

Memorandum

City of Lawrence

Planning & Development Services

TO: Mary Miller
FROM: David Guntert
CC: Sheila Stogsdill; Scott McCullough; John Miller

Date: December 29, 2008
RE: Calculations for Z-10-17A-08 Protest Petition

The protest petition filed in the City Clerk's Office on December 26, 2008 pertaining to the referenced rezoning request has enough signatures of the record owners of property in the required notification area to constitute a valid protest petition. The property owner notification area covers the parcels lying within 200' of the zoning request.

The total area of the real property represented by the eighty (80) parcels captured within the required 200 feet notification distance is 9.625 acres. The protest petition was signed by owners of 18 parcels, but only 14 parcels could be counted toward the determination of the petition's validity. The total area represented by the 14 parcels counted in the petition is 2.563 acres or approximately 26.63% of the real property within the notification area. The petition is therefore valid because it bears a higher percentage than the minimum 20% required by Code to constitute a valid protest petition.

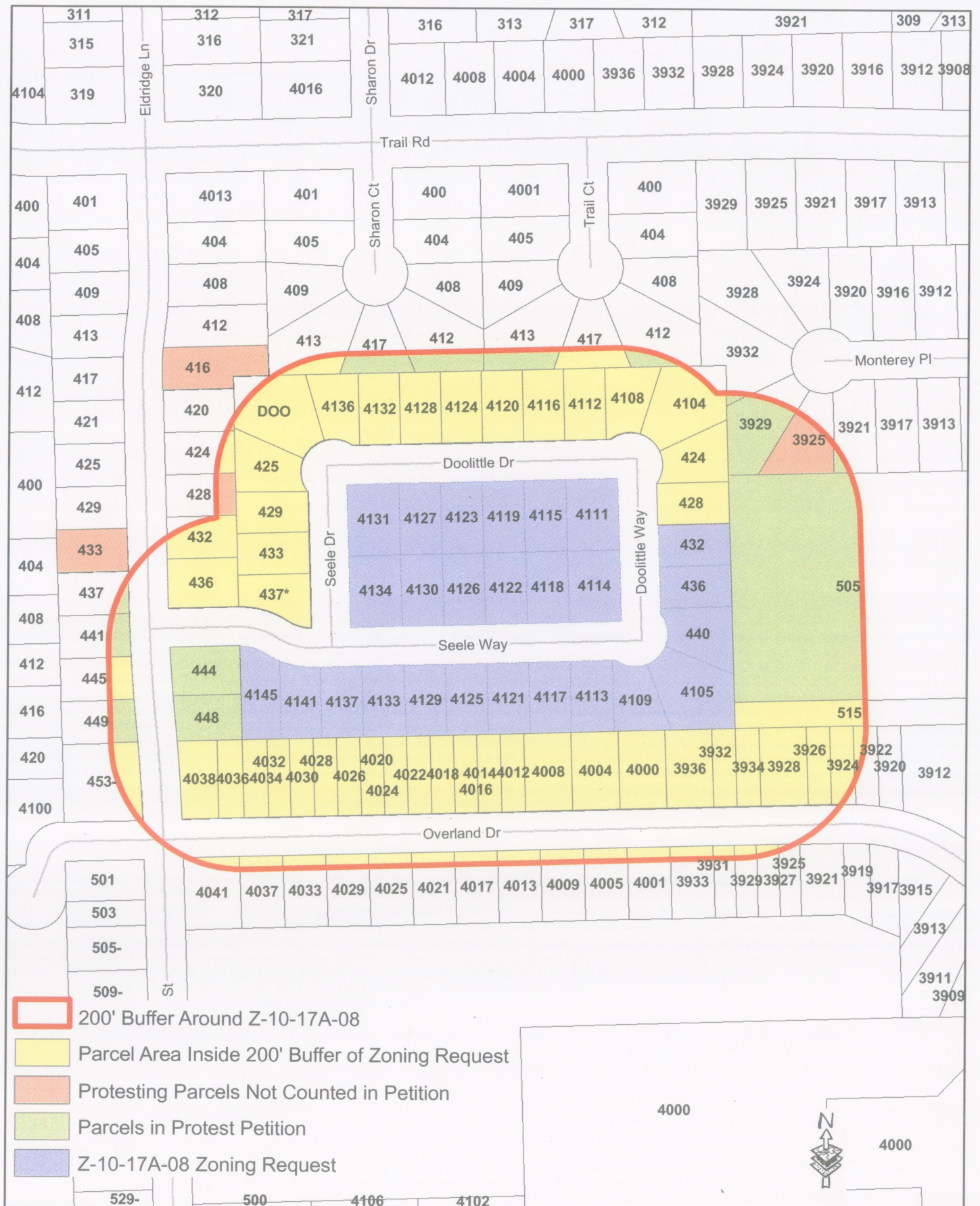
Pertaining to the 4 parcels not counted toward the petition's validity, two parcels were determined to be located beyond the 200 feet notification area. The other two parcels were unable to be counted because the petition did not bear the signatures of the record ownership matching the property ownership list generated by the county.

The attached map illustrates the properties within the protest area whose owners are protesting this rezoning request.

The calculations for determining the validity of the petition are shown below:

Total Area of all Parcels w/in 200' of the Property in the Rezoning Request	9.625 acres
Total Area of Parcels inside the Buffer Whose Owners are Protesting the Rezoning Request (14 Parcels)	2.563 acres
Percent of Total Parcel Area in Protest Petition	$2.563 \text{ acres} / 9.625 \text{ acres} = 26.63\%$

Z-10-17A-08 Protest Petition



DISCLAIMER NOTICE

The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

City of Lawrence Planning & Development Services Department
December 29, 2008

REZONING (SPECIAL USE PERMIT) PROTEST PETITION

Protest Petition against Doolittle Rezoning - "Maple Leaf Square"

We, the undersigned property owners, do hereby protest the proposed rezoning by the Board of City Commissioners of Lawrence, Kansas from RS7 (existing zoning) to RM 12D (proposed zoning) of (or the SUP to permit for _____ on) the following described property:

[Attach] or insert legal description or general description of the real estate proposed to be rezoned (or for the proposed SUP). A description of the real estate is available through the Lawrence-Douglas County Planning Office.]

We, the undersigned, are owners of real property located within the statutory area of notification related to the area for which the rezoning (or SUP) is sought. See K.S.A. 12-757(f).

Note: Print name legible below or beside signature. All owners of the property must sign.

PRINTED NAME AND SIGNATURE OF OWNER	DESCRIPTION OF PROPERTY WITHIN NOTIFICATION AREA	RESIDENCE ADDRESS (IF DIFFERENT)	DATE
<u>Jason Pendleton</u>	<u>3929 Monterey Place</u>		<u>12/19/2008</u>
<u>Rhonda Malcolm</u>	<u>3921 Monterey Place</u>		<u>12/19/2008</u>
<u>Jodi Pendleton</u>	<u>3929 Monterey Place</u>		<u>12-19-08</u>
<u>Janice Brinkman</u>	<u>3925 Monterey Pl.</u>		<u>12/19/08</u>
<u>Larry D. Sherraden</u>	<u>3932 Monterey Pl</u>		<u>12/19/08</u>
<u>Larry D. Sherraden - President</u>	<u>505 Monterey Way</u>		<u>12/19/08</u>
<u>Lawrence Bobb Fellows</u>			<u>12/19/08</u>
<u>Chung T. Sherraden</u>	<u>3932 Monterey Pl</u>		<u>12/19/08</u>
<u>Chung T. Sherraden</u>			

DIFFERENT
OWNER
NAME

*

RECEIVED

DEC 26 2008

CITY CLERK
LAWRENCE, KANSAS

PRINTED NAME AND
SIGNATURE OF OWNER

DESCRIPTION OF PROPERTY
WITHIN NOTIFICATION AREA

RESIDENCE ADDRESS
(IF DIFFERENT)

DATE

Joene DePaoli Joene DePaoli 417 Sharon Ct. 12/20/08

Lauren Jacobs Lauren Jacobs 416 Eldridge St. 12/20/08

RONALD L. LASH Ronald L. Lash 428 Eldridge 12/20/08

Dixie Ravaglia Dixie Ravaglia 441 Eldridge 12/20/08

Danielle Sanger Danielle Sanger 448 Eldridge St 12/20/08

Michael Sanger Michael Sanger 448 Eldridge St 12/20/08

Brian Donovan Brian Donovan 449 Eldridge St 12/20/08

Natalie Donovan Natalie Donovan 449 Eldridge St 12/20/08

Velora G. Fasching Velora G. Fasching 412 Sharon Ct 12/20/08

William Young William Young 412 Trail Court 12/20/08

Constance Young Constance Young 412 Trail Ct. 12/20/08

Sharyn L. Chino Sharyn L. Chino 437 Eldridge St. 12/20/08

STATE OF KANSAS

COUNTY OF DOUGLAS

SS:

I am the circulator of this Protest Petition and a resident of the state of Kansas and possess the qualifications of an elector of the State of Kansas. I have personally witnessed the signing of the Protest Petition by each person whose name appears thereon.

Jason Pendleton
Circulator Signature

Jason Pendleton
Printed Name

Circulator's Residence and Address 3929 Monterey Place Date 12/23/08

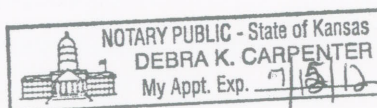
Signed and sworn to (or affirmed) before me on this 23 day of December

2008, by Jason Pendleton, circulator of this Protest Petition.

Debra K. Carpenter

Notary Public

My appointment expires: 7-15-12



PRINTED NAME AND
SIGNATURE OF OWNER

DESCRIPTION OF PROPERTY
WITHIN NOTIFICATION AREA

RESIDENCE ADDRESS
(IF DIFFERENT)

DATE

Turnita C Redmond
Michael L. Redmond

Turnita C Redmond

413 Trail Ct

12/21/08

413 Trail Ct,

12/21/08

413 Trail Ct

Kyu Reih

433 Eldridge 12-21-08

April Rein

433 Eldridge St 12/21/08

DAVID MAI

David Mai

444 ELDRIDGE ST. 12-21-08

Brandon Braaksma

Brandon Braaksma

420 Eldridge st. 12/21-08

Tom Malcolm

Tom Malcolm

3921 Monterey Place

12-23-08

STATE OF KANSAS

COUNTY OF DOUGLAS

ss:

I am the circulator of this Protest Petition and a resident of the state of Kansas and possess the qualifications of an elector of the State of Kansas. I have personally witnessed the signing of the Protest Petition by each person whose name appears thereon.

Circulator Signature

Printed Name

Circulator's Residence and Address

3929 Monterey Place

Date

12/23/08

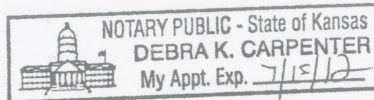
Signed and sworn to (or affirmed) before me on this 23 day of December, 2008, by

Jason Pendleton, circulator of this Protest Petition.

Notary Public

My appointment expires:

7-15-12



RECEIVED

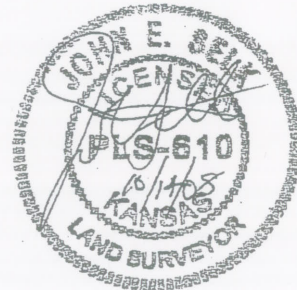
DEC 26 2008

CITY CLERK
LAWRENCE, KANSAS

REZONING LEGAL DESCRIPTIONS – FOR MAPLE LEAF SQUARE

RM12D

BEGINNING AT THE SOUTHWEST CORNER OF DOOLITTLE SUBDIVISION, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE NORTH $00^{\circ}00'19''$ EAST, ALONG THE WEST LINE OF SAID SUBDIVISION, 175.00 FEET TO THE CENTERLINE OF SEELE WAY; THENCE ALONG SAID CENTERLINE ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT WITH A 59.16 FOOT CHORD BEARING SOUTH $72^{\circ}37'11''$ EAST, AN ARC DISTANCE OF 60.06 FEET; THENCE CONTINUING ALONG SAID CENTERLINE ON A 100.00 FOOT RADIUS CURVE TO THE LEFT WITH A 59.16 FOOT CHORD BEARING SOUTH $72^{\circ}37'11''$ EAST, AN ARC DISTANCE OF 60.06 FEET; THENCE SOUTH $89^{\circ}49'31''$ EAST, ALONG SAID CENTERLINE, 27.08 FEET TO THE CENTERLINE OF SEELE DRIVE; THENCE NORTH $00^{\circ}00'19''$ EAST, ALONG SAID CENTERLINE, 280.11 FEET TO THE CENTERLINE OF DOOLITTLE DRIVE; THENCE SOUTH $89^{\circ}49'11''$ EAST, ALONG SAID CENTERLINE, 474.96 FEET TO THE CENTERLINE OF DOOLITTLE WAY; THENCE SOUTH $00^{\circ}05'34''$ EAST, ALONG SAID CENTERLINE, 90.55 FEET; THENCE NORTH $89^{\circ}54'26''$ EAST, 140.00 FEET TO THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH $00^{\circ}05'34''$ EAST, ALONG SAID EAST LINE, 330.18 FEET TO THE SOUTHEAST CORNER OF LOT 19, BLOCK 1 IN SAID SUBDIVISION; THENCE NORTH $89^{\circ}49'31''$ WEST, ALONG THE SOUTH LINE OF SAID SUBDIVISION, 755.68 FEET TO THE POINT OF BEGINNING. CONTAINS 6.139 ACRES, MORE OR LESS.



Lawrence Bible Chapel

505 Monterey Way
Lawrence, Kansas 66049
(785) 841-2607

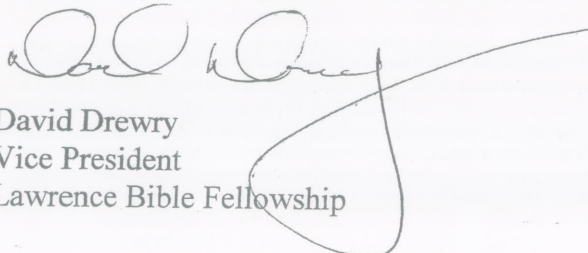
December 22, 2008

To Whom It May Concern:

Larry Sherraden, President of the Lawrence Bible Fellowship is authorized to sign a petition protesting the Lawrence City Planning Commission's decision which approved a request to rezone Doolittle Farms Rezoning (RS-7 to RS-5) and Doolittle Farms Rezoning (RS-7 to RM-12D).

The Lawrence Bible Fellowship is comprised of approximately one hundred and fifty people. When the request for the original zoning a couple of years ago was applied for and approved the feeling that was good and would better the community. The request for zoning would increase the density of the area as well as the single entrance into the development. Placing multifamily housing in this area is not good and we feel the development is better suited for single family homes as it is zoned now. We voiced this concern at the Lawrence City Planning Commission both in writing and during the public comment session.

Please deny the request for rezoning and leave the zoning as it currently is.



David Drewry
Vice President
Lawrence Bible Fellowship