family promise.

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Sincerely- Jeremy

From: Joshua McCleary [jmcclary@sunflower.com]
Sent: Wednesday, August 20, 2008 1:08 PM
To: David L. Corliss
Subject: Family Promise

Dear Mr. Corliss,

Our congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Thank you,

Josh McCleary
Lawrence, KS

From: Brooke Waters
To: David L. Corliss
Sent: Wed Aug 20 20:03:57 2008
Subject: Family Promise
Dear Mr. Corliss,

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.
Brooke

www.straightupbeautiful.com
<http://www.myspace.com/beautydefineddifferently>

From: Stephanie Fawcett [mailto:sfawcett@sunflower.com]
Sent: Wednesday, August 20, 2008 3:42 PM
To: David L. Corliss
Subject: Family Promise Day Center

Dear Mr. Corliss,

I am a member of Morning Star Church here in Lawrence. Our church, along with several others in our community, is involved in the Family Promise ministry to help homeless families here in Lawrence. Our congregation has committed to participating in housing and feeding families who qualify for the program one week every three months. We are confident that the stringent screening required to accept participants into the program will safeguard our building and the members who are volunteering. Not only do we believe this is the right thing to do, it is protected by the First Amendment to the Constitution.

In order for this program to succeed, these families must have a Day Center from which to operate. I believe it is safe and right for this setting to be in a residential neighborhood, namely for the sake of the children of these homeless parents who will be going to and from school, will want to play in parks or with other neighborhood children, participate in after-school activities, and would benefit greatly from the stability that a residential area would provide. As these are *families* that will be in the program, and these families have been carefully screened, the fears that have been voiced in opposition to the Day Center are unfounded. This has proven to be a safe and effective solution in many other communities where Family Promise has been operating. Therefore I urge you to support the decision to allow the Day Center to be established in a residential neighborhood in Lawrence.

Sincerely,

Stephanie Fawcett

From: mhickman@midweststudentministries.com

Sent: Thursday, August 21, 2008 2:01 PM

To: David L. Corliss

Subject: Family Promise of Lawrence

Dear Mr. Corliss,

My congregation at Morning Star Church strongly supports the Family Promise of Lawrence program and has agreed to provide shelter and food for homeless families with children for one week every three months. We believe that the screening process will provide a safe environment for the volunteers as well as the homeless in need. The First Amendment to the Constitution of the United States protects our right to minister to others in this way.

I also believe that Family Promise should be allowed to have its day care in a residential area in order to provide safety for the children. The fears that have been voiced in regard to this are unfounded and should bear no weight in the decision made to support this beneficial ministry.

Please respond quickly in supporting this ministry. Help is needed soon.

Thank you for your time.

Miriam Hickman

From: Hope, Nancy Francesca [nfhope@ku.edu]
Sent: Thursday, August 21, 2008 1:19 PM
To: David L. Corliss
Subject: Support of shelter for families with children

Dear Mr. Corliss:

Please accept this email as evidence of support from St. John the Evangelist Catholic Church for the proposed Family Promise of Lawrence program. Our congregation has voted to do this, so it is not just my individual voice, but the voice of the 1100+ families of the congregation speaking on this issue.

We certainly understand the concerns voiced by opponents to this project since it is new in our town, but similar programs in other communities across America have demonstrated that it is no threat to or blight on nearby neighborhoods. Therefore, please shepherd this program through the bureaucratic process in a timely fashion.

Sincerely,
Nancy Hope

From: JASON KIDD [jelkidd@sbcglobal.net]
Sent: Thursday, August 21, 2008 10:00 PM
To: David L. Corliss
Subject: Family Promise
Mr. Corliss,

My family and church family strongly support Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. We feel secure in allowing these families to stay in our building overnight and to be served by our members due to the stringent screening program that Family Promise provides in selecting homeless families for its program. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe and would love to see the Family Promise Day Center be permitted to locate in a residential area. This would be the best location for the children's safety. Family Promise provides safeguards and these have been proven in other communities around the country that it is no threat or blight on the neighborhood. The fears voiced by others have been unfounded.

Please, do not delay us any longer in carrying out such an important need and ministry in our community.

Sincerely,
Jason & Erin Kidd
Morning Star Church

From: Patti Lyon
To: David L. Corliss
Sent: Thu Aug 21 10:10:49 2008
Subject: Family Promise of Lawrence
August 21, 2008

Dear Dave,

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Patti Lyon
St. John the Evangelist Parish
Lawrence, KS

From: Debbie McCarthy [got2want2@yahoo.com]
Sent: Thursday, August 21, 2008 10:21 AM
To: David L. Corliss
Subject: Family Promise of Lawrence
Hello David:

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the childrens safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Debbie McCarthy
Parishioner
Saint John the Evangelist Church

Debbie McCarthy, Realtor
Hedges/Realty Executives
1037 Vermont
Lawrence, KS 66044

(785) 841-2400 - office
(785) 218-3448 - mobile
(785) 843-5487 - fax

DebbieMcCarthy@RealtyExecutives.com

From: Scott Robinson [mailto:scottr@sunflower.com]
Sent: Friday, August 22, 2008 10:44 AM
To: David L. Corliss
Subject: Family Promise

Mr. Corliss,

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. **The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.**

Please do not delay us any longer in carrying out this important ministry.

Scott Robinson

785-727-4404

From: plek10berg@aol.com [mailto:plek10berg@aol.com]
Sent: Friday, August 22, 2008 2:11 PM
To: David L. Corliss
Subject: day center for Family Promise

My husband, Michael, and I welcomed about 40 neighbors to our home August 7 to hear about Family Promise (a proposed new ministry based on a proven national program to help families in need) and to ask questions and raise concerns. We appreciated the interest but were a bit taken back by the resistance to the idea of a day

center for the program being located in our neighborhood.

The questions raised about the number of people involved, the cars that would be added to the neighborhood, the safety of children playing in an unfenced yard, the house being empty at night, the screening process for participants, the training of volunteers were valid and relevant. We thought the organizers answered what questions they could and were taking into consideration all the concerns.

=0 A

During the lengthy discussion it became apparent that much of the distress was centered on a proposed change in wording for zoning in neighborhoods. That, too, seems to be a valid concern. However, we have little patience for trying to figure out all the 'what ifs' of such proposals especially in light of a member of the planning commission who reportedly voted in favor of the change speaking against it at our neighborhood meeting. At least one protester of the neighborhood day center made it clear that speaking out against the change next Tuesday would not be against Family Promise but would be against the zoning change. However, they are still against the day center in the neighborhood.

At the end of the meeting we couldn't really tell how the majority of the group felt. Were most in agreement with the dissenters or simply quiet? Many expressed their support privately to us as they left. If the permit is given for the day center to locate in a residential area will the decision be made by a very vocal minority? We will be fine with any decision that represents the majority.

Now the question seems to be: How will the City Commission handle this. Will they give a special permit for a day care center as they originally planned to do? Will they delay making a decision so long that the program cannot begin in any location? We hope the taskforce and the board of Lawrence Family Promise won't give up because of all the obstacles they've encountered. Much progress has already been made. It is a good program and one that our community needs – for the sake of the children. \

Because of the success of the national program on which Family promise is based and because of the stringent screening program that Family Promise provides in selecting families in need, we feel secure in allowing them to spend days in our neighborhood. We feel strongly that these families will benefit from experiencing a few weeks in a safe, clean comfortable home in a family friendly neighborhood.

This will be much different from the drop in center and Salvation Army services to homeless persons. Most people, including some from our Barker neighborhood, cannot imagine the difference in serving the working poor rather than the chronic homeless. The safeguards Family Promise provides have proven in other communities around the nation that there is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay so long that Family Promise can not begin on their targeted starting date in November. They may not be able to get their director of choice if the delay is

too long to guarantee the beginning time for employment.

Pat & Mike Lechtenberg
1701 Barker Avenue
785-842-1992

From: Barbee, Sherry
Sent: Friday, August 22, 2008 3:32 PM
To: 'dcorliss@ci.lawrenceks.us'
Subject: Family Promise Day Center

Good afternoon Mr. Corliss,

I'm sending you this letter in response to Family Promise of Lawrence and the delay for the code changes for the Day Center that is needed. This is a wonderful opportunity for the community of Lawrence to come together to provide shelter and food for the homeless **families** (please remember this includes children). The families have to go through an extensive screening process to even be accepted into the program and for this reason, we as a church feel secure to allow them to stay in our church building overnight and be served by our church members. The neighbors in the area where the Day Center is being proposed should also feel this security for the same reason. Education is needed for anyone with concerns about this program, not delaying in doing what is right for the families in their unfortunate situations.

Thank you for your time and attention to this important matter.

Sincerely,

Sherry Barbee
(Member of Morning Star Church)

From: tim o'brien [obrkids@yahoo.com]
Sent: Saturday, August 23, 2008 10:22 AM
To: David L. Corliss
Subject: Family Promise Shelter

Dear Mr. Corliss--

Thank you for your work for the city of Lawrence.
I'm writing in support of the Family Promise Shelter.

I have looked into this program and strongly believe in its efficacy. I would support such a shelter even if it were planned to be next door to my own house.

Please help the Family Promise cause.

Tim O'Brien 832-0942

From: casad@sunflower.com

Sent: Sunday, August 24, 2008 8:47 PM
To: David L. Corliss
Subject: Family Promise

Dear Mr. Corliss,

Family Promise is a program that provides food and shelter to families with children for a specific amount of time. It is a national program which has met with success in many other cities. Several churches in Lawrence have banded together to offer such a refuge here, but apparently the City Commission is reluctant to authorize the effort without more public input.

Speaking as an individual and as a member of one of the churches, I believe that permission should be granted. The screening process for selecting eligible families is very stringent, we feel secure in allowing them to stay in the house and to be served by our congregants. We also believe that Family Promise should be permitted to locate its Day Center in a residential area as that is much better for the children involved.

Often people in such desperate circumstances need just a bit of temporary help to become operational again. I think that the City Commission should grant permission for this important venture, thereby helping the families involved and helping the churches carry out a very basic mission.

Sincerely,

Sarah Casad
842-8120 1130 Emery

From: Brent Lamb <lamb_ks@yahoo.com>
To: David L. Corliss
Sent: Sun Aug 24 19:52:01 2008
Subject: Family Promise

Dear Mr. Corliss,

Please forward this e-mail to the appropriate people:

I have been involved with Homelessness issues in Lawrence, thanks to my daughter who has been throwing birthday parties for the homeless for the last 7 years. In that time, we have seen many sides of the issue. But I have never seen a program that offers the opportunity to really do something about the issue of homeless families that will require so little of the community.

Who would oppose a program that has a 95% success rate? Or oppose a program where the participants are fully screened and do not include people who are currently drinking or on drugs? Who would oppose a program that will actually put people back on the tax roles as opposed to suck money from the tax roles?

I understand the "not in my neighborhood" attitude. But we are not talking about another Open Shelter. We are talking about a fully staffed and supervised center where the members of the family can go to gain access to skills training and services they need to move out of homelessness. They will only be there from 8 to 5. They need a residential setting for the safety of the children. Johnson County will open its second center, soon. If they can do handle two, then surely we can open one.

I urge you to vote to approve the changes necessary for this important program to proceed. Don't let the voice of a vocal minority sway something that many people across the community feel is so important.

Brent Lamb

From: Jean Khatib [mailto:jeanesk@sunflower.com]
Sent: Monday, August 25, 2008 7:12 PM
To: David L. Corliss
Subject: family promise

I support the Family Promise Program in Lawrence and support its day center wherever feasible. Thanks for all your good work. Jean Khatib

From: Sandy Walton [mailto:sandy@firstbaptistlawrence.com]
Sent: Monday, August 25, 2008 4:06 PM
To: David L. Corliss
Subject: Family Promise

Dear Mr. Corliss,
My congregation, First Baptist Church, of which I am a part of the pastoral staff, believes strongly that Family Promise is a powerful way to help certain families who have encountered difficult circumstances to gain stability again. As a congregation we have voted and agreed to provide shelter and food for homeless families with children for one week every three months, as a part of our mission and ministry. Because of the stringent screening program that Family Promise provides in selecting homeless families for this program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe that locating the day Center in a residential area would be the best location for the children. The safeguards Family Promise provides have proved in other communities around the country to be no threat to, or blight on the neighborhood.

I would urge the city counsel to consider carefully what would be in the best interest of the Family Promise program as they seek to help the homeless, while at the same time protecting the integrity of residential neighborhoods.

Sincerely Yours,

Sandra M. Walton
Associate Pastor
First Baptist Church, Lawrence, KS

From: Jackie Stafford [mailto:jackiestafford@sbcglobal.net]
Sent: Monday, August 25, 2008 8:27 PM

To: David L. Corliss
Subject: TA 04-03-08

Dear Mr. Corliss,

I am writing to you to express my serious concerns with the proposed text amendments to TA 04-03-08. I live in the Barker Neighborhood and learned of the proposed changes to city code when Family Promise spoke to the neighborhood about their desire to open a day center for homeless families at 1501 Rhode Island. I am thankful that they presented their plan to us, otherwise many of us would not have known about the possible changes. Although my concerns about a day center being located at 1501 Rhode Island are many, I am even more concerned with the proposed changes to zoning codes.

I strongly urge the planning commission and the city to reconsider the changes in the text. I do not think a day center or homeless shelter should be located in a residential neighborhood -- be it the Barker Neighborhood or any other Lawrence neighborhood. In addition, I do not think these services should be located in close proximity to a school -- elementary, junior high or high school. If Family Promise is granted a special use permit, their day center will be right across the street from Central Junior High. As I researched Family Promise and their work nationally, I have found no rationale from them in favor of placing other Family Promise programs in residential neighborhoods. In fact, most of their programs are in commercial or industrial areas.

This is not an issue of "Not in my backyard." Instead, it is an issue of what is best for our city's neighborhoods. I know our city is faced with a shrinking budget and a growing homeless population. As a teacher and parent, I feel strongly that we need to work together to solve the homeless issue. I don't, however, think these code changes are in the best interest of the community.

I urge the planning commission to reconsider the changes as well as inform the rest of Lawrence of these possible changes. If the proposed language is passed, everybody's "backyard" will be a possible location for a day center or overnight homeless shelter.

Respectfully,

Jackie Stafford
1640 Massachusetts Street

From: Kenny Nall [mailto:kufirst01@yahoo.com]
Sent: Monday, August 25, 2008 10:17 PM
To: David L. Corliss
Subject:

Hello, my name is Kenny Nall. I am Debbie Nall's son. Please disregard the previous letter that possibly may have been sent to you. My mother has been interested in allowing her house to be used as a homeless shelter (day center). She has regularly attended city planning meetings. She's been an active member of the Lawrence community for years. She's orchestrated local concerts and events for churches and worked for the school district for fifteen or so years.

There has obviously been controversy and concern over the planning of homeless shelters in certain areas of the city, mainly residential zones. The concern is definitely warranted for many reasons. Yet, those concerns are far outweighed by the benefits of this opportunity. I'm sure you've heard both sides of the argument and may have already made up your mind, but I urge you to listen to the advocates of this plan and to my point.

Citizens of a city should be associated with good works in the community and I would be cautious of turning down relevant causes such as this. It's simple, the difference to make a change should be more important than the possible concerns that may arise. Furthermore, Family Promise has certainly taken into account and have created solutions for any situations that may occur. Lawrence should be proud of its residents who are willing to take chances to better their community and the city administration should grasp both sides of the issue and commend those willing citizens for their eagerness. My mother has always been devoted to doing good in the community and she and her late husband thought about and were willing to pursue this chance for progress. I hope you understand their passion and deliberate in favor of theirs and Family Promise's case.

From: Bruce Morgan [mailto:pastor@firstbaptistlawrence.com]

Sent: Monday, August 25, 2008 4:01 PM

To: David L. Corliss

Subject: Family Promise

Mr. Corliss: I write to you in my role as Interim Pastor of the First Baptist Church of Lawrence, to speak on behalf of Family Promise, and its need for a Day Center to serve as the hub for assisting homeless families who will be housed temporarily in churches throughout our community, until permanent housing is secured. I have served as a volunteer in an identical program in Johnson County, which serves Kansas City area families who are temporarily homeless; and it works effectively there, utilizing the same model of housing the families in churches, and then providing transportation for them to the Day Center, where they receive training in securing employment and assistance in finding permanent housing. We serve only families, mostly mothers and children. Such a center is appropriate for a residential neighborhood, where there would be strict supervision of the program by Family Promise staff. The people we will be serving are good citizens who have encountered financial hardship. I fear that in the current economy, we may be seeing more good citizens forced from their homes, making the Family Promise program all the more crucial for Lawrence. I trust you will convey to the city council our fervent hope that you will approve the zoning necessary to allow our Day Center to open, so that our service to families may begin. Thank you for your attention to this matter.

Appreciatively yours,

The Rev. Bruce W. Morgan
First Baptist Church
1330 Kasold Dr.
Lawrence, KS

From: Debbie Nall
To: David L. Corliss
Sent: Mon Aug 25 06:45:13 2008
Hello....

I am Debbie Nall and own the home that Family Promise is wanting to use for their day center at 1501 Rhode Island. My husband and I have lived there for over 20 years and in those 20 years we have had over 70 people living with us off and on. (In our 39 years of marriage, we have had over 200 living with us from 1 day to 3 years.) Folks who had no place to go: broken marriages, recovering alcoholics, recovering drug addicts, men who just got out of prison, abused women, homeless families whose kids were at Central (where I worked for 17 years), single, blind mother waiting for her Habitat for Humanity home for her and her three children. All of them recommended by local churches or schools. The home is perfect for such a thing as Family Promise. It is what my husband and I had wanted our home to go for when we knew we were going to be moving due to my husband's illness.. We did not counteroffer on the contracts we had on the house because we were holding off for a large family or something like the FP day center.

Never once did we have a problem with any one we had staying at our house nor did we have any complaints from our neighbors who all knew about the folks we took in. I would say that 90 % of the neighbors now are in favor of FP moving there. It seems that it is only a handful who are upset over the "HOMELESS" living in their backyard. Sad to say, they have not grasped hold of the concept of FP nor do they want to even give FP a chance. 1st off they need to realize they are families without a home. Two: they are NOT living there. They hear the word homeless and panic. They think of transients and the ones holding up their cardboard signs saying "I'm homeless. Need money." You want to roll your window down and say, "Get a job like the rest of us". FP families are not them.

The unique thing about FP is that the folks have to be screened. NO drug, alcohol abuse, sex offenders, no criminal history and a criminal background check is done. There are rules to follow to qualify and if they do not follow the rules, they are out. If I was to rent it or sell it to anyone outside of FP, who does the criminal background check for me? Not I. I would rather have FP be there and know that the ones coming there have been screened. That seems pretty safe to me versus the alternative.

If my house was paid for, I would let FP use it free of charge. That is how much I believe in the idea. How many others out there would do the same with their own personal home where they have raised their family and have lived there for over 20 years? Very few, if any. I 100 % believe in the ministry of this organization. 20+ year track record. Over 130 FP's around the nation. Run by 99 % volunteers and no government handouts. That is a win-win situation. Do you realize that Joe Reitz who is steering heading this, I believe is a volunteer? And he has raised the funds, and has gathered over 500 volunteers since he began promoting FP?. Plus he has the churches lined up waiting for this to happen. Why? Because he believes in FP and so do the volunteers. Why else would he tackle such an overwhelming task if he did not believe in the project?. Look what he did to help the LEO Center and Heartland Medical Services. That has been a BIG Huge success in Lawrence. When he heard and realized how many displaced families were living in Lawrence and heard about FP, he began pursuing it with all his heart. Lawrence needs more Joe Reitz's. Lawrence needs Family Promise. Family Promise is NEEDED in Lawrence. Desperately needed. Especially now with cold weather around the corner.

Another perfect reason for 1501 is that it is so close to a grocery store, downtown, schools, KU, SRS, local bus system, parks. It's ideal !

I love the ideal that they have to save 80% of their income for those who have jobs so they will have money ready when a place opens up for them. How awesome is that?

There is so many great things about Family Promise that I could go on and on but I won't. I just wanted to email you to tell you that I think 1501 Rhode Island is a perfect location and I know that many of the neighbors surrounding the house are in favor of it. Neighbors such as the Maynard-Moody's, Theil's, R. Smith, A. Burdett, R. Minder (school board member), Falkenstein, Birchfield, Lechtenberg, Cromwell's, and Claytons. These are neighbors who live next door, across the street, up the block. Sally Howard who is the lead counselor for Kathleen Seibelus who owns the house next door is in total favor of FP.

Please don't let a few neighbors with the loudest voices spoil it for the families who are without a home. Especially with winter fast approaching. Even if the house wasn't mine, I would be 100 % in favor of FP being at 1501 Rhode Island because of all the reasons I stated above plus some.

Thank You for your time and consideration regarding Family Promise.

Debbie Nall

From: OzTalent@aol.com [mailto:OzTalent@aol.com]

Sent: Monday, August 25, 2008 1:05 PM

To: David L. Corliss

Subject: Family Promise needs our support

Hello Dave,

It is unfortunate that misinformation is guiding the neighbors of the proposed location for the Family Promise program.

This is a small, select group of families with children who are taking the herculian effort to do what it takes to be self-sufficient. It is important that the neighbors and all involved understand the hard work these families are undertaking to become self-sufficient. They are certain to be good neighbors and to be of no trouble to the neighborhood. This is a highly structured and demanding program. It is much different than open population program where accountability is difficult. Also, these families will be leaving this property in the early evening to stay at churches, so the day center will only be used in the day.

I know many people that wish they had neighbors that had the kind of accountability that these families will have. Plus they will have the Family Promise director and the churches involved for accountability.

I would welcome the opportunity to speak with the neighbors or city officials to help insure zoning is given to this important program in our community.

Sincerely,

Steve Ozark

InterFaith Initiative

Volunteer Coordinator

oztalent@aol.com

785.760.3143

From: clim@midweststudentministries.com

Sent: Monday, August 25, 2008 1:28 PM

To: David L. Corliss

Subject: Family Promise Program

Dear Dave Corliss,

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its DayCenter in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Yours sincerely,

Cheh Lim

Midwest Student Ministries

From: Derk & Dana Landes [mailto:ddlandes@sunflower.com]

Sent: Tuesday, August 26, 2008 2:53 PM

To: David L. Corliss

Subject: Family Promise

My congregation strongly supports Family Promise of Lawrence and has agreed, as part of our mission, to provide shelter and food for homeless families with children for one week every three months. Because of the stringent screening program that Family Promise provides in selecting homeless families for its program, we feel secure in allowing them to stay in our building overnight and to be served by our members. We believe our right to carry out this ministry is protected by the First Amendment to the Constitution of the United States.

Further, we believe that Family Promise should be permitted to locate its Day Center in a residential area. Such a location is best for the children's safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

Please do not delay us any longer in carrying out this important ministry.

Thank you,

Dana Landes

E-mail message checked by Spyware Doctor (5.5.1.322)
Database version: 5.10560e
<http://www.pctools.com/spyware-doctor/>

From: Robin Bedenbaugh [mailto:rbedenbaugh@gmail.com]
Sent: Tuesday, August 26, 2008 7:26 PM
To: David L. Corliss
Cc: holly.mercer@alumni.ku.edu
Subject: Text Amendment TA 04-03-08 - Expressing our opposition

Mr. Corliss,

We are writing to express our opposition to Text Amendment TA 04-03-08, related to homeless facilities. While we support efforts to help the homeless, we feel that allowing programs in residential neighborhoods will not be beneficial to neighborhoods and ultimately, do not go far enough to provide real support to the homeless in Lawrence. Specifically, we are concerned that this particular amendment has been attached to other amendments affecting the homeless due to the machinations of Family Promise.

We live in Barker Neighborhood, where Family Promise of Lawrence intends to open a day shelter for the homeless. Their communications with residents of Barker Neighborhood have been disingenuous at best. The opposition has been described in an editorial to the Lawrence Journal World as a "vocal minority." We hope to add our voices to the chorus to ensure you that opposition is more widespread in our neighborhood than you may have been led to believe by the members of Family Promise and those who support this amendment.

Allow us to illustrate the story from our perspective.

Sometime in July 2008, we were approached by Pat Lechtenberg. She stated that the owner of the house at 1501 Rhode Island was planning to turn the house into a "welcome center" for homeless families. Note the terminology used was a "welcome center" for homeless families; the term shelter was never used by her. Mrs. Lechtenberg asked if we were opposed to having such a center in the neighborhood. We stated that in theory, we did not oppose such a facility, but would need more information before we could offer any support. She pressed us to sign a statement in support of the center; we declined, and she asked if she could use at least use our names. At this point we became concerned, because she a little too anxious to get us to say "yes" to something

that had been introduced in a matter of seconds, with no real explanation as to what we might be supporting.

We heard nothing more until we were made aware that there was a neighborhood meeting on August 7 at the home of Pat and Mike Lechtenberg. The purpose of the meeting was to introduce Family Promise, and the organization's planned use of 1501 Rhode Island as a homeless day center. At this meeting, Barker neighborhood residents were shown a video produced by Family Promise. We agree that Family Promise is doing good work to assist homeless families. While representatives of the Lawrence Family Promise organization were long on messages designed to tug at our heartstrings, they were short on facts. In particular, Joe Reitz was less than forthcoming that he, on behalf of Family Promise, had instigated a change to the City of Lawrence Code that would affect not only Barker Neighborhood, but also many other neighborhoods and homeowners throughout the city. He also failed to mention that he had already sent a letter to the Planning Commission on July 18th, stating that there had already been discussions with the neighborhood, and that they had encountered no opposition. While they may not have encountered outright "no" answers, they most certainly did not gain our approval.

During the August 7 meeting, both Mr. Reitz and the owner of 1501 Rhode Island noted that they would not proceed with this plan for the house if the neighborhood did not approve. Only one person mentioned immediate approval of this shelter, while the rest of us suggested we needed more information before we could even consider it. The next day, Price Banks sent a letter to the Planning Commission suggesting that the neighborhood had now been consulted and that it was okay to move forward.

Most Family Promise day centers are located in industrial, commercial, and mixed-use zones. Our understanding is that Family Promise needed the proposed zoning change to allow not only the day center, but also the shelters in its partner churches. City employees then extended the proposal to its current state. We are writing not only to express our concerns about the proposed Type A day shelter at 1501 Barker, but to the Text Amendment TA 04-03-08 in general.

We support Lawrence's programs for its homeless residents, but feel these facilities should not be located in single family neighborhoods. They are better suited for commercial and industrial zoning. As the existing proposal is worded, there are not enough checks in place to assure homeowners-and homeless citizens who would potentially make use of the Type A facilities-of a safe, well-maintained, and regulated environment. Moreover, we are very concerned about the effect on property values in affected neighborhoods. While Family Promise may well be a good, well-managed organization, despite the duplicitous nature of the communication of the local representatives, we cannot count on other organizations or individuals being this organized, and the zoning changes do not currently take these or other potential issues into account.

We urge you to reconsider the scope of the proposed zoning changes, and reject the proposal.

Signed,

Holly Mercer and Robin A. Bedenbaugh
1600 Rhode Island St.

From: mistermitten@sunflower.com <mistermitten@sunflower.com>
To: David L. Corliss
Sent: Tue Aug 26 23:44:48 2008
Subject: Comment to Text Amendment TA04-03-08

Dear Mr. Corliss,

I would like to express my concerns regarding the proposed text ammendment changes regarding Type A zoning. These changed would have a significant impact on the Single Family Neighborhoods throughout all of Lawrence. The information contained within the document is quite extensive and most citizens would not have a thorough understanding of the language involved.

I am asking that the proposed changes for Type A zoning be removed from the original request for Shelters to be allowed in Industrial zoning areas.

Once the entire city has been informed of the propsed changes and has the opportunity to research and understand the implications to all of Lawrence, the committee could then solicit feedback from the community.

Several neighborhood associations have compiled issues and concerns related to having Homeless Shelters located within established Single Family neighborhoods. Some neighbors in our area have submitted detailed comments to LAN as well as the Mayor and City Commissioners.

Thank you for your attention to this issue that has a high potential for financial impact to many homeowners in the community.

Sincerely,

Scott and Jana Montgomery
1500 New Hampshire
Lawrence, KS 66044

From: Amy Fore [mailto:amyl.fore@yahoo.com]
Sent: Tuesday, August 26, 2008 1:02 PM
To: David L. Corliss
Subject: Concerned Barker neighborhood resident

Lawrence City Commission,

My name is Amy Fore. I live two doors away from Family Promise s proposed homeless daycenter site. I am a single mother and am opposed to this project on many levels.

I understand the hardships that go with single parenting from the loss of spousal support to becoming the sole wage earner who gets diagnosed with a chronic disease which inevitably caused the loss of a job. I simply could not work, and lucky enough we were taken into a residence that had the stability that my children and I needed.

Now that those serious health issues have (hopefully) passed we have been climbing out of that situation, but it has left my family feeling vulnerable. We moved into this neighborhood for the

fact that it is a good, safe neighborhood. Most of the residents on this end of the block are single women and a lot of us have children. We have created a safe secure block by getting to know each other and checking up on each other on a regular basis. We help each other when needed.

Family Promise's proposed project of rotating and shuffling 14-15 strangers in our tight knit community would effectively dismantle that sense of security that we have purposefully created there. It does not seem that this project would create the stability needed for children in desperate situations. From this personal stand point alone, I oppose the changing of any text in the code for the creation and maintenance of homeless night shelters and daycenters.

On to a more practical and public level, the logistics of this proposed center do not seem to have been thought out. Before the ONE meeting that Family Promise had with the residents of the Barker neighborhood, they had not thought of nighttime security, parking, a fence for children to play in the yard instead of the street, or the fact that there is only one bathroom for 14-15 people to share within an hour time before work and/or school.

This proposed site is across the street from Central Junior High. When parents pick up their children or on the days when there are football games or any other activities, there is no parking on the street. The community theater is right there, and when a show is being put on, again there is no parking. Family Promise had not thought about the traffic. 15th Street is a busy street with people driving down it quickly even when there are no activities.

I am concerned with many other aspects to. Who will watch the small children who are not of school age? Will it be a licensed person? Will it be brought to fire code? Will there be a streetlight at the end of the block for nighttime? There are many more questions that have not been answered adequately enough to impel me to embrace this concept.

I feel that a face and a voice from someone who will directly be affected by this proposed shelter needs to be heard. I also think you need to be made aware of the type of neighborhood that this is. We are tight knit because we understand that a community who knows and cares about each other makes for a safe and secure place to raise children. Please reconsider changing text on the homeless shelter codes and the proposed shelter for the site of 1501 Rhode Island St.. Thank you.

Respectfully,

Amy Fore

From: Mary Cornwell

To: David L. Corliss

Sent: Wed Aug 27 07:16:59 2008

Subject: message from Charles and Mary Cornwell

We want to let you know that we support the Family Promise and its mission to provide shelter and food for homeless families with children . Because of the stringent screening program that Family Promise provides in selecting homeless families, Family Promise should be permitted to locate its Day Center in a residential area. We live in the neighborhood that is being considered.

Further, we believe that such a location is best for the childrens safety. The safeguards Family Promise provides have proved in other communities around the country that it is no threat or blight on the neighborhood. The fears that others have voiced are unfounded.

From: Ann Huppert <achuppert@gmail.com>
To: David L. Corliss
Sent: Wed Aug 27 11:40:00 2008
Subject: Re: TA 04-03-08

David Corliss, City Manager
dcorliss@ci.lawrence.ks.us

Dear Mr. Corliss,

I am writing as a homeowner in the Barker Neighborhood. I have come late to the discussions regarding the proposed amendments to the development code and the specific proposal by Family Promise, having been unaware of meetings held in the neighborhood earlier this month. At this point, however, I am particularly concerned with the tone of conversations within the neighborhood, in opinion pieces in the Journal World (both print and online), and with what has come to seem an inadequate amount of public information regarding what represents – for better or worse – a significant proposed change in the city zoning.

While I would say that much of what I am hearing from some members of the neighborhood sounds to varying degrees alarmist and reactionary, I would equally argue that this is based on inadequate information from the city commission and planning department, which has allowed what might be misinformation to circulate. I am not opposed in principle to the type of center that is under discussion. But in order to promote long standing acceptance, it is essential that the approval process be as careful, complete, and transparent as possible so as to have long-term sustainable support from the community. The fact that neighbors feel as though Family Promise has acted duplicitously and that the City Commission is moving both too quickly and towards forcing something upon neighborhoods, all suggest that a better process is needed.

It is in the best interest of the city, of the individual organizations that cater to the homeless population, and of the homeless members of our community that new facilities be embraced and not rejected by the neighborhoods. The diatribes and misinformation I

have encountered to date show that we are nowhere near that at this point.

Sincerely,

Ann Huppert
1622 New Hampshire St.
achuppert@gmail.com

From: Erin Kennedy
To: David L. Corliss
Sent: Wed Aug 27 15:51:11 2008
Subject: Homeless Daycenter
Mr. Corliss,

I am a resident living at 1630 Barker Avenue with my husband and two small children. It is my understanding that today is the last day to submit a letter to express my concerns about the proposed homeless day center at 15th and Rhode Island. I oppose the day center and the related zoning proposal.

My husband is gone one week a month with his job (at the very minimum). That leaves me at home with my two small children by myself. Barker Avenue is an extremely busy street. Currently, I hear people walking down the street late into the evening every night. I cannot support a facility that would increase foot traffic in our neighborhood. I understand that there will be screening as a part of the operation of the day center. However, I think it will be impossible to deter people from walking through the area to find out what the center is all about. In addition, the bus goes down Barker all day long. In fact, people often perch on the steps in front of my home waiting for the bus.

To be honest with you, we could easily flee to the suburbs to avoid any of these issues, but I love this area and I am committed to this neighborhood. I don't think it is an issue of compassion, but whether or not this residential neighborhood is an appropriate location for a homeless day center. Mr. Corliss, I'm sure that you would agree that a proposed homeless day center would be inappropriate on Carmel Drive or Turnberry Drive. Similarly, I am confident that the City will recognize that the day center would be equally inappropriate at 15th and Rhode Island.

Thank you for your consideration.

Erin Kennedy

From: David L. Corliss
Sent: Wednesday, August 27, 2008 5:02 PM
To: Scott McCullough
Subject: FW: comment on TA 04-03-8

-----Original Message-----
From: Mary Wharff [mailto:mgwharff@sunflower.com]

Sent: Wednesday, August 27, 2008 4:37 PM
To: David L. Corliss
Subject: comment on TA 04-03-8

Hello Mr. Corliss, planning committee members, and city commissioners, Today in the newspaper, the Family Promise organizer mentioned the Las Vegas chapter of Family Promise. After a bit of research, this is the whole story. For 10 years, the chapter used a home in a high-density residential area without ever obtaining proper zoning. A change in laws required all non-profits to get a business license, and as a result, the issue came to the fore. They had to apply for a zoning variance, but neighbors objected, citing too many social services already in their area. The variance was denied. My guess is that the neighbors actually were not happy with Family Promise, otherwise why would they have objected? They'd had 10 years to sell neighbors on the mission, to build a good relationship with their community.

At that point, the city began to help them look for another site, and one was located DOWNTOWN, where proper zoning is not an issue. Everyone in Las Vegas appears to agree that this solution is the best for all concerned.

Please consider this story as you mull the zoning issues before you -- which are being pushed forward by Family Promise. Lawrence's in-town neighborhoods are amazing. Las Vegas would kill for such neighborhoods to be within four blocks of their downtown. Are Lawrence's in-town family-oriented neighborhoods worth protecting? That's the question before you.

Below is the newspaper article with the information I've stated above. The article is dated 4.17.08.

Thank you,
Mary Wharff
1535 Rhode Island

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Family Promise is homeless no more

Nonprofit agency moves into new facility

By BEVERLY BRYAN
VIEW STAFF WRITER

After a period of uncertainty, nonprofit homeless services agency Family Promise is on its feet in a home of its own.

The agency had operated out of a single family home in the high-density residentially zoned area in West Las Vegas for 10 years, unaware that they were improperly zoned.

Last year they found out that, to receive funding, they would need to get a business license under a new law requiring licenses even for nonprofits. This is when the second revelation about their zoning came. The only way the agency could avoid moving was to apply for a zone variance, or special exemption from the zoning. When they appealed to Las Vegas City Hall on May 17 of last year, some Ward 5 residents protested, saying they didn't want anymore social services in their neighborhood. The zone variance was denied and as Family Promise executive director Terry Lindemann said, "We basically became a homeless homeless shelter."

But Las Vegas Mayor Oscar Goodman vowed to personally find a new location for Family Promise within the six months before their land entitlement expired at the rent they were paying at the time (\$1 a year to another nonprofit). This turned out to be no empty promise.

"The mayor really stepped up to the plate. He worked with all departments in City Hall," Lindemann said.

This was especially necessary because finding the right space for Family Promise could have taken some time. Family Promise wanted a single-family house for their day site, where families come for counseling and referrals to other social services. They also can do laundry, shower and store their belongings at the site.

"Our program always wants to be in a home because that's the model we represent," Lindemann said. The idea is a that returning a family to a home-like place is a big part of the program's success in helping families become, and stay, stable.

Lindemann finds it makes case management easier because the children are happier in a home and so the parents are more comfortable and open to being helped as well.

The day site is not a shelter. Families in the program actually sleep at a faith house, a church, mosque or synagogue volunteering their space where families are provided with three meals a day.

Family Promise works with religious groups regardless of denomination.

Lindemann describes the faith house's role as being that of "a compassionate bed-and-breakfast." The experience is far less traumatic, especially for a child, than the typical stay at a homeless shelter. She believes this is a big part of preparing a family to return to normalcy. Every effort is made to avoid labelling a family as homeless.

"We don't refer to the homeless families that walk through our doors as homeless, we refer to them as guests," Lindemann said.

The agency's methods have proven to be effective. Family Promise averages an 80 percent success rate.

Another aspect of the program Lindemann believes is successful is the way the program stays in touch with families that have graduated. They offer a music and arts class for the kids and further life skills classes for their parents. They are planning to begin a mentoring program soon where volunteers will act as life coaches to help families stay stable after leaving Family Promise.

Finding a new home for Family Promise presented a challenge because, Lindemann said, there are no residential neighborhoods willing to accept a social service agency.

Enter Stephen Harsin, director of neighborhood services, who was working at the time on the remodeling of the Downtown Senior Services Center at 320 S. 9th St. The center occupies what was once a Baptist church, and the senior food co-op, Jude 22, was being moved from the detached parsonage into the main building. The old parsonage was to be demolished to make room for parking when Harsin suggested the space as a possible fit for Family Promise to Las Vegas City Councilman Lawrence Weekly's office and the office of the mayor.

Everyone concerned quickly agreed it was a perfect fit. It had the proper zoning and, best of all, it was a single-family home. Since the city owns the land they are able to lease it to Family Promise at \$1 a year for the next five years.

The city was able to help Family Promise get \$150,000 in federal funds to bring the kitchen and bathrooms into compliance with the Americans with Disabilities Act, put in wood floors, and paint and refurbish the office spaces. Along with funds received from private donors, the agency was able to prepare the house within two months, much to the satisfaction of both the city and Family Promise.

"Instead of just giving them the keys, like, 'here, you can use it.' We were able to bring it up to their needs," Harsin said.

The new space even has a little more square footage. Lindemann calls it beautiful.

A ribbon cutting and house blessing was held on March 29. Bruce Ewing, a Family Promise volunteer and member of the cast of Phantom-The Las Vegas Spectacular, performed and leaders from churches around the valley came out to bless various rooms in the house.

According to Harsin, the city welcomes Family Promise to stay as long as the location continues to meet their needs. Lindemann said, for now, they're happy right where they are.

Find this article at:

<http://www.viewnews.com/2007/VIEW-Apr-17-Tue-2007/East/13692371.html>

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Check the box to include the list of links referenced in the article.

From: Brendan M. Lynch

To: David L. Corliss

Sent: Wed Aug 27 08:39:27 2008

Subject: Public comment about rezoning to accommodate homeless shelters

Mr. Corliss:

I write to express my strong opposition to proposed changes in the city code that would encourage shelters for the homeless to open in residential neighborhoods throughout East Lawrence.

As a parent, I am troubled that the city would subject residential communities full of kids to an onslaught of transients, many of whom are shown by statistics to have lives marked by addiction, abuse and mental illness. People move into residential neighborhoods in a city like Lawrence to raise their children in peace and safety, not to inject them into a misguided social engineering experiment that puts families at risk and communities on edge.

Also, the fact that "planned" – and usually wealthier – neighborhoods are *exempt* from the city's shelter scheme is a truly despicable bit of pandering to the privileged and to developers. **This is a**

tacit admission by city planners that these shelters are in no way beneficial for neighborhoods, or else these “planned” communities would have been included in the shelter scheme.

Moreover, the result of excluding “planned” neighborhoods is that the shelters likely will mass in East Lawrence, a part of the city already woefully neglected by our municipal authorities — just look at our roads. It is no accident that Family Promise has targeted the Barker area, and not Alvamar Heights.

If these shelters are not disruptive and potentially damaging to communities, then every neighborhood and development in Lawrence would have been included in this plan, including those of the politically connected and well-to-do.

I sympathize with people experiencing homelessness in these hard times, and have great admiration for those who want to help others. Unfortunately, our federal and state governments – and for that matter, our local government – don’t do enough to alleviate homelessness. So I encourage and support measures that would facilitate the growth of facilities for the homeless.

But shelters belong in areas zoned for commercial and industrial purposes.

My reasoning is simple: Residential neighborhoods are for residents, not transients who are clients of nonprofit businesses. Would you also allow businesses in residential areas? What about hotels? For these shelter groups are businesses and hotels of a sort, are they not?

The proposition made by your planning staff, encouraged by the Family Promise group and boosted by Mayor Dever, is already causing great consternation and distrust in the Barker neighborhood where the first “day shelter” is being contemplated. But the zoning changes are hardly known in Lawrence at large — there has been minimal press coverage. Once an understanding of the city code overhaul becomes widely understood, I believe the outcry will become politically uncomfortable for city officials who would disregard the welfare of the city’s parents, homeowners and residents.

Thus, I ask you, your planning staff and the city commission to reconsider. Please facilitate homeless people and those who would help the needy among us. This is morally and ethically an excellent impulse. But please do not disrupt vital communities in Lawrence by injecting homeless populations into residential neighborhoods full of kids. Look instead to areas already zoned for business and industrial use.

Sincerely,

Brendan Lynch
1617 R.I.

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

From: Deborah McMullen [mailto:deborahmcmullen@sunflower.com]

Sent: Thu 8/28/2008 6:38 PM

To: Deborah McMullen; David L. Corliss

Cc: Michelle Leininger; Scott McCullough; Sheila Stogsdill

Subject: apologizes

To Whom It Concerns:

Lawrence is a fabulous place to call home! People are giving and accepting here in Lawrence. The diversity of the city is one of it's attractions. With diversity also comes politics and zoning and difficult discussions and decisions. With that in mind and heart I would ask that you vote no on the change in zoning in TA 04-03-08 as attached.

I have mixed emotions of course as the issue includes homelessness but the zoning seems too broad and confusing with far too many people using the typical single family home. When I look at any changes to residential zoning a red flag goes up. I think we need to keep the residential areas consistent. If this were a store, gas station or restaurant I would not see them as a good fit into existing residential either. Please consider the changes attached as enhancing the proposed zoning change to TA-04-03-08 as attached in Dear Neighbor. The day shelter is a good idea and there is a great need in Lawrence. We do not say it is not. However it is not going to just fit anywhere. If you look at the family promise web site you will see that 99% of their facilities are not located in residential areas. An apartment building or converted multi family 4 plex would seem more appropriately zoned and offer the amount of usable space and facilities a day shelter will require. For one example; the zoning calls for a minimum of 2 baths and with 15 people using them to bath it is just not realistic. We really need to preserve the residential zoning so that there is consistency in all Lawrence neighborhoods.

Our neighborhood has a home at the corner of 15th and Rhode Island that seems to be the catalyst for this change. In this particular case the home is just too small for up to 17 people, regardless of use. It is just south of the junior high and very close to it's neighbors. The corner is already too dense and over burdened with traffic. 2 Attendants and 15 people or up to 4 families is just too much in the average residential neighborhood in Lawrence regardless of where or who will be using it. Our neighborhood feels strained with this issue and the appearance of it being about the shelter itself but our concern is with use in general and shoehorning too many people into one home. Also we are concerned with the potential for the use to change and be increased, and the erosion of the residential code protection. Thank you for your time and consideration in this matter. It is most appreciated.

Deborah McMullen
1608 Rhode Island St.
Lawrence Kansas 66044

From: Larry Powers
To: David L. Corliss
Sent: Thu Aug 28 06:23:10 2008
Subject: Family Promise Day Center
Dave Corliss, City Manager
City Hall
6 East 6th Street
Lawrence, KS 66044

Greetings Mr. Corliss:

In the August 27th edition of the Lawrence Journal World, on the front page, an article stated that 20% of Lawrence residents live below the poverty level. The Director of East Central Kansas Economic Corp, Jeannette Collier, stated, "Six new homeless families showed up in my office Monday."

With the state of our economy, I feel this is something that will continue to be an issue for the City of Lawrence, as it is for many cities across our nation. Family Promise is an organization

which tries to alleviate at least some of this burden by providing temporary housing while families with children ‘get back on their feet.’

Family Promise has been helping homeless families for over twenty years in over 140 communities, since its inception in New York. As the Director of Family Promise in Philadelphia, Pennsylvania states on her website, “While not a religious organization, we get the majority of our volunteers from faith-based organizations because they have a strong desire to help and a built-in volunteer base.” – www.ihncares.org

The Family Promise website, www.familypromise.org, states, “Our mission is to help low-income families nationwide achieve lasting independence and to redress the underlying causes of poverty and homelessness.”

“Family Promise was founded on the belief that Americans are compassionate people who want to make a difference. Our promise has been to link those in need with those who want to help. Twenty years and 120,000 volunteers later, our pledge is ever broader and deeper.”

Once established in Lawrence, Kansas, Family Promise will provide training to all volunteers and training is mandatory before anyone is allowed to participate as a volunteer. Clients for the program are screened before they are accepted and no one with a history of violence or who is currently addicted to drugs is allowed into the program. The organization desires to help only those who want the opportunity to improve their lot in life. The organization only accepts families with children.

In order to be effective in Lawrence, we need an adequate place to set up a ‘day center.’ The clients will use the day center as a source of contact during day hours and will reside in church buildings during the evening and night hours.

Thank you for your consideration in this matter, that together we make work toward the goal of meeting the needs of homeless families with children in Lawrence, Kansas.

Respectfully,

Larry Powers
2921 Iris Court
Lawrence, Kansas
kansaspoet@sbcglobal.net

From: Lisa Harris [lharris@ku.edu]
Sent: Monday, September 01, 2008 11:03 PM
To: Joseph Rexwinkle; David L. Corliss
Subject: Suggestions for changes in TA-04-03-08 on homeless facilities
Hi Joe (and Dave),

Joe, thanks very much for the extra time to send in my suggestions for changes to TA-

04-03-08. You asked for suggestions for specific changes to the amendment, so I tried to be as specific as possible.

The changes I am suggesting are intended to clear up some confusion in reading and understanding the code and also to create a way to accommodate smaller family-oriented homeless facilities in Lawrence without placing them in single-family neighborhoods (This is still my preference at the moment.) Some of the suggestions are very minor, some not so much. Here goes:

Change the “homeless shelter” term (Type A or B) to “overnight homeless center.”

[This would clear up confusion about the difference between a day center and a shelter in our code. Some folks think a shelter is a 24 hour facility, based on their knowledge of shelters elsewhere.]

In the table in Article 4, change the wording slightly to emphasize “*Use-specific standards.*”

Add a hyphen to say “Use-Specific Standard” in the right column (small point, I know) and change key to say “*Use-Specific Standard Applies” Some people trying to read the code are getting confused here, and this might help.

Change the definition of families to “*Families [as defined in Section 20-1701 (1) and (2).*”

[This would make it clear that the development code’s definition #(3) of “family” – three unrelated people – would not apply in this case; in other words, you could not have 4 such families in a Type A facility, making 12 unrelated people.] As it is written now, the amendment seems to conflict with itself.

Or better yet, family might be better defined here as one or two parents and their children under 19 yrs of age related by blood or adoption. Something like that. ??

Add more specific language about what management plans need to contain.

Include specific areas that should be addressed under rules of conduct, like substance abuse, loitering outside boundaries of facility, physical or verbal abuse, etc. You might look at Family Promise’s rules of conduct for some guidance. I have not seen them, but FP states they are effective.

Add requirements for formal screening of guests for substance abuse, history of violence, pedophile, etc., for Type A facilities.

Require trained staff be present at all times at all homeless facilities.

Remove consideration of Type A homeless shelters in any residential zoning category that does not already allow 4 families in the same building (and preferably limit to commercial and industrial zoning, and RSO).

Add language that serves to limit the number of homeless or social service facilities that can be located in a given geographic area.

Joe, your PPT mentions that some cities do this, but I have not researched this in order to suggest specific language.

Add special use permit and management plan requirement to Type A overnight centers (shelters) and other homeless facilities.

The idea being that any home or business near a potential site for a homeless facility should be provided the opportunity to ask questions and provide comments before the decision to locate the facility has been made...

Change “operated and staffed by a public, nonprofit, charitable or religious institution” to “operated and staffed by a religious institution.”

I think this is the intent, isn't it? Having the other types of institutions listed might bring opportunities we are not as comfortable with.

Add requirement for an annual report for Type A day and overnight centers, with a copy sent to city staff and the relevant neighborhood representative.

This would help the city keep on top of any problems with homeless centers and give the city the information needed for addressing them. It would also put the city in a proactive position rather than relying on citizen complaints. The report could include compliance with management plan, # and character of any police calls or citizen complaints, how they were addressed, staffing challenges, etc.

Increase overnight square footage per person from 35 to 50.

Cleveland, OH is considering 50 as a reasonable number. 35 does seem very low.

Add language that homeless facilities shall not have direct access to abutting and/or adjoining properties.

Phoenix, AZ does this. I suppose the intent of this could be handled under rules of conduct if the management plan required it.

Add language that open areas surrounding homeless facilities shall be screened from view from abutting and/or adjoining properties by hedges, trees, other landscaping, or fencing.

Phoenix, AZ does this.

Add a requirement that a Type A overnight center (shelter) shall not operate more than 4 weeks per year.

This would put a reasonable limit on the accessory use. I'm not sure if four weeks is the right amount; it is based on the Family Promise model; I'm not sure what else to recommend.

Finally, I have a request for the staff report to the planning commission to include more detail about cities that allow homeless facilities in single-family residential neighborhoods. I'd like to know what cities those are (especially any that are

comparable in size to Lawrence), and some information about the single-family neighborhoods in which they have been placed (lower-income, middle-income, whether blighted, etc).

Thanks so much for your consideration of these suggestions. I appreciate your hard work on this text amendment, and the extra time the city is taking to consider further changes based on public input.

If you have any questions about my suggestions, please feel free to call me at 864-2590 (days).

Lisa

From: CL Suenram [cynarch@sunflower.com]
Sent: Thursday, September 04, 2008 5:26 PM
To: David L. Corliss
Cc: Joseph Rexwinkle; Scott McCullough; CL Suenram
Subject: public comment

Follow Up Flag: Follow up
Flag Status: Red
Mr. Corliss,

August 25, 2008, we sent an email letter to the City Commissioners and the City/County Planning Commissioners regarding homeless centers/shelters being allowed in residential neighborhoods. Our letter does not appear in the General Public Comments that are posted on-line for the Planning Commission Homeless Text Amendment. We wonder why.

Below is our letter:

The records of 1200-1202 New York Street of July 2005 thru September 2007 don't really speak for themselves as you didn't live them regarding why a homeless shelter should not be allowed in a residential area. Granted, it (1200-02 NY) was never named a homeless shelter but that's what it became with "support" of the Community Open Shelter in it's placement of homeless tenants.

Property values became impaired. Criminal elements abounded. "Friends" of the homeless whose home this is/was, come from in town and from out of state. One wonders, "who lives there?" The landlord himself could not even answer that question for us. The infrastructure of sewer and trash and police force become strained. People congregate.

The quasi-homeless shelter was forced upon us in this part of the East Lawrence Neighborhood - "can't pick your neighbors". It is not fun. With the demolition of the what was the codes-violations-crack-house of 1200-1202 NY, the neighborhood is healing.

With regards--
Arch Naramore
Cindy Suenram
1204 New York
Lawrence 66044
842-4912

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

From: Lorenz, Sue

Sent: Tue 8/26/2008 5:02 PM

To: 'dcorliss@ci.lawrence.ks.us'

Subject: Comment to Text Amendment TA04-03-08

Dear Mr. Corliss,

We are writing in strong support of the issues raised by Concerned Citizens of the Barker Neighborhood regarding the proposed establishment of a homeless day center at 1501 Rhode Island Street by the organization "Family Promise." Various churches seem to have arrived at a well-worked out agreement with Family Promise to provide overnight housing for homeless families; however, residents of our neighborhood were not included in discussions and were taken by surprise (alerted by an article in the Journal World) at the proposal to establish the day shelter in our neighborhood.

The response of Family Promise supporters, all of whom are no doubt well-intentioned, is to dismiss neighborhood concerns with pleas to "open your hearts" and by referring to "dissenters" who don't really have the support of the "quiet ones" who allegedly approve the proposal. The organization claims never to have had any problems with a neighborhood facility, though it's not clear how many they've established. We don't know of any organization, even the best-run, which can honestly claim never to have had any problem with implementation or follow-through on a project.

Most residents of the Barker Neighborhood recognize that homeless families need assistance with job training, life skills, etc. And many Barker-area residents are active participants in community programs to help those in need. But the proposal to house up to three unrelated families, with 14 occupants, and no one in the house at night seems ill-conceived. How would temporary day residents develop a connection to the neighborhood? And without a connection or ownership, why care what happens to the area? And an empty house at night is an invitation to crime.

We respectfully ask that the Commission consider seriously the comments of the Concerned Citizens of the Barker Neighborhood. We ask that the requirement for Special Use permits for such facilities be maintained, and that regulations for the health and safety of homeless clients and other neighbors be put in place if such a permit is granted.

The particular location for this day shelter is problematic, even if the Commission finds in favor of zoning changes which would permit such uses. The intersections of 15th Street at both New Hampshire and Rhode Island have complicated bus and car traffic (morning and evening), poor sight lines, and erratic pedestrian traffic from Central Junior High School. In addition, student "loungers" from CJHS have long used the south side of 15th to congregate. This would put them practically in the yard of the proposed shelter--not good for the residents and their children.

Thank you for your consideration of these comments in the process of evaluating the proposed zoning changes.

Sincerely,

Sue and Tom Lorenz
1546 Rhode Island Street
785.841.1566
(residents at that address since 1986)

From: Kathryn Conrad [mailto:kathryn.conrad@gmail.com]
Sent: Monday, September 08, 2008 2:23 PM
To: David L. Corliss
Subject: resend: comments on Type A shelter code change proposal

8-14-08

Dear Mr Corliss,

The proposed code changes on the table do not adequately ensure safety for the homeless population being served or the interests of the neighbors to the proposed Type A facilities.

The Family Promise model, which is indeed more regulated than the new code changes required, still fails to address several concerns; and the organization has had no further communication with the Barker neighborhood where the day shelter will be located, despite claims to the contrary. Some general concerns with the day center model were it located, as suggested, in an all-residential neighborhood:

- the Family Promise organization proposes a day shelter that is closed and locked at 5 pm, thus leaving a house in a residential neighborhood regularly unattended for the night.
- It will have no trained staff person dedicated to or licensed in childcare.
- It will have up to 14 people in it (4 families) for generally less than three months at a time, thereby allowing no time or motivation for integration of the families into the neighborhood.
- It will have only one full-time staff person who is on site for only 5 of the 7 days that the shelter is open.
- Although supporters have claimed the need for homeless children to have a 'normal' housing experience, school-age children will actually spend little time there (less than 3 hours/day during the week), and will not be allowed any visitors (according to Prof. Reitz's statement to the Barker neighbors' meeting).

The issue of the Family Promise center has been framed by supporters as creating a 'normal' and 'safe' housing situation for homeless children. But the organizers have also made clear that the day center is precisely that: a day center that is effectively a shower, laundry room and social service office, with a shuttle to area churches at 5 pm. There is nothing in the day center proposal that requires it to be in an all-residential area; to call the day-center controversy a housing issue is misleading. Although the Family Promise plan appears to have a good track record, none of the organizers have spoken at all to the specific concerns associated with this site (e.g., parking, lack of adequate play space, traffic and safety concerns, and more). The claims that neighbors' concerns are unfounded is inaccurate and does nothing to address them. The repeated emphasis I have heard on 'strict screening' is indeed not at all the issue, at least for me; single homeless people, or people with drug addictions or who come from abusive family situations, are as worthy of attention and care as those 'screened' individuals Family Promise plans to serve.

I personally believe that a strictly regulated model of day and night centers for the homeless in churches in residential as well as mixed-use areas could work; and I'm sure there are other models that could work effectively with strict oversight, such as the Family Promise model with a day center in a mixed-use, commercial, or residential area. But the proposed code changes are worrisome and the issues raised by the Family Promise group's specific proposal for the 1501 Rhode Island site speak to the necessity for more careful planning before code changes are enacted. I believe more careful consideration is in the best interests of all of the citizens of Lawrence, housed and unhoused.

Thank you for your interest in this most important issue.

Kathryn Conrad

1621 Rhode Island



Brook Creek Neighborhood Association

Craig Comstock, President

Mail Address: 1315 Haskell Ave. (66044)

Telephone: 785-979-1028

e-mail: brookcreek@sbcglobal.net; craig_comstock@yahoo.com

Joe Rexwinkle, Current Planner
Lawrence Planning & Development Services
Lawrence City Hall
6th & Massachusetts St.
Lawrence, KS 66044

30 August 2008

Mr. Rexwinkler:

The Brook Creek Neighborhood Association Board met earlier this week in emergency session because our group has no regularly scheduled August meeting. Homeless issues affecting our neighborhood have been of concern for more than seven years, but our entire neighborhood will not have an opportunity to review this item until our September general meeting on September 16th. Therefore, we are grateful that the rapid progress of this text amendment was delayed by a considerate City Commission.

On our agenda was one item, the Homeless Facilities Text Amendment, and we have formulated a position on this text amendment. Because for decades we have been working to stabilize our residential neighborhood as evidenced most recently by initiating the Burroughs Creek Corridor Plan, our main objection to this text amendment is that it affords us inadequate code protections.

In the case of Homeless Type A Shelters, Homeless Work Places, Social Service Agencies (sponsoring homeless facilities), and Not-for-profits (sponsoring homeless facilities) in residential zones, there are no provisions for public review, a public hearing, or protest petition. Permitting these uses "by right" in residential zones, as accessory or otherwise, is inconsistent with not only the Homeless Shelter Type B requirement for an SUP in all zones, but also inconsistent with most other similar uses in the Code such as: assisted living, adult day care home, day care center, school, and even bed and breakfast, all of which require an SUP.

And although the Homeless Day Center Type A would require an SUP for locating initially in residential zones, the ongoing operations could easily entail questionable and/or illegal activities within the premises that would go unseen and without any official oversight. Code enforcement of these operations "by complaint only" would be virtually impossible. Also, the simplistic "design standards" will not stand up to what should be universally applicable building and safety Code provisions. And the Management Plan provisions are so general as to not cover any of these objections.

An additional unanswered concern is how this text amendment may render obsolete the Use Conditions that would apply to the Salvation Army site plan and zoning at Haskell and Lynn Ave. BCNA worked for years to reach agreement with the Salvation Army, and this text amendment puts all that in doubt (see attached).

Therefore, the Brook Creek Neighborhood Association is opposed to permitting any homeless facility in residential zoning categories, with the possible exception to RSO and RMO. We request that all homeless facilities be subject to the same conditions as the Homeless Shelter Type B, that is, permitted only in commercial, industrial, RSO, and RMO zones, and only under an SUP.

Sincerely,

Craig Comstock, President
BCNA
attachment

From: Craig Comstock [craig_comstock@yahoo.com]
Sent: Tuesday, September 02, 2008 12:10 PM
To: Joseph Rexwinkle
Subject: Text Ammendment comments from Brook Creek Neighborhood Association
Hello Mr. Rexwinkle,

Apologies for sending this after Aug. 27th. The Brook Creek Neighborhood Association met last weekend to discuss the wording of the text amendment changes you wanted feedback on.

We decided that our preference is that a Special Use process is required in all cases. We do not see the need to exempt any of the Community Facilities types of uses from the Special Use process.

We greatly appreciate your request for comments/suggestions.

Thank you,
Craig Comstock
President, Brook Creek Neighborhood Association
785-979-1028

Eastside Neighborhood Coalition

Barker, Brook Creek, Delaware Street Commons, East Lawrence, Woods on 19th St.

Mayor Michael Dever
Lawrence City Hall
Lawrence, KS 66044

August 6, 2008

re: Homeless Shelter text amendment deferral request

Dear Mayor Dever:

With the City budget and the sales tax issues mostly behind you, we would like to draw your immediate attention to what we in the eastside neighborhoods consider to be a serious lack of due process in amending our Development Code. We are urging you to defer the Homeless Shelter text amendment for one month, instruct City staff to re-draft its provisions in consultation with our neighborhoods, and re-advertise it legally to be reviewed with proper hearings.

On April 29, at the request of the Lawrence Community Shelter, the City Commission initiated a one paragraph text amendment to permit homeless shelters in all industrial zones. And at the urging of our eastside neighborhoods, the City Commission initiated that use to be permitted only by a Special Use Permit. All parties agreed that this approach would satisfy everyone's needs. Government at its best.

Subsequently, a group called Family Promise approached City staff to devise a way to codify this faith-based homeless program and permit their sheltering homeless families in churches. Currently, their nationally-modeled methods could function within our code only under the "day care use group", too restrictive for their goals.

In response to Family Promise, City staff took it upon themselves to create no fewer than four new homeless service uses in the Code, and append these to your text amendment, some uses of which are permitted *by right* in all residential and commercial zoning districts. The single-paragraph text amendment that the City Commission initiated became eight pages, a mere "expansion" by staff explanation.

Notwithstanding the possible value of Family Promise and a desire to permit it by code, the few Lawrence neighborhoods that know of this (most still do not) find the staff process in violation of our Development Code. Text amendments can be initiated only by the City or County Commissions, the Planning Commission, and the Historic Resources Commission. Now, wordcraft edits by staff can be a totally appropriate job activity. It can also be beneficial for staff to *suggest* creative ways to improve our Code, but an eight page text amendment creating *substantive changes* to the Code is not within their purview.

For staff to handle this process legally, they would need to present a totally new text amendment for the Commission to receive, and if desired, the Commission could initiate it within the legal submittal time frame before conducting a public hearing. Instead, staff piggy-backed their creation on what you had initiated on April 29, explained to the Planning Commission that it's complexity prevented them from separating the two, and that they had to act on all of it or none of it.

Homeless Text Amendment Deferral
page 2

It may seem odd to you that our neighborhoods are bringing this up so late. Unfortunately this is the case, because for the three month period drafting a Homeless Shelter text amendment, City staff choose to solicit input from three public entities and a “private citizen”, but not any neighborhood or the Lawrence Association of Neighborhoods. We learned of this only when published five days before the Planning Commission hearing.

Staff's rationale to neither inform nor include neighborhoods or LAN in the process is that there were two public meetings between staff and the Community Commission on Homelessness that we could have attended. By this, is staff implying that it is the onus of the public to continually monitor all public agencies and advisory boards just in case something may be discussed of concern to us? Is this reasonable? Is this fair? Are neighborhoods not stakeholders equal to homeless agencies and worthy of notification? Is this any substitute for due process? Government at its worst.

Essentially at issue is this:

- 1) City staff engaged in procedural behavior unauthorized by City Code.
- 2) Staff also maintains that even if they themselves could not initiate the extensive changes, the “non-agenda item” discussion by Comm. Amyx and staff at the May 20 2008 City Commission meeting constituted initiation by Comm. Amyx; he didn't, he is not the entire Commission anyway, and that discussion had no public notice.
- 3) The Planning Commission hearing had not legally published the contents, scope, and purpose of the text amendment as initiated by the City Commission. The staff-initiated wording being forwarded to you will require re-advertising and the holding of a new public hearing, after proper notice. Staff has again expanded it to thirty four pages since the Planning Commission meeting.
- 4) Because of insufficient public notice of the staff-initiated text amendment, no neighborhoods nor LAN have had adequate time to review the contents of the eight-page version, much less the thirty four-page version, and assess its impacts.
- 5) The well considered and simple text amendment requested by LCS and initiated by you is in legal limbo. It should be placed on the Planning Commission agenda at the earliest opportunity for the proper hearing.

Therefore, we request that you to defer the staff-initiated Homeless Shelter text amendment for one month, and instruct City staff to re-draft its provisions in consultation with our neighborhoods, and re-advertised it legally to be reviewed with proper notice and a hearing at the Planning Commission.

Respectfully,

Eastside Neighborhood Coalition

signatories listed on next page

Homeless Text Amendment Deferral
page 3

Barker Neighborhood

Austin Turney
1501 Pennsylvania St.

William Winkler
1625 Delaware St.

Brook Creek Neighborhood

Craig Comstock, President
1315 Haskell Ave.

Michael Almon, Land Use Chair
1311 Prairie Ave.

Delaware Street Commons

Judy Harrington (as an individual)
1228 Delaware St.

East Lawrence Neighborhood

Phil Collison, President
933 Pennsylvania St.

The Woods on 19th Street

Martha Chapin, President
1825 Delaware St.

Lawrence Association of Neighborhoods

Gwen Klingenberg, President
4900 Colonial Way



Lawrence Association of Neighborhoods

Neighborhoods Working Together

Dear Neighbors;

After meeting with some neighborhood representatives this is what has been decided and why.

1. Because of concerns of property values based on communities that have homeless facilities programs quartered within single family neighborhoods and the unreliability of screening we feel that homeless facilities within our neighborhoods are not good for the community.
2. We support Lawrence's programs that support our homeless residents, but feel that these facilities are better suited for commercial and industrial zoning and that the Type B should be no closer than 1000 feet from single family neighborhoods.

However, if this document should pass there are some additions and changes that we believe are required before any neighborhood could feel supportive in allowing homeless facilities within single family neighborhood.

1. All - Based on the zoning tables in order to be consistent we feel that any and all homeless facilities must require and Special Use Permit. For instance – Assisted Living, Group Home over 11, Bed and Breakfast, Adult day care, etc.
2. All -We feel that there should be a probationary period of one year and then every five years the facility should come up for renewal for any homeless facilities.
3. All- The building should be inspected and follow the rental inspections program. Each facility should have to follow fire codes and any other code for running a business in Lawrence.
4. Type A - Children should attend the school in the school district that the facility is located.
5. Type A - No person who has an addition to drugs or alcohol, abusive, or found to have mental issues, or child predator should be allowed in the Type A shelter or day care center.
6. All - In the management plan there should be stipulations to the time line for each family.
7. Type A Shelter should have a management plan.
8. Type A facilities should have a study facilities for the children.
9. Type A should have fencing which is consistent with 20-507
10. All - Accredited staff seven days a week for all facilities.
11. All - The management plan should stipulate an adequate number of staff and that they are licensed.
12. All - The management plan should establish how the shelter will communicate with neighbors and police, but also with social services that may be needed for the residents.
13. The design standards should apply for Type A shelters. Why would we want less for families?
14. All - There should be at least an offering of transportation to and from services.
15. Homeless Workplace should not be connected or owned by a nonprofit, charitable or religious institution that is also housing members of the homeless community. Some regulation to close any loop that could allow illegal activities such and indentured servants activities.
16. Type A - That RM districts that are mostly single family home type buildings the homeless facilities text amendment shall apply also.
17. The Type A homeless facility shall not operate a temporary homeless or transient shelter at this site, nor provide any services for such potential clients on a drop-in basis including, but not limited to, meals, showers, laundry, courtesy phone, and mail drop.
18. The Type A homeless facility shall make every reasonable effort not to allow its property to become the hang-out of any group or individual. The homeless facility shall make every reasonable effort not to allow any illegal activities to take place on or around its property or facilities. (The rehabilitation facility will be monitored by electronic surveillance, both inside and out, and will be staffed 24 hours a day.)

19. The Type A homeless facility shall not now nor ever enter into a contract with the Kansas Department of Corrections, or any judicial or law enforcement agency, to provide housing or any services for prisoners or parolees at this site.
20. There should be definition of what a management plan is and does.
21. There should be a definition of what a social service group is.
22. All - A management plan shall stipulate what happens if no volunteers are available to work that day or night.
23. All - A management plan shall stipulate what the volunteers are to do if arguments or violence should occur during their stay.
24. All - A management plan shall stipulate the use and dispensing of legal prescription drugs.

From: phil@collison.com

Sent: Thursday, August 28, 2008 2:19 PM

To: Joseph Rexwinkle

Cc: paradigm@ixks.com; glklingenberg@sunflower.com; sstodgsdill@ci.lawrence.ks.us; eastlawrence@yahoo.com

Subject: Homeless text amendment input

Attachments: Homeless Shelter Text Amendment position.doc

Dear Mr. Rexwinkle

I recognize the deadline was yesterday to submit comments for consideration regarding the Homeless Text Amendment, however I wrote this document to put in today's east lawrence neighborhood association's weekly email newsletter. It summarizes the meeting that Gwen, Michael and I had. From that meeting came the recommendations that Gwen did submit in a timely manner. I think that this new document has relevance to support the document that Gwen submitted on our behalf and for this reason I thought you should be aware of it. It does not contradict that document in any way, and I am entirely supportive of both documents.

Thanks for your consideration of this. I have attached it and I have included it below should there be a problem with the attachment.

Phil Collison

President, East Lawrence Neighborhood Association

Homeless Shelter Text Amendment Update:

Gwen Klinkenberg, Michael Almon and I met last Thursday night to discuss our mutual neighborhood's response to the request for input by city planning staff. A good case can be made that Homeless Shelters of any type should not be allowed into a neighborhood period. However, the request was for input into how to make the text amendment meet the needs of neighbors and a shelter. Gwen had already come up with some very good comments for the text amendment, so we opted to move forward with input that would strengthen the code and address many issues head on that could cause any shelter to not fit in with any neighborhood.

We compared the zoning and use requirements to other similar uses, such as home day care centers, adult day care, assisted living sites, etc., and we want the zoning for day use shelters to conform to those same requirements. Those requirements include fire code, number of bathrooms including showers, number of qualified supervision personnel, parking, fenestration, and more. Visitation by outsiders is also of great concern, as is the supervision of children should both parents be at work, job-hunting or whatever. This is all bigger than just what Family Promise wants; it needs to cover any group that may come after. The definition of day-use hours of

operation needs to be defined, and required that there be qualified staff at all times, not just their 40 hour work week. This is a 7 day per week operation so Saturdays and Sundays need to be dealt with, also. Specification of what school any children would attend is important, as are parking needs. Issues such as domestic violence and general internal and external squabble need to be addressed in the text amendment. The question of whether legitimate prescription drugs be allowed and how they should be administered should be addressed, also.

A management plan is required for Type A day use shelters by the text amendment, however there is no definition of what a management plan is and there is no standard for review. There is no management plan for type A overnight shelters. There is no wording in the text amendment that requires that they be temporary (the Family Promise plan calls for participants to spend a week at each church, but there is no reference for the length of time a Type A overnight shelter could operate in the Text Amendment. It should not be a permanent location, or zoning should kick in for helping to site it). The Family Promise plan calls for volunteers to host each night at a Type A overnight shelter, what is the contingency plan should volunteers not be able to host, and should there be professional staff present or on call should an emergency arise?

Food will be served at these shelters. Should the kitchens be required to conform to the same health and sanitation requirements that all businesses are? Finally, how does this text amendment blend with the Salvation Army document that was worked out a couple years ago? Will this text amendment negate the existing use conditions for the Salvation Army's new location at Haskell and Lynn Ave.?

PRICE T. BANKS

ATTORNEY AT LAW
P.O. BOX 442341
901 KENTUCKY STREET
SUITE 206
LAWRENCE, KANSAS 66044
785/842-7900
FAX 785/841-2296

July 15, 2008

Joseph Rexwinkle
Planning Office
PO Box 708
Lawrence, Kansas 66044

via e-mail: jrexwinkle@ci.lawrence.ks.us

Re: Homeless Shelter Text Amendment

Dear Joe:

The Community Shelter appreciates the efforts of staff to create an ordinance that works for all types of facilities for the homeless.

We believe that the version now before the Lawrence City Commission will provide some viable alternatives to meet our goals. However, we believe there is one more area that may cause confusion in the future and, therefore, should be changed.

In Section 20-542 (3), the "Homeless Day Center" appears to be restricted to providing basic services "only during daylight hours", while type A and type B shelters provide "overnight shelter."

Both "daylight hours" and "overnight shelter" are problematic because the difficulty of defining "daylight hours" and "overnight." Furthermore, both terms may be subject to seasonal changes, since there are more hours of daylight on June 22 than on December 22 each year. Since basic services are defined, we recommend that actual hours of operation be defined in the Management Plan rather than in the ordinance. We also believe that the "type B shelter should not be foreclosed from providing additional basic services other than accommodations.

Please let me know if you have questions regarding these recommendations.

Sincerely,

Price T. Banks
cc: client

August 4, 2008

Mayor Michael Dever
City Commissioners
City of Lawrence
6 E. 6th Street
Lawrence, Kansas

Dear Mayor Dever and City Commissioners,

Many times during my tenure with the Community Homeless Commission I have stood before a group of church members or service club members and quoted numbers from the last official homeless survey. By now you know those numbers by heart: 373 homeless adults and children in our community; 79 homeless families with children. Again and again I've repeated New York Elementary School principal Nancy DeGarmo's sad statistic: Last school year there were homeless children on the roll of every school in town.

Those concerns haven't disappeared, but since that count was published the Homeless Commission presented to the City Commission a housing vision that outlined an effective response. With that vision the Homeless Commission stressed in all public forums the necessity of private sector involvement in meeting these needs.

While much work remains, new and good progress is underway. The Lawrence Community Shelter is working hard to identify a new site and expand their funding and programming to better serve emergency shelter needs. Family Promise of Lawrence, an affiliate of a successful national organization, has formed a team of at least ten churches and is planning to begin housing homeless families with children November 1. Family Promise will house no more than 14 individuals in churches and use a full-time director and a day center to provide intensive care in helping families move off the streets and into stable housing.

Thank you, Mayor and Commissioners, for your support of excellent and patient work by City Planning Staff led by Joe Rexwinkle in their work on Homeless Facilities and Services text amendments. Their careful analysis of other cities' codes and numerous meetings with local service providers, has led to a plan our Homeless Commission approves, one that will help us go forward in meeting our community's housing needs.

Thank you for your hard work on behalf of Lawrence.
Sincerely,

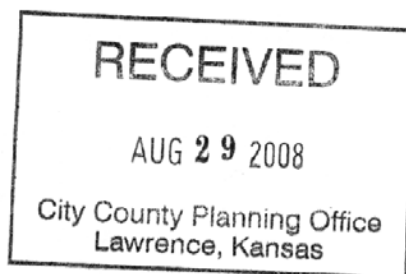
Katherine Dinsdale
Chair, City of Lawrence
Community Commission on Homelessness

League of Women Voters of Lawrence and Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

August 28, 2008

Brad Finkeldei, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044
Attention: Joe Rexwinkle



RE: TA-04-03-08; TEXT AMENDMENT ON HOMELESS FACILITIES TO LAND DEVELOPMENT CODE

Dear Chairman Finkeldei and Planning Commissioners:

Regarding the proposed text amendment on uses and facilities for the homeless, we would like to present the following observations and suggestions for modifying this proposed text amendment.

Homeless Shelter Type A. After analyzing where each of these new use categories is permitted and under what circumstances, it appeared to us that the only use that doesn't have some type of oversight by the City in the form of a Special Use Permit somewhere in the approval process is the Homeless Shelter Type A. This use is only allowed as an Accessory Use to churches, and would be allowed in all residential neighborhoods in churches up to a capacity of 500 seats and in all larger churches in all other zoning districts except the Open Space District. It should be noted also, that Accessory Uses do not require any type of formal approval process or registration as is the case with Accessory Dwellings.

Family Promise program. These Type A Shelters are proposed to be written into the Land Development Code as a text amendment to accommodate only one specific organization's program: Family Promise. Their program provides overnight shelter and other assistance for a period of up to nine months to carefully screened homeless families to allow them ultimately to stabilize their lives by finding permanent housing and jobs. This program has proved to be successful in other communities. Because the text amendment, TA-04-03-08 has been written specifically for Family Promise, it provides no means of oversight and supervision of these Type A Shelters by the City, perhaps because the City considers it unnecessary. Unfortunately, these provisions are available to every other qualified religious organization to use, as well, some of which may not meet the same high standards as Family Promise. The lack of City oversight could lead to serious abuse of client families.

Problems in writing a general ordinance for a specific program. That this is a justifiable concern is based on the knowledge that there have, in fact, been cases of abuse of the homeless and immigrant families. For example, one serious loophole could lead to independent, small scale homeless shelters under the guise of being church-sponsored: there is no minimum size restriction for a religious institution to be able to sponsor a Homeless Shelter Type A, only the maximum size for religious assemblies allowed in residential districts. Religious assemblies legally can vary widely. For example, there is one legitimate religion that gives out free certificates of ordination over the Internet, thereby allowing any private residence to become a church. One minister and one member would allow a private home to legitimately qualify as a Homeless Shelter Type A.

How could these deficiencies in the text amendment be corrected?

Legally binding Development Agreement. One suggestion would be to work directly with the sponsoring organization such as Family Promise. The zoning ordinance allows development agreements. (This is not conditional zoning.) One community in New Jersey (Please see *Attachment A*) has effected a legally

binding agreement with a social agency to provide a homeless shelter. Perhaps this approach, modified for our circumstances, could be used here.

Create a category of Accessory Uses that requires registration. A second suggestion is to require all social agencies sponsoring Type A Homeless Shelters and the accompanying program to register certain types of accessory uses in the same way as do homeowners adding Accessory Dwellings to their residences. Or create a special category of Accessory Use that requires registration, thereby allowing standards, accountability and city supervision.

Simplify. A third suggestion would be to simplify the text amendments for these new homeless categories so that their requirements are more clear. Because it is not evident in the Use Table (Article 4), it took us considerable analysis of the new Use Regulations (Article 5) and of the new definitions in Terminology (Article 17) to determine the actual requirements of the new Homeless Facilities use categories. Our analysis indicated that the Type A Homeless Shelter is the only of these categories that does not require a Special Use Permit somewhere in the approval process and that the only location permitted for a Type A Homeless Center is as an Accessory Use for a church.

Clarify. It also is not clear what uses are permitted in a Social Service Agency. Because a Social Service Agency is a permitted use in all non-residential districts except OS, if such an agency allows Day Centers without a Special Use Permit, it would also allow Homeless Workplaces without a Special Use Permit, because the Homeless Workplaces may only be Accessory Uses to other homeless use categories that otherwise require Special Use Permits.

Protect residential areas by allowing predictability. One last point is that the RSO District, and in some cases also the RMO District, are used as buffers. They are found in many particularly sensitive areas of neighborhoods. In general, we suggest that these districts be treated as residential districts, rather than as office uses when considering where to locate homeless facilities. (Please see *Attachment B*).

Thank you for your concern and careful consideration of this issue.

Sincerely yours,



Alan Black, Chairman
Land Use Committee



Paula Schumacher
Member, Land Use Committee

ATTACHMENT A

EXHIBIT B14

COUNTY OF MONMOUTH

LEGALLY BINDING AGREEMENT

Exhibit b14: County of Monmouth, Human Services Legally Binding Agreement
--

Legally Binding Agreement for Homeless Provider Services

This Legally Binding Agreement (the "Agreement") is entered into as of the 27th day of August, 2008, by and between the Fort Monmouth Economic Revitalization Planning Authority (the "FMERPA"), established pursuant to the laws of the State of New Jersey, particularly P.L. 2006, c. 16, as amended by P.L. 2008, c. 28 (the "FMERPA Act"), acting in its capacity as the Local Redevelopment Authority, as recognized by the Secretary of Defense, for purposes of the redevelopment of the Fort Monmouth under the Defense Base Closure and Realignment Act of 1990, Pub. L. 101-510, 10 U.S.C. Sec. 2687 and the Base Closure Community Redevelopment and Homeless Assistance Act of 1994, Pub.L. 103-421 (collectively, the "Enabling Acts"), and the County of Monmouth, Department of Human Services ("Homeless Provider"). The FMERPA and the Homeless Provider may be collectively referred to herein as the "Parties", and individually referred to as a "Party".

WITNESSETH:

WHEREAS, effective on November 9, 2005, the Base Closure and Realignment Commission voted to close Fort Monmouth;

WHEREAS, on May 17, 2006, the FMERPA was recognized by the Office of Economic Adjustment of the Department of Defense ("DOD") as the local redevelopment authority ("LRA") for Fort Monmouth;

WHEREAS, pursuant to the requirements of the Enabling Acts, the "communities in the vicinity" of Fort Monmouth have been defined as the Boroughs of Eatontown, Oceanport and Tinton Falls, County of Monmouth, New Jersey;

WHEREAS, the FMERPA published a Notice of Surplus Federal Property to state and local governments, homeless service providers and other interested parties in The Asbury Park Press on September 9, 2006;

WHEREAS, between September 9, 2006 and March 8, 2007, the FMFRPA received Notices of Interest (each, an "NOI") from 14 homeless service providers, indicating their desire to establish programs to provide assistance and services to homeless persons and families from the communities in the vicinity of Fort Monmouth;

WHEREAS, the FMERPA determined that the NOI received from the County of Monmouth dated February 26, 2007, complied with the requirements of the Enabling Acts, the regulations governing the closure and reuse planning for Fort Monmouth and the provisions dealing with notices of

interest by homeless service providers, as more particularly described at 32 C.F.R. Part 176;

WHEREAS, the FMERPA, in its capacity as the LRA for Fort Monmouth, approved a reuse and redevelopment plan for Fort Monmouth dated August 27, 2008 ("Redevelopment Plan");

WHEREAS, the Homeless Provider is a New Jersey non-profit corporation that was organized to end homelessness in the vicinity of Fort Monmouth by providing, in collaboration with others, shelter, housing and services to homeless persons and families; and

WHEREAS, this Agreement is submitted as a "legally binding agreement" pursuant to 32 C.F.R. Part 176.30 (b) (3), and is a component of the homeless assistance submission ("Homeless Assistance Submission") of the FMERPA for the redevelopment of Fort Monmouth, as required by the Enabling Acts, and as more specifically required by 32 C.F.R. Part 176.

TERMS AND CONDITIONS

Section One: The terms and conditions contained herein are, upon execution by the authorized representatives of the Parties, intended to be binding on the parties hereto, except as otherwise stated herein, and with the express understanding that the implementation of the terms hereof are subject to the completion of the following federal actions: (i) the United States Department of Housing and Urban Development ("HUD") must review and make a determination as to whether the Homeless Assistance Submission and Redevelopment Plan are in compliance with the provisions of the Enabling Acts and applicable federal regulations, and (ii) DOD, acting by and through the Department of the Army ("Army"), is responsible for completion of environmental review pursuant to the National Environmental Protection Act ("NEPA"), for the issuance of a Record of Decision or other decision document ("NEPA Decision Document"), for completion of the environmental cleanup of Fort Monmouth under applicable provisions of federal law, and for conveyance of fee title to the real property comprising portions of Fort Monmouth, including the Property (as defined below), consistent with the approved Redevelopment Plan, the Enabling Acts and the terms of this Agreement.

Section Two: The land to be conveyed and the facility to be constructed hereunder (collectively the "Designated Homeless Service Facilities") shall consist of (i) two (2) acres of land ("Property"), and (ii) an emergency shelter facility ("Facility"), the general specifications for which are more particularly described in Exhibit C, to be constructed on Fort Monmouth at such location as determined by the FMERPA, and as more specifically described in the form of deed ("Deed") prescribed by the FMERPA and attached hereto as Exhibit D. The FMERPA and the

Homeless Provider have agreed that the Homeless Provider will provide support services to homeless persons and families residing in the Designated Homeless Service Facilities, which will include the following eligible services: The Homeless Provider will operate an adult homeless shelter for both single men and women with a capacity, at a minimum, to accommodate thirteen (13) men and ten (10) women daily. The shelter shall operate year-round and provide both shelter and social services to those homeless individuals housed therein. The shelter will provide temporary housing, with the average stay for any one person expected to be no longer than forty-five (45) days. The social services provided include: comprehensive linkages to housing, transportation, and financial assistance.

These support services shall constitute, subject to the reservations stated herein, the "Homeless Support Services". The Homeless Provider covenants and agrees that the Designated Homeless Service Facilities and the Homeless Support Services will exclusively serve homeless persons ("Homeless Persons") who meet the definition of "homeless persons" as set forth in the McKinney-Vento Act (42 U.S.C. Sec. 11301 et seq.).

Section Three: Upon approval by HUD of the Homeless Assistance Submission and Redevelopment Plan, completion by the Army of the NEPA Decision Document, the issuance by the Army of a Finding of Suitability for Transfer ("FOST") or Finding of Suitability for Early Transfer ("FOSET"), as applicable, completion of all other actions under the Enabling Acts and applicable federal regulations necessary for the Army's sale or exchange of real property located on Fort Monmouth to a transferee or transferees (the "Army Transferee"), upon which, as agreed by the Army, the Army Transferee shall construct the Facility consistent with the approved Redevelopment Plan, final plans and specifications approved by the Homeless Provider and the terms of this Agreement, the FMERPA shall request that the Army transfer the Property to the Army Transferee by quitclaim deed at no cost and, subject to such transfer, as agreed to by the Army, upon the Army Transferee's construction of the Facility and conveyance of the Designated Homeless Service Facilities to the FMERPA at no cost, upon at least sixty (60) days prior written notice to the Homeless Provider, the FMERPA shall transfer the Designated Homeless Service Facilities to the Homeless Provider by quitclaim deed substantially in the form attached hereto as Exhibit D at no cost, pursuant to the terms hereof. If, at any time following the conveyance of the Designated Homeless Service Facilities to the Homeless Provider, (i) all or substantially all of the Designated Homeless Service Facilities so conveyed are abandoned, or not being used to service Homeless Persons and to provide the Homeless Support Services, (ii) the Homeless Provider fails to initiate and diligently prosecute the delivery of the Homeless Support Services in a timely manner and in accordance with provisions of this Agreement, (iii) the Homeless Provider is not delivering the Homeless Support Services in accordance with the requirements as approved by the FMERPA, (iv) the Homeless Provider

fails to comply with any provisions hereof, or (v) the Homeless Provider is dissolved or otherwise ceases to function, the FMERPA shall provide the Homeless Provider written notice of such occurrence. If the Homeless Provider fails to cure or initiate a cure of the noticed deficiency within thirty (30) days of the receipt of said notice, title to the Designated Homeless Service Facilities shall revert to the FMERPA in accordance with the provisions of the Deed.

Section Four: Promptly after receipt of any environmental analysis with respect to all or any portion of the Designated Homeless Service Facilities or the real property immediately adjacent thereto, the FMERPA shall deliver to the Homeless Provider a copy of such analysis. In the event the environmental analysis currently being undertaken by the Army indicates that the Designated Homeless Facilities identified in Section Two are not suitable for the intended purposes of serving Homeless Persons and delivery of the Homeless Support Services, the FMERPA and Homeless Provider agree that they shall make diligent efforts to (i) relocate the Designated Homeless Service Facilities to another location on Fort Monmouth, or to other property in Monmouth County not within the current boundaries of Fort Monmouth, so long as the alternative property is comparable, as determined by the FMERPA and the County of Monmouth, to the Designated Homeless Service Facilities as to (a) number of units, size, and condition, (b) proximity to public and private transportation, (c) density and zoning, (d) availability of utilities, and (e) safety; or, alternatively, (ii) arrange for the FMERPA to pay the Homeless Provider an amount sufficient to allow the Homeless Provider to purchase an alternative property in Monmouth County which is comparable, as determined by the FMERPA pursuant to the criteria set forth in clauses (a) through (e) above, to the Designated Homeless Service Facilities. Any alternative facilities so selected pursuant to this Section Four shall be deemed to be the Designated Homeless Service Facilities for all purposes of this Agreement. The process for finding an alternative arrangement may be commenced by either Party, upon completion of the Army's NEPA Decision Document, by requesting that specifically identified alternative facilities be designated as the Designated Homeless Service Facilities hereunder. The other party shall have the obligation to respond within thirty (30) days to the Party proposing the alternative facilities.

Section Five: The Homeless Provider shall deliver the Homeless Support Services. The scope of services to be provided to recipients of the Designated Homeless Services Facilities under the Homeless Support Services are as described in Section Two above. The Homeless Provider may not change the scope of the services to be provided to the Homeless Persons without the express written consent of the FMERPA, which consent shall not be unreasonably withheld or delayed if the proposed changes continue to comply with the provisions of 32 C.F.R. Part 176 and the implementation intent and requirements of the Redevelopment Plan.

Section Six: The Homeless Provider shall be responsible for all costs and expenses associated with the operation and maintenance of the Designated Homeless Service Facilities and for the delivery of the Homeless Support Services from the effective date of the Deed (or the date on which the Homeless Provider acquires alternative property pursuant to Sections Four or Seven, if applicable) for the Designated Homeless Service Facilities. The Homeless Provider shall have a period of two (2) months from the effective date of the Deed (or the date on which the Homeless Provider acquires alternative property pursuant to Sections Four or Seven, if applicable) to begin the delivery of the Homeless Support Services. Should the Homeless Provider fail to begin delivering the Homeless Support Services within the time specified herein, any Designated Homeless Service Facilities that have been conveyed by the FMERPA to the Homeless Provider shall revert to the FMERPA pursuant to the provisions of Section Three above.

Section Seven: The FMERPA retains the option, at any time prior to the conveyance of all the Designated Homeless Services Facilities to the Homeless Provider, and thereafter with the consent of the Homeless Provider, to relocate or otherwise provide for the relocation of the Designated Homeless Services Facilities pursuant to the provisions of clauses (i) and (ii) of Section Four above. Any alternative facilities so provided for pursuant to this Section Seven shall be deemed to be the Designated Homeless Service Facilities for all purposes of this Agreement.

Section Eight: If title to the Designated Homeless Service Facilities reverts back to the FMERPA pursuant to Section Three, or if the Agreement is terminated pursuant to the provisions of Section Twelve, the FMERPA shall take appropriate steps to facilitate the transfer of the Designated Homeless Services Facilities to other homeless provider representatives. The term "appropriate steps" shall mean providing reasonable public notice of at least ninety (90) days to homeless providers in the vicinity of Fort Monmouth of the types of programs that may qualify as Homeless Support Services, and negotiating in good faith with homeless providers that respond to said notice. If the FMERPA is unable to reach agreement with a successor homeless provider or providers following good faith negotiations, the FMERPA shall have no further obligations hereunder.

Section Nine: All of the rights and obligations of the FMERPA herein shall also be enjoyed by the state agency designated by the Governor of the State of New Jersey ("Designated State Agency") pursuant to the Act on the date of such designation. All references to the FMERPA herein shall also include reference to the Designated State Agency. The rights and obligations of the Designated State Agency hereunder may be transferred to any entity that is approved by the DOD as the Local Redevelopment Authority for Fort Monmouth pursuant to the provisions of the Enabling Acts.

Section Ten: The rights and obligations of the Homeless Provider hereunder may not be transferred or assigned without the prior written consent of the FMERPA.

Section Eleven: The terms of this Agreement shall be governed by the laws of the State of New Jersey and federal law, as applicable.

Section Twelve: This Agreement may be amended or terminated by the FMERPA and the Homeless Provider at any time by written agreement executed by the FMERPA and the Homeless Provider. This Agreement may be terminated by the FMERPA without cost, liability or recourse prior to the conveyance of the Designated Homeless Service Facilities to the Homeless Provider if (i) the Homeless Provider is dissolved or otherwise ceases to function, or (ii) the Homeless Provider does not accept title to the Designated Homeless Service Facilities, and the FMERPA shall thereafter proceed in accordance with the provisions of Section Eight, which provisions shall survive for the purposes stated therein. Unless otherwise terminated or extended pursuant to the provisions hereof, this Agreement shall terminate without recourse to either Party on September 1, 2038.

Section Thirteen: This Agreement supercedes all agreements and understandings between the Parties, written or oral. No claim of waiver, modification, consent or acquiescence with respect to any terms hereof shall be made against a Party by the other Party, except on the basis of a written instrument executed by the Parties.

Section Fourteen: All notices hereunder shall be in writing and shall be deemed to have been sent if personally delivered, sent by fax with proof of transmission or sent by certified mail, return receipt requested and postage paid, addressed to:

Fort Monmouth Economic Revitalization Planning Authority
2-12 Corbett Way
Englishtown, New Jersey 07724
Attention: Executive Director

New Jersey Housing and Mortgage Finance Agency
637 South Clinton Avenue
P.O. Box 18550
Trenton, New Jersey 08650
Attention: Executive Director

County of Monmouth
Department of Human Services
P.O. Box 3000
Kozloski Road
Freehold, New Jersey 07728
Attention: Administrative Department Director

Section Fifteen: This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, and intending to be legally bound hereby, each of the undersigned parties has executed or caused this Agreement to be executed as of the date first above written.

FORT MONMOUTH ECONOMIC
REVITALIZATION PLANNING
AUTHORITY

By: _____
Name: Frank Cosentino
Title: Executive Director

NEW JERSEY HOUSING AND
MORTGAGE FINANCE AGENCY

By: _____
Name: Marge Della Vecchia
Title: Executive Director

MONMOUTH COUNTY
DEPARTMENT OF HUMAN
SERVICES

By: _____
Name: Lillian G. Burry
Title: Director, Monmouth County
Board of Chosen Freeholders

Exhibit A
FMERPA Legal Opinion

Exhibit B
Homeless Provider Letter of Agreement

Exhibit C Facility Specifications

- The Facility must be in compliance with all Federal/State/County regulations and building codes including ADA and NJ DCA Shelter Regulations
- Monmouth County to have approval of design and construction plans.
- Acreage: Facility to be located on two (2) acres of land.
- Square Footage – no less than 15,000 – 1 floor only, to accommodate:
 - 35 beds – 1 floor – beds space needs to be segregated (12 female and 23 male)
 - Communal Dining Area to accommodate 35 people
 - Communal Bathroom/Shower for Males
 - Communal Bathroom/Shower for Females
 - Bathroom for Staff
 - Commercial Kitchen Facility – to include appliances
 - Commercial Laundry Space – to include appliances – primary and secondary
 - Recreation area – may need to be segregated – female and male
 - Reception area
 - Control Station Area
 - Administrative Offices
 - Counseling Offices
 - Storage – Food/Materials/Bedding and etc for Residents
 - Storage – Records/Confidential Files

Other Facility Requirements

- Tile flooring wherever possible throughout the facility
- Wired for internet access – cable and telephone
- “Wander Alarms” on all exit doors
- HVAC
- Outside space must provide off street parking for no less than 15 vehicles
- Outside space must provide recreation area to include several benches and tables
- Outside space should provide a ‘buffer’ area between shelter and public
- Assurance that there will be no break in service due to relocation site readiness

Exhibit D
Form of Deed

**[NOTE: FORM OF DEED SUBJECT TO REVISION AND MODIFICATION
AT TIME OF CONVEYANCE]**

Prepared by and
Record and Return to:

QUITCLAIM DEED

THIS QUITCLAIM DEED, is made the ____ day of _____, 200_, by **[NAME OF LOCAL REDEVELOPMENT AUTHORITY OR DESIGNATED STATE AGENCY]**, [an instrumentality and agency of the State of New Jersey, acting in its capacity as the Local Redevelopment Authority, as recognized by the Secretary of Defense, for purposes of the redevelopment of Fort Monmouth under the Defense Base Closure and Realignment Act of 1990, Pub. L. 101-510, 10 U.S.C. Sec. 2687 and the Base Closure Community Redevelopment and Homeless Assistance Act of 1994, Pub. L. 103-421][an instrumentality of the State of New Jersey, authorized pursuant to P.L. 2006, c. 16, as amended by P.L. 2008, c. 28, to assume responsibility for the homeless assistance submission under Defense Base Closure and Realignment Act of 1990, Pub. L. 101-510, 10 U.S.C. Sec. 2687 and to comply with and implement the requirements of 32 C.F.R. 176.30 and 24 C.F.R. 586.30 (together with its successors and assigns, "**Grantor**"), in favor of _____, a non-profit corporation organized pursuant to the laws of the State of New Jersey for the purpose of providing services homeless persons (together with its successors and assigns, "**Grantee**" or "**Homeless Provider**").

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below (the "**Property**") to the Grantee. This transfer is made for the sum of **ONE and 00/100 (\$1.00) DOLLAR**. The Grantor acknowledges receipt of this money. Grantor hereby DEMISES, RELEASES, AND FOREVER QUITCLAIMS to Grantee, all the right, title, interest and claim to the following described parcel of land, and improvements and appurtenances thereto in the Borough of _____, County of Monmouth, State of New Jersey.

Description of Property. The Property consists of the land and all the buildings, structures or improvements on the land described as follows:

**[INSERT M&B DESCRIPTION, BLOCK AND LOT NUMBER(S) OF
PROPERTY BEING CONVEYED; OR INCLUDE PROPERTY
DESCRIPTION AS EXHIBIT A]**

The Property is being conveyed to Grantee subject to a "Legally Binding Agreement" dated as of _____, 200_, between the Grantor, [the Fort Monmouth Economic Revitalization Authority ("FMERPA")][NAME OF DESIGNATED STATE AGENCY] and Grantee, in its capacity as Homeless Provider (the "**LBA**", a true copy of which is annexed hereto as **Exhibit B** and made a part hereof), as part of FMERPA's "Homeless Assistance Submission" for the redevelopment of Fort Monmouth pursuant to 32 C.F.R. 176. The LBA by its terms is intended to survive the delivery of this Deed. Grantee herein agrees to accept the Property subject to the use restrictions and requirements set forth in the LBA and the possibility of reverter set forth below, and to utilize the Property only for the purposes set forth herein and in the LBA. If, at any time following the delivery of this Quitclaim Deed to Grantee (i) all or substantially all of the "Designated Homeless Service Facilities" (as defined in the LBA) so conveyed are abandoned, or are not being used to service "Homeless Persons" (as that term is defined by 32 C.F.R. 176.5) and to provide the "Homeless Support Services" (as that term is defined in the LBA); or (ii) Grantee fails to initiate and diligently prosecute the delivery of the Homeless Support Services in a timely manner and in accordance with provisions of the LBA; or (iii) Grantee is not delivering the Homeless Support Services in accordance with the requirements as approved by FMERPA and [DESIGNATED STATE AGENCY]; or (iv) Grantee fails to comply with any provisions of the LBA; or (v) Grantee is dissolved or otherwise ceases to function (each of (i) through (v), a "**Default**"), then Grantor shall provide the Grantee written notice of such Default(s) and of Grantor's intent to re-enter the Property in the event Grantee fails to cure such Default or Defaults within the cure period as set forth in Section Three of the LBA. In the event such Default or Defaults are not cured within the applicable cure period, Grantor may re-enter the Property and the interest in the Property conveyed hereby thereupon shall revert to [FMERPA][DESIGNATED STATE AGENCY] and title to all improvements thereon shall vest in [FMERPA][DESIGNATED STATE AGENCY].

Notice, Warranty, and Reservation of Access Pursuant to CERCLA §§ 120 (h) (3) and 120 (h) (4).

a. Pursuant to Section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended, (hereafter "CERCLA"), 42 U.S.C. § 9620(h)(3), notice is hereby provided that information regarding hazardous substances stored for one year or more, known to have been released, or disposed of on the property herein, together with a description of the remedial action taken, if any, is provided in the Finding of Suitability to Transfer, dated _____, (hereinafter "FOST"), to the extent such information is available on the basis of a complete search of United States Army files.

i. The Grantor hereby warrants that all remedial action necessary to protect human health and the environment with respect to any hazardous substance remaining on the property herein conveyed has been taken prior to the date of this conveyance.

ii. The Grantor hereby warrants that any remedial action found to be necessary after the date of this conveyance with respect to any hazardous substance remaining on the property herein conveyed shall be conducted by the United States of America.

iii. The Grantor reserves a right of access to the property herein conveyed for the purpose of conducting any remedial action or corrective action found to be necessary on the property herein conveyed after the date of this conveyance.

b. Pursuant to Section 120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9620(h)(4) the Grantor has identified certain other portions of the property conveyed herein as real property on which no hazardous substances and no petroleum products or their derivatives are known to have been released or disposed of as more particularly described in the FOST.

i. The Grantor hereby warrants any response action to corrective action found to be necessary after the date of this conveyance as a result of the discovery of hazardous substances or petroleum products or their derivatives existing on the property herein conveyed prior to the date of this conveyance shall be conducted by the United States of America.

ii. The Grantor hereby reserves a right of access to the property herein conveyed for the purpose of conducting any response action or corrective action found to be necessary on the property herein conveyed or adjoining property after the date of this conveyance.

c. These covenants shall not apply to the extent such remedial, response or corrective actions are caused by activities of the Grantee, its successors and/or assigns.

Type of Deed. This is called a Quitclaim Deed. The Grantor makes no promises as to ownership or title, but simply transfers whatever interest the Grantor has to the Grantee.

Signatures. The Grantor signs as of the date at the top of this page. This Deed is signed and attested to by its proper [FMERPA][DESIGNATED STATE AGENCY] officers.

[FORT MONMOUTH ECONOMIC
REVITALIZATION PLANNING
AUTHORITY][DESIGNATED STATE
AGENCY]

ATTEST:

By: _____

STATE OF NEW JERSEY :
: SS
COUNTY OF :

On the _____ day of _____, 200_, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that s/he is the _____ of the **[FORT MONMOUTH ECONOMIC REVITALIZATION PLANNING AUTHORITY][DESIGNATED STATE AGENCY]** the entity described in and which executed the above instrument; that such person signed such person's name thereto on behalf of such entity for the uses and purposes therein expressed; and certified that the full and actual consideration paid or to be paid for the transfer of title is **ONE and 00/100 (\$1.00) DOLLAR.**

WITNESS my hand and official seal.

[SEAL]

(Signature)

(Print name and title)

EXHIBIT A
PROPERTY DESCRIPTION

EXHIBIT B
“LEGALLY BINDING AGREEMENT”

Screen prints of enlarged areas taken from the New Code Zoning Map showing RSO Districts

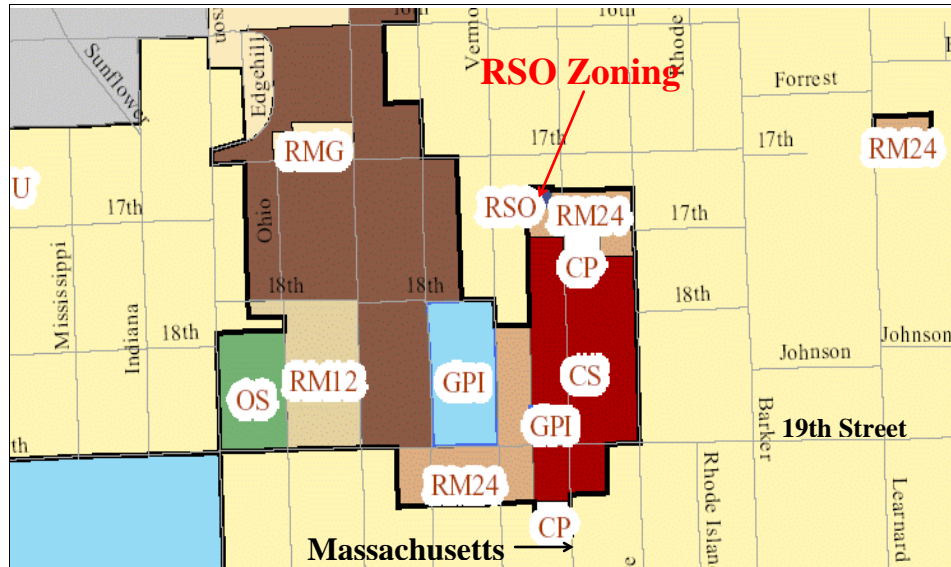


Figure 1. This RSO District is located behind the RM24 District on Massachusetts to buffer the single family behind it..

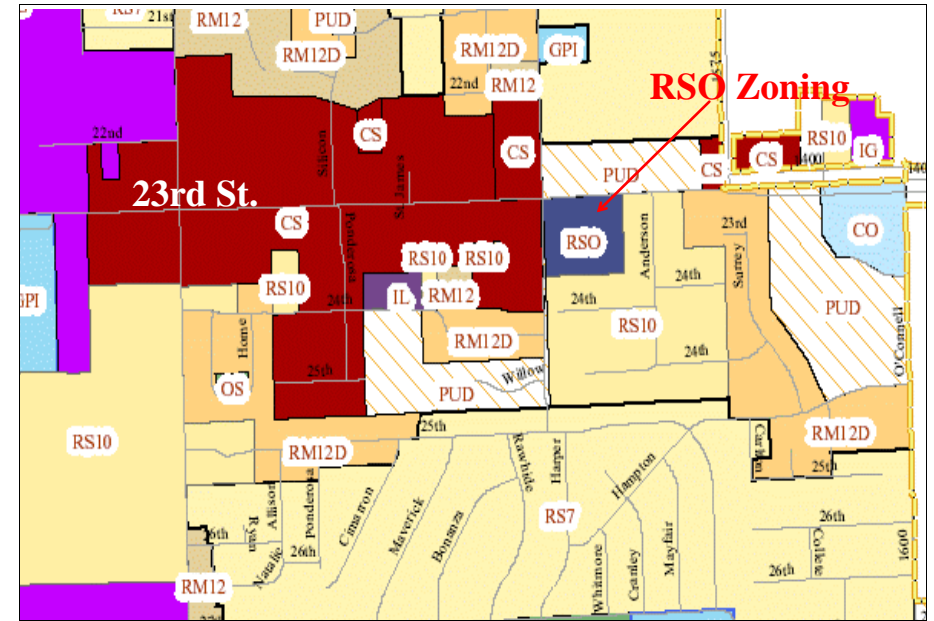


Figure 2. This RSO District is located on East 23rd to stop the continuation of strip development.

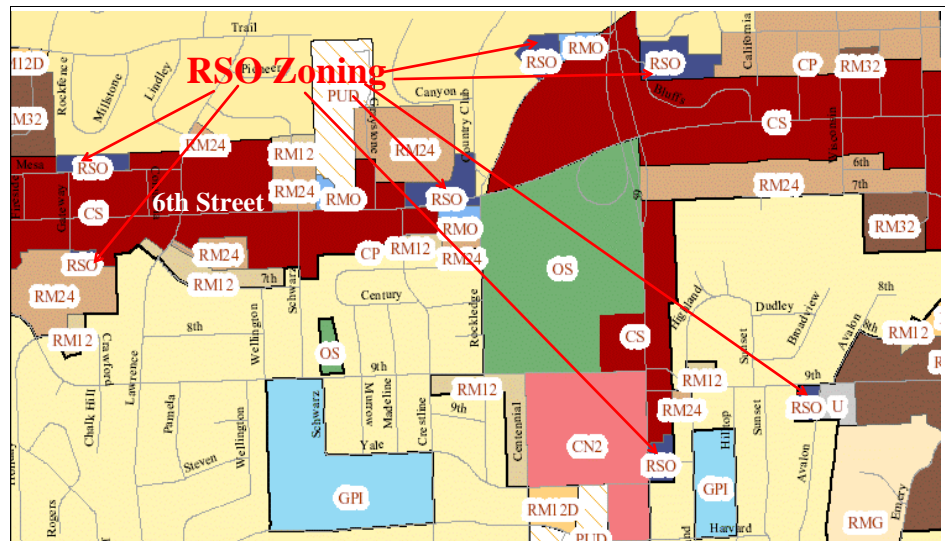


Figure 3. The RSO Districts here are used for a variety of reasons: to buffer and stop strip development.

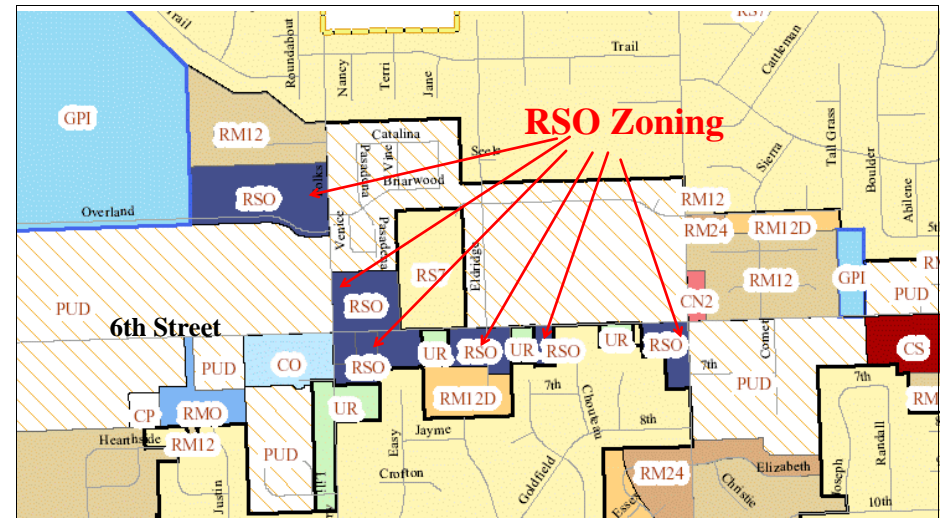


Figure 4. The RSO Districts are also used here for a variety of reasons: to buffer and avoid strip development.

Screen Print of RSO Districts-Iowa Street & 15th

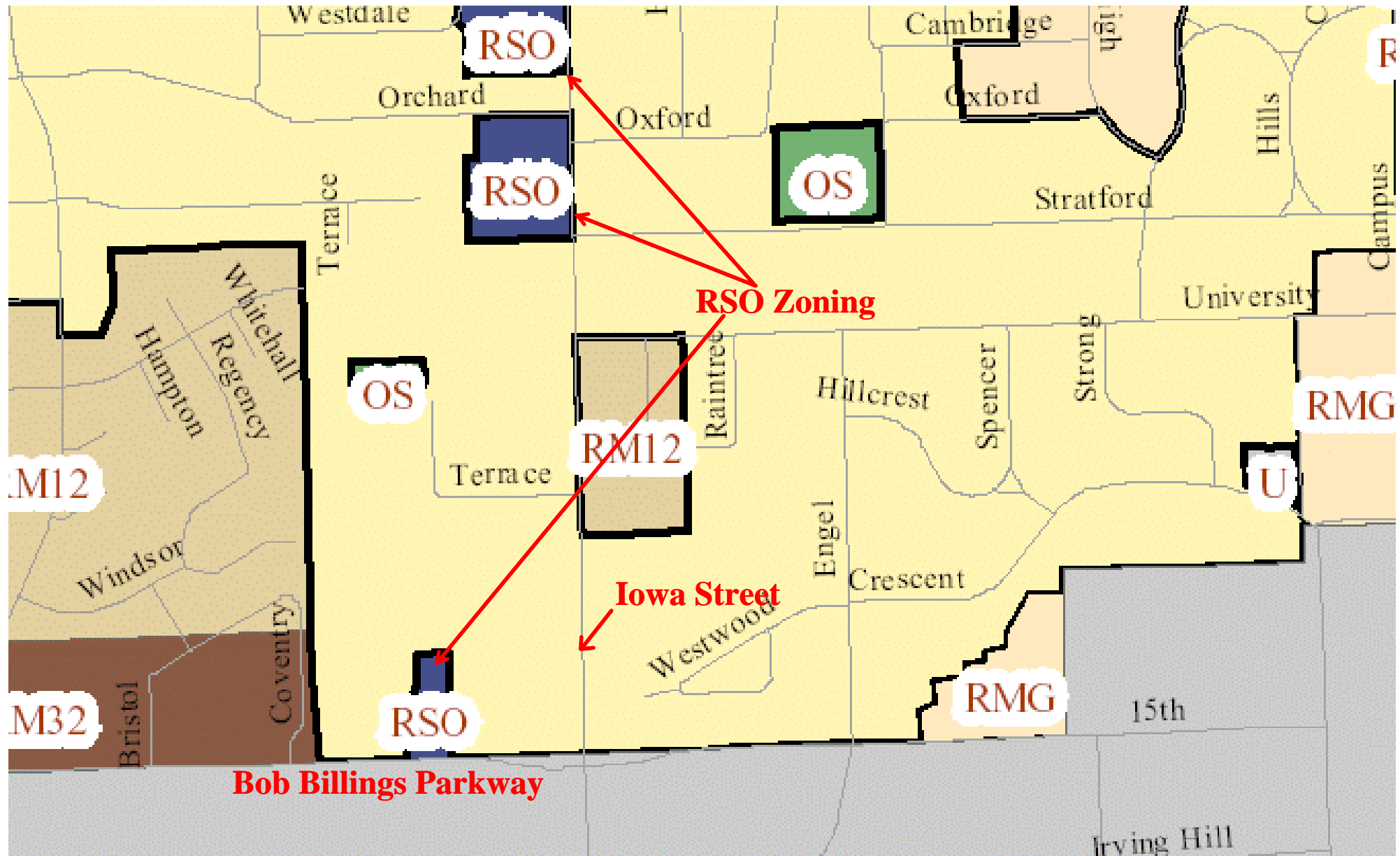


Figure 5. This is a screen print of an enlargement of the New Code Zoning Districts Map of the corner of Iowa and 15th vicinity. If the Use Table for the USO District isn't corrected back to reflect Residence-office use there will be strip commercial along Iowa Street north of 15th.

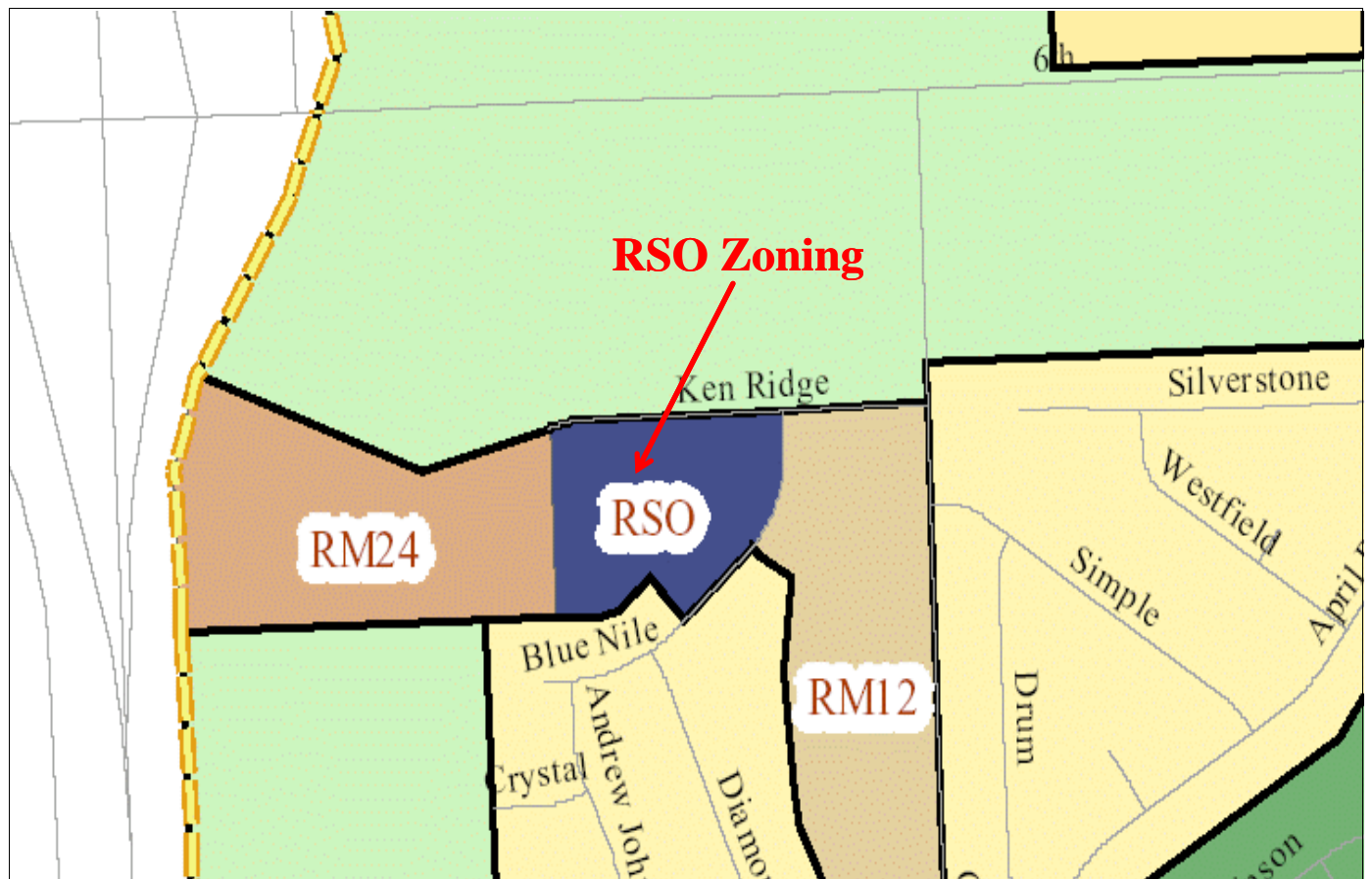


Figure 6. RSO district south of 6th Street in Diamond Head.

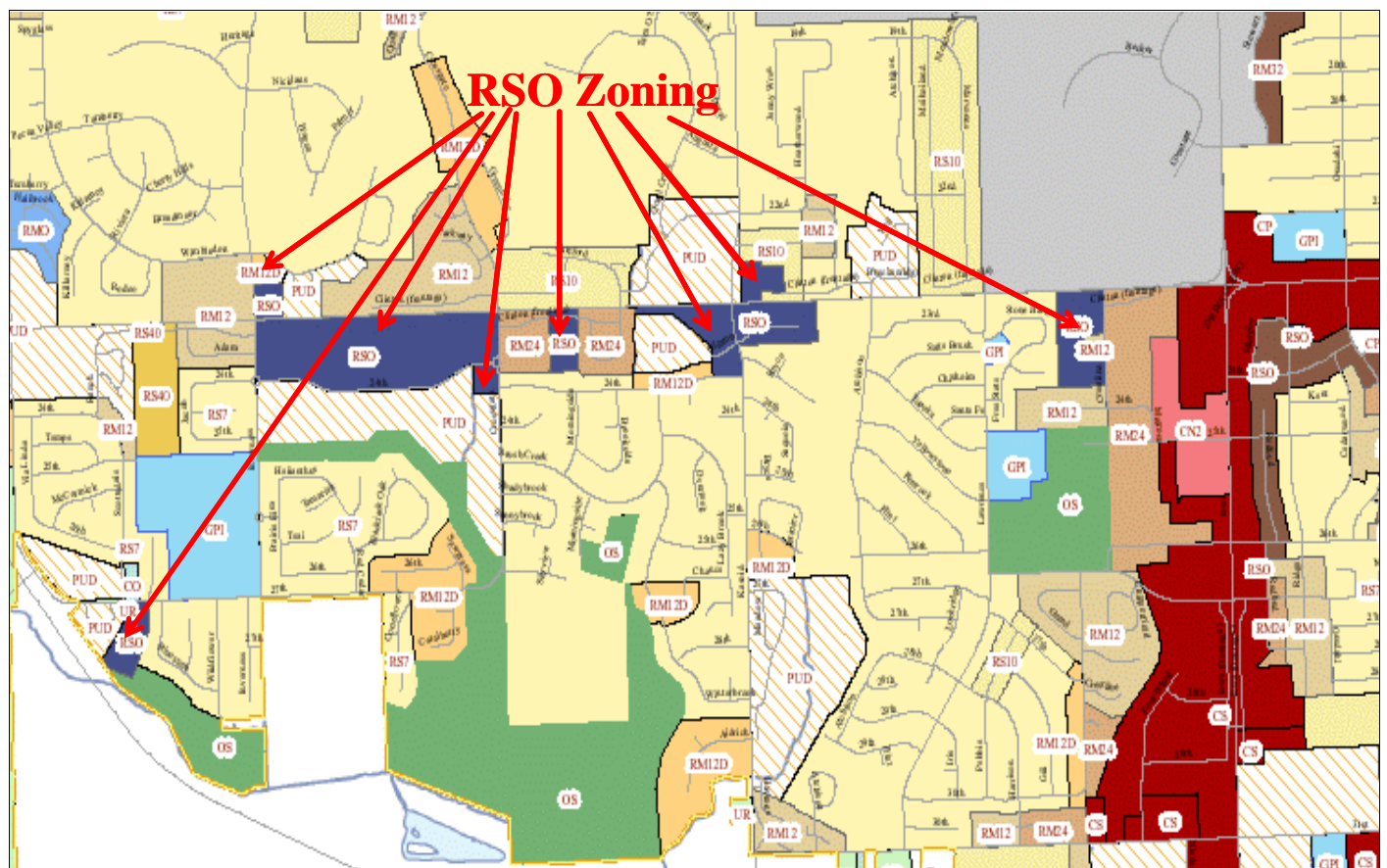


Figure 7. RSO Districts along Clinton Parkway west of Kasold Drive.



Lawrence Association of Neighborhoods

Neighborhoods Working Together

Mayor Dever, and David Corliss,

The Lawrence Association of Neighborhoods requests a deferment of the Homeless Facilities text amendment. We feel that this document will affect every neighborhood in Lawrence and should have the proper amount of time to educate and give the community time to understand the implications and processes that are being added to our development code.

There is great concern that the community did not have due process in deliberating the effects of this text amendment and LAN has not had time to work through the issues that have arisen from the short read through that some neighbors have been able to do. We were aware of the initiated portion of the text amendment that the Community Shelter asked for in regards to IG zoning uses, but there is a substantial addition to this document that we were unaware of and would like the time needed to understand, educate, and perhaps suggest possible changes. We feel that a process similar to the IG changes in which Loring Henderson came and address the reasons for their request several months ago should also have followed with the newer changes. We were unaware of Type A and Type B day and shelter options nor aware of a need for those options.

LAN would like to offer you and the staff our assistance in helping to reach neighborhood members and making sure that everyone is aware of this document and has had time to ask questions and understand the different kinds of homeless facilities, where they maybe located, and how the neighborhood may address any issues that might arise.

Please give us one month to work through the process needed, as the city usually does, for issues that affect this community.

The undersigned LAN representatives attended the meeting and voted unanimously to support this letter. Several members from other neighborhoods attended and ask for deferment also.

Gwendolyn Klingenberg
Lawrence Association of Neighborhoods – President
West Lawrence

Tom Harper
Centennial Neighborhood Association

Dan Dannenberg
Sunset Hills Neighborhood Association

Candy Davis
Oread Neighborhood

David Longhurst
Downtown Lawrence

Steve Braswell
Pinckney Neighborhood

Phil Collison
East Lawrence Neighborhood

Michael Almon
Brook Creek

MEMORANDUM

TO: City of Lawrence
FROM: Chris Burger, Treasurer Downtown Lawrence Inc.
SUBJECT: Text Amendments to Zoning Ordinance to Allow Homeless Shelters in Industrial Zone
DATE: August 6, 2008

Subject to the following critical reservations, Downtown Lawrence, Inc. and its members support amending the zoning ordinances so that there is no prohibition against homeless shelters in industrial areas. However, it is critical that all such shelters and services be subject to permits, and that DLI and every other Lawrence citizen have the opportunity to voice objection or reservation regarding such permits. DLI is concerned that the current ambitious revisions (which are a necessary advancement) create loopholes giving *the right* to provide homeless services where they have been previously prohibited. In particular:

1. We first ask for clarification that there is no change with regard to how homeless shelters and services are treated in commercial areas.

2. A “homeless shelter type A” can become a permitted use. Permitted uses are permitted by right, subject to compliance with all other applicable regulations (20-401(a)). An accessory use is permitted if it is accessory to a principal use (subject to compliance with the other applicable regulations) and thereby can be permitted by right. 20-401(c). A homeless shelter type A is an accessory use to any “non-profit” or “charitable” institution in every type of zoning with the exception of OS. 20-1717(3). Accordingly, under the re-written ordinance, any non-profit or charitable institution will have the automatic right for a homeless shelter type A in commercial, residential, and other zoning categories. While this is a highly laudable form of shelter, the ordinance creates a *right* to it and thereby takes away the voice of the public for opposition or involvement. We would be interested to know how a homeless shelter type A fits in with the current structure regarding rental registration, transitional homes, and homes for those with special needs.

3. *All services* provided by a “social service agency” are permitted uses. A social service agency has been designated as a permitted use in all commercial and industrial settings (and a few others). It is defined as a service operated by a civil, non-profit, or charitable organization (for some reason, this definition excludes religious institutions) providing services to advance the welfare of citizens in need which typically include supporting office uses such as employment counseling, life skills training, counseling, and food banks. It specifically excludes shelters, group homes, or commercial uses. However, as a permitted use and thereby one permitted by right, any non-profit or charitable organization can create a center in which the

ambiguous concepts of “counseling” and “training” take place. The creation of this as a permitted right to all non-profit or charitable organizations again takes away the voice of the public.

4. The permitted use of a “social service agency” is the same as the application-prone “homeless day center,” thereby making the permitting distinctions meaningless. There appears to be little to no difference between a social service agency and a homeless day center. The social service agency is a service operated by a non-profit or charitable organization to advance the welfare of citizens and typically includes supporting office uses. 20-1717(6). A homeless day center is a building or structure operated and staffed by a non-profit or charitable institution providing basic services such as food services, social services, social service agency branch offices, counseling, life skill training, employment training and assistance, and educational assistance. 20-1717(2). The definition for these facilities (and the subsection is entitled “Community Facilities”) overlap enough so that it would be impossible to exclude a social service agency from providing services of a homeless day center. This overlap of function creates a permitted right not only for the social service agency, but also the homeless day center.

To reiterate, Downtown Lawrence, Inc. has no objection to providing these services so long as each neighborhood and community has the ability to be involved in the process and have the opportunity to affect the location and practices of such facilities. However, as currently written, facilities that provide overnight shelter to a maximum of four families not exceeding 15 persons total, day centers providing employment counseling, life skills training, counseling, and food services, and unlimited social service agencies providing the same services are all unlimited and permitted by right. This removes the voice of the public and we would request clarification and alteration so as to preserve those rights.

The simple suggestion to correct these issues is to remove the categories of “accessory” and “permitted” uses from these facilities and make them all subject to special use applications. The second alternative would be to alter the definitions so as to redefine a homeless shelter type A to require overnight shelter within the confines of a structure having a minimum square footage of no less than 15,000 contiguous square feet (a random number so as to help assure the location within non-residential facilities), and a redefinition of social service agency so that it be limited to only a service operated by an arm of the government providing services, and exclude the public, civil, non-profit, or charitable organizations. You would imagine, however, that these redefinitions could ultimately create more problems, and in particular think about the services provided in north Lawrence by the Ballard Center.

PRICE T. BANKS

ATTORNEY AT LAW
P.O. BOX 442341
901 KENTUCKY STREET
SUITE 206
LAWRENCE, KANSAS 66044
785/842-7900
FAX 785/841-2296

June 4, 2008

Joseph Rexwinkle, AICP
PO Box 708
Lawrence, Kansas 66044

via e-mail jrexwinkle@ci.lawrence.ks.us

Re: Text Amendment

Dear Joe:

Thanks to you and Lesley for meeting at the Community Shelter yesterday. We understand that this is just the beginning of the process, and all concerned will have additional opportunities to provide input during the process. Loring and I have completed a preliminary review of the suggestions for the text amendment and offer the following comments:

The document we reviewed speaks to "Type B" Homeless Shelters. Is there a "Type A", or is this something that was carried over from one of the other ordinances staff was reviewing?

In the **Use Standards**, item e. could be clarified to read "all activities with the exception of children's play areas or *adult* recreation areas shall be conducted indoors."

In the category of **Management Plan**, we and the City will have problems with the control of loitering. It is vague, defies definition, and the courts have struck down loitering ordinances. The Shelter cannot be expected to take control of public rights of way. Item 5. should be deleted. Also reference to criminal activities should be omitted from item 7. It would be appropriate to eliminate any reference to crime or criminal activities from the ordinance.

We talked about including residential facilities for special populations as part of the permitted activities in the SUP. (to cover the 811 housing, as well as a "drop in center", and "sheltered workshop")

As we discussed yesterday we are concerned about **Design Standards** 1. (entrances visible from public rights of way), 3. (transparent fencing), 5. (windows on all sides of a

building)

We suggest performance standards rather than specific design requirements, for example:

Site design shall incorporate features that contribute to the livability for guests, efficient use of space and the land, ease of police fire and emergency facilities access, and appropriate buffering from nearby dissimilar land uses, which include the following:

1. Screening of outdoor activity areas from nearby residences.
2. Outdoor recreation areas shall be secured and clearly defined.
3. Public entrances to the building shall be clearly defined and visible from the reception desk.
4. Building entrances, outdoor recreation areas and sidewalks shall be well-lighted with pedestrian-scale, low-glare lighting shielded downward.

Finally, we believe that conditions or standards work better than time limits for SUPs, in fact time limits seriously encumber financing or fund raising for a fixed asset. If we are faced with set conditions going into the process, then we will know what is expected of us throughout the time that the SUP is in place.

Please let us know if you have questions regarding these recommendations.

We look forward to continuing to work with you on this very important matter.

Sincerely,

Price T. Banks

PRICE T. BANKS

ATTORNEY AT LAW
P.O. BOX 442341
901 KENTUCKY STREET
SUITE 206
LAWRENCE, KANSAS 66044
785/842-7900
FAX 785/841-2296

August 8, 2008

Lawrence Community Commission on Homelessness
c/o Joseph Rexwinkle
Planning Office
PO Box 708
Lawrence, Kansas 66044

via e-mail: jrexwinkle@ci.lawrence.ks.us

Re: Homeless Shelter Text Amendment

Dear Commissioners:

I represent the Lawrence Community Shelter.

The Community Shelter appreciates the efforts of the Commission and staff to create an ordinance that works for all types of facilities for the homeless.

We are concerned that the latest iteration of the staff-recommended ordinance amendment contains two provisions that may seriously encumber the delivery of services to the homeless.

1. The staff recommendation regarding “Homeless Workplace” prohibits the workplace from being accessory to a “Type B Homeless Shelter.” The current workplace operated by the Lawrence Community Shelter is accessory to the shelter as well as the day center, and would not be permitted under the new language, nor would it be permitted to remain in its current location if the Day Center moves to another location.

Operating the workplace as accessory to the shelter will be convenient for staff as well as guests, will allow economies of scale in staffing the facilities, and will reduce the “carbon footprint” of the facilities by reducing transportation needs. We believe there is no advantage to the prohibition contained in the staff recommendation.

2. The staff language suggests setbacks of “Type B Shelters” from residential land uses of from 250 feet to 1,000 feet, and includes maps that clearly

demonstrate that most industrial properties in Lawrence will be eliminated from consideration by even the 250 foot setback requirement.

If the setbacks are included in the ordinance, it will likely foreclose any otherwise viable option to relocate the Lawrence Community Shelter and preserve the status-quo.

If the intent is to provide a buffer between the shelter and residential uses, distance is less effective than landscape buffers and fences.

We urge the Community Commission on Homelessness to recommend the ordinance to the governing body with language that does not prohibit a Homeless Workplace from being accessory to a “Type B Homeless Shelter.”

We further urge the Commission to recommend the ordinance to the governing body with language that does not require setbacks from residential land uses, but instead includes physical buffer requirements and standards

Sincerely,

Price T. Banks

cc: client

Dear Planning Commissioners:

I am writing to address the proposed text amendment that pertains to Type B homeless shelters. I have been observing the work of the Homeless Commission as it has developed its recommendations to address the issues of homelessness in our community and applaud this work in as much as it segments the population of persons who become homeless by various characteristics of need and causes. However, this work has been notably short on real solutions to many of the causes of homelessness.

When it comes to solutions the Homeless Commission has persisted in framing homelessness in two ways. First the Commission relies on the failure of persons to take individual personal responsibility as an explanation for homelessness. Second the Commission has mischaracterized social service agencies' as failing to provide efficient and effective supports so that people can take the necessary personal responsibility needed to obtain and retain secure housing. Both of these elements of the dominant frame for understanding homelessness fail to include the larger questions of how our housing and labor markets contribute to the inability to house segments of our population.

I hasten to add that the Family Promise program offers a hopeful model for real program and policy solutions.

However, the model advanced by the Lawrence Community Shelter seems to offer little hope of actually providing the necessary supports needed and continues a pattern of concentrating and segregating large groups of persons who struggle with severe and persistent mental health and substance abuse problems.

This approach to program design has repeatedly produced negative externalities that impact surrounding residential land uses. These externalities are a significant reason for the Lawrence Community Shelter's difficulties in remaining at its present location and finding a new location. Naturally, home owners and renters seeking to build a sense of safety and stability resist the placement of such programs into their neighborhoods. The Lawrence Community Shelter enterprise continually fails to acknowledge the inherent externalities associated with their program design model – a model that actually fails to fully address the needs of the segment of the homeless population under consideration. The very fact that the Lawrence Community Shelter continues to seek a new location in which to expand operations is as good a testament to the failure of this model as neighborhood opposition ever will be.

I make no secret of my opposition to the location of the Lawrence Community Shelter to the industrial site adjacent to Delaware Street Commons where I live in the East Lawrence neighborhood. I have sacrificed a great deal to join with others to build this neighborhood and to integrate our project well into East Lawrence. We have advanced a housing model that is culturally, economically and environmentally sustainable and stands as an innovative community development.

I believe that if personal responsibility has any place in our housing market, I and my partners have demonstrated more than our share.

I would like to see the following included in the text amendment for Type B Homeless Shelters and any future considerations for the site selection of the Lawrence Community Shelter.

1. First, I would like to see that the text amendment include specific requirement of site selection criteria that would link the externalities associated with large populations of homeless persons with persistent mental illness and substance abuse problems to predictable impacts on surrounding residential land uses and communities.
2. Second, I would like to see a set back requirement that would exclude small pockets of industrial land uses adjacent to residential land uses, including planned residential developments (PRDs) sufficient to exclude the property directly adjacent to Delaware Street Commons from ever being considered for the relocation of the Lawrence Community Shelter.

Rich Minder
1218 Delaware #3
Lawrence, KS 66044

TO: Joe Rexwinkle

CC: David Corliss & Scott McCullough

Please forward to Planning Commissioners for their Sept. 22nd packets. Thank you.

Dear Planning Commissioners,

I write with respect to the text amendment on homeless shelters. I want to say that at some point in this process the Planning Staff did listen to individuals and neighborhood groups and marry some of those concerns with the realities of Type A and B shelters. However, now the language is that of the Commission on Homelessness, and the neighborhood input has fallen off the table.

This issue of siting Type A and B shelters is so important to the whole Lawrence community. Facilitated community input could be so productive. Rather this process feels like ping pong and never gets to how to make all this work for all concerned.

Relative to Type B shelter, please let me say that:

#1 The Special Use Permit is essential to how the City moves forward.

#2 The City Commission should get involved with the Community Shelters siting criteria. Just because an industrial zoning exists somewhere doesnt mean it is appropriate for the shelter population.

Request: That you require that the Type B shelters not be permitted adjacent to any residential zoning residential, multi-family or PRD.

The rumors remain that 13th & Oregon is a favored site for the Community Shelter. I recently purchased property in Delaware Street Commons a project that revitalizes this block of East Lawrence. We are attracting families and a dozen children so far. We hope to live here and contribute to the improvement of this part of town. Having the Community Shelter (which is being hustled out of downtown) share our property line must not be what the city had in mind when it approved our PRD.

Keep the neighborhood voice alive in deliberations.

Sincerely,

Judy Harrington

1228 Delaware St.

From: turquoisepuppy@sunflower.com
Sent: Thursday, September 18, 2008 9:10 PM
To: David L. Corliss; Scott McCullough; Bobbie Walthall; Joseph Rexwinkle
Subject: Homeless Shelter Text Amendment

Dear City Manager, Planning Department and Commissioners,

As a senior citizen, I have some concerns about the proposal to allow Homeless Shelters in our neighborhoods.

According to the newspaper, there are local churches that are willing to volunteer their facilities and provide volunteers to offer night shelters for homeless families with children. Many churches are within the neighborhoods or next to family homes in Lawrence.

Although churches are willing to provide night shelters for homeless families, what would these citizens do during the evening? Would they be controlled within the facility? Who will monitor when they are outside the facility? Who is responsible if there are issues in the neighborhood such as comments or inappropriate behavior?

I understand a 3 hour training session will be provided to the volunteers but would this be enough to handle potential disruptions and disputes while on their premises? Unfortunately, some of the mothers and children are escaping violent situations – what happens if those parties come onto the property to reclaim their families?

What happens if the church volunteers don't show up or decide they don't want to participate any longer? What ratio of families to volunteers is required?

There are so many questions that need to be answered and issues to be considered before allowing this type of shelter within our neighborhoods.

There should be a structured, documented process that any organization would be required to follow that would include neighborhood approval before it could be implemented. I believe a Standard Use Permit should be required for any shelter whether it is for the Day or Night.

If Night shelters are approved, they should only be allowed in religious institutions, not civic organizations or non-profits.

Day centers should not be within single family neighborhoods. There are many industrial, commercial and multi-use areas that would be better suited for this program.

Research, citywide education and neighborhood approval should be obtained before allowing shelters within the already existing neighborhoods.

Thank you for your time,

E.M. Hays

From: mistermitten@sunflower.com
Sent: Thursday, September 18, 2008 8:52 PM
To: David L. Corliss; Scott McCullough; Bobbie Walthall; Joseph Rexwinkle
Subject: Proposed Text Ammendment comments

TO: Dave Corliss, Scott McCollough, Bobbie Walthall and Joe Rexwinkle

Thank you for this opportunity to provide feedback regarding the proposed Text Amendment changes.

There has been a great deal of conversation, research and controversy over the Type A Day Centers being approved for single family neighborhoods. Thank you to the City Staff for accepting the comments from home owners throughout the city before submitting the proposal to the Planning Commission. I support the recommendation to remove Type A Day Centers from single family zoning.

As a homeowner, I can understand the skepticism surrounding the proposal for Homeless Centers within viable, established neighborhoods. Many neighborhoods have worked hard to improve and renovate their homes to their full potential. Adding Day or Night shelters into these neighborhoods can have a significant impact to the property value of our homes. With the economy on a downward trend, our largest investments are at risk.

I am asking you to add in requirements that would protect and preserve the value of the homes in Lawrence. Family neighborhoods can be in or adjacent to some commercial, office, industrial and multi-use zoning in Lawrence. Required space between homeless facilities and the surrounding single family dwellings is critical to the safety and comfort level of the homeowners.

Please use the City Staff recommendation for Type A Night Shelters to be approved for Religious Institutions only with an SUP.

Special Use Permits should be mandatory for all Homeless shelters to ensure solid controls are in place for any organization offering this program. This would hold true for Type A Day Centers, Type A Night Shelters and Type B shelters. The SUP process would require notification to the surrounding neighborhood and allow comments and concerns to be voiced within the community.

Thank you for your consideration.
Sincerely,

Jana Montgomery

From: Rodney & Orlena Carr [rocarr@sunflower.com]

Sent: Thursday, September 18, 2008 6:33 PM

To: David L. Corliss; Scott McCullough; Joseph Rexwinkle; Lisa Harris Email; rhird@pihlhlawyers.com; therenewgroup@sbcglobal.net; greg@moorevaluation.com; cblaser@sunflower.com; jeff@chaney-inc.com; MontanaStan62@gmail.com; bradfink@stevensbrand.com; hughcarter@dgcounty.com; ksingleton@sloanlawfirm.com

Cc: Bobbie Walthall

Subject: Text Amendment 04-03-08 Re: Homeless Facilities

Attachments: 09-16-08 SUP exhibits 1-5.doc

City Manager, City Planning Department, and Planning Commissioners:

Special Use Permits need to be required by City Code before any Type A or Type B homeless facilities are allowed in Lawrence. Recent events surrounding the proposed Type A Day Center at 1501 Rhode Island Street by the owner and the organization known as Family Promise support our viewpoint.

1. On August 1, I asked a woman what she was placing at the home of Scott and Jana Montgomery as we were departing town for the weekend. The woman shared a copy of an invitation (Exhibit 1) to a neighborhood gathering at the home of Pat and Mike Lechtenberg on August 7 to discuss plans for 1501 Rhode Island as a Day Center to be operated by Family Promise. August 1 was when my husband and I first learned about the proposal. Mr. Joe Reitz in his July 18, 2008 letter to the Lawrence Planning Commission on behalf of Family Promise of Lawrence (Exhibit 2) stated "We have been contacting neighbors to assess their reaction to having the Center in their neighborhood. We have not encountered any opposition. One of the neighbors is planning a community meeting at her home to explain the program and answer questions. We will invite the neighborhood in which we locate to place a person on our board to represent their interests."
2. We learned Sunday, August 3 after returning to Lawrence about a LAN (Lawrence Association of Neighborhoods) meeting on Tuesday, August 5 in which Text Amendment 04-03-08 to Chapter 20 of Lawrence City Code regarding homeless facilities would be addressed. Four individuals who reside close to the house at 1501 Rhode Island attended the August 5 meeting and heard the Family Promise of Lawrence proposal from Mr. Joe Reitz and comments from Mr. Joe Rexwinkle of the City of Lawrence Planning Department. Many questions were raised during the meeting that lacked answers. A great majority of those in attendance voiced opposition to the proposal because of inadequate notification, lack of appropriate time for neighborhoods and individuals to provide input, and numerous concerns. At one point, Mr. Reitz stated that the project will happen, referring to the Family Promise goal of using the house at 1501 Rhode Island beginning November 1, 2008. Mr. Reitz later stated "[We] could have gone ahead with it without obtaining approvals first until we got caught."
3. About 50 residents in the Barker Neighborhood attended the August 7 meeting at the Lechtenberg's residence. Ms. Debbie Nall, owner of 1501 Rhode Island, Mr. Reitz, Ms. Kathleen of the Community Commission on Homelessness, and Ms. Valerie Miller-Coleman of the Bert Nash Homeless Outreach Section attended to present the proposal. Ms. Nall stated her desire to share her house with Family Promise as a means of assisting select homeless families. She expressed that she would only proceed if a majority of the neighbors agreed. About 95% of neighbors expressed disagreement with many concerns stated in the Summary of Questions and Comments (Exhibit 3). Mrs. Lechtenberg remarked following the meeting that she only expected about 12 people to attend. Many in the neighborhood did not receive a flyer (Exhibit 1) on August 1 and therefore knew nothing about the 1501 Rhode Island issue. Barker Neighbors helped blanket the neighborhood with more of their flyers on Monday, August 4 to ensure widest distribution and to foster open communication on this issue.
4. The next day, August 8, 2008, a letter arrived at the City Manager's Office dated and city stamped on August 8th from Jerry Wells, a lawyer representing Mr. Joe Reitz and Family Promise

of Lawrence (Exhibit 4). According to the letter, "Mr. Reitz has conducted meetings [Note: plural] with the neighborhood to explain the Family Promise program and to assure these neighbors that there is no danger or adverse impact on the neighborhood by the presence of Family Promise". The last paragraph also states, "Family Promise respectfully urges the Commission to approve the text changes as submitted and approved by the Planning Commission without delay." Concerns expressed to Mr. Reitz by the Lawrence Association of Neighborhoods and the Barker Neighborhood apparently did not matter.

5. Text Amendment 04-03-08 had been placed on the August 12, 2008 agenda of the City Commission for discussion. Many neighbors in the Barker Neighborhood had just learned about the Text Amendment discussion on/around August 1. The City Commission meeting that evening was well attended. The Text Amendment discussion was deferred to a later date to allow time for input. Approval of the proposed amendment by the City Commission would have created a regulation impacting all neighborhoods throughout the City except planned developments without proper protections afforded the neighborhoods.
6. Several owners and/or residents within 200 feet of the proposed Day Center were not talked to or informed about this project.
7. Debbie Nall and Orlena have been friends for 40 years yet she has not talked directly with us about this project.

Mr. Joe Reitz of Family Promise of Lawrence is a KU Emeritus Professor of Business Ethics, according to a document he shared at the Lechtenberg's residence on August 7 (Exhibit 5). He has been attempting to rush the proposal through for quick approval by the City Commission without adhering to his own statements (see items 1, 2, and 4 above regarding notifications to neighbors). If he as a former professor of business ethics has been pushing to get his way through unethical means, what will other organizations do that have less stringent requirements than those of Family Promise? The Text Amendment must contain strict requirements for usage of properties in all districts throughout the city, must contain full analysis of organizations desiring to use such properties, and must ensure proper controls to avoid loopholes. Therefore, Special Use Permits must be implemented for the health and well being of all neighborhoods throughout the city of Lawrence.

Attachments: Exhibits 1-5

Orlena and Rodney Carr
1512 New Hampshire

YOU ARE INVITED...

TO A NEIGHBORHOOD GATHERING

TO DISCUSS PLANS

FOR 1501 RHODE ISLAND

AS A DAY CENTER (7am - 5pm) FOR
HOMELESS CHILDREN AND THEIR
FAMILIES (Maximum 4 families)

Date: Thursday August 7th

Time: 7PM

Place: Pat and Mike Lechtenberg's home
1701 Barker

Hosts: Pat and Mike Lechtenberg
Debbie Nall, 1501 Rhode Island

Please come, hear the plans, and ask questions! ! !

For more information about the program, go to
www.familypromise.org

FAMILY PROMISE OF LAWRENCE

P. O. Box 266
Lawrence, KS 66044

July 18, 2008

Lawrence Planning Commission
City Hall, 6 East 6th St.
Lawrence, KS 66044-0708

We respectfully request two changes to the proposed amendments to Chapter 20 of Lawrence City Code regarding homeless facilities. Specifically, under section 20-542, we suggest that the code recognize two types of homeless day centers. The distinctions between the two types of shelters would be based on number of persons served and family status.

A Homeless Day Center, Type A, would serve a maximum of 14 persons and serve only families with children. A Homeless Day Center, Type B, would be any homeless day center not meeting the definition of a Type A Homeless Day Center.

Such a distinction would be consistent with the proposed distinctions between Type A and Type B Homeless Shelters. The Community Commission on Homelessness has clearly recognized the distinction between homeless families with children and other homeless persons and that their status and needs are different.

An example of a Homeless Day Center, Type A, would be the model being employed by Family Promise, which plans to open in Lawrence in November. Family Promise is open only to homeless families with children. Nationwide, 80 percent of Family Promise guests are single mothers and their children; the remainder are two parent families and the occasional single father with children. To provide a safe environment for the children, Family Promise uses a thorough and stringent screening program, including drug testing, and will not accept as clients those who abuse alcohol or other substances or who have a history of violence against persons. Finally, the size of the program is limited to no more than four families or 14 people. This number has been proven to be a manageable number for overnight sheltering provided by faith congregations and staffed by trained volunteers. It also provides a case load for the director that enables that director to work with each family every day to solve their problems and get them into permanent housing. The validity of this model is reflected in their success rate: The average family stays in the program 60 days; 70 percent graduate into permanent housing, another 10 percent into temporary housing.

We further request that the proposed Residential District Use Table 20-402 be amended to allow for the distinctions between Type A and Type B Day Centers, and that a Type A Shelter be permitted across all categories provided that it obtains a Special Use Permit.

First, a neighborhood is the ideal place for families with children to spend their days - quiet, safe, and surrounded by other families. Homeless children are simply, children, and do not need to be stigmatized by forcing them to spend their time in an industrial environment. Because of the screening process for admission and the limits on numbers, the Day Center poses little impact on the surrounding area. In the Family Promise model, guests are accountable to the full-time professional director for their behavior and can be immediately removed from the program for violating its rules. Further, traffic impact will be minimal: a fifteen passenger van transports the families to and from the Day Center once each day. The only other vehicles will be that of the director and one volunteer. The Center will open at 7 AM and close at 5PM. There will be no nighttime activities.

The Family Promise model opening in Lawrence enjoys broad support from the community. It has been endorsed by the chairs of the Community Commission on Homelessness, the Interfaith Initiative on

Homelessness, and the two social workers from ECKAN and Bert Nash who work primarily with homeless families with children, Jeanette Collier and Valerie Miller-Coleman. So far fifteen faith congregations have signed on to support the program by providing shelter, food, and volunteers. Funds to operate the program have been obtained from private sources. We will not ask for nor expect financial support from the City of Lawrence. Finally, an owner has offered the use of her house for our Day Center. **We have been contacting neighbors to assess their reaction to having the Center in their neighborhood. We have not encountered any opposition. One of the neighbors is planning a community meeting at her home to explain the program and answer questions. We will invite the neighborhood in which we locate to place a person on our board to represent their interests.**

Sincerely,

**Joe Reitz
Chairman**

Summary of questions and comments from 8-7-08 neighborhood meeting at 1701 Barker regarding 1501 Rhode Island usage by Family Promise

1. What constitutes a family? Is an 18-year old included or excluded from family?
2. How extensive is the training for volunteers?
3. Director is only on-site Monday through Friday and not weekends.
4. Who watches children as parents are working on computer, searching jobs, etc?
5. Multiple school buses will make stops on 15th street. Central Junior High School moved their bus route to 14th street due to congestion.
6. Parking is limited and crowded during school & theater events and traffic is heavy.
7. Where is neighborhood testimony from Family Promise for existing facilities?
8. Owner stated she would only do this if the neighbors agreed. Majority disagreed.
9. Joe Reitz stated they could have proceeded without contacting neighbors or the City.
10. Next to a junior high school and near Community Theater.
11. Streets are narrow on Rhode Island and New Hampshire; make 2-way traffic hard.
12. 15th street is very busy, people drive fast, and parked cars limit visibility.
13. Women's Transition Center is currently empty at 4th & Florida.
14. Previous abusive situations that could arise at new shelter.
15. Volunteers can come from the Homeless Shelter.
16. What if churches stop helping or don't have enough volunteers?
17. Potential for transient population in yards and on sidewalks when word gets out.
18. Those identified through a background check for criminal, abuse, violence, and/or addiction are "generally" not accepted. Some may be accepted. Then what?
19. Hours 7am-5pm including weekends. Who monitors facility at other hours?
20. No fence for children. Children must stay on the property, may not watch activities or play at Central Junior High School, and have no visitors. Sounds like house arrest.
21. Does the house meet city code for multi-family use in a single-family zoned area?
22. Family Promise stated their stringent policies and procedures. Is the City of Lawrence going to enact an ordinance requiring other organizations to develop similar policies for the protection of all neighborhoods?

Jerry Wells
ATTORNEY-AT-LAW
P. O. Box 641
Lawrence, Kansas 66044
785-856-3925

RECEIVED

August 8, 2008

AUG 08 2008
CITY MANAGERS OFFICE
LAWRENCE, KS

Michael Dever, Mayor
P. O. Box 708
Lawrence, KS 66044

Robert Chestnut, Vice-
Mayor P. O. Box 708
Lawrence, KS 66044

Mike Amyx, Commissioner
P. O. Box 708
Lawrence, KS 66044

Sue Hack,
Commissioner P. O. Box
708 Lawrence, KS
66044

Boog Highberger,
Commissioner P. O. Box 708
Lawrence, Kansas

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

Mayor Dever, City Commissioners and Mr. Corliss:

Please be advised that this office represents Mr. Joe Reitz and Family Promise of Lawrence. Family Promise is a non-profit organization located in the Lawrence Community with the purpose of establishing a homeless program to serve the homeless in Lawrence, particularly focusing on homeless single mothers with children. Family Promise seeks to establish a center at 1501 Rhode Island in the city of Lawrence. An agreement has been entered into between Family Promise and the owner of the house at 1501 Rhode Island, and the owner has encouraged Family Promise in its goal to use the

home as a daytime facility for homeless mothers with children. The home offers a family-like atmosphere for these needy families. **Mr. Reitz has conducted meetings with the neighborhood to explain the Family Promise program and to assure these neighbors that there is no danger or adverse impact on the neighborhood by the presence of Family Promise.**

A number of points should be emphasized for the consideration of the members of the Commission as they contemplate the homeless facilities and services text amendments, now scheduled for the regular meeting of the Commission on August 12, 2008. Family Promise wants to assure the Commission that the guests of Family Promise at the Rhode Island location will be daytime residents only, and they will be transported to that home by a van after spending the night at Church facilities located in the Lawrence Community. Some fifteen Churches have volunteered to house the Family Promise guests overnight and they will rotate that accommodation from one Church facility to the next on a regular basis. Secondly, each guest of the program will undergo a rigorous screening process before they are admitted to the Family Promise program. The program will have a zero tolerance policy for drugs, alcohol or criminal behavior.

It should also be noted that Family Promise of Lawrence is affiliated with the larger National Family Promise program with an excellent reputation for success.

Family Promise would fall under the Type A Homeless Shelter Category now being considered by the Commission, and meets all the requirements of that category.

The service that Family Promise provides to the homeless in Lawrence fills a desperate need for this City, and, offers a serious and professional ethic to this need.

At the Planning Commission meeting that contemplated the text amendments regarding Type A and Type B homeless shelters, there was long discussion about bifurcating the two types in terms of approval of the text changes. Several speakers liked Type A, but not Type B, and vice versa. Several Commissioners wanted to approve Type

A, but not Type B, and vice versa. Family Promise urges that the text changes be approved as to both Type A and Type B, simply because both types are desperately needed in this community and several professional non-profit organizations, including Family Promise, would like to begin their work as soon as possible.

Family Promise respectfully urges the Commission to approve the text changes as submitted and approved by the Planning Commission without delay.

Sincerely,

Jerry Wells

JW:rw

**Exhibit 4
page 2**

FAMILY PROMISE OF LAWRENCE

Joe Reitz. KU Emeritus Professor of Business Ethics
Former CEO, Leo Center and Heartland Medical Clinic, Lawrence
785-542-2744 joe@lawrencefamilypromise.org

The need: Every year more than 100 families with children find themselves homeless in Lawrence! Without housing, children are vulnerable, school is very difficult; friendships are challenging, health is at risk, and self-esteem is fragile. There is no program in Lawrence that addresses the special needs of homeless families with children.

1. The response -- Family Promise of Lawrence: An interfaith program for homeless families with children.
2. Mission: To transform lives of homeless families with children by providing shelter, food, counseling, training, transportation and other assistance in a safe and compassionate environment.
3. Resources needed:
13 congregations to host families (food, sleeping accommodations) for one week per quarter; other congregations to provide food, volunteers.
2500 square foot day center; 15-passenger van; full-time director.
5. What Family Promise provides:
Food, safe shelter, transportation, health care (Heartland Medical Center), counseling, training, structure, compassionate care for 60 - 90 days.
6. What the families agree to do:
Abide by the rules, including screening for substance and personal abuse; attend counseling and training; work with director daily to find jobs or housing; put 90 percent of take-home pay in personal savings account.
7. FP is effective:
70 percent of families admitted graduate into permanent housing. Johnson County FP has graduated **34** families in three years; only **one** has had to return.
8. FP is efficient:
Efficient use of trained volunteers, donations, congregation facilities results in average cost of **\$18/day** for food, shelter, transportation for each guest
- 9. Funding needs:**
\$60-\$80,000 to open; \$120,000 annual budget

Time line for openings November 1, 2008

June 1: Complete recruitment of host congregations (have **10** now)
August 1: Begin outfitting day center
August 15: Secure transportation (15-passenger van)
August 15: Hire director; have 1/3 of first year budget on hand
August 20: Director training
September 1: Begin training volunteers
October 28: Complete day center outfitting and furnishing
November 1: Receive first guests

From: Andrea Zuercher [zeditor@sunflower.com]
Sent: Friday, September 19, 2008 2:26 PM
To: Scott McCullough; David L. Corliss; Joseph Rexwinkle
Cc: Bobbie Walthall
Subject: Changes to city code, for Sept. 22 planning comm. meeting

TO: Dave Corliss, Scott McCullough, Joe Rexwinkle, Bobbie Walthall
DATE: 19 September 2008

Good afternoon. I am writing to comment on the changes to zoning in Lawrence neighborhoods. We live in the Barker neighborhood, where this issue has been brought to our attention in an urgent way. We have been involved in several neighborhood meetings in an attempt to understand the zoning changes and what they mean for our neighborhood and all neighborhoods. And although we no longer face the imminent opening of a day shelter on our block, we are still concerned about the implications of the coding changes throughout the city.

First of all, we support the staff's recommendation to prohibit Type A Day Centers (15 people or fewer) in single-family zones. We appreciate the work you have done on this issue. This sort of shelter would be best situated in other types of zoned areas, not in neighborhoods, where the local residents work to build continuity and community with each other. There are many areas in town where these types of facilities can be located without potentially disrupting our fragile community.

Second, we urge the commission to require special-use permits for all Type A Night Shelters in any church in any neighborhood (including RSO and RMO zoned areas). There is a church in the Barker neighborhood, which is positioned very near the adjoining properties; this church might well decide to open its building for a night shelter. In the eastern part of town, churches do not have large enough lots to provide what we believe is a critical buffer of space between those seeking services and those living in adjoining homes. Not requiring an SUP takes out the possibility of required neighborhood input and threatens the stability of these neighborhoods in our older parts of town. Requiring such a permit means that accountability to the neighbors is part of the process and that neighbors have some sort of recourse if things do not go well.

Third, we urge the commission to beef up the management plan for any shelter facilities in neighborhoods, regardless of zoning. When we looked at the Family Promise plan, it contained many instances of stricter rules (such as background checks, staffing requirements, etc.) than the city code contains. We believe that that organization's rules should be a minimum for any type of facility that locates in a neighborhood. Good management is important enough not to be left to the organizations doing the managing; the city should set some standards and enforce them.

Finally, regarding Type B shelters, we note that the staff has dropped the requirements for minimum distances between the facility and the surrounding neighborhoods. As stated above, this is important to those of us who live in more congested neighborhoods. Also, we are concerned about the square footage required for each person. Currently, the recommended amount per bed is less than the size of a typical jail cell. If churches or other organizations do not have enough space to provide humane amounts of "personal space" for their guests, they should pursue other types of ministry and outreach, such as partnering with larger facilities rather than cramming people into small spaces.

We encourage the commission to prohibit establishing shelters in properties adjacent to single-family, multifamily, and planned development residential zones. For reasons stated above, we do not believe that such facilities coexist well with neighborhood residents -- especially if there is no due process for neighbors to advise and give feedback to the facilities' managers.

We also encourage you to stay with the current designation of shelters in religious facilities only (with SUP), not the proposed "non-profit and civic organizations." That designation is too broad and could encompass organizations that do not have the mindset or the mission of service required to serve the homeless but are just looking for a tax break by way of a secondary use of their facilities.

We are compassionate people who firmly believe that the city -- and its residents -- must do what they can to help those who have lost their homes, for whatever reason. But we do not believe that it is prudent to force solutions onto those who still have homes. By working with the neighborhoods and respecting our concerns, you have the opportunity to create a solution that brings the two sets of concerns together, while enabling the residents of this city to have a say in what happens to their neighborhoods -- before problems occur. We thank you again for your hard work on this issue, and we ask for your due consideration of our concerns as you make these decisions. Thank you.

Andrea Zuercher and Ed Scholtes
1537 Rhode Island Street
Lawrence, KS

From: Virginia Musser [noahva@yahoo.com]
Sent: Sunday, September 21, 2008 10:23 PM
To: David L. Corliss; Scott McCullough; Joseph Rexwinkle; Lisa Harris
Email; rhird@pihhlawyers.com; therenewgroup@sbcglobal.net;
greg@moorevaluation.com; cblaser@sunflower.com; jeff@chaney-inc.com;
MontanaStan62@gmail.com; bradfink@stevensbrand.com;
hughcarter@dgcounty.com; ksingleton@sloanlawfirm.com
Cc: Bobbie Walthall
Subject: public comment on homeless shelters

Follow Up Flag: Follow up
Flag Status: Red

We are writing you to express our concerns about proposed regulations concerning homeless shelters in Lawrence. Thanks for all your work trying to sort through this complex issue to make sure Lawrence's best needs are met.

We support the recommendation to prohibit Type A Day Centers in single-family neighborhoods. Homes in single-family neighborhoods should be for use by single families - not for a rotating population of large groups of people. A center with a daily population of 10-14 people may seem small, but that number of changing faces in our neighborhood would be very noticeable. We moved to our neighborhood (Barker) because of its stability and because we wanted to be part of a close-knit community. We see the same 10 or so neighbors on a day-to-day basis, so suddenly introducing 10-14 new faces every week or so would have a dramatic impact on the atmosphere. The shelter would be vacant at night, which is a huge concern. For neighborhood security, it is best to have houses that are occupied all the time, not just during work hours. Also, we are concerned that other transient people would learn about the house and bring questionable foot traffic to the neighborhood.

We believe Type A day centers are best located in mixed use or office/industrial areas, where their impact on the neighborhood would be minimal.

At the Community Commission on Homeless meeting on Sept. 9, the commission recommended that Type A night shelters be allowed by right in churches, with no special use permit required. We think SUPs are vital to establishing these shelters. Some churches that are located on small lots in a densely populated residential neighborhood may not be as well suited for a night shelter as other churches with a large campus in a less densely populated area of town.

People who live in a neighborhood deserve to have a voice in what happens in their neighborhood. If you take away residents' ability to control what happens in their neighborhoods, it will have a negative impact on Lawrence's strong, vital community. The SUP process ensures a fair, transparent and comprehensive process. Asking churches to visit with the neighbors before opening a shelter will do nothing to ensure the best course for the neighborhood. The city, not a partial group (the establishing church), should make sure all parties' best interests are being met. Rather than trying to establish a new and ineffective process, the city should rely on a proven process - SUP application.

We live across the alley from 1501 Rhode Island, which was a proposed site for a Type A day center. The organization backing this site assured city staff in July that they had met with no neighborhood opposition to their plan, but we were not even notified about the plans until August 1. They planned a neighborhood meeting for August 7 but did not notify more than a few close neighbors. A neighbor told us about the meeting - we later found a poster about the meeting lying in the bushes in our front yard. When the entire neighborhood was actually informed about the proposed shelter (by neighbors, not by the organizing group), it was met with strong opposition. This example illustrates why the city, not the group proposing the shelter, should be responsible for assessing neighborhood support or opposition.

One other point of concern to us is about a buffer distance between shelters and residential neighborhoods. Because many residential neighborhoods are close to mixed-use or commercial/industrial neighborhoods, we think having a minimum distance requirement is important.

Thanks again for working to resolve everyone's concerns about this issue.

Virginia and Noah Musser
1508 New Hampshire

From: Hal Sears [halsears@hotmail.com]
Sent: Sunday, September 21, 2008 10:54 PM
To: Joseph Rexwinkle; Scott McCullough
Cc: Bobbie Walthall
Subject: proposed plnng.guidelines re:homeless facilities

Follow Up Flag: Follow up

Flag Status: Red

Dear Planning Staff:

It is thankfully noted that your Proposed Guidelines prohibit Type A Day Centers in single family residential zoned neighborhoods. Kudos for that!

We think it would be wise to protect neighborhoods in the future to also require an SUP in RMO and RSO zoned areas for Type A Day Centers. For the Type A Night Shelters, we support the original language that limited them to "religious" institutions only.

Although Family Promise has offered credible guidelines for their organization, we are concerned that future programs may not be so careful; since you are casting a long-term planning matrix, the mechanism of requiring an SUP should be the planning standard for Type A Night Shelters. That way, neighbors are informed, and the process allows all stakeholders to be heard.

As members of East Lawrence Neighborhood Assoc., we also strongly urge that Type B homeless shelters should not be adjacent to residential zoning.

Yours very truly, Hal Sears and Davida Sears, 1428 Connecticut, Lawrence, Ks

From: Jackie Stafford [JACKIESTAFFORD@SBCGLOBAL.NET]

Sent: Monday, September 22, 2008 7:10 AM

To: Scott McCullough

Cc: Joseph Rexwinkle; David L. Corliss; Bobbie Walthall

Subject: Type A and Type B shelters

Follow Up Flag: Follow up

Flag Status: Red

To the Planning Commission,

I understand the Planning Commission will meet Monday, September 22 to consider a text amendment regarding Type A and Type B shelters in the city's neighborhoods. I urge the commission to follow the city staff's recommendation to prohibit Type A day shelters in residential neighborhoods. Day centers should not be placed in single family neighborhoods. I am thankful that the city listened to neighbors concerns on this issue, and I hope the Planning Commission does the same.

I am also concerned about the possibility of Type A night shelters being allowed in any church in any part of the city. There needs to be some restrictions on where these shelters can be located. At minimum, all Type A night shelters should be required to obtain a special use permit. As a homeowner in the Barker neighborhood, we have several churches that could serve as night shelters. One of these churches is in the 1600 block of New Hampshire Street. Unlike larger churches with a more campus-like setting, this small church has no "buffer zone" between it and its neighbors. This church and its property is adjacent to the three, single-family homes -- one of which is home to three young children. In fact, the church's parking lot meets the fence to this neighbor's backyard. If this church should choose to be a night shelter in the future, it would be dangerously close to these neighbors. . The planning commission should consider adding a minimum square foot requirement to both the church and its property. A large church that sits on a campus, picture Corpus Christie, would be more appropriate for this type of shelter.

I also think the needs of the potential clients of these services should be considered. Currently, the text amendment calls for 35 square foot per bed in a night shelter. This is a smaller space than most inmates have in a prison cell. Clients should be given at least 50 square feet per bed.

My family, with two young children, live in 1600 block of Massachusetts Street and within 200 feet of the church mentioned above. We chose to invest in this neighborhood. First, by purchasing a house here in 2002 and then by putting on an addition in 2007. When our second child was born, we had a choice -- to move or build onto our house. We love our neighborhood and are thrilled that it has experienced a "rebirth" of sorts. When we first moved into the neighborhood in 2002, we heard few children playing outside. Since then, families have moved into the neighborhood and at least 8 babies have been born within two blocks of our house in the last two years. Several other neighbors have also added onto or renovated their homes. Allowing Type A day or night shelters in our neighborhood would make some of us feel that not only our property values but what we love about our neighborhood is at risk.

Thank you for considering our concerns. I know this is a complex issue, with many sides to consider. Please consider the needs of the neighborhoods in Lawrence.

Jackie Stafford
1640 Massachusetts Street

From: Jana Montgomery [jlmontg@yahoo.com]
Sent: Sunday, September 21, 2008 4:34 PM
To: Scott McCullough
Cc: Joseph Rexwinkle; David L. Corliss; Bobbie Walthall
Subject: Comments regarding Text Ammendment

Follow Up Flag: Follow up
Flag Status: Red
Dear City Officials,

I have lived in Lawrence all of my life and I hate to see the city impacted by integrating homeless shelters into the family neighborhoods. There is a need to help those that are having trouble but we need to understand what we are asking of homeowners, too. Most people are not wealthy and live paycheck to paycheck. If the property value goes down due to shelters being placed next door or across the street, it will impact even more Lawrence residents.

The city staff members have taken time to review comments from many citizens and came up with a proposal that would meet the request of the City Commission and the neighbors. I support the new proposal that removed the Homeless Day Shelters being placed in single family neighborhoods.

The other thing I believe should be included is the Special Use Permit (SUP) as a requirement for all types of shelters. It is a documented way to ensure the purpose and focus on the organization providing the assistance. The SUP allows the neighborhood to be involved with the process and express their issues and/or concerns.

This issue is not about Family Promise. We are putting the cart before the horse and need to step back and realize ANY non-profit, civic organization or religious institution would be allowed to have a shelter with this proposed text amendment. Not all organizations have or want the level of detail Family Promise offers with their program.

I am requesting the wording be changed to allow only religious institutions to act in this capacity and be required to have the SUP process.

Thank you for listening to my concerns,

ML Montgomery

From: jredeker1535@aim.com
Sent: Monday, September 22, 2008 9:20 AM
To: Joseph Rexwinkle
Cc: jredeker1535@aim.com
Subject: Type A Day and Night Shelters

Dear Planning Commissioners:

I am writing to provide input on proposed code changes that would allow Type A Night Shelters and Type A Day Shelters. As a resident of an established neighborhood near downtown I support the City planning staff recommendation that Type A Day shelters be prohibited in single-family zones (RM-32). The City planning staff listened to neighborhood concerns, which I appreciate, and I ask the planning commission to support this recommendation. I believe that businesses and families in RMO and RSO zones deserve the same consideration as those of us living in single-family neighborhoods and feel that a SUP should be required for Type A Day Shelters wanting to operate in these areas.

I have concerns about the proposed administration of Type A Night Shelters. Currently, planning staff is recommending that churches that want to provide Type A Night Shelters notify and communicate with neighbors and also provide a management plan to the city. This proposed language does not require churches act in meaningful ways to address the concerns of neighbors and disempowers residents of the community in which the Type A Night Shelter would be offered.

In an effort to give context to my concerns, I feel it is important inform commissioners that there are three religious organizations within 2 blocks of my house and six within ¼ mile of my house. Each organization, according to the proposed language, would be able to house up to 15 people 17 hours a day for 365 days each year. This means that up to 45 people could be housed within 2 blocks of my house and 90 within ¼ mile.

Though Family Promise indicates that they screen families and families stay at one church for a short amount of time, the proposed language does not limit churches to work only with Family Promise. As such, the assurances of Family Promise can only be seen in context of the Family Promise organization and not the proposed code change.

I realize that the city needs to provide more homeless services to the least fortunate of our residents and I commend religious organizations that are heeding this call to serve. As such, I propose a compromise that would allow churches to provide night shelter services to families and also give weight to neighborhood concerns.

I support a modified SUP process for churches interested in offering Type A Night Shelter services. I realize the current SUP process might be burdensome for religious organizations. I believe the most difficult and expensive part of the SUP process is the engineering and architectural drawings required to apply for the permit. If a church is not making any structural modifications to its building or grounds to house a Type A Night Shelter, I would support dropping that requirement for the SUP. I also support the Planning staff recommendation to restrict Type A Night Shelters to churches and exclude non-profit and civic organizations from providing these services.

Thank you for working to provide services to homeless families in a way that ensures they will have not only the support of the churches which house them, but also the neighborhoods in which they will be living.

Sincerely,

Jean M. Redeker

1535 New Hampshire St.

From: Mary Wharff [mgwharff@sunflower.com]
Sent: Sunday, September 21, 2008 7:12 PM
To: David L. Corliss; Scott McCullough; Joseph Rexwinkle
Subject: TA-04-03-08 -- Homeless Shelter Zoning Amendment.

Follow Up Flag: Follow up
Flag Status: Red

To: David Corliss, Scott McCullough, Joe Rexwinkle,
Date: September 21, 2008

I'd like to commend city staff for recommending that Type A Day Centers be prohibited from single-family residential zones. I think this will save the city from many disputes, and help services for homeless people establish day centers in a more timely manner in areas where no SUPs are required.

Many of my neighbors remain concerned that the revised language allows for Type A Night Shelters in churches in residential areas "by right". In Barker neighborhood, for example, there are at least two churches with very small properties that are immediately adjacent to the yards of homes where children play. In both instances, only a fence separates the backyard of three children under 10 from the church yard. With few detailed regulations regarding smoking outdoors, waiting for facilities to open, use of church grounds, even these smaller night shelters pose safety and quality of life issues. Neighbors need a way to hold organizations accountable, the SUP is an official way to do so. The neighborhood meetings requirement is not. What can neighbors do if an organization is not as considerate as Family Promise claims to be? What happens if a church opens a shelter for four unmarried ex-convicts? Or for 4 families (up to 15 people) who have histories of violence or addictions? How will OTHER, non-Family Promise organizations operate and be held accountable?

I am also concerned about the removal of barrier limits for Type B shelters. I think barrier limits are the only way to make it acceptable to place such a shelter adjacent to a residential (single/multi family) or planned development residential zone. Without such limits, I ask the commissioners to prohibit the establishment of Type B day centers and night shelters in zones that are adjacent to single-family, multi-family or planned development residential areas. Mere fences are not enough when backyards where children play back up to Type B homeless facilities.

Clearly, the neighborhoods closest to downtown are the most likely targets for both Type A and Type B homeless day centers and night shelters. While almost anyone can see that this is pragmatic, it should not be an easy decision for our commissioners, both planning and city. Because these neighborhoods also offer Lawrence some its greatest potential for being more than a bedroom community. Because these are the kinds of neighborhoods almost every other big city and small city killed with suburban flight, and are now scrambling to rebuild. Because these areas are already strong, filled with families and couples. The only way it's going to work is if neighbors buy-in -- if neighbors believe that their own communities can continue to thrive and at the same time, serve some of the homeless population.

Urban neighborhoods thrive when there is synergy between all the parts -- residents, government, businesses and organizations. I ask for zoning that reflects that very basic truth. When you're going to ask neighbors to accommodate transient people, people who challenge all of us in ways we don't really like to think about, it is truly best to involve those neighbors from the very first moment on.

Thank you,
Mary Wharff

From: Michael Fairchild [mikefair@sunflower.com]
Sent: Sunday, September 21, 2008 7:12 PM
To: Joseph Rexwinkle
Subject: Type A Shelters

Follow Up Flag: Follow up
Flag Status: Red

To: Lawrence-Douglas County Metropolitan Planning Commission

Dear Commissioners,

I write in regard to the proposal for Type A Homeless Shelters to be allowed by right in religious facilities within residential neighborhoods. I have read the proposal and disagree with the planning staff recommendations that a Special Use Permit is unnecessary. The realities of housing 15 people in close quarters are not addressed by the recommendations, with either the concerns of fairness and safety of the homeless or the residents of the neighborhoods surrounding the facilities.

The reality is that the families and individuals housed for up to 17 hours and for an unspecified number of days in small facilities should be afforded simple freedoms such as congregating, coming and going, having visitors, letting children play, etc. Altercations among groups of people housed in such conditions is also an inevitability. That these matters are expected to be handled by volunteers who may or may not have experience does little to reassure me that order can be preserved. The fundamental facts of life that accompany the tragedy of homelessness and the group dynamics that compound the problem in this case make housing in established neighborhoods a problem that deserves greater consideration.

The proposed plan would supposedly regulate activities and altercations by a management plan drafted by the church and approved by the City with little or no consideration required for input from residents of the neighborhood. I'm afraid this simply sets up a system of regulation by complaint which may involve law enforcement which can have no positive impact on the relationship of the neighborhood with the church, its members or those it shelters, and in the end can have no good result for a cause worthy of better consideration.

A Special Use Permit ensures that the neighborhood will have meaningful input in the management plan which addresses the concerns of everyone involved.

Let me conclude by saying that I have the greatest respect for those members of the commission and planning staff who have spent time dealing with this matter and for the organizations concerned with helping the homeless. I can assure you that mine is not a "Not in my back yard" attitude and I am willing to work toward a reasonable and equitable solution, but I can't approve of a plan that seems to have so little respect for the concerns of the people living in established neighborhoods and so little real consideration for the realities of the undertaking.

Thank you for your attention,

Michael R. Fairchild
1535 New Hampshire

From: Scott Montgomery [sjmontg@yahoo.com]

Sent: Sunday, September 21, 2008 4:02 PM

To: David L. Corliss; Scott McCullough; Bobbie Walthall; Joseph Rexwinkle

Subject: Text ammendment comments

Follow Up Flag: Follow up

Flag Status: Completed

Dear City Planning Commission,

First, I want to thank the City Staff for their time and concentration on the revised Text Amendment issue. I agree with the majority of the recommendations by the staff. The one exception would be the SUP process.

My concern for the Day and Night Homeless Shelters is regarding the Special Use Permit. It is extremely important that all of the shelters be required to have SUPs. Without this requirement, shelters would be able to operate in this capacity without notifying the neighborhood.

There are many different opinions on this subject which have caused a lot of conversation. The SUP process would ensure all parties have a full understanding of the expectations regarding the shelters. The SUP and public opinion format would document the organizations plan and guidelines; ensuring the neighbors are informed of the organizations intentions. The SUP allows the neighborhood a forum to share their views and concerns in their own voices.

In addition, the SUP process should include certified letter notification to the surrounding neighbors.

The new proposal includes non-profit and civic organizations to house homeless shelters. Please use the City staff recommendation for religious institutions only and include a mandatory SUP.

Thank you for your time and attention to this issue.

Sincerely,

Scott Montgomery

From: Deborah McMullen [deborah@askmcgrew.com]

Sent: Monday, September 22, 2008 11:59 AM

To: Scott McCullough

Cc: Joseph Rexwinkle

Subject: a note from Deborah McMullen per zoning for Type A Day and Type A Night shelters and Type B Shelters

Importance: High

Good Morning

let me first thank you for all you do for the city of Lawrence. It must at times be overwhelming, so our appreciation should be shown and sincerely expressed at every opportunity.

As a concerned resident of the city of Lawrence I write to you with several request when considering recommendation for the zoning changes as they pertain to Type A day centers, Type A night shelters and Type B shelters.

Type A day shelters: Our neighborhoods should be preserved as residential with all the protection and consistency that particular zoning has to offer. Residential neighborhoods make Lawrence a great place to live and to invest in for your home and family. I am an advocate of this zoning because I see how well it works for property values, home appreciation and the livability people seek for themselves and their families. Currently some bad past zoning decision (in my opinion) can be seen on a map as the older neighborhoods have mixed zoning that is not always consistent with the majority use of that neighborhood. As you can not revisit the past I ask you to consider the present and future of these areas. The proposed Type A day center in residential areas should not be permitted as it will simply be too many people in one property. 15 People and 2 attendants is just too many people, regardless of who they are in a average single family resident. The older neighborhoods usually have small lots and close proximity to property lines. I ask you not to allow this zoning change in R or RM zoned areas as it is additional erosion to the fragile boundaries that already exist.

Areas with RSO and RMO and RM32: Type A Night shelters should most defiantly be required to have a Special Use Permit and use granted only for those shelters in a non profit religious institution as this will allow for consistency and accountability for the future through built in requirements for renewals, and a mechanism for disagreement or conflict resolution. The "By Right" provision disallows this recourse and offers no protection for the future to the adjoining homeowners and residents. Set back lines from adjoining properties should also be seriously considered for the private property enjoyment of the homeowner these properties adjoin. I would suggest a minimum of a 55 feet set back.

Type B Shelters: Shelters of 15 or more people should be well thought out when considering how they fit into the neighborhood dynamics. Set backs should be at least 75 feet as a 24/7 shelters will offer challenges and changes for the surrounding residents. Not to have a set back would be patently unfair. I support not allowing Type B shelters in any area that is adjacent to single family, multi family or a planned development residential zones.

I also would like to advocate for inspections and code requirements in all properties considered for such use as this, in all zoning. Something like the landlords of Lawrence must adhere to.

Be assured that I do acknowledge the need for Lawrence to offer these services. However encroachment is not the answer and Lawrence will not be Lawrence without it's precious older neighborhoods and without thought and planning in it's new areas. It is a heavy burden you have to make recommendations for how Lawrence handles these challenges and grows for the future. I know you consider the big picture. It is complicated I agree but ultimately it is simple when you get down to the fundamentals of homeownership and private property rights to enjoyment. Lawrence is a city of generous and understanding people and that is what makes it a desirable place to live. We are a community of giving people, and that also makes it a place people want to live. With that growth comes the tough dialog that must be spoken and the difficult decisions that must be made. Again I thank you for your time and contributions to the city I am honored to call home.

Deborah McMullen
1608 Rhode Island
Lawrence KS 66044

From: Scott McCullough
Sent: Monday, September 22, 2008 5:59 PM
To: Joseph Rexwinkle
Subject: FW: Homeless Shelter Text Amendment--Please Forward to Planning Commissioners

Scott McCullough, Director - smccullough@ci.lawrence.ks.us
Planning and Development Services | www.lawrenceks.org
City Hall, 6 E. 6th Street
P.O. Box 708, Lawrence, KS 66044-0708
office (785) 832-3154 | fax (785) 832-3160

From: Mary Harwood [mailto:prarysky668@yahoo.com]
Sent: Monday, September 22, 2008 2:56 PM
To: Scott McCullough
Cc: Mary Harwood
Subject: Homeless Shelter Text Amendment--Please Forward to Planning Commissioners

To the Members of the Planning Commission c/o Scott McCullough:

I am writing regarding the text amendment on homeless shelters.

I am very concerned about the possibility of a Type B shelter being located adjacent to my home at 1230 Delaware St. I understand that the 12th/13th and Oregon Streets site is under consideration. While there is a pocket of industrial zoning affecting that site, the site itself is surrounded by residential property.

My home is part of Delaware Street Commons, a project that is attracting people to East Lawrence and many are families with children. Paramount in those families' interest is the safety of their children. A homeless shelter adjacent to those children's homes does not speak well of Lawrence's obligations regarding its citizens' safety.

Further, the mere presence of a small pocket of industrial zoning does not make it appropriate to shift the problems of the Lawrence Homeless Shelter from downtown into a largely residential area. Moving a problem isn't solving it.

To address these concerns, I believe that

- (1) A Special Use Permit should be a critical part of the process.
- (2) The City Commission should get actively involved with the siting criteria for the Community Shelter. Pockets of industrial zoning, scattered in a primarily residential area, don't necessarily

mean a shelter is an appropriate land use.

(3) Residents need a voice in the matter. The neighborhood would be profoundly affected by interjection of a large transient population with persistent mental illness and substance abuse problems.

Request: That you require that Type B shelter never be permitted adjacent to any residential zoning, whether residential, multi-family or PRD.

Help East Lawrence move forward, attract new families and grow.

Sincerely,

Mary Harwood
1230 Delaware St
Lawrence, KS 66044

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