

TREANOR INVESTMENTS, LLC

July 20, 2017

**VIA E-MAIL**

Mayor and City Commissioners  
City of Lawrence, Kansas  
6 East 6<sup>th</sup> Street  
PO Box 708  
Lawrence, Kansas 66044

Board of County Commissioners  
Douglas County, Kansas  
110 Massachusetts Street  
Lawrence, Kansas 66044

RE: Borders Grocery Store Project

Dear Mayor and Commissioners:

On behalf of Treanor Investments, L.L.C., the current owner of Borders Bookstore property located at 7<sup>th</sup> & New Hampshire, we would like to request that City and Douglas County create a new tax increment financing district ("TIF District") that would enable us to construct a new 40,000 square foot Price Chopper grocery store together with 73 apartment units on this site. The TIF District would be a "pay as you go" type structure with the developer paying up front all development costs for the site. We would propose as part of the project to add an approximately 176 underground parking garage.

We would also request that the City of Lawrence consider making a \$2.25 million interest free or low interest loan to the owner of the Grocery Store, Queen's Price Chopper, that would be paid back under certain conditions. The proceeds of the loan would be used to pay for tenant improvement costs and other equipment costs associated with outfitting the new building for grocery store operations.

Finally, we would like to request the City's permission to finance the project with an Industrial Revenue Bond ("IRB") issued by the City. As you know, there would not be any City responsibility or liability to repay the IRB.

I have enclosed a check for \$2,000 to pay the City fees for this application. We would like to proceed with appointment of a City financial consultant to review the economics of the transactions as soon as possible, and to provide an analysis of the "but for" test that is required by Kansas law.

We have also been in discussion with the owners of Hobbs Taylor lofts about removing the restrictions held by this property over our development. The owners have generally agreed to remove the restrictions, but would like to change the nature of the public parking spaces located to the east of their

building to private control. We are willing to devote spaces that we own on our site for public parking purposes, so that the net amount of surface public parking spaces will remain approximately the same. We also anticipate that the top floor of our underground parking garage would be open to public parking as well. This will be an additional 85 parking spaces.

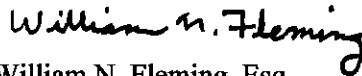
Please be advised that there is currently litigation on file against the project that seeks to enjoin construction of the project. The decision has been issued and the Court ruled in our favor. There may, however, be an appeal of the decision so that will need to be considered. We need to proceed with implementing this process so we do not harm our ability to obtain other financial incentives that we intend to seek in connection with the project (New Markets Tax Credit). We are aware that the plaintiffs have sent a letter to the City requesting that no action be taken on our request until their appeal has been exhausted. The District Court has denied their request for an injunction, and we are not aware that a party such as this has any standing to request delay of a project, and therefore would request that you deny their request. Their sole remedy is to pursue their appeal rights.

The Borders property is currently 100% owned by Treanor Investments, LLC, which is owned by Mike Treanor and other members of his family. We would anticipate adding Doug Compton and First Construction to our team as soon as, but not until, compliance with existing City development policy is confirmed.

You have requested that we order an updated market study and we have done that with Dakota Worldwide organization.

Thank you in advance for your consideration of this request and we look forward to working with you to bring this exciting Project to downtown Lawrence.

Very Truly Yours,



William N. Fleming, Esq.  
General Counsel

Cc: Tom Markus, City Manager  
Diane Stoddard, Assistant City Manager  
Britt Crum-Cano, Economic Development Coordinator  
Craig Weinaug, County Administrator

**City of Lawrence, Kansas**  
**Economic & Community Development**  
**Application for Economic Development Assistance**



The City of Lawrence considers support for economic or community development projects that will provide local public benefits. When requesting assistance for projects, please provide a request letter to the City Commission describing the project, details on the local public benefits it provides, a description of the assistance requested, and why this assistance is needed for the project to proceed. If available, project renderings and graphics are encouraged to be included along with your submission materials. Submit request letter along with the below, completed application for assistance, supporting materials, and applicable fees to:

Lawrence City Commission  
Attn: City of Lawrence, Economic Development Coordinator  
6 East 6<sup>th</sup> Street  
Lawrence, KS 66044

*Request materials can be submitted electronically to the Economic Development Coordinator: at: [bcano@lawrenceks.org](mailto:bcano@lawrenceks.org)*

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Please indicate which public benefits your project brings to the local community. *(Mark all that go above and beyond normal City requirements. Please explain in detail the project's public benefits in the request letter.)*

- X Affordable Housing
- X Sustainability
- X Primary job creation:
  - o Primary businesses typically serve customers outside of the immediate area, therefore importing dollars into the community through its sales.
  - o Non-primary businesses provide goods and services to the local business and consumers, thereby circulating dollars within the community.
- X Above average wages
- X Jobs with employee benefits including healthcare insurance
- X In-fill development
- X Revitalization of dilapidated, unsafe, underutilized, or historic property
- X Promotion of downtown density
  - ☐ Retention or expansion of existing business
- X Tax base growth

X Other (please explain): Borders Grocery Store Project. Project entails demolition of an existing vacant building located at 7<sup>th</sup> & New Hampshire in downtown Lawrence and construction of a new grocery store and pharmacy in downtown Lawrence in location identified as a federally designated "food desert." See attached Lawrence Journal World article regarding federally designated food deserts. The grocery store will be operated by Queen's Price Chopper. Project also contemplates construction of seventy-three new apartment units with 13 units designated as affordable units in accordance with City economic development policy.

The information on this form will be used by the City to consider your request for development support and may also be used to prepare a cost-benefit or other analysis of the project. Information provided on this form will be available for public viewing and will be part of compliance benchmarks, if approved for assistance. Prior to submission, applicant may wish to seek technical assistance from City Staff, the Chamber of Commerce, the Small Business Development Center, or others to address questions and ensure the application is complete.

Please provide data in the cells below. Applicant is encouraged to attach additional pages as necessary to fully explain and support the answers to each question. Note anything additional you wish the City to take into consideration for your request and provide supporting documentation.

Applicant Contact Information	
Name:	William N. Fleming, Esq.
Title:	General Counsel
Organization:	Treanor Investments, L.L.C.
Address 1:	1040 Vermont
Address 2:	Lawrence, Kansas 66044
Phone:	785-764-6600
Email:	wfleming@treanorhl.com
Fax:	785-842-7536

**Application Tips:**

Enter contact information for the company representative completing this application.

Economic Development Support Requested		
City Incentives	Amount	Term (in years)
Tax Increment Financing District (TIF)	\$8.3 million	20
Transportation Development District (TDD)		
Neighborhood Revitalization Area (NRA)		
Tax Abatement (TA)		
Industrial Revenue Bonds (IRBs)	X	N/A
Community Improvement District (CID)		
<b>Other (Please Describe):</b> In addition to creation of a new TIF district and an IRB, we are requesting that the City make an interest free or low interest loan to the Grocery Store operator, Price Chopper, in the amount of \$2,250,000. We would also like to request a slightly higher TIF interest rate in order to buy down the cost of requested City incentives needed to make the project financially feasible.		

**Application Tips:**

**Applicable Terms:**

TIF: Up to 20 years  
 TDD: Up to 22 years  
 TA: Up to 10 years  
 CID: Up to 22 years

IRBs: If applying for IRBs, please enter the amount that will cover all construction costs for the project. Enter "n/a" for term.

Examples: City provided water main along ABC Street from 1st Street to 2nd Street, employee training grant for 5 years at \$500/new employee, etc.

Project Information		
Name of Company Seeking Incentive(s):		
Project Type (check one):	Expansion:	
	New Facility:	X
Company Type (check one):	Existing Local Company:	X (project developer)
	Out-of-Area Company Locating Locally:	X (grocery store operator)
Current Company Address:	Queens' Price Chopper 8 W. Peoria Street Paola, Kansas 66071	
Location of Proposed New Facility/Expansion Project:	7 <sup>th</sup> & New Hampshire	
Describe the Company's Plans to Develop or Expand in the Community: Construction of a new grocery store and pharmacy to be located at site of existing Borders Bookstore building (which will be torn down).		
Operations Start Date at the Expansion or New Facility:	2019	
Industry NAICS # for the New or Expanded Facility (6-digit code):	445110	
Describe the Primary Industry the New or Expanded Facility Will Support: Grocery store and pharmacy		

**Application Tips:**

Company's Plans: e.g. ABC manufacturing is the nation's largest processors of wind turbine components. The company plans to construct a new 250,000 sf manufacturing plant in Commerce Park, initially employing 150 with an average annual salary of \$35,000 each. Another 50 employees will be hired in Year 5 and 40 in year 7. The firm expects to initially invest \$5 million in land and buildings and anticipates a 50,000 sf, \$2 million expansion in Year 5 and another 50,000 sf expansion in Year 7.

Link for NAICS code lookup:

<http://www.naics.com/search.htm>

Capital Investment Information for New Facility or Expansion			
Estimated Size of New Facility (square feet):	212,934sq. ft. (including parking garage)		
Estimated Size of Land for New Facility (acres):			
<b>For the new or expanded facility, enter the amount the company anticipates spending for initial and subsequent investments in land, buildings and improvements (do not include machinery or equipment):</b>			
Year	Buildings & Other Real Property Improvements	Land	Total
1	\$21,606,270	\$4,408,500*	\$26,014,770
2			
3			
4			
5			
6			
7			
8			
9			
10			

**Application Tips:**

If expansion, only include information on size and values of the new facility, not existing facility.

If land is currently owned, enter current land value from Douglas County property tax records. Otherwise, enter the market value amount the company will pay for land.

<b>Total</b>	<b>\$21,606,270</b>	<b>\$4,408,500</b>	<b>\$26,014,770</b>
Will land be leased from the City or County (Y/N):			
If yes, Monthly Lease Rate for Land:			

\*Market value of land is approximately \$60 per square foot based on price paid by Developer for similar properties in downtown Lawrence.

Local Utility Expenses		
Gas	0	\$2,000
Electricity	0	\$20,000
Phone	0	\$500
Cable	0	\$5,000 (high speed internet)
Operating Expenditures		
For Expansion Projects, Current Annual Operating Expenses at Existing Facility:	N/A	
Annual Operating Expenses after Expansion/Relocation:	N/A	
% of Additional Operating Expenses Anticipated to be Spent Locally:		
Revenues		
% of Revenues at the new Lawrence Facility Anticipated to Come from Non-Local Sources.		
Anticipated Annual Gross Profits:		
Anticipated Annual Net Operating Income (at stabilization):		
Anticipated Annual Net Operating Expenses (at stabilization):		

**Application Tips:**

Current Local Monthly Expenses: Enter 0 for an out-of-area relocation or if project involves a separate, new facility.

Projected Local Monthly Expenses: Enter expense amounts anticipated at the new facility.

Existing Facility Annual Operating Expenses: Enter 0 if project is being relocated from out-of-area or if project involves a separate, new facility.

% Additional Operating Expenses Spent Locally: Enter % of operating expenses anticipated to be spent in Lawrence/Douglas County as a result of the project.

Exports: Enter % of revenues (from the sale of goods or services) anticipated to be generated from sources outside of Lawrence/Douglas County.

Anticipated Annual Gross Profits: Please provide an estimate of anticipated Annual Gross Profits (\$). Note: For expansions, please enter anticipated gross annual profits from expansion.

IRB and Tax Abatement Request Information	
If you are seeking an IRB, please list the firm that will be receiving the IRB: Newly formed LLC formed to own the land and building – Borders Grocery Store, LLC.	
Will your firm be leasing the building or the land in your expansion or newly constructed facility? (Y/N)	Yes – to grocery store operator
If you are leasing the building or land, and you are seeking a tax abatement <u>without</u> an IRB, please list the tenant and owner and the financial relationship between tenant and owner.	
Total Cost of <u>Initial</u> Construction for the Project:	\$26,014,770

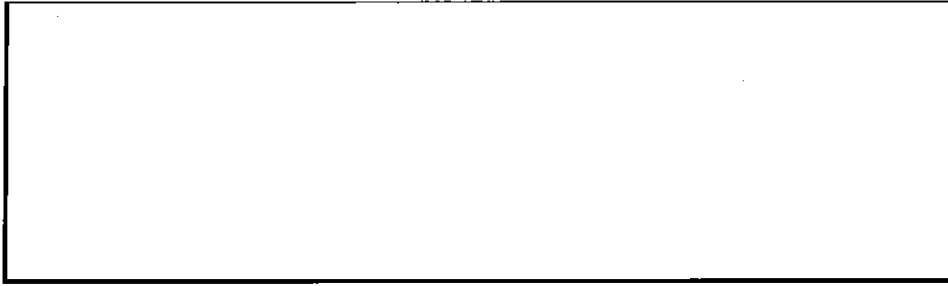
Estimated Cost of Construction Materials for <u>Initial</u> Construction:	\$15,000,000
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*Note: Applicant may be required to provide additional financial information for the project and company.*

Environmental Information		
Will the new facility meet Energy STAR criteria? (Y/N)		yes
Will the project seek or be designed to LEED certification standards? (Y/N)		Yes
If yes, please indicate level:	Certification	X
	Silver	
	Gold	
	Platinum	
<p>Please describe environmentally friendly features of the project: Project will be designed to meet LEED certification standards. Project will not be, however, LEED certified.</p>		
<p>Please describe anticipated positive environmental impacts resulting from the project:</p> <p>Walkability – ability for downtown residents to walk to grocery store and pharmacy without need for public transportation or driving in car to store  Fresh fruits and vegetables  Food desert – see attached article.*  Supports infill development of existing blighted site  Downtown pharmacy</p> <p>*Federally designated food desert includes all of downtown, North Lawrence, and East Lawrence.</p>		
<p>Please describe anticipated negative environmental impacts and planned remediation efforts:</p> <p>Possible traffic interruption on New Hampshire during part of construction; will have traffic control plan approved by City</p>		

**Application Tips:**

Environmentally Friendly Features: e.g.  
Low-energy, led lighting used throughout,  
pedestrian friendly elements including green  
space, bike paths, water saving native  
plantings used in landscapes, etc.





### Additional Community Benefits

Describe Other Local Economic Benefits Resulting From Project:

Significant full time and part time job creation benefits

#### **Application Tips:**

Local Economic Benefits: Include additional benefits not directly related to project capital investment and direct employment (e.g. Project attracting overnight visitors that will spend on lodging, entertainment, food and beverages, shopping, etc.)

Describe Other Quality of Life Benefits Resulting From Project:

Access to affordable fresh fruit and vegetables for downtown residents

Quality of Life Benefits: Include tangible and intangible benefits; such as how company is/will be a good corporate citizen, community involvement, local philanthropy efforts, and how project /company will contribute to local well being of citizens.

Employment Information									
<b>Construction Employment for New Facility or Expansion</b>									
# Full-Time, Construction Jobs:								100	
Average Annual Salary for Full-Time, Construction Workers (during construction period):								45000	
Construction Period (months):								15 to 18 Mo.	
For Expansion, # of Full-Time Employees Currently Working in Lawrence:									
New Employment Resulting from Project									
Net New Jobs (full-time, permanent)	Year	# Jobs	Avg Annual Salary	# Jobs	Avg Annual Salary	# Jobs	Avg Annual Salary	# Jobs	Avg Annual Salary
	1								
	2		SEE ATTACHED						
	3								
	4								
	5								
	6								
	7								
	8								
	9								
	10								
	Total								
<b>Anticipated # of Employees to Be Relocated Locally as a Result of the Project</b>									
# of Net New Full-Time Employees Anticipated to be Relocated From Outside of Kansas:									
# of Net New Full-Time Employees Anticipated to be Relocated from Outside of Lawrence/Douglas County:									
<b># of Local, Full-Time Jobs Anticipated At End of Incentives Period:</b>									

**Application Tips:**

Enter 0 if project is new or relocation.

Enter information by major job category (e.g. administrative, support, professional, executive, production, etc.)

For a local expansion, Net New Jobs = number of additional employees to be hired each year, excluding employees that are already employed in Lawrence. )

Average Annual Salary: Only provide wage information. Do not include the value of non-wage benefits such as insurance and time off.

# Jobs at End of Incentives Period: Enter total number of full-time employees (existing & new) anticipated to be employed at the new facility over the term of incentives (e.g. if applying for a 10-year tax abatement, this would be the total number of local Existing (if expanding) + Net New full-time jobs anticipated at the end of that 10-year period.)

**See separate attachment for this information**

Employee Benefits	
Description	After Expansion or Relocation
% of Employees with Company Provided Health Care Insurance	
% of Health Care Premium Covered by Company	
% of Employees with Company Provided Retirement Program	
Will You Provide Job Training for Employees? (Y/N)	
If Yes, Please Describe:	
What is the Lowest Hourly Wage Offered to New Employees?	
What Percentage of Your New Employees Will Receive this Wage?	

Will You Provide Additional Benefits to Employees? (Y/N)
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*If Yes, Please Describe:*

**SEE SEPARATE ATTACHMENT FOR EMPLOYEE BENEFIT INFORMATION**

## NRA Eligibility Statement

(1) Project is in an area in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare:

(2) Project is in an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, defective or inadequate streets, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety or welfare in its present condition and use:

(3) Project is in an area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use:

Disclosures

**Company Form of Organization:**

It is the policy of the City that no economic development incentive will be granted to any applicant or petitioner who owns any financial interest in any real property, anywhere within the state of Kansas, with delinquent special assessments, delinquent ad valorem taxes, or federal or state tax liens, or who is currently delinquent or in default on any debts, responsibilities, or other obligations owed to the City.

List the full name(s) of each principal (partner or member) who owns (or will own) 5% or more capital of the company. In the case of businesses owning another business (such as an umbrella LLC that is the owner of several other LLC's), the actual partners' names need to be listed, not just the registrant's name with the Secretary of State.

**SEE ATTACHMENT**

Are all above listed principals currently delinquent or in default on any debts, responsibilities, or other obligations owed to the City? If delinquent or in default, provide details on property owner name, property address, current property tax status, special assessment status, and outstanding obligations owed to the City, and why delinquent or in default.

**No.**

**List all subsidiaries or affiliates and details of ownership:**

**Subsidiary :**

**Principals: Michael L. Treanor**

Has Company or any of its Directors/Officers been involved in or is the Company presently involved in any type of litigation?	Yes.
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Has the Company, developer or any affiliated party declared bankruptcy?	No.
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Has the Company, developer or any affiliated party defaulted on a real estate obligation?	No.
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Has the Company, developer or any affiliated party been the defendant in any legal suit or action?	Yes.
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Has the Company, developer or any affiliated party had judgments recorded against them?	No.
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*If the answer to any of the above question is yes, please explain:*

*Two Residents of Hobbs Taylor building have filed injunction lawsuit to stop construction of the project. Hearing on motion to dismiss held on March 31, 2017. Waiting on ruling on the motion from the judge.*

**Note: Applicant may be required to provide additional financial information for the project and company.**

The Borders Parcel is currently 100% owned by Treanor Investments, LLC, a Kansas limited liability company owned by Michael L. Treanor and his family members. Neither Mike nor his family members are delinquent on ad valorem property tax payments or assessments owed to the City. There are no federal or state tax liens filed against Treanor Investments or any of its members or their property in which they have a financial interest.

There will likely be additional investors identified in the future as partners for investment in the Project. As of this date, Roger D. Johnson and Vaijnath, LLC, a Kansas limited liability company are possible investors. Vaijnath, LLC is a family limited liability company owned by local businessmen Sandip Patel, Deepak Patel, and Ashish Patel (Dunkin Donuts franchise owners). Neither Roger D. Johnson or Vaijnath, LLC or its members are delinquent on ad valorem property tax payments or assessments owed to the City. There are no federal or state tax liens filed against either person, entity or members.

There are no existing contractual arrangements that commit either Roger D. Johnson or Vaijnath, LLC, to make an investment in the Project.

As noted in the cover letter to the City, Douglas J. Compton will likely join as a co-developer once he has complied with City policy.

## Economic Development Fees

**Application & Administrative Fees:** The City charges the below application and administrative fees.

Application Fees		Administrative Services Fees
Tax Abatement	\$500	\$200/year
Industrial Revenue Bonds (IRB)	\$1,000	Origination Fee for sales tax only IRBs
Community Improvement District (CID)	\$2,500	For all projects involving "pay-as-you-go" financing and reimbursement through the assessment of CID sales tax collected with the CID sales tax district, it is the policy of the City to negotiate any annual administrative fee between the City and the petitioner to cover the City's administrative costs.
		For all other projects, the petitioner shall pay 0.5% of the funds reimbursed to the petitioner, or any successor in interest, each year for the life of the CID to cover the City's administrative costs.
Transportation Development District (TDD)	\$2,500	0.5% of the annual TDD revenues generated
Tax Increment Financing (TIF)	\$1,000	Where the applicant only seeks reimbursement of the property tax increment, the administrative service fee shall be 0.5% of the annual increment;
		In all other cases, the administrative service fee shall be 2.5% of the annual increment.
Neighborhood Revitalization Area (NRA)	\$500	None

If the request is not considered, half (1/2) of the application fee will be returned to the Applicant. If the request is considered, application fees are not refunded, regardless of if the project is approved.

### Industrial Revenue Bond (IRB) Origination Fee:

For IRBs issued just to obtain a sales tax exemption (not a property tax abatement), Applicant, at the time of bond closing, shall pay the City an IRB origination fee of the par amount of bonds being issued on behalf of a for-profit company, unless the project will create primary jobs or add affordable housing to the community.

IRB Origination Fee	
Rate	Amounts*
0.004	First \$10M or up to \$10M
\$40,000 + 0.002	2nd \$10M
\$60,000 + 0.001	Over \$20M

\*Maximum fee is \$100,000

For IRBs issued on behalf of not-for-profit organizations, the City will not charge an origination fee.

### Other Fees:

Applicant is responsible for paying all expenses incurred by the City for professional services pertaining to the project, regardless of if the project is approved. This may include costs associated with research and analytical services, legal publication notices, application fees to the state Board of Tax Appeals, bond counsel and other miscellaneous costs, including but not limited to, the City reasonable costs to process any modifications. If the request proceeds the Applicant may be asked to enter into a funding agreement to cover all costs associated with processing approval for the requested assistance.

**Application Submission:**

When you have completed this form to your satisfaction, please sign and send, along with applicable application fee(s) to:

**City of Lawrence**  
**Attn: Economic Development Coordinator**  
**6 East 6th Street**  
**Lawrence, KS 66044**  
**Fax: 785-832-3405**  
**Email: [bcano@lawrenceks.org](mailto:bcano@lawrenceks.org)**

***Note: All economic development incentive fees are due when the application for economic development support is filed with the City. No application will be accepted until fees have been paid.***

I hereby certify that the foregoing and attached information contained is true and correct, to the best of my knowledge:

Applicant/Representative: Treanor Investments, LLC / Michael L. Treanor  
(Please Print)

Signature:  Date: 7/20/2017



**AFFIDAVIT**

THE STATE OF Kansas )

THE COUNTY OF Douglas )

ss:

I, Michael L. Treanor, being of lawful age, and having been first duly sworn upon my oath, do hereby state:

1. I am a resident of Lawrence, Kansas.

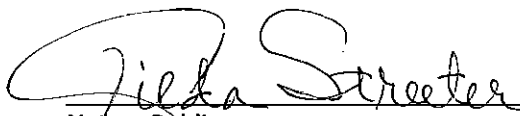
2. As of the date set forth below, I have no financial interest and no entity in which I have any interest has any financial interest in any real property, located anywhere in the state of Kansas, that is delinquent on any special assessments, delinquent on any *ad valorem* taxes, or the subject of any federal, state, or local tax lien.

3. As of the date set forth below, I am not currently delinquent or in default and no entity in which I have any interest is currently delinquent or in default on any debts, responsibilities, or other obligations owed to the City of Lawrence, Kansas.



**SUBSCRIBED AND SWORN** before the undersigned on this 20<sup>th</sup> day of July, 2017.



  
Notary Public

My Appointment Expires: 6/10/18

## **Queen's Food Stores**

### **Lawrence Price Chopper Labor and Job Creation/Retention**

	Full-time			Part Time		
	Total	Local	L/M Income	Total	Local	L/M Income
# of Permanent Jobs Created	56	45	11	84	67	17
# of Permanent Jobs Retained	50	40	10	75	60	15

Average Wage of between \$10-14/hr (based on total store employment of 125 employees)

Estimated Annual Total Wages, Salaries and Benefits:                      \$2.75 million

# Queen's Food Stores

## Employee Health Insurance:

Available 1st of Month following 60 days of employment

\$24/week is employee's share for Single Coverage

80% / 20% on coinsurance

Deductible \$2,600/yr per individual and \$5,200 per family

Total Out-of-Pocket \$5,500 per person and \$11,000 per family

Employer Paid Life Insurance: \$20,000

## Voluntary Coverage Available:

Voluntary Life

Dental

Vision

Short Term Disability

Critical Illness

Accident

## 401-K Plan

Company matches 25% of employee's contributions up to a maximum of 5% of employee's contribution

Roth IRA Plan is available

## Vacation

1 week of vacation after a year of service

2 weeks of vacation after three years of service

## Distance, time among barriers to fresh groceries for 24,000 residents in Lawrence food deserts



Nick Krug

Lawrence resident Lance Fahy, who is visually impaired, leans in closely to see the labels on packages of ground beef while doing his shopping on Thursday, Dec. 15, 2016. [Enlarge photo](#)

December 19, 2016

As Lance Fahy does his grocery shopping, there is hustle in his step. He leaves his cart behind as he surveys the length of a meat cooler, stopping his lateral shuffle along its edge here and there to check prices.

He's got two oversized cloth grocery bags to fill and only about 20 minutes to do it. But he doesn't check his watch. Fahy says he has the time in his head. It's a trip he does often — at least twice a week — holding his grocery shopping to 20 minutes so that he doesn't have to wait another 30 for the next bus.

"It always is close, getting in and out in 20 minutes," Fahy said. "There have been a couple times when I have walked out that door and seen the bus pulling away."

Fahy, who is visually impaired, has to get a ride or take the bus to the store from his home in the Pinckney Neighborhood. When he misses the bus home, it makes the nearly two-hour grocery trip even longer.

Fahy is likely one of many residents for whom a convenient stop at the grocery store is elusive. City-wide, more than one-fourth of all Lawrence residents live within a federally designated food desert, a low-income district where the majority of residents live more than 1 mile from a full-service grocery store.

Fahy's trip this day is to Checkers grocery store, and requires a bus transfer downtown. Each way door-to-door is about 40 minutes. There are grocery stores closer to his house than Checkers, but Fahy, a father of three, said the low-cost grocery is worth the extra bus time for the particular list of items he has today.

### **Food desert**

Fahy is 1 of about 13,000 people in northeastern Lawrence who live in a federally designated food desert, according to Lawrence-Douglas County Health Department data. The other two areas with the designation are in southeast and southwest Lawrence.

Combined, there are about 24,000 people in Lawrence living in a food desert, according to the data. Of those, more than 10,000 live below poverty level.

<http://www2.ljworld.com/photos/2016/dec/19/313029/>

Though many people think the food desert designation only regards a neighborhood's distance from a grocery store, health department staff say the income element is just as important.

"It's particularly hard for people that maybe make less money," said Charlie Bryan, community health planner. "... Everything is just kind of magnified, in terms of the impact on their lives. You're more likely to not have a car, or if you do it's in bad shape or you're sharing a car."

Fahy's house, for instance, is more than a mile from Dillons grocery store on Sixth Street and nearly 4 miles from Checkers.

In areas designated as low-income, more than 20 percent of people live below 200 percent of the federal poverty level, according to the data. For instance, a family of four living below 200 percent poverty will earn less than \$48,600 in 2016.

Interwoven with the distance and socioeconomic element is the aspect of time — like the two hours it took Fahy to get food for a few meals. Bryan said that especially for people with low income, time can become another barrier.

### **A waiting game**

Time for Fahy, his 20 minutes in the store, is nearly up.

Though Fahy said it's "not the end of the world" if he has to wait another 30 minutes for the next bus, he does have a schedule to keep. He does residential cleaning by the hour, and he has an appointment.

Fahy seems to have his tactics down, and he has tips. He says it's all about having a plan to follow before you walk into the store. He moves casually around his idling co-shoppers, traversing the aisles with minimal backtracking. This day, Fahy makes it to the bus stop with about four minutes to spare.

In the short time in the store, he's purchased two bundles of kale, bananas, cooking oil, pumpernickel rolls, a dozen eggs, tortillas, a red onion, dry beans, canned tomatoes, ground hamburger, club soda and three bags of shredded cheese — comparing prices all the while.

He's overshot his two cloth bags, and has a plastic one looped through his fingers as he waits at the bus stop along 23rd Street in weather that he says could be worse. It's 25 degrees, but he says it's better than summer, when refrigerated items heat up quickly.

<http://www2.ljworld.com/photos/2016/dec/15/312933/>

### **A downtown grocery**

Fahy recognizes he's not alone in his cumbersome grocery trips, and though he is visually impaired, he noted he can still get around quickly and easily compared to some. When people get on and off the bus, he greets some by name, makes small conversation.

"It's not just my situation," Fahy said. "I observe a lot of people that are having to spend more time and energy to access healthy food than they really should have to."

Fahy said that for him, the healthy aspect is key, especially when feeding his three kids, ages 8, 12 and 15. He said if he wanted to buy packaged food, there are a few gas stations or convenience stores within walking distance from his house.

"If I were just eating junk, I could go down to the gas station," Fahy said.

But that's not what he wants.

As communication coordinator for the Pinckney Neighborhood Association, Fahy has been representing the area on a downtown grocery store committee for the past year. The committee has been meeting for four years in an effort to get a full-service grocery — with meat, dairy and fresh produce — to locate downtown.

The committee has representatives from several neighborhoods surrounding downtown, East Lawrence, Brookcreek, Old West Lawrence and North Lawrence. Representing the latter is North Lawrence Improvement Association president Ted Boyle.

Boyle has lived in North Lawrence his entire life and remembers the days when there was a grocery store in North Lawrence, when people could walk if they had to or wanted to. A grocery store downtown would help, he said.

"So, this will enable all residents — handicapped, bicyclists, walkers — to be able to get healthy affordable food in any mode of transportation," Boyle said.

Boyle said the committee, which meets weekly, acts as the "go-between" with downtown grocery store developers and residents of the various neighborhoods that surround downtown.

Though the idea of an upscale grocery store has been talked about, Fahy says he is supportive of a downtown location with a full-service grocery store and pharmacy that would be affordable for everyone.

"I think it would be for the greater good of the community," Fahy said.

### **No easy task**

Though downtown groceries were commonplace decades ago, getting a developer to locate a grocery store downtown has not moved quickly.

A local development group has been working on the concept for years, but a project has yet to make a development filing with the city.

Plans to redevelop the former Allen Press property at the northeast corner of 11th and Massachusetts streets failed to solidify a couple years ago.

Now the plan is to convert the former Borders bookstore site at 7th and New Hampshire streets into a multistory building that would house a grocery store on the ground floor. But not everyone is behind that idea, in part because the developers are hoping to build much more than a grocery store.

One group has taken the disagreement to the courtroom.

The development group, led by Lawrence businessmen Doug Compton and Mike Treanor, is being sued by residents of the adjacent Hobbs Taylor Loft building. A main element of the lawsuit is the expansiveness of the project, which would roughly double the size of the former bookstore site. In addition to a grocery store, the developers are hoping to add two levels that would accommodate 82 apartments.

The grocery store project would require multiple city approvals, and it is expected that the development will seek economic incentives from the city.

The city is in the process of overhauling its incentives policy after some public disapproval of past incentives agreements, some of which went to apartments and commercial projects led by Compton.

The downtown grocery committee meets at 9 a.m. on Thursdays in the meeting room at Capital City Bank, 740 New Hampshire St. The committee's fourth meeting of the month is held at the Lawrence Public Library, 707 Vermont St.

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