

# Memorandum

## City of Lawrence/Douglas County

### Planning and Development Services

TO: Mary Miller, Planner II

FROM: Jeff Crick, Planning Manager

CC: Scott McCullough, Director, Planning & Development Services  
Randy Larkin, Senior Assistant City Attorney  
Amy Miller, Assistant Direction, Planning & Development Services

Date: February 7<sup>th</sup>, 2019

RE: SUP-18-00564: Protest Petition for the DARE Center

A valid protest petition has been submitted for SUP-18-00564, a special use permit for a temporary shelter for The DARE Center, located at 944 Kentucky Street / 214 W. 10<sup>th</sup> Street.

Under [City of Lawrence Code](#) §20-1306(g) (Jan. 1, 2018), to file a valid protest petition challenging a recommendation relating to a special use permit application, a party must:

1. Obtain the signatures of all owners of at least 20% of the real property within the 200 foot protest district; and,
2. Must file the protest petition with the City Clerk within fourteen days of the conclusion of the Planning Commission's public hearing.

At its January 23<sup>rd</sup>, 2019, public meeting, the Planning Commission voted 5-4 to recommend the approval of SUP-18-00564, to permit a temporary shelter known as The DARE Center, located at 944 Kentucky Street / 214 W. 10<sup>th</sup> Street, to the City Commission.

On January 24<sup>th</sup>, 2019, a protest petition was filed with the City Clerk's office in regards to this Planning Commission recommendation. During the review of the petition, two participants were found to not meet the code requirements. 946 Kentucky Street was found to be more than 200 feet from the subject site. Additionally, the participant for this property was found to not be the listed owner of the property. Therefore, 946 Kentucky Street was excluded from the petition. 1001 Kentucky Street 3 is within 200 feet of the subject site; however, the participant for this property was found to not be listed as the owner of the property. Therefore, 1001 Kentucky St. 3 was excluded from the petition. Accounting for the exclusion of this property, owners of 25.2% of total land area within 200 feet of the subject site participated in the petition. Therefore, the protest petition meets the requirements of the City Code and is valid.

<b>Criteria</b>	<b>Parcels</b>	<b>Sq. Ft.</b>
<b>Total within 200 feet of the Subject Site</b>	22	116,524.06
<b>Total within 200 feet Protesting the Request</b>	8	29,412.66
<b>Total</b>	36.4%	<b>25.2%</b>



