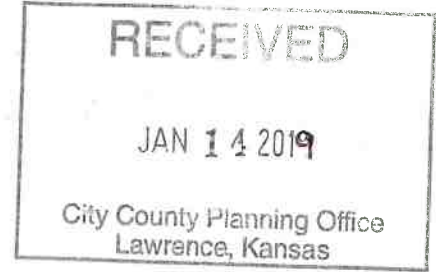


MICHAEL L. BLUMENTHAL AND JULIE C. BLUMENTHAL
1001 Kentucky, #1
Lawrence, Kansas 66044
(816) 694-5101
mike@sbhlaw.com



January 11, 2018

City of Lawrence-Douglas County
Planning Commission
Planning & Development Services
6 East 6th Street
P.O. Box 708
Lawrence, KS 66044

Re: SUP-18-00564: Consider a Special Use Permit for The DARE Center, located at 944 Kentucky St. Submitted by the Coalition for Homeless Concerns Inc. on behalf of James Dunn, property owner of record

Dear Lawrence-Douglas County Metropolitan Planning Commission:

We write on behalf of the Julie Collingwood Blumenthal Revocable Trust dated March 5, 2002, as amended and restated and the Michael Lewis Blumenthal Revocable Trust dated March 5, 2002, as amended and restated, which owns the property located at 1001 Kentucky, #1, Lawrence, Kansas 66044.

We recently purchased this property because of its location in a residential neighborhood that is within short walking distance to central downtown Lawrence, Kansas. It was our vision that our teenage daughter and her friends could stay at the property with us and walk downtown to enjoy shopping and dining in the beautiful city of Lawrence. Our property is located directly diagonally to The DARE Center located at 944 Kentucky St. We must walk past The DARE Center on the way to downtown Lawrence.

We are, frankly, distraught to learn that The DARE Center applied for this Special Use Permit, which will be a magnet for the homeless in late afternoons and early evenings (when our child and their friends will most likely be out and about the area). While we are sensitive to the needs of our community's homeless population, we are sure that you know about The Dare Center's history and how congregating the homeless around this residential area increases the crime rate in the area.


The Dare Center previously provided a similar respite center for the homeless at this exact location. As reflected in the attached Memorandum from the Lawrence Police Department, **crime in and around that area increased by 700%** during that time. Criminal cases included a death investigation and crimes such as sexual battery, battery, aggravated assault, trespassing, theft, criminal damage to property, public consumption of alcohol, and urinating in public. Suffice it to say, that inviting this criminal element across the street from our residential property is untenable and cannot be allowed to occur.

While Lawrence's homeless population needs assistance, that need is being addressed by the Lawrence Community Shelter (which receives significant tax-payer contributions from the City of Lawrence). On balance, we do not believe that The DARE Center has made the showing required to allow an exception to the zoning use permitted for this property. **Accordingly, we respectfully request that this Special Use Permit be DENIED.**

Thank you for your consideration of our protest and opposition to this Special Use Permit.

Sincerely,

By: 
Julie Collingwood Blumenthal, Trustee

By: 
Michael Lewis Blumenthal, Trustee

Enclosure

MEMORANDUM
 November 28, 2005

TO: Chief W. Ronald Olin
 Captain Dave Cobb
 Sergeant Dan Ward

FROM: Crime Analyst Eden Derriche

RE: 1. KYPD Activity at the Open Shelter

I have compiled the following information on the Police Department's activity at the Open Shelter, 944 Kentucky. The Open Shelter and the Community Drop-In Center, 214 W. 10th, merged this year, so I am providing data for both addresses.¹ The data is from the Criminal Justice Information System (CJIS) and Computer Aided Dispatch (CAD).

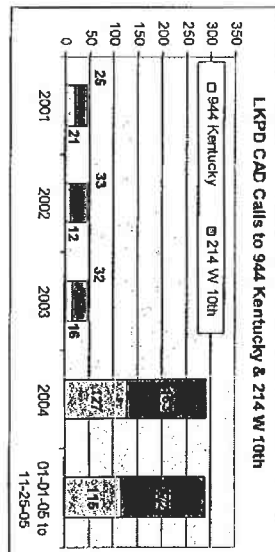
According to CJIS, Lawrence Police officers have taken 30 cases at 944 Kentucky and 35 cases at 214 W. 10th so far this year. The cases include a death investigation, dealing with suicidal individuals, the service of warrants, and crimes such as sexual battery, battery, aggravated assault, disorderly conduct, trespassing, theft, criminal damage to property, public consumption of alcohol, and urinating in public. Lists of the cases at each address are attached to this report.

The following charts provide the number of the Police Department's CAD calls at the two addresses from 2001 through November 25, 2005.²

LKPD CAD CALLS: January 1, 2001 - November 25, 2005					
	2001	2002	2003	2004	01-01-05 to 11-25-05
944 Kentucky	21	12	16	127	115
214 W.10th	25	33	32	163	172
TOTAL	46	45	48	290	287

¹ According to the Lawrence Community Shelter's website, www.lawrencekyshester.org, the Drop-In Center has been at 214 W. 10th since 2000. The Open Shelter has only been at 944 Kentucky, around the corner from the Drop-In Center, since December 2003.

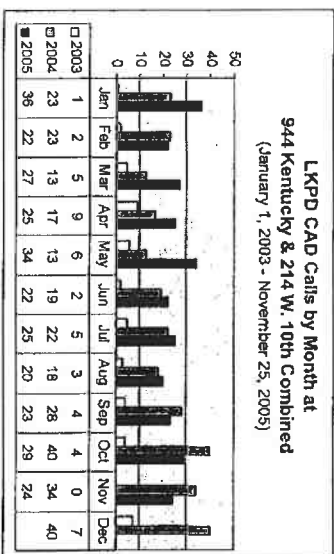
² This report represents the Lawrence Police Department's activity only, and the charts do not include other agencies' CAD calls. Incidentally, from January 1 through November 25, 2005, Lawrence-Douglas County Fire & Medical had 52 CAD calls at 944 Kentucky and 214 W. 10th combined, compared with 58 in all of 2004, six in 2003, 11 in 2002, and six in 2001.



Derriche - 2 of 4

Both addresses' CAD calls increased dramatically in 2004 and have remained high. The number of CAD calls at 944 Kentucky increased about 700 percent from 2003 to 2004. The number of CAD calls at 214 W. 10th increased about 400 percent from 2003 to 2004.

The following chart combines the monthly CAD calls at both addresses, contrasting the relatively low number of calls to 214 W. 10th and 944 Kentucky per month in 2003 and the higher numbers of 2004 and 2005. The January-through-October averages are 4, 1 in 2003, 21.6 in 2004, and 26.3 in 2005.



The following list breaks down the types of CAD calls the Lawrence Police Department has had at the Open Shelter and the Drop-In Center from January 1, 2005, through November 25, 2005:

Detrixhe - 3 of 4

LKPD CAD Calls: January 1 - November 25, 2005			
Call Type	Open Shelter	Drop-In Center	Total
BATTERY	9	14	23
911 HANG UP		3	3
ADMINISTRATIVE		1	1
ALCOHOL	4	3	7
ANIMAL NON-VICIOUS		1	1
BUILDING CHECK		2	2
BURGLARY		1	1
CHECK WELFARE	6	4	10
CIVIL STANDBY	3	3	6
CRIMINAL DAMAGE	2	2	4
DISTURBANCE NO WEAPON	7	9	16
DISTURBANCE W/ WEAPON	1	1	2
DOMESTIC DISTURBANCE	1	1	2
DRUGS	2	3	5
FIREWORKS		1	1
FOLLOWUP	6	11	17
FOUND PROPERTY	2		2
HARASSMENT	2	1	3
MEDICAL EMERGENCY	12	31	43
NUISANCE COMPLAINT	1	3	4
PEDESTRIAN CHECK	12	5	17
REQUEST TO SPEAK w/ OFFICER	8	20	28

REQUEST TO SPEAK w/ TELESERVICE	8	8
SEX CRIME COMPLAINT	1	1
SPECIAL ASSIGNMENT	1	1
SUICIDE ATTEMPT	3	3
SUSPICIOUS ACTIVITY NO WEAPONS	1	1
SUSPICIOUS ACTIVITY w/ WEAPONS	1	1
THEFT	5	10
THREATS	1	7
TRESPASSING	28	50
UNKNOWN EMERGENCY	1	2
WANTED PERSON	1	4
WARRANT SERVICE	1	1
TOTAL CALLS	115	207

Detrixhe - 4 of 4

Edean Detrixhe
 Crime Analyst

PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564

The undersigned owner or authorized agent of the owner of the following described real property: 922 KENTUCKY ST 1, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 1/7/19.

RYAN E KRUSE
1616 COGHILL CT
LAWRENCE, KS 66047



Signature

I am happy to show up anywhere you need me

**PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564**

The undersigned owner or authorized agent of the owner of the following described real property: 945 KENTUCKY ST 1, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 1/9/19.

CLASSICAL DEVELOPMENTS LLC
1200 MAIN ST STE 3800
KANSAS CITY, MO 64105

By: 
Signature

Michael Heitmann
Printed Name and Title
Managing Member

**PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564**

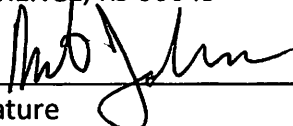
The undersigned owner or authorized agent of the owner of the following described real property: 940 TENNESSEE ST, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 1-7-19.

RHODE ISLAND RENTALS LC
3100 TRAIL RD
LAWRENCE, KS 66049

By: 
Signature

Michael Jacobson owner 940 Tenn
Printed Name and Title

**PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564**

The undersigned owner or authorized agent of the owner of the following described real property: 1001 KENTUCKY ST 4, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 8 Jan 2019.

RAA HOLDINGS LLC
2008 JENNY WREN RD
LAWRENCE, KS 66047

By: Ronald Callaway
Signature

RONALD CALLAWAY
Printed Name and Title

**PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564**

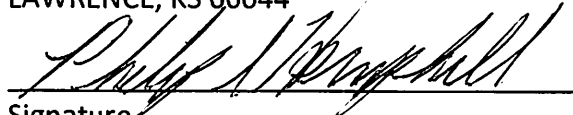
The undersigned owner or authorized agent of the owner of the following described real property: 937 KENTUCKY ST, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 1/7/2019.

PHILLIP S HEMPHILL AND CLARA M HEMPHILL
REVOCABLE TRUST AGREEMENT DATED OCTOBER
28, 2016
937 KENTUCKY ST
LAWRENCE, KS 66044



Signature

PHILIP S HEMPHILL CO-TRUSTEE



Signature

CLARA M HEMPHILL CO-TRUSTEE

**PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564**

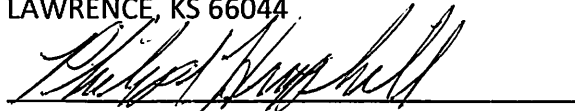
The undersigned owner or authorized agent of the owner of the following described real property: 933 KENTUCKY ST A, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 1/4/2019.

PHILLIP S HEMPHILL AND CLARA M HEMPHILL
REVOCABLE TRUST AGREEMENT DATED OCTOBER
28, 2016
937 KENTUCKY ST
LAWRENCE, KS 66044



Signature

PHILIP S HEMPHILL CO-TRUSTEE



Signature

CLARA M HEMPHILL CO-TRUSTEE

**PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564**

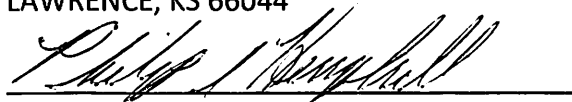
The undersigned owner or authorized agent of the owner of the following described real property: 929 KENTUCKY ST A, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

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PHILLIP S HEMPHILL AND CLARA M HEMPHILL
REVOCABLE TRUST AGREEMENT DATED OCTOBER
28, 2016
937 KENTUCKY ST
LAWRENCE, KS 66044



Signature

PHILIP S HEMPHILL CO-TRUSTEE



Signature

CLARA M HEMPHILL CO-TRUSTEE

Dear Planning Commissioners and City Staff,

1-21-19

The Oread Residents Association (ORA) would like to support the Special Use Permit for a Temporary Shelter, located at 944 Kentucky Street, for the DARE Center. Having already experienced this location's past use as the homeless shelter several years ago, it seems like a logical consideration. ORA believes that there is a need for shelter and resource assistance for homeless individuals during the day near downtown. We, however, would like to make the following requests:

- A follow up plan after the 6:30 closing time regarding transportation to the Lawrence Community Shelter or other overnight location.

- An outdoor gathering space for people to rest and socialize. This modest sized building has a very small front porch. We suggest that an awning over a large portion of the back of the building be provided along with sturdy tables and benches for gathering and privacy. This was done when this location was a homeless shelter.

Thank you for your service,

Sincerely, Kyle Thompson ORA President

KENT & CATHY PRINGLE

1001 KENTUCKY UNIT # 3
LAWRENCE, KANSAS 66044
EMAIL: kentpringle@hotmail.com

CATHY: (620) 432-4142

KENT: (620) 432-4153

January 19, 2019

City of Lawrence
Douglas County Planning Commission
6 East 6th Street
P.O. Box 708
Lawrence, KS 66044

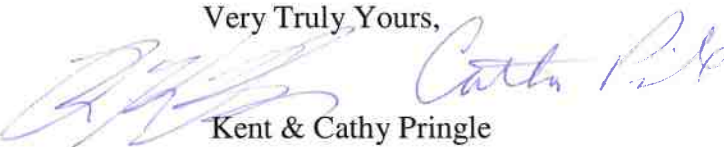
Faxed And Mailed

Re: SUP-18-00564: Consider a Special Use Permit for The DARE Center, located at 944 Kentucky Street. Submitted by the Coalition for Homeless Concerns Inc. on behalf of James Dunn, property owner of record

We are the owners of Mockingbird LLC which owns condominium unit #3 at 1001 Kentucky Street across the street diagonally from the proposed DARE Center. Our daughter lives there and we have an apartment located at 9th and New Hampshire near downtown where we regularly enjoy shopping, dining, music and the arts. The walk to downtown from the condo and from the KU student housing directly to the West goes directly past the proposed DARE Center and in years past we and our daughter have observed homeless persons sleeping at night in the bushes in front of the Church directly South and congregating in front of the proposed DARE location. That activity diminished significantly we assumed as a result of increased police attention due to some reported vandalism and break-ins in that area. Now we fear that the new proposed DARE Center will attract a homeless population to the area that is not compatible with the residential properties that line Kentucky Street immediately to the West and the North. **The City's own experience from the property's prior use as a homeless shelter years ago reflected a 700% crime increase during that time.** *It is impractical to think that the "rules" proposed for the drop-in shelter are going to prevent an increase in panhandlers and homeless persons in the downtown area, damaging commercial property values, and similarly the property values of the residential properties occupied by people who have located there in part due to the proximity to downtown Lawrence.*

City Staff should not simply accept the applicant's response that there will be no adverse impacts on other property values and the natural environment. Common sense suggests that the increased presence of homeless persons congregating on the direct path for area residents and KU students walking to enjoy downtown Lawrence interferes with that activity and reduces the attraction of owning residential property in that area. We are not insensitive to the needs of the homeless, but believe the proposed DARE Center is not consistent with the City's commitment to preserve the unique attraction of downtown Lawrence and development of residential housing in the area to support it. **We request that this Special Use Permit for the DARE Center be DENIED.**

Very Truly Yours,



Kent & Cathy Pringle
Mockingbird, LLC

Enclosure: 2005 LPD Memorandum and picture of Corbin Hall and Protest Petition

MEMORANDUM
November 28, 2005

TO: Chief W. Ronald Olin
Captain Dave Cobb
Sergeant Dan Ward

FROM: Crime Analyst Eden Detrixhe

REF: LKPD Activity at the Open Shelter

I have compiled the following information on the Police Department's activity at the Open Shelter, 944 Kentucky. The Open Shelter and the Community Drop-in Center, 214 W. 10th, merged this year, so I am providing data for both addresses.¹ The data is from the Criminal Justice Information System (CJIS) and Computer Aided Dispatch (CAD).

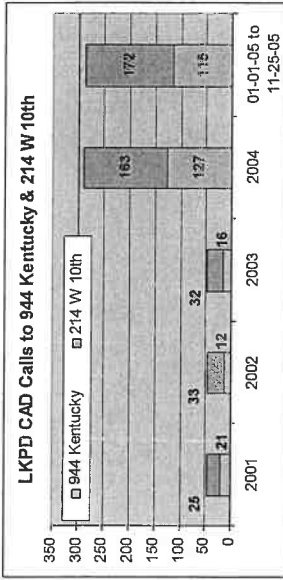
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The following charts provide the number of the Police Department's CAD calls at the two addresses from 2001 through November 25, 2005.²

LKPD CAD CALLS: January 1, 2001 - November 25, 2005					
	2001	2002	2003	2004	01-01-05 to 11-25-05
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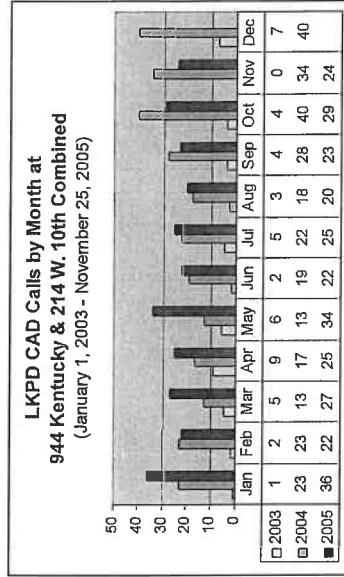
¹ According to the Lawrence Community Shelter's website, www.lawrencecommunityshelter.org, the Drop-in Center has been at 214 W. 10th since 2000. The Open Shelter has only been at 944 Kentucky, around the corner from the Drop-in Center, since December 2003.

² This report represents the Lawrence Police Department's activity only, and the charts do not include other agencies' CAD calls. Incidentally, from January 1 through November 25, 2005, Lawrence-Douglas County Fire & Medical had 52 CAD calls at 944 Kentucky and 214 W. 10th combined, compared with 58 in all of 2004, six in 2003, 11 in 2002, and six in 2001.



Both addresses' CAD calls increased dramatically in 2004 and have remained high. The number of CAD calls at 944 Kentucky increased about 700 percent from 2003 to 2004. The number of CAD calls at 214 W. 10th increased about 400 percent from 2003 to 2004.

The following chart combines the monthly CAD calls at both addresses, contrasting the relatively low number of calls to 214 W. 10th and 944 Kentucky per month in 2003 and the higher numbers of 2004 and 2005. The January-through-October averages are 4.1 in 2003, 21.6 in 2004, and 26.3 in 2005.



The following list breaks down the types of CAD calls the Lawrence Police Department has had at the Open Shelter and the Drop-In Center from January 1, 2005, through November 25, 2005:

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911 HANG UP		3	3
ADMINISTRATIVE		1	1
ALCOHOL	4	3	7
ANIMAL NON-VICIOUS		1	1
BUILDING CHECK		2	2
BURGLARY		1	1
CHECK WELFARE	6	4	10
CIVIL STANDBY	3	3	6
CRIMINAL DAMAGE	2	2	4
DISTURBANCE NO WEAPON	7	9	16
DISTURBANCE W/ WEAPON	1	1	2
DOMESTIC DISTURBANCE	1	1	2
DRUGS	2	3	5
FIREWORKS		1	1
FOLLOW UP	6	11	17
FOUND PROPERTY	2		2
HARASSMENT	2	1	3
MEDICAL EMERGENCY	12	31	43
NUISANCE COMPLAINT	1	3	4
PEDESTRIAN CHECK	12	5	17
REQUEST TO SPEAK W/ OFFICER	8	20	28

REQUEST TO SPEAK W/ TELESERVE			8	8
SEX CRIME COMPLAINT			1	1
SPECIAL ASSIGNMENT			1	1
SUICIDE ATTEMPT			3	3
SUSPICIOUS ACTIVITY NO WEAPONS	1			1
SUSPICIOUS ACTIVITY W/ WEAPONS			1	1
THEFT		5	5	10
THREATS		1	6	7
TRESPASSING		28	22	50
UNKNOWN EMERGENCY		1	1	2
WANTED PERSON		1	3	4
WARRANT SERVICE			1	1
TOTAL CALLS		115	172	287

Eden Detrixhe
Crime Analyst



PETITION IN PROTEST OF
COALITION FOR HOMELESS CONCERNS INC – DROP IN AND RESPITE (DARE) CENTER
APPLICATION FOR SPECIAL USE PERMIT FOR
214 W. 10TH/944 KENTUCKY, LAWRENCE, KANSAS
SUP-18-00564

The undersigned owner or authorized agent of the owner of the following described real property: 1001 KENTUCKY ST 3, Lawrence, Kansas said property being within 200 feet of the tract described as:

Kentucky Street Lots 90 and 92, Lawrence, Douglas County, Kansas
commonly described as 214 West 10th Street/944 Kentucky, Lawrence, Kansas

which has requested a Special Use Permit for Coalition for Homeless Concerns Inc – Drop In and Respite (DARE) Center hereby protest(s) this Special Use Permit request.

Pursuant to K.S.A. 53-601, I state under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on January 19, 2019.

MOCKINGBIRD LLC
PO BOX 748
CHANUTE, KS 66720

By: Cathy Pringle
Signature

Cathy Pringle, Member
Printed Name and Title