

From: Jane Gibson [mailto:jwgc13@gmail.com]

Sent: Monday, November 16, 2015 3:42 PM

To: Bruce@kansascitysailing.com; bcculver@gmail.com; clay.britton@yahoo.com; eric.c.struckhoff@gmail.com; denney1@sunflower.com; julia.v.butler@gmail.com; pkelly@usd497.org; squampva@aol.com; Robert.c.sands@gmail.com; Mary Miller

Cc: Denny Ewert

Subject: Rezoning 15th and Learnard

Dear Planning Commission and Planning Staff,

I write to oppose the rezoning of the property at the corner of Learnard Ave. and 15th street, formerly the Sunrise Nursery.

Some 50 years ago, the nursery was zoned for a non-conforming use because a neighborhood grew up around it before the city had a zoning code. Its nonconforming use was dissolved after the requisite period after the property was put up for sale in 2013. Now we're told that the current proposal is consistent with its long use as a nursery because of the agricultural emphasis. But this emphasis arises from prospective tenants to whom the owner will have no legal obligation, not from the owner's proposal to rezone the property for industrial use.

This proposal to place a factory in a residential neighborhood should be rejected on its face. Any other decision renders the zoning code a meaningless document. And rezoning to limited industrial puts the neighborhood at risk of future incompatible uses, just as the factory is an incompatible use in the current proposal.

The recommendation of the Planning Staff is based on a definition of the problem to be solved that leads to a solution inconsistent with the purpose of zoning: to proscribe incompatible uses within zoned areas. The problem has been defined as an improperly zoned property in a residential neighborhood. The solution recommended from this starting point is therefore to change the zoning to limited industrial zoning.

The real problem is that we have a property in a residential neighborhood with a new owner who wants to put a factory on it. Following the zoning code, the answer to this problem should simply be no.

For all the talk about the historic value of the building, restoration of green houses, and commercial and educational uses related to agriculture, nothing obligates the owner to lease his property to any of these prospective tenants. The proposal aims to put a factory in a neighborhood. To protect the neighborhood, I urge the Planning Commission to reject the proposal and secure the property's most appropriate use now and in the future with residential zoning.

Respectfully yours,
Jane Gibson

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Jane W. Gibson
Associate Professor
Department of Anthropology
630 Fraser Hall
University of Kansas
Lawrence, Kansas 66045
785-864-2635
jwgc@ku.edu

Mike and Carrie Wendel-Hummell
314 E 15th Place
Lawrence, KS 66044

October 15, 2015

Lawrence-Douglas County Metropolitan Planning Commission
6 East 6th Street
Lawrence, KS 66044

RE: Z-15-00427; rezoning at 1501 Learnard Ave.

To Whom it May Concern,

We are writing in support of rezoning the property located at 1501 Learnard Avenue to limited industrial for the Sunrise project. I live at 314 E 15th Place, which is in very close proximity to this location. I appreciate the efforts of Sunrise Green leadership and new property owners in reaching out to the neighboring community in detailing their plans and addressing our concerns. I look forward to the possibility of this property serving as community cooperative and educational gardens. I understand that Central Soy Foods will also produce at this location, and have been assured that these operations will be light-traffic, minimal-noise, and low-odor. I am confident that the proposed operations can coincide with a quality living environment in the surrounding neighborhood, and further, that the property owners will be responsive to any concerns that may emerge. In rezoning the property, it is important to us that limits specify that any future operations/uses would also be low traffic, noise, and odor.

We will not be able to attend the upcoming public hearing due to a schedule conflict. Please contact us with any questions regarding our support for associated rezoning needed to help bring the sunrise project to fruition.

Sincerely,



Mike and Carrie Wendel-Hummell
(785) 393-6366



From: [Kelly Jones](#)
To: [Mary Miller](#)
Cc: kellyjones@ku.edu; willnagengast@gmail.com; [Pat Kehde](#); laurelb@gmail.com; cjjhop@att.net; [Holly Krebs](#)
Subject: Re: staff report and materials for Sunrise Garden Rezoning
Date: Friday, October 16, 2015 10:11:55 AM

Thank you, Mary, for forwarding the staff report.

I own property that abuts the former Sunrise Garden Center, 415 E 15th. My family & I have reviewed the attached document & support the proposed project, which focuses on 1) small scale growth & production of primarily local food & 2) health & environmental education. We therefore support the rezoning as its stated in your report.

If the proposed project is not successful, we ask that City be sensitive to approving future uses that are equally reflective of the character & culture of the Barker & East Lawrence neighborhoods.

Best. -Kelly Jones

On Oct 16, 2015, at 8:13 AM, Mary Miller <mmiller@lawrenceks.org> wrote:

Hello,

The staff report for the Sunrise Garden rezoning is available on the Planning website www.lawrenceks.org/pds I've also attached a copy for your convenience.

This item will be considered by the Planning Commission at their October 19th meeting.

The meeting begins at 6:30 PM in the Commission Room, City Hall (6 East 6th Street).

This is the first item on the agenda. This is a public hearing item.

Please let me know if you have any questions.

Thanks,

Mary

Mary K Miller, AICP, City/County Planner- mmiller@lawrenceks.org

Planning Division | www.lawrenceks.org/pds

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"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:

<http://lawrenceks.org/pds/survey/satisfaction>."

<pl_z-15-00427_sr.pdf>

From: [Matthew Stephens](#)
To: [Mary Miller](#)
Subject: rezoning request for 1501 Learnard Ave
Date: Monday, October 19, 2015 9:00:08 AM

Hello Mary,

I wanted to voice my support for the rezoning of the old sunrise garden center at 1501 Learnard Ave. I live 3 houses south at 1536 Learnard and I have zero concerns about the plans for the site that the Millsteins are proposing. I think that preserving the greenhouses and bringing together local businesses will turn that property into a wonderful resource for both the neighborhood and the city. As a resident who lives next to this property, I hope that the planning commission will approve this rezoning request.

Thank you,

Matthew Stephens

From: [John Thompson](#)
To: [Mary Miller](#)
Subject: Sunrise Project
Date: Friday, October 16, 2015 2:32:56 PM

Hi Mary!

I just want to send you a quick note stating our support for the Sunrise Project in our neighborhood. We look forward to the activity at that site, and are glad to have small business and community activities represented so near to our home. We believe that the project will have a positive impact on our area and the entire community, and are excited to see it up and running and to be involved in the project.

Yours,

John and Corrie Thompson
1607 Learnard Ave.
Lawrence, Ks 66044

From: [Dan Phelps](#)
To: [Mary Miller](#)
Subject: Support for Sunrise Garden Project
Date: Monday, October 19, 2015 9:09:54 AM

To whom it may concern-

It'd like to voice my greatest enthusiasm and support for the Sunrise Garden Project, as well as Central Soy Foods, and their plan to operate and educate on the former grounds of the Sunrise Garden Center.

What an amazing opportunity for the Lawrence community! What an incredible resource right in the heart of Lawrence!

I have spent many years of involvement with the local food movement and healthy food initiatives here in Lawrence. I was involved with the Community Mercantile Education Foundation's school garden project, I have operated my own farm, selling at the Lawrence Farmers Market, CSA, the Merc, and area restaurants, and I have work with the Kansas Rural Center to make systematic change in the Kansas food system.

From my perspective this initiative is a necessary progression in Lawrence's efforts to create a thriving local food economy and address issues such as food security, environmental literacy, and social justice.

Thank you.

Dan Phelps.

City Planning Commission
September 30, 2015
R.E. Rezoning Sunrise Garden Center lots

To Whom It Concerns:

My name is Laurel Sears. I live at 1428 Connecticut Street with my family. We have owned our house since 1978 and are very familiar with the Barker/ Connecticut neighborhood, as well as the property in question for rezoning. We firmly support the rezoning of the former Sunrise Garden Center to light industrial or urban agriculture designation.

We have spent many hours and money at Pence's and then Sunrise Garden Center. It saddened us to watch our beloved garden center close up. But it has been even more distressing to watch this valuable and historically meaningful site degrade through vacancy. We are excited to welcome the Sunrise Project, LLC to the neighborhood. With their investment in small, local business partners like Central Soyfoods and focus on urban agricultural outreach/ education, they fit with the neighborhood character and intentions.

They have worked hard to inform neighbors and build consensus about their upcoming projects and plans. We are well acquainted with Central Soyfoods, who may occupy a small part of the site and produce local tofu. We believe that this designation will not stress the neighborhood infrastructure, nor will it create noise or air pollution. Overall, the occupancy of this site by a neighborhood-based organization, intent on making urban agriculture and UA education available for participants, will benefit our neighborhood.

Please accept our letter of support for the rezoning of the Sunrise Garden Center property to light industrial or urban agriculture.

Sincerely,

Laurel Sears and the Sears-Reese family

From: [Cindi Kroll Hauptli](#)
To: [Mary Miller](#)
Subject: Sunrise project
Date: Thursday, October 08, 2015 3:08:40 PM

Hi. I live at 1530 Barker Ave. my backyard runs up to the sunrise garden center. My family would be happy to have the Sunrise project in our neighborhood. We do not see a problem with the tofu factory. I would like to see a clause that it would go back to residential/not factory if the businesses were to close. I wanted to voice my support. We would be excited to see the greenhouses up and running again. I think it would be Great for our neighborhood. Thank you, Cindi Kroll Hauptli

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From: [Will Nagengast](#)
To: [Mary Miller](#)
Subject: Sunrise Rezoning project
Date: Thursday, October 08, 2015 11:15:53 PM

Dear Ms. Miller,

I am writing in support of the rezoning request for the Sunrise Garden Center. My wife and I recently moved into a house directly across the street, and we are excited about the proposed project. I work for Seeds from Italy, and hope our business might be able to relocate there. Our business is a very small, quiet business with virtually no traffic other than the postal service once a day.

But even apart from my personal interest, I think the project would benefit the neighborhood by bringing Sunrise back to life. It promises to bring people together in positive, interesting activities. I hope it will provide jobs for neighborhood kids, and I think it will make the area feel safer to have more people present on the site, rather than just a large, dark, abandoned building and lot. Based on what I know of the project, I don't think it will cause much of an increase in traffic or noise, certainly not more so than when it was a retail garden center. As one of the nearest neighbors, we welcome the new energy it will bring.

Thank you,
Will Nagengast
1429 New Jersey

From: [Pat Kehde](#)
To: [Mary Miller](#)
Cc: [Emily Hampton](#)
Subject: Sunrise site plan and zoning for Central Food facility
Date: Thursday, October 08, 2015 5:45:33 PM

Dear Ms. Miller:

I live at 1636 Learnard, half a block south of the Sunrise site. Our family has lived at this address since 1981.

We support the use of the corner of Learnard and 15th St. site for the Sunrise Garden Project and we support the limited conditional zoning for Central Tofu on that site.

I have talked with several others in our neighborhood and they all are relieved and happy that the site will retain its agricultural/horticultural character and not become an apartment complex with lots of student car traffic. They too support this Project.

In addition, I know David and Susan Millstein because when I owned the Raven Bookstore we rented the space on 7th Street from them.

They are very reliable and responsible people who have done wonderful things for the city of Lawrence e.g. Liberty Hall renovation, which included the space now occupied by the video store, The Raven and Prima Tazz. The whole area of Liberty Hall (then the Opera House) was derelict in 1986 when they bought it with Charles Oldfather. They also renovated the Casbah space in the 800 block of Mass, and of course started and operated Sunflower Surplus, which is now Sunflower Bike shop. The Millsteins have a long and illustrious track record and can be relied on to do the best for the neighborhood and to abide by the zoning restrictions.

I hope that the Planning Commission will support this request for the Sunrise Project and for limited industrial zoning for the corner of 15th and Learnard.

Thank you,

Pat Kehde
1636 Learnard
Lawrence, KS 66044
785.841.8296

From: [Holly Krebs](#)
To: [Mary Miller](#)
Subject: Feedback from Planning and Development Services contact page
Date: Saturday, October 10, 2015 9:56:44 PM

Hi Mary,

I'd like to express my support for the rezoning of the old Sunrise Garden Center to the light industrial classification.

It is a wonderful opportunity for the City to have this land revitalized in such a way that maintains some of the gardening space and brings in local businesses to create a mixed-use location in the heart of a neighborhood. If this rezoning is not allowed to go forward, I think it unlikely that the neighborhood would receive a comparable improvement of the land that would also support the community.

I'm sure that stipulations can be clearly written to guarantee that this zoning is only allowed for the current entities that will inhabit the land.

I hope the City and Planning Commissions will support this great community-based, healthy-food-oriented venture. I think it would only strengthen the neighborhood.

Thank you,
Holly Krebs

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From: judamama@iuno.com
To: [Mary Miller](#)
Subject: zoning for the sunrise project
Date: Monday, October 12, 2015 10:51:38 AM

I am writing to support the proposed rezoning for the Sunrise Project at 15th and Learnard. I live three blocks from the site, at the corner of Johnson and Learnard, and I believe the project will be a wonderful addition to the neighborhood. I have been a longtime customer of Central Soy and have visited their operation at two different locations, and from what I observed at those locations I believe that there will be very little disturbance caused by their presence as part of the sunrise project. I think the overall benefits of the proposed project would make it a great asset for the neighborhood and the city. Thanks for your consideration, Juda Lewis
342 Johnson Ave.

From: [Chris Taylor](#)
To: [Mary Miller](#)
Subject: 1501 Learnard Rezoning
Date: Tuesday, October 13, 2015 11:27:05 AM

Dear Ms. Miller,

I was encouraged by the Barker Neighborhood Association to send concerns regarding the rezoning of 1501 Learnard your way for consideration by the planning commission. As a homeowner in the Barker neighborhood, I do have concerns, but not regarding Central Soy. I love the idea of locating Central Soy in the neighborhood and support Mr. Millstein's efforts. My concerns are around the plans of the Sunrise Project. I have written and asked them on more than one occasion if they plan to promote urban animal agriculture and/or backyard slaughter and have not received a straight answer. I fear they may be planning for some kind of small animal slaughter facility at the 1501 Learnard site or the promotion of backyard slaughter in the neighborhood. I do not support urban animal agriculture. I do not support urban animal slaughter. The research simply does not support animal agriculture in any form as sustainable. The encouragement of such is misleading and dangerous, so I cannot support the rezoning of 1501 Learnard for this purpose. I would like to encourage all involved to focus their efforts on truly sustainable plant-based practices.

Warm regards,
Chris Taylor