

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Sandra Day, Planner

CC: Scott McCullough, Planning Director

Date: September 13, 2011

RE: SUP-1-3-10; Lawrence Community Shelter; 3701 Franklin Road

The City Commission approved SUP -1-3-10 on April 27, 2010 for a Temporary Shelter located at 3701 Franklin Park Circle. The Management Plan was approved on July 27, 2010. The approval became official upon publication of the ordinance 8500 on May 10, 2010. The application was approved subject to several conditions summarized below.

The Development Code Requires that a Special Use Permit be implemented through the issuance of a building permit within 24 months after approval or the SUP automatically expires. However, a condition of approval related to the issuance of buildings permits for this specific permit was that a building permit be issued within 12 months of the SUP's effective date, which was May 10, 2011. The condition went unchecked by the applicant and staff and when realized via a recent review, the applicant immediately sought a means to extend the timeframe. The relevant condition is highlighted below.

The Development Code allows for an extension of the SUP approval by the City Commission for an additional 24 months with good cause.

The applicant has continued to be in contact with staff regarding the fundraising efforts and legal challenges regarding the acquisition of the property and sufficient cause exists, in staff's opinion to retroactively extend the timeframe of not only the subject condition, but the SUP itself.

Action Requested: Extend the approval timeframe and conditions no. 6 of Ordinance No. 8500 for SUP-1-3-10 until May 10, 2013.

Project Status – SUP-1-3-10; 3701 Franklin Road

1. An ordinance per Section 20-1306(j) shall be published by staff.	Ordinance 8500 published on May 10, 2010. This condition is complete.
2. Provision of a revised site plan to include the following notes and changes: a. State that missing or diseased landscape shall be replaced as a condition of occupancy of the site. b. Provision of a revised site plan to include a note that states maximum sleeping capacity shall not exceed 125 individuals.	Provision of revised drawing still needed.
3. Submittal of an annual report to the City Commission within the first calendar quarter of each year. The report shall include the number of guests who obtain jobs and housing, the number of guests who utilize the day and nighttime services, and an update on the on-going commitment to communicate with the surrounding neighborhood to address concerns of neighbors, and a statement of compliance with these conditions, the approved site plan, and the approved management plan.	Provision of revised drawing still needed.
4. A signed Site Plan Performance Agreement shall be submitted to the Planning Office.	Separate document executed by property owner still needed.
5. Placement of a bus stop being located within a reasonable distance prior to occupancy of the building.	Provision of revised drawing still needed.
6. Applicant shall obtain all necessary building permits from the City prior to commencing construction and/or tenant improvements on the site for the special use permit within twelve (12) months of the effective date of this ordinance. The deadline to obtain building permits established by this condition may be extended by a ¾ majority vote of the full membership of the City Commission.	Additional Action is needed to extend application.
7. City Commission approval of a management plan prior to August 1, 2010. Applicant shall conduct a minimum of three (3) public meetings with neighbors, adjacent property owners and stakeholders regarding the management plan prior to City Commission approval of the Management Plan. Applicant shall obtain by a ¾ majority vote of the full membership of the City Commission approval of the Management Plan prior to August 1, 2010. Substantial modifications to the management plan, as determined by the Director of Planning and Development Services, which occur after City Commission approval as set forth herein, shall require a ¾ majority vote of the full membership of the City Commission.	City Commission approved management plan on July 27, 2010. This condition is complete.
8. The management Plan shall include the following: a. Rights and Responsibilities document. b. Actions and Consequences document. c. Good Neighbor Agreement d. Safety Plan	City Commission approved management plan on July 27, 2010 that included these documents. This condition is complete.
9. The notice of the tree (3) public meetings required in condition 7 above shall be provided by mail to the owners of the same properties notified of the March 22, 2010 Lawrence –Douglas County Metropolitan Planning Commission public hearing for the Special Use Permit Application.	Facilitated meetings held on: <ul style="list-style-type: none"> • 5/20/10 [Review of April plan draft -Management -plan] • 6/1/10 [Review of May changes] • 6/10/10 [Review of June changes] This condition is complete.
10. The Management Plan that will be presented at the three (3) public meetings shall be posted on the Lawrence Community Shelter and City of Lawrence Website not less than seven days prior to the date of each meeting.	This condition is complete.