

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, JUNE 24, 2009

6:35 p.m. Meet in Commission Chamber
-Convene

CONSENT AGENDA

- (1)(a) Consider approval of Commission Orders;

REGULAR AGENDA

- (2) (a) Consider and conduct a Public Hearing for Southeast Lawrence Sanitary Sewer Main Benefit District No. 1 – Sanitary Sewer Improvements; Resolution No. 06-30; Southeast Lawrence Sanitary Sewer Main Benefit District No. 2 – Sanitary Sewer Improvements; Resolution No. 06-31; and Southeast Lawrence Sanitary Sewer Main Benefit District No. 3 – Sanitary Sewer Improvements; Resolution No. 06-32
- (b) Conduct a Public Hearing and consider the adoption of the Assessment Resolution for the SW Lawrence Sanitary Sewer Main Benefit District 1, 2, 3
- (3) Consider approval of Z-11-19-08, a request to rezone 58.99 acres located northeast of the intersection of N 1800 Road & E 700 Road, S of Lecompton from A (Agricultural) to B-2 (General Business District). Submitted by Paul Werner Architects, for Rockwall Farms L.C., property owner of record. (PC Item 5; approved 8-0 on 5/18/09) (Mary Miller is the Planner)
- (4) Consider approval of CPA-3-2-09, a Comprehensive Plan Amendment for revisions to Horizon 2020 Chapter Four – Growth Management and Chapter 6 – Commercial Land Use to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County. Initiated by the Planning Commission on April 20, 2009. Requested by Rockwall Farms, LC. (PC Item 4; approved 6-2 on 5/18/09) (Dan Warner is the Planner)
- (5) Consider approval of SP-5-20-09, a site plan for revisions to the Conditional Use Permit for Pine Family Farms operation located at on E 1500 Road, east side of the road, approximately 1/8 mile south of Hwy 24/40. Submitted by Paul Werner Architects for Sue Pine Trustees. (Linda Finger)
- (6) Other Business
- (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment
- (7) Adjourn

MONDAY, JUNE 29, 2009 (8:00 AM) (Times for each hearing are approximate and may start earlier than indicated on the schedule)

-Budget Hearings

8:00 am: Visiting Nurse Association (Judith Bellome)

8:15 am: Senior Services (John Glassman)

TUESDAY, JUNE 30, 2009 (8:00 AM) (Times for each hearing are approximate and may start earlier than indicated on the schedule)

-Budget Hearings

-8 am: Johnson County Transit (Alice Amrein)

-8:10 am: Freedom Frontiers Heritage Trust Area and various Douglas County Historical Societies (Judy Billings)

-8:20 am:

WEDNESDAY, JULY 1, 2009

-Public Hearing for a resolution stating the intent of the Douglas County Board of Commissioners to acquire land for Lecompton Township

MONDAY, JULY 6, 2009 (Meeting Cancelled)

TUESDAY, JULY 7, 2009 (8 AM) (Times for each hearing are approximate and may start earlier than indicated on the schedule)

- Budget Hearings
- 8 am: Economic Development (Beth Johnson)

WEDNESDAY, JULY 8, 2009 (8 AM) (Times for each hearing are approximate and may start earlier than indicated on the schedule)

- Budget Hearings

WEDNESDAY, JULY 8, 2009 (Light Agenda)

MONDAY, JULY 13, 2009

- Public Hearing for the annexation of the former Farmland Industries property
- Continuation of 2010 Budget Hearings (if necessary)
- Departmental presentation from Information Services and GIS

TUESDAY, JULY 14, 2009

- Continuation of 2010 Budget Hearings (if necessary)

WEDNESDAY, JULY 15, 2009

- Consider approving revised CPA-2004-02, a Comprehensive Plan Amendment to Horizon 2020, Chapter 7: Industrial and Employment Related Land Use and consider adopting Joint City Ordinance No. 8402/County Resolution. (PC Approved 8-0 on 4/22/09; CC Approved 2nd Reading 5-0 on 6/9/09) Amy Brown is the Planner.

WEDNESDAY, JULY 29, 2009

- Consider the adopting a Resolution authorizing the Sale of Bonds for the Southeast Lawrence Sanitary Sewer Main Benefit District No. 1 – Sanitary Sewer Improvements; Southeast Lawrence Sanitary Sewer Main Benefit District No. 2 – Sanitary Sewer Improvements; and Southeast Lawrence Sanitary Sewer Main Benefit District No. 3 – Sanitary Sewer Improvements;

MONDAY, AUGUST 3, 2009

- Consider adoption of Bond Resolution for Southeast Lawrence Sanitary Sewer Main Benefit District No. 1 – Sanitary Sewer Improvements; Southeast Lawrence Sanitary Sewer Main Benefit District No. 2 – Sanitary Sewer Improvements; and Southeast Lawrence Sanitary Sewer Main Benefit District No. 3 – Sanitary Sewer Improvements;

MONDAY, SEPTEMBER 7, 2009

- No Commission Meeting in Observation of Labor Day

MONDAY, SEPTEMBER 21, 2009 (Light Agenda)

WEDNESDAY, NOVEMBER 4, 2009

- Lone Star Weed Discussion

Note: The Douglas County Commission meets regularly on Mondays at 8:10 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.

2(a&b)

GILMORE & BELL, P.C.
06/17/2009

**EXCERPT OF MINUTES OF A MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS
HELD ON JUNE 24, 2009**

The Board of County Commissioners (the "Board") met in regular session at the usual meeting place in Douglas County, Kansas (the "County"), at 6:35 p.m., the following Commissioners being present and participating, to-wit:

Absent:

The Chairman declared that a quorum was present and called the meeting to order.

(Other Proceedings)

The Chairman opened a public hearing for the purpose of receiving written or oral objections and considering proposed assessments for the costs of certain sewer improvements heretofore authorized by the Board, as follows:

Southeast Lawrence Sanitary Sewer Main Benefit District No. 1 – Sanitary Sewer Improvements Resolution No. 06-30;

Southeast Lawrence Sanitary Sewer Main Benefit District No. 2 – Sanitary Sewer Improvements Resolution No. 06-31; and

Southeast Lawrence Sanitary Sewer Main Benefit District No. 3 – Sanitary Sewer Improvements Resolution No. 06-32

It was determined by the Board that notice of the public hearing was duly published and mailed in accordance with K.S.A. 19-27a01 *et seq.* Comments were received by the Board. Thereafter, the Chairman adjourned the public hearing.

Thereupon, an Assessment Resolution was presented entitled:

AN ASSESSMENT RESOLUTION LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN DOUGLAS COUNTY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. 06-30, 06-31 AND 06-32 OF THE COUNTY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

The Assessment Resolution was considered and discussed and on motion of Commissioner _____, seconded by Commissioner _____ the Assessment Resolution as a whole was adopted by the following roll call vote:

Yes: _____.

No: _____.

Thereupon, a majority of the members of the Board having voted in favor of the adoption of the Assessment Resolution, it was given No. 09-__, was signed by the Commissioners and attested by the County Clerk; and the County Clerk was ordered to cause the Assessment Resolution to be published one time in the official County newspaper as required by law, and to cause to be mailed a Notice of Assessment to each and all of the known property owners affected thereby on the same date that the Assessment Resolution is published.

(other business)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Board of County Commissioners of Douglas County, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

County Clerk

(Published in *The Lawrence Daily Journal-World*, on June 29, 2009.)

ASSESSMENT RESOLUTION NO. 09-__

AN ASSESSMENT RESOLUTION LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN DOUGLAS COUNTY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. 06-30. 06-31 AND 06-32 OF THE COUNTY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the Board of County Commissioners (the "Board") of Douglas County, Kansas (the "County") has heretofore authorized certain internal improvements (the "Improvements") to be constructed pursuant to K.S.A. 19-27a01 *et seq.* (the "Act"); and

WHEREAS, the Board has heretofore conducted a public hearing in accordance with the Act and desires to levy assessments on certain property benefited by the construction of the Improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

SECTION 1. Levy of Assessments - Southeast Lawrence Sanitary Sewer Main Benefit District No. 1. For the purpose of paying the costs of the following described Improvements:

Resolution No. 06-30

Construct a sanitary sewer pump station northeast of N 1300 Rd. (31st St.) and E 1700 Rd. (Kitsmiller Rd.) and force main from the pump station to existing City of Lawrence pump station No. 25 and related appurtenances;

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the County Counselor) against the property described on *Exhibit A* attached hereto, which is the same property described in *Section 1(b)* of Resolution No. 06-30, as modified by platting and land transfers. Said amounts were calculated on the basis set forth in *Section 1(e)* of Resolution No. 06-30 of the County.

SECTION 2. Levy of Assessments - Southeast Lawrence Sanitary Sewer Main Benefit District No. 2. For the purpose of paying the costs of the following described Improvements:

Resolution No. 06-31

Construct a sanitary sewer pump station northeast of N 1300 Rd. (31st St.) and E 1700 Rd. (Kitsmiller Rd.) and force main from the pump station to existing City of Lawrence pump station No. 25 and related appurtenances;

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the County Counselor) against the property described on *Exhibit A* attached hereto, which is the same property described in *Section 1(b)* of Resolution No. 06-31, as modified by platting and land transfers. Said amounts were calculated on the basis set forth in *Section 1(e)* of Resolution No. 06-31 of the County.

SECTION 3. Levy of Assessments - Southeast Lawrence Sanitary Sewer Main Benefit District No. 3. For the purpose of paying the costs of the following described Improvements:

Resolution No. 06-32

Construct a sanitary sewer trunk main from E 1650 Rd. to Fairfield Farms East Addition No. 1, with removal of 2 City of Lawrence pump stations and related appurtenances;

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the County Counselor) against the property described on *Exhibit A* attached hereto, which is the same property described in *Section 1(b)* of Resolution No. 06-32, as modified by platting and land transfers. Said amounts were calculated on the basis set forth in *Section 1(e)* of Resolution No. 06-32 of the County.

SECTION 4. Payment of Assessments. The amounts so levied and assessed in *Sections 1, 2 and 3* of this Assessment Resolution shall be due and payable from and after the date of publication of this Assessment Resolution. Such amounts may be paid in whole or in part on or before July 22, 2009.

SECTION 5. Notification. The County Clerk shall notify the owners of the properties described on *Exhibits A, B and C* attached hereto insofar as known to said County Clerk, of the amounts of their respective assessments; and, said notice shall further state that unless such assessments are paid on or before July 22, 2009, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

SECTION 6. Certification. Any amount of special assessments not paid within the time prescribed in *Section 4* hereof shall be certified by the County Clerk, in the same manner and at the same time as other taxes are certified and will be collected over a period of 20 years, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Assessment Resolution and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

SECTION 7. Effective Date. This Assessment Resolution shall take effect and be in force from and after its adoption and publication once in the official County newspaper.

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ADOPTED by the Board of County Commissioners of Douglas County, Kansas, on June 24, 2009.

(SEAL)

Nancy Thellman, Chairman – 2nd District

Mike Gaughan, Commissioner – 1st District

Jim Flory, Commissioner – 3rd District

ATTEST:

Jameson D. Shew, County Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original assessment resolution; that said Assessment Resolution was passed on June 24, 2009; that the record of the final vote on its passage is found on page ____ of journal ____; and that it was published in *The Lawrence Daily Journal-World* on June 29, 2009.

DATED: June 29, 2009.

Jameson D. Shew, County Clerk

EXHIBIT A

**DOUGLAS COUNTY, KANSAS
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 1
RESOLUTION NO. 06-30**

Legal Description	Pin Number	Amount
Unplatted Parcel A, described as follows: The South Half of the North Half of the Northwest Quarter of the Southwest Quarter (S ½ N ½ NW ¼ SW ¼) of Section 9, Township 13 South, Range 20 East of the Sixth Principal Meridian, City of Lawrence, Douglas County, Kansas	102-09-0-00-00-008.00-0	\$ 73,355.97
Unplatted Parcel B, described as follows: 2.955A 9-13-20 N 195 FT OF SW 1/4 SW 1/4 NW 1/4 WW35 (DIV 1983 800830)	102-09-0-00-00-005.00-0	25,373.44
Unplatted Parcel B, described as follows: 5.545A 9-13-20 SW 1/4 SW 1/4 NW 1/4, LESS N 195 FT THEREOF, LESS 1.5A AFFD 470/400 WW35 (DIV 1992 800830A)	102-09-0-00-00-006.00-0	48,031.63
Unplatted Parcel B, described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 9, Township 13 South, Range 20, East of the 6th P.M., thence North 0°30'32" West along the West line of said Quarter, 209.19 feet for a point of beginning; thence continuing North 0°30'32" West, 255.50 feet; thence South 89°49'44" East, 256.00 feet; thence South 0°30'32" East, 255.50 thence North 89°49'44" West, 256.00 feet to the point of beginning, all in Douglas, County, Kansas	102-09-0-00-00-006.01-0	12,108.59
Fairfield Farms East Add No. 1, Block 1, Lot 1	102-09-0-20-11-001.00-0	3,869.12
Fairfield Farms East Add No. 1, Block 1, Lot 2	102-09-0-20-11-002.00-0	2,875.33
Fairfield Farms East Add No. 1, Block 1, Lot 3	102-09-0-20-11-003.00-0	2,875.09
Fairfield Farms East Add No. 1, Block 1, Lot 4	102-09-0-20-11-004.00-0	2,874.84
Fairfield Farms East Add No. 1, Block 1, Lot 5	102-09-0-20-11-005.00-0	2,874.59
Fairfield Farms East Add No. 1, Block 1, Lot 6	102-09-0-20-11-006.00-0	2,675.33
Fairfield Farms East Add No. 1, Block 1, Lot 7	102-09-0-20-11-007.00-0	2,520.34
Fairfield Farms East Add No. 1, Block 10, Lot 1	102-09-0-20-16-001.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 10, Lot 2	102-09-0-20-16-002.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 3	102-09-0-20-16-003.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 4	102-09-0-20-16-004.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 5	102-09-0-20-16-005.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 6	102-09-0-20-16-006.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 7	102-09-0-20-16-007.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 8	102-09-0-20-16-008.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 9	102-09-0-20-16-009.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 10, Lot 10	102-09-0-20-16-010.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 10, Lot 11	102-09-0-20-16-011.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 12	102-09-0-20-16-012.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 13	102-09-0-20-16-013.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 14	102-09-0-20-16-014.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 15	102-09-0-20-16-015.00-0	2,089.40

Fairfield Farms East Add No. 1, Block 10, Lot 16	102-09-0-20-16-016.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 17	102-09-0-20-16-017.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 10, Lot 18	102-09-0-20-16-018.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 11, Lot 1	102-09-0-20-13-001.00-0	2,785.86
Fairfield Farms East Add No. 1, Block 11, Lot 2	102-09-0-20-13-002.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 3	102-09-0-20-13-003.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 4	102-09-0-20-13-004.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 5	102-09-0-20-13-005.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 6	102-09-0-20-13-006.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 7	102-09-0-20-13-007.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 8	102-09-0-20-13-008.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 9	102-09-0-20-13-009.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 11, Lot 10	102-09-0-20-13-010.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 11, Lot 11	102-09-0-20-13-011.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 12	102-09-0-20-13-012.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 13	102-09-0-20-13-013.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 14	102-09-0-20-13-014.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 15	102-09-0-20-13-015.00-0	2,089.41
Fairfield Farms East Add No. 1, Block 11, Lot 16	102-09-0-20-13-016.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 17	102-09-0-20-13-017.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 11, Lot 18	102-09-0-20-13-018.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 12, Lot 1	102-09-0-20-09-001.00-0	3,308.22
Fairfield Farms East Add No. 1, Block 12, Lot 2	102-09-0-20-09-002.00-0	2,716.22
Fairfield Farms East Add No. 1, Block 12, Lot 3	102-09-0-20-09-003.00-0	2,716.22
Fairfield Farms East Add No. 1, Block 12, Lot 4	102-09-0-20-09-004.00-0	2,716.22
Fairfield Farms East Add No. 1, Block 12, Lot 5	102-09-0-20-09-005.00-0	2,716.22
Fairfield Farms East Add No. 1, Block 12, Lot 6	102-09-0-20-09-006.00-0	2,716.22
Fairfield Farms East Add No. 1, Block 12, Lot 7	102-09-0-20-09-007.00-0	3,308.22
Fairfield Farms East Add No. 1, Block 12, Lot 8	102-09-0-20-09-008.00-0	2,785.86
Fairfield Farms East Add No. 1, Block 12, Lot 9	102-09-0-20-09-009.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 10	102-09-0-20-09-010.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 11	102-09-0-20-09-011.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 12	102-09-0-20-09-012.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 13	102-09-0-20-09-013.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 14	102-09-0-20-09-014.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 15	102-09-0-20-09-015.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 12, Lot 16	102-09-0-20-09-016.00-0	2,785.86
Fairfield Farms East Add No. 1, Block 13, Lot 1	102-09-0-20-04-001.00-0	3,721.75
Fairfield Farms East Add No. 1, Block 13, Lot 2	102-09-0-20-04-002.00-0	3,055.75
Fairfield Farms East Add No. 1, Block 13, Lot 3	102-09-0-20-04-003.00-0	3,055.75
Fairfield Farms East Add No. 1, Block 13, Lot 4	102-09-0-20-04-004.00-0	3,055.75
Fairfield Farms East Add No. 1, Block 13, Lot 5	102-09-0-20-04-005.00-0	3,055.75
Fairfield Farms East Add No. 1, Block 13, Lot 6	102-09-0-20-04-006.00-0	3,055.75
Fairfield Farms East Add No. 1, Block 13, Lot 7	102-09-0-20-04-007.00-0	3,721.75
Fairfield Farms East Add No. 1, Block 14, Lot 1	102-09-0-20-03-001.00-0	3,591.68
Fairfield Farms East Add No. 1, Block 14, Lot 2	102-09-0-20-03-002.00-0	3,134.11
Fairfield Farms East Add No. 1, Block 14, Lot 3	102-09-0-20-03-003.00-0	3,134.10
Fairfield Farms East Add No. 1, Block 14, Lot 4	102-09-0-20-03-004.00-0	3,134.10
Fairfield Farms East Add No. 1, Block 14, Lot 5	102-09-0-20-03-005.00-0	3,134.10
Fairfield Farms East Add No. 1, Block 14, Lot 6	102-09-0-20-03-006.00-0	3,134.10
Fairfield Farms East Add No. 1, Block 14, Lot 7	102-09-0-20-03-007.00-0	3,074.11

Fairfield Farms East Add No. 1, Block 14, Lot 8	102-09-0-20-03-008.00-0	3,716.19
Fairfield Farms East Add No. 1, Block 14, Lot 9	102-09-0-20-03-009.00-0	3,537.71
Fairfield Farms East Add No. 1, Block 14, Lot 10	102-09-0-20-03-010.00-0	2,673.13
Fairfield Farms East Add No. 1, Block 14, Lot 11	102-09-0-20-03-011.00-0	2,742.25
Fairfield Farms East Add No. 1, Block 14, Lot 12	102-09-0-20-03-012.00-0	3,404.83
Fairfield Farms East Add No. 1, Block 15, Lot 1	102-09-0-20-10-001.00-0	3,058.54
Fairfield Farms East Add No. 1, Block 15, Lot 2	102-09-0-20-10-002.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 15, Lot 3	102-09-0-20-10-003.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 15, Lot 4	102-09-0-20-10-004.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 15, Lot 5	102-09-0-20-10-005.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 15, Lot 6	102-09-0-20-10-006.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 15, Lot 7	102-09-0-20-10-007.00-0	3,308.22
Fairfield Farms East Add No. 1, Block 15, Lot 8	102-09-0-20-10-008.00-0	2,872.93
Fairfield Farms East Add No. 1, Block 15, Lot 9	102-09-0-20-10-009.00-0	2,263.52
Fairfield Farms East Add No. 1, Block 15, Lot 10	102-09-0-20-10-010.00-0	2,263.52
Fairfield Farms East Add No. 1, Block 15, Lot 11	102-09-0-20-10-011.00-0	2,263.52
Fairfield Farms East Add No. 1, Block 15, Lot 12	102-09-0-20-10-012.00-0	2,362.06
Fairfield Farms East Add No. 1, Block 15, Lot 13	102-09-0-20-10-013.00-0	2,263.52
Fairfield Farms East Add No. 1, Block 15, Lot 14	102-09-0-20-10-014.00-0	2,263.52
Fairfield Farms East Add No. 1, Block 15, Lot 15	102-09-0-20-10-015.00-0	2,872.92
Fairfield Farms East Add No. 1, Block 2, Lot 1	102-09-0-20-12-001.00-0	2,840.27
Fairfield Farms East Add No. 1, Block 2, Lot 2	102-09-0-20-12-002.00-0	2,220.00
Fairfield Farms East Add No. 1, Block 2, Lot 3	102-09-0-20-12-003.00-0	2,229.54
Fairfield Farms East Add No. 1, Block 2, Lot 4	102-09-0-20-12-004.00-0	2,239.07
Fairfield Farms East Add No. 1, Block 2, Lot 5	102-09-0-20-12-005.00-0	2,248.61
Fairfield Farms East Add No. 1, Block 2, Lot 6	102-09-0-20-12-006.00-0	2,257.62
Fairfield Farms East Add No. 1, Block 2, Lot 7	102-09-0-20-12-007.00-0	2,259.73
Fairfield Farms East Add No. 1, Block 2, Lot 8	102-09-0-20-12-008.00-0	2,905.38
Fairfield Farms East Add No. 1, Block 2, Lot 9	102-09-0-20-12-009.00-0	2,976.69
Fairfield Farms East Add No. 1, Block 2, Lot 10	102-09-0-20-12-010.00-0	2,802.80
Fairfield Farms East Add No. 1, Block 3, Lot 1	102-09-0-20-17-001.00-0	4,373.41
Fairfield Farms East Add No. 1, Block 3, Lot 2	102-09-0-20-17-002.00-0	4,107.13
Fairfield Farms East Add No. 1, Block 3, Lot 3	102-09-0-20-17-003.00-0	4,106.28
Fairfield Farms East Add No. 1, Block 3, Lot 4	102-09-0-20-17-004.00-0	4,105.44
Fairfield Farms East Add No. 1, Block 3, Lot 5	102-09-0-20-17-005.00-0	4,104.60
Fairfield Farms East Add No. 1, Block 3, Lot 6	102-09-0-20-17-006.00-0	4,103.77
Fairfield Farms East Add No. 1, Block 3, Lot 7	102-09-0-20-17-007.00-0	4,102.92
Fairfield Farms East Add No. 1, Block 3, Lot 8	102-09-0-20-17-008.00-0	4,102.08
Fairfield Farms East Add No. 1, Block 3, Lot 9	102-09-0-20-17-009.00-0	4,101.23
Fairfield Farms East Add No. 1, Block 3, Lot 10	102-09-0-20-17-010.00-0	4,100.39
Fairfield Farms East Add No. 1, Block 3, Lot 11	102-09-0-20-17-011.00-0	4,099.55
Fairfield Farms East Add No. 1, Block 3, Lot 12	102-09-0-20-17-012.00-0	4,098.70
Fairfield Farms East Add No. 1, Block 3, Lot 13	102-09-0-20-17-013.00-0	4,097.87
Fairfield Farms East Add No. 1, Block 3, Lot 14	102-09-0-20-17-014.00-0	4,097.02
Fairfield Farms East Add No. 1, Block 3, Lot 15	102-09-0-20-17-015.00-0	4,096.18
Fairfield Farms East Add No. 1, Block 3, Lot 16	102-09-0-20-17-016.00-0	2,762.71
Fairfield Farms East Add No. 1, Block 3, Lot 17	102-09-0-20-17-017.00-0	2,202.57
Fairfield Farms East Add No. 1, Block 3, Lot 18	102-09-0-20-17-018.00-0	2,184.76
Fairfield Farms East Add No. 1, Block 4, Lot 1	102-09-0-20-06-022.00-0	2,182.93
Fairfield Farms East Add No. 1, Block 4, Lot 2	102-09-0-20-06-021.00-0	2,202.58
Fairfield Farms East Add No. 1, Block 4, Lot 3	102-09-0-20-06-020.00-0	2,760.57

Fairfield Farms East Add No. 1, Block 4, Lot 4	102-09-0-20-06-018.00-0	3,771.95
Fairfield Farms East Add No. 1, Block 4, Lot 5	102-09-0-20-06-017.00-0	3,594.30
Fairfield Farms East Add No. 1, Block 4, Lot 6	102-09-0-20-06-016.00-0	4,932.80
Fairfield Farms East Add No. 1, Block 4, Lot 7	102-09-0-20-06-015.00-0	2,977.93
Fairfield Farms East Add No. 1, Block 4, Lot 8	102-09-0-20-06-014.00-0	3,071.01
Fairfield Farms East Add No. 1, Block 4, Lot 9	102-09-0-20-06-013.00-0	3,054.99
Fairfield Farms East Add No. 1, Block 4, Lot 10	102-09-0-20-06-012.00-0	3,245.58
Fairfield Farms East Add No. 1, Block 4, Lot 11	102-09-0-20-06-011.00-0	3,227.29
Fairfield Farms East Add No. 1, Block 4, Lot 12	102-09-0-20-06-010.00-0	2,732.22
Fairfield Farms East Add No. 1, Block 4, Lot 13	102-09-0-20-06-009.00-0	2,718.98
Fairfield Farms East Add No. 1, Block 4, Lot 14	102-09-0-20-06-008.00-0	2,705.73
Fairfield Farms East Add No. 1, Block 4, Lot 15	102-09-0-20-06-007.00-0	2,692.49
Fairfield Farms East Add No. 1, Block 4, Lot 16	102-09-0-20-06-006.00-0	2,679.24
Fairfield Farms East Add No. 1, Block 4, Lot 17	102-09-0-20-06-005.00-0	3,897.88
Fairfield Farms East Add No. 1, Block 4, Lot 18	102-09-0-20-06-004.00-0	4,827.86
Fairfield Farms East Add No. 1, Block 4, Lot 19	102-09-0-20-06-003.00-0	2,921.32
Fairfield Farms East Add No. 1, Block 4, Lot 20	102-09-0-20-06-002.00-0	2,938.23
Fairfield Farms East Add No. 1, Block 4, Lot 21	102-09-0-20-06-001.00-0	3,721.75
Fairfield Farms East Add No. 1, Block 5, Lot 1	102-09-0-20-07-001.00-0	3,308.22
Fairfield Farms East Add No. 1, Block 5, Lot 2	102-09-0-20-07-002.00-0	3,308.22
Fairfield Farms East Add No. 1, Block 5, Lot 3	102-09-0-20-07-003.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 4	102-09-0-20-07-004.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 5	102-09-0-20-07-005.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 6	102-09-0-20-07-006.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 7	102-09-0-20-07-007.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 8	102-09-0-20-07-008.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 9	102-09-0-20-07-009.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 10	102-09-0-20-07-010.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 11	102-09-0-20-07-011.00-0	3,656.44
Fairfield Farms East Add No. 1, Block 5, Lot 12	102-09-0-20-07-012.00-0	3,656.44
Fairfield Farms East Add No. 1, Block 5, Lot 13	102-09-0-20-07-013.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 14	102-09-0-20-07-014.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 15	102-09-0-20-07-015.00-0	2,785.86
Fairfield Farms East Add No. 1, Block 5, Lot 16	102-09-0-20-07-016.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 17	102-09-0-20-07-017.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 18	102-09-0-20-07-018.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 19	102-09-0-20-07-019.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 5, Lot 20	102-09-0-20-07-020.00-0	2,785.87
Fairfield Farms East Add No. 1, Block 6, Lot 1	102-09-0-20-05-001.00-0	3,832.23
Fairfield Farms East Add No. 1, Block 6, Lot 2	102-09-0-20-05-002.00-0	2,938.22
Fairfield Farms East Add No. 1, Block 6, Lot 3	102-09-0-20-05-003.00-0	2,938.23
Fairfield Farms East Add No. 1, Block 6, Lot 4	102-09-0-20-05-004.00-0	2,938.23
Fairfield Farms East Add No. 1, Block 6, Lot 5	102-09-0-20-05-005.00-0	2,938.23
Fairfield Farms East Add No. 1, Block 6, Lot 6	102-09-0-20-05-006.00-0	2,938.22
Fairfield Farms East Add No. 1, Block 6, Lot 7	102-09-0-20-05-007.00-0	2,938.23
Fairfield Farms East Add No. 1, Block 6, Lot 8	102-09-0-20-05-008.00-0	3,819.69
Fairfield Farms East Add No. 1, Block 7, Lot 1	102-09-0-20-08-001.00-0	3,406.42
Fairfield Farms East Add No. 1, Block 7, Lot 2	102-09-0-20-08-002.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 7, Lot 3	102-09-0-20-08-003.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 7, Lot 4	102-09-0-20-08-004.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 7, Lot 5	102-09-0-20-08-005.00-0	2,611.75

Fairfield Farms East Add No. 1, Block 7, Lot 6	102-09-0-20-08-006.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 7, Lot 7	102-09-0-20-08-007.00-0	2,611.75
Fairfield Farms East Add No. 1, Block 7, Lot 8	102-09-0-20-08-008.00-0	3,395.28
Fairfield Farms East Add No. 1, Block 7, Lot 9	102-09-0-20-08-009.00-0	2,890.33
Fairfield Farms East Add No. 1, Block 7, Lot 10	102-09-0-20-08-010.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 11	102-09-0-20-08-011.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 12	102-09-0-20-08-012.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 13	102-09-0-20-08-013.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 14	102-09-0-20-08-014.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 15	102-09-0-20-08-015.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 16	102-09-0-20-08-016.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 17	102-09-0-20-08-017.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 7, Lot 18	102-09-0-20-08-018.00-0	2,866.66
Fairfield Farms East Add No. 1, Block 8, Lot 1	102-09-0-20-14-001.00-0	2,866.65
Fairfield Farms East Add No. 1, Block 8, Lot 2	102-09-0-20-14-002.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 3	102-09-0-20-14-003.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 4	102-09-0-20-14-004.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 5	102-09-0-20-14-005.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 6	102-09-0-20-14-006.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 7	102-09-0-20-14-007.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 8	102-09-0-20-14-008.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 9	102-09-0-20-14-009.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 10	102-09-0-20-14-010.00-0	2,890.33
Fairfield Farms East Add No. 1, Block 8, Lot 11	102-09-0-20-14-011.00-0	2,890.34
Fairfield Farms East Add No. 1, Block 8, Lot 12	102-09-0-20-14-012.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 13	102-09-0-20-14-013.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 14	102-09-0-20-14-014.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 15	102-09-0-20-14-015.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 16	102-09-0-20-14-016.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 17	102-09-0-20-14-017.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 18	102-09-0-20-14-018.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 19	102-09-0-20-14-019.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 8, Lot 20	102-09-0-20-14-020.00-0	2,866.65
Fairfield Farms East Add No. 1, Block 9, Lot 1	102-09-0-20-15-001.00-0	2,866.66
Fairfield Farms East Add No. 1, Block 9, Lot 2	102-09-0-20-15-002.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 3	102-09-0-20-15-003.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 4	102-09-0-20-15-004.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 5	102-09-0-20-15-005.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 6	102-09-0-20-15-006.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 7	102-09-0-20-15-007.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 8	102-09-0-20-15-008.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 9	102-09-0-20-15-009.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 10	102-09-0-20-15-010.00-0	2,890.34
Fairfield Farms East Add No. 1, Block 9, Lot 11	102-09-0-20-15-011.00-0	2,890.34
Fairfield Farms East Add No. 1, Block 9, Lot 12	102-09-0-20-15-012.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 13	102-09-0-20-15-013.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 14	102-09-0-20-15-014.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 15	102-09-0-20-15-015.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 16	102-09-0-20-15-016.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 17	102-09-0-20-15-017.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 18	102-09-0-20-15-018.00-0	2,089.40

Fairfield Farms East Add No. 1, Block 9, Lot 19	102-09-0-20-15-019.00-0	2,089.40
Fairfield Farms East Add No. 1, Block 9, Lot 20	102-09-0-20-15-020.00-0	2,866.66
Fairfield Farms East Add No. 2, Block 1, Lot 1	102-09-0-20-01-001.00-0	66,742.24
Fairfield Farms East Add No. 2, Block 1, Lot 2	102-09-0-20-01-003.00-0	14,042.22
Fairfield Farms East Add No. 2, Block 1, Lot 3	102-09-0-20-01-004.00-0	14,042.22
Fairfield Farms East Add No. 2, Block 1, Lot 4	102-09-0-20-01-005.00-0	15,116.24
Fairfield Farms East Add No. 2, Block 1, Lot 5	102-09-0-20-01-006.00-0	19,171.00
Fairfield Farms East Add No. 2, Block 2, Lot 1	102-09-0-20-02-002.00-0	274,275.62
Fairfield Farms West Add, Block 1, Lot 3	103-08-0-10-24-003.00-0	146,302.13
Fairfield Farms West Add No. 2, Block 1, Lot 1	103-08-0-10-24-001.00-0	15,299.57
Fairfield Farms West Add No. 2, Block 1, Lot 2	103-08-0-10-24-002.00-0	10,518.45
Fairfield Farms West Add No. 2, Block 1, Lot 3	103-08-0-10-24-002.01-0	10,518.45
TOTAL		\$1,366,032.93

EXHIBIT B

**DOUGLAS COUNTY, KANSAS
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 2
RESOLUTION NO. 06-31**

Legal Description	Pin Number	Amount
Unplatted Parcel A, described as follows: The South Half of the North Half of the Northwest Quarter of the Southwest Quarter (S ½ N ½ NW ¼ SW ¼) of Section 9, Township 13 South, Range 20 East of the Sixth Principal Meridian, City of Lawrence, Douglas County, Kansas	102-09-0-00-00-008.00-0	\$25,791.67
Unplatted Parcel B, described as follows: 2.955A 9-13-20 N 195 FT OF SW ¼ SW ¼ NW ¼ WW35 (DIV 1983 800830)	102-09-0-00-00-005.00-0	8,921.20
Unplatted Parcel B, described as follows: 5.545A 9-13-20 SW ¼ SW ¼ NW ¼, LESS N 195 FT THEREOF, LESS 1.5A AFFD 470/400 WW35 (DIV 1992 800830A)	102-09-0-00-00-006.00-0	16,887.73
Unplatted Parcel B, described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 9, Township 13 South, Range 20, East of the 6th P.M., thence North 0°30'32" West along the West line of said Quarter, 209.19 feet for a point of beginning; thence continuing North 0°30'32" West, 255.50 feet; thence South 89°49'44" East, 256.00 feet; thence South 0°30'32" East, 255.50 thence North 89°49'44" West, 256.00 feet to the point of beginning, all in Douglas, County, Kansas	102-09-0-00-00-006.01-0	4,257.33
Fairfield Farms East Add No. 1, Block 1, Lot 1	102-09-0-20-11-001.00-0	1,360.37
Fairfield Farms East Add No. 1, Block 1, Lot 2	102-09-0-20-11-002.00-0	1,010.96
Fairfield Farms East Add No. 1, Block 1, Lot 3	102-09-0-20-11-003.00-0	1,010.87
Fairfield Farms East Add No. 1, Block 1, Lot 4	102-09-0-20-11-004.00-0	1,010.78
Fairfield Farms East Add No. 1, Block 1, Lot 5	102-09-0-20-11-005.00-0	1,010.70
Fairfield Farms East Add No. 1, Block 1, Lot 6	102-09-0-20-11-006.00-0	940.64
Fairfield Farms East Add No. 1, Block 1, Lot 7	102-09-0-20-11-007.00-0	886.14
Fairfield Farms East Add No. 1, Block 10, Lot 1	102-09-0-20-16-001.00-0	979.50
Fairfield Farms East Add No. 1, Block 10, Lot 2	102-09-0-20-16-002.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 3	102-09-0-20-16-003.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 4	102-09-0-20-16-004.00-0	734.63
Fairfield Farms East Add No. 1, Block 10, Lot 5	102-09-0-20-16-005.00-0	734.63
Fairfield Farms East Add No. 1, Block 10, Lot 6	102-09-0-20-16-006.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 7	102-09-0-20-16-007.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 8	102-09-0-20-16-008.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 9	102-09-0-20-16-009.00-0	979.50
Fairfield Farms East Add No. 1, Block 10, Lot 10	102-09-0-20-16-010.00-0	979.50
Fairfield Farms East Add No. 1, Block 10, Lot 11	102-09-0-20-16-011.00-0	734.63
Fairfield Farms East Add No. 1, Block 10, Lot 12	102-09-0-20-16-012.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 13	102-09-0-20-16-013.00-0	734.63
Fairfield Farms East Add No. 1, Block 10, Lot 14	102-09-0-20-16-014.00-0	734.63
Fairfield Farms East Add No. 1, Block 10, Lot 15	102-09-0-20-16-015.00-0	734.63

Fairfield Farms East Add No. 1, Block 10, Lot 16	102-09-0-20-16-016.00-0	734.63
Fairfield Farms East Add No. 1, Block 10, Lot 17	102-09-0-20-16-017.00-0	734.62
Fairfield Farms East Add No. 1, Block 10, Lot 18	102-09-0-20-16-018.00-0	979.50
Fairfield Farms East Add No. 1, Block 11, Lot 1	102-09-0-20-13-001.00-0	979.50
Fairfield Farms East Add No. 1, Block 11, Lot 2	102-09-0-20-13-002.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 3	102-09-0-20-13-003.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 4	102-09-0-20-13-004.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 5	102-09-0-20-13-005.00-0	734.62
Fairfield Farms East Add No. 1, Block 11, Lot 6	102-09-0-20-13-006.00-0	734.62
Fairfield Farms East Add No. 1, Block 11, Lot 7	102-09-0-20-13-007.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 8	102-09-0-20-13-008.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 9	102-09-0-20-13-009.00-0	979.50
Fairfield Farms East Add No. 1, Block 11, Lot 10	102-09-0-20-13-010.00-0	979.50
Fairfield Farms East Add No. 1, Block 11, Lot 11	102-09-0-20-13-011.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 12	102-09-0-20-13-012.00-0	734.62
Fairfield Farms East Add No. 1, Block 11, Lot 13	102-09-0-20-13-013.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 14	102-09-0-20-13-014.00-0	734.62
Fairfield Farms East Add No. 1, Block 11, Lot 15	102-09-0-20-13-015.00-0	734.63
Fairfield Farms East Add No. 1, Block 11, Lot 16	102-09-0-20-13-016.00-0	734.62
Fairfield Farms East Add No. 1, Block 11, Lot 17	102-09-0-20-13-017.00-0	734.62
Fairfield Farms East Add No. 1, Block 11, Lot 18	102-09-0-20-13-018.00-0	979.50
Fairfield Farms East Add No. 1, Block 12, Lot 1	102-09-0-20-09-001.00-0	1,163.16
Fairfield Farms East Add No. 1, Block 12, Lot 2	102-09-0-20-09-002.00-0	955.01
Fairfield Farms East Add No. 1, Block 12, Lot 3	102-09-0-20-09-003.00-0	955.01
Fairfield Farms East Add No. 1, Block 12, Lot 4	102-09-0-20-09-004.00-0	955.01
Fairfield Farms East Add No. 1, Block 12, Lot 5	102-09-0-20-09-005.00-0	955.01
Fairfield Farms East Add No. 1, Block 12, Lot 6	102-09-0-20-09-006.00-0	955.01
Fairfield Farms East Add No. 1, Block 12, Lot 7	102-09-0-20-09-007.00-0	1,163.16
Fairfield Farms East Add No. 1, Block 12, Lot 8	102-09-0-20-09-008.00-0	979.50
Fairfield Farms East Add No. 1, Block 12, Lot 9	102-09-0-20-09-009.00-0	734.62
Fairfield Farms East Add No. 1, Block 12, Lot 10	102-09-0-20-09-010.00-0	734.63
Fairfield Farms East Add No. 1, Block 12, Lot 11	102-09-0-20-09-011.00-0	734.62
Fairfield Farms East Add No. 1, Block 12, Lot 12	102-09-0-20-09-012.00-0	734.62
Fairfield Farms East Add No. 1, Block 12, Lot 13	102-09-0-20-09-013.00-0	734.62
Fairfield Farms East Add No. 1, Block 12, Lot 14	102-09-0-20-09-014.00-0	734.62
Fairfield Farms East Add No. 1, Block 12, Lot 15	102-09-0-20-09-015.00-0	734.62
Fairfield Farms East Add No. 1, Block 12, Lot 16	102-09-0-20-09-016.00-0	979.50
Fairfield Farms East Add No. 1, Block 13, Lot 1	102-09-0-20-04-001.00-0	1,308.55
Fairfield Farms East Add No. 1, Block 13, Lot 2	102-09-0-20-04-002.00-0	1,074.39
Fairfield Farms East Add No. 1, Block 13, Lot 3	102-09-0-20-04-003.00-0	1,074.39
Fairfield Farms East Add No. 1, Block 13, Lot 4	102-09-0-20-04-004.00-0	1,074.39
Fairfield Farms East Add No. 1, Block 13, Lot 5	102-09-0-20-04-005.00-0	1,074.39
Fairfield Farms East Add No. 1, Block 13, Lot 6	102-09-0-20-04-006.00-0	1,074.39
Fairfield Farms East Add No. 1, Block 13, Lot 7	102-09-0-20-04-007.00-0	1,308.55
Fairfield Farms East Add No. 1, Block 14, Lot 1	102-09-0-20-03-001.00-0	1,262.82
Fairfield Farms East Add No. 1, Block 14, Lot 2	102-09-0-20-03-002.00-0	1,101.94
Fairfield Farms East Add No. 1, Block 14, Lot 3	102-09-0-20-03-003.00-0	1,101.94
Fairfield Farms East Add No. 1, Block 14, Lot 4	102-09-0-20-03-004.00-0	1,101.94
Fairfield Farms East Add No. 1, Block 14, Lot 5	102-09-0-20-03-005.00-0	1,101.94
Fairfield Farms East Add No. 1, Block 14, Lot 6	102-09-0-20-03-006.00-0	1,101.94
Fairfield Farms East Add No. 1, Block 14, Lot 7	102-09-0-20-03-007.00-0	1,080.85

Fairfield Farms East Add No. 1, Block 14, Lot 8	102-09-0-20-03-008.00-0	1,306.60
Fairfield Farms East Add No. 1, Block 14, Lot 9	102-09-0-20-03-009.00-0	1,243.85
Fairfield Farms East Add No. 1, Block 14, Lot 10	102-09-0-20-03-010.00-0	939.86
Fairfield Farms East Add No. 1, Block 14, Lot 11	102-09-0-20-03-011.00-0	964.17
Fairfield Farms East Add No. 1, Block 14, Lot 12	102-09-0-20-03-012.00-0	1,197.13
Fairfield Farms East Add No. 1, Block 15, Lot 1	102-09-0-20-10-001.00-0	1,075.37
Fairfield Farms East Add No. 1, Block 15, Lot 2	102-09-0-20-10-002.00-0	918.28
Fairfield Farms East Add No. 1, Block 15, Lot 3	102-09-0-20-10-003.00-0	918.28
Fairfield Farms East Add No. 1, Block 15, Lot 4	102-09-0-20-10-004.00-0	918.28
Fairfield Farms East Add No. 1, Block 15, Lot 5	102-09-0-20-10-005.00-0	918.28
Fairfield Farms East Add No. 1, Block 15, Lot 6	102-09-0-20-10-006.00-0	918.28
Fairfield Farms East Add No. 1, Block 15, Lot 7	102-09-0-20-10-007.00-0	1,163.16
Fairfield Farms East Add No. 1, Block 15, Lot 8	102-09-0-20-10-008.00-0	1,010.11
Fairfield Farms East Add No. 1, Block 15, Lot 9	102-09-0-20-10-009.00-0	795.84
Fairfield Farms East Add No. 1, Block 15, Lot 10	102-09-0-20-10-010.00-0	795.84
Fairfield Farms East Add No. 1, Block 15, Lot 11	102-09-0-20-10-011.00-0	795.84
Fairfield Farms East Add No. 1, Block 15, Lot 12	102-09-0-20-10-012.00-0	830.49
Fairfield Farms East Add No. 1, Block 15, Lot 13	102-09-0-20-10-013.00-0	795.84
Fairfield Farms East Add No. 1, Block 15, Lot 14	102-09-0-20-10-014.00-0	795.84
Fairfield Farms East Add No. 1, Block 15, Lot 15	102-09-0-20-10-015.00-0	1,010.11
Fairfield Farms East Add No. 1, Block 2, Lot 1	102-09-0-20-12-001.00-0	998.63
Fairfield Farms East Add No. 1, Block 2, Lot 2	102-09-0-20-12-002.00-0	780.54
Fairfield Farms East Add No. 1, Block 2, Lot 3	102-09-0-20-12-003.00-0	783.90
Fairfield Farms East Add No. 1, Block 2, Lot 4	102-09-0-20-12-004.00-0	787.25
Fairfield Farms East Add No. 1, Block 2, Lot 5	102-09-0-20-12-005.00-0	790.60
Fairfield Farms East Add No. 1, Block 2, Lot 6	102-09-0-20-12-006.00-0	793.77
Fairfield Farms East Add No. 1, Block 2, Lot 7	102-09-0-20-12-007.00-0	794.51
Fairfield Farms East Add No. 1, Block 2, Lot 8	102-09-0-20-12-008.00-0	1,021.52
Fairfield Farms East Add No. 1, Block 2, Lot 9	102-09-0-20-12-009.00-0	1,046.59
Fairfield Farms East Add No. 1, Block 2, Lot 10	102-09-0-20-12-010.00-0	985.45
Fairfield Farms East Add No. 1, Block 3, Lot 1	102-09-0-20-17-001.00-0	1,537.67
Fairfield Farms East Add No. 1, Block 3, Lot 2	102-09-0-20-17-002.00-0	1,444.05
Fairfield Farms East Add No. 1, Block 3, Lot 3	102-09-0-20-17-003.00-0	1,443.75
Fairfield Farms East Add No. 1, Block 3, Lot 4	102-09-0-20-17-004.00-0	1,443.46
Fairfield Farms East Add No. 1, Block 3, Lot 5	102-09-0-20-17-005.00-0	1,443.16
Fairfield Farms East Add No. 1, Block 3, Lot 6	102-09-0-20-17-006.00-0	1,442.87
Fairfield Farms East Add No. 1, Block 3, Lot 7	102-09-0-20-17-007.00-0	1,442.57
Fairfield Farms East Add No. 1, Block 3, Lot 8	102-09-0-20-17-008.00-0	1,442.27
Fairfield Farms East Add No. 1, Block 3, Lot 9	102-09-0-20-17-009.00-0	1,441.98
Fairfield Farms East Add No. 1, Block 3, Lot 10	102-09-0-20-17-010.00-0	1,441.68
Fairfield Farms East Add No. 1, Block 3, Lot 11	102-09-0-20-17-011.00-0	1,441.38
Fairfield Farms East Add No. 1, Block 3, Lot 12	102-09-0-20-17-012.00-0	1,441.09
Fairfield Farms East Add No. 1, Block 3, Lot 13	102-09-0-20-17-013.00-0	1,440.79
Fairfield Farms East Add No. 1, Block 3, Lot 14	102-09-0-20-17-014.00-0	1,440.50
Fairfield Farms East Add No. 1, Block 3, Lot 15	102-09-0-20-17-015.00-0	1,440.20
Fairfield Farms East Add No. 1, Block 3, Lot 16	102-09-0-20-17-016.00-0	971.36
Fairfield Farms East Add No. 1, Block 3, Lot 17	102-09-0-20-17-017.00-0	774.42
Fairfield Farms East Add No. 1, Block 3, Lot 18	102-09-0-20-17-018.00-0	768.15
Fairfield Farms East Add No. 1, Block 4, Lot 1	102-09-0-20-06-022.00-0	767.51
Fairfield Farms East Add No. 1, Block 4, Lot 2	102-09-0-20-06-021.00-0	774.42
Fairfield Farms East Add No. 1, Block 4, Lot 3	102-09-0-20-06-020.00-0	970.60

Fairfield Farms East Add No. 1, Block 4, Lot 4	102-09-0-20-06-018.00-0	1,326.20
Fairfield Farms East Add No. 1, Block 4, Lot 5	102-09-0-20-06-017.00-0	1,263.74
Fairfield Farms East Add No. 1, Block 4, Lot 6	102-09-0-20-06-016.00-0	1,734.35
Fairfield Farms East Add No. 1, Block 4, Lot 7	102-09-0-20-06-015.00-0	1,047.03
Fairfield Farms East Add No. 1, Block 4, Lot 8	102-09-0-20-06-014.00-0	1,079.76
Fairfield Farms East Add No. 1, Block 4, Lot 9	102-09-0-20-06-013.00-0	1,074.12
Fairfield Farms East Add No. 1, Block 4, Lot 10	102-09-0-20-06-012.00-0	1,141.13
Fairfield Farms East Add No. 1, Block 4, Lot 11	102-09-0-20-06-011.00-0	1,134.70
Fairfield Farms East Add No. 1, Block 4, Lot 12	102-09-0-20-06-010.00-0	960.64
Fairfield Farms East Add No. 1, Block 4, Lot 13	102-09-0-20-06-009.00-0	955.98
Fairfield Farms East Add No. 1, Block 4, Lot 14	102-09-0-20-06-008.00-0	951.33
Fairfield Farms East Add No. 1, Block 4, Lot 15	102-09-0-20-06-007.00-0	946.67
Fairfield Farms East Add No. 1, Block 4, Lot 16	102-09-0-20-06-006.00-0	942.01
Fairfield Farms East Add No. 1, Block 4, Lot 17	102-09-0-20-06-005.00-0	1,370.48
Fairfield Farms East Add No. 1, Block 4, Lot 18	102-09-0-20-06-004.00-0	1,697.46
Fairfield Farms East Add No. 1, Block 4, Lot 19	102-09-0-20-06-003.00-0	1,027.13
Fairfield Farms East Add No. 1, Block 4, Lot 20	102-09-0-20-06-002.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 4, Lot 21	102-09-0-20-06-001.00-0	1,308.55
Fairfield Farms East Add No. 1, Block 5, Lot 1	102-09-0-20-07-001.00-0	1,163.16
Fairfield Farms East Add No. 1, Block 5, Lot 2	102-09-0-20-07-002.00-0	1,163.16
Fairfield Farms East Add No. 1, Block 5, Lot 3	102-09-0-20-07-003.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 4	102-09-0-20-07-004.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 5	102-09-0-20-07-005.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 6	102-09-0-20-07-006.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 7	102-09-0-20-07-007.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 8	102-09-0-20-07-008.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 9	102-09-0-20-07-009.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 10	102-09-0-20-07-010.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 11	102-09-0-20-07-011.00-0	1,285.59
Fairfield Farms East Add No. 1, Block 5, Lot 12	102-09-0-20-07-012.00-0	1,285.59
Fairfield Farms East Add No. 1, Block 5, Lot 13	102-09-0-20-07-013.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 14	102-09-0-20-07-014.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 15	102-09-0-20-07-015.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 16	102-09-0-20-07-016.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 17	102-09-0-20-07-017.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 18	102-09-0-20-07-018.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 19	102-09-0-20-07-019.00-0	979.50
Fairfield Farms East Add No. 1, Block 5, Lot 20	102-09-0-20-07-020.00-0	979.50
Fairfield Farms East Add No. 1, Block 6, Lot 1	102-09-0-20-05-001.00-0	1,347.40
Fairfield Farms East Add No. 1, Block 6, Lot 2	102-09-0-20-05-002.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 6, Lot 3	102-09-0-20-05-003.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 6, Lot 4	102-09-0-20-05-004.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 6, Lot 5	102-09-0-20-05-005.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 6, Lot 6	102-09-0-20-05-006.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 6, Lot 7	102-09-0-20-05-007.00-0	1,033.07
Fairfield Farms East Add No. 1, Block 6, Lot 8	102-09-0-20-05-008.00-0	1,342.99
Fairfield Farms East Add No. 1, Block 7, Lot 1	102-09-0-20-08-001.00-0	1,197.68
Fairfield Farms East Add No. 1, Block 7, Lot 2	102-09-0-20-08-002.00-0	918.28
Fairfield Farms East Add No. 1, Block 7, Lot 3	102-09-0-20-08-003.00-0	918.28
Fairfield Farms East Add No. 1, Block 7, Lot 4	102-09-0-20-08-004.00-0	918.28
Fairfield Farms East Add No. 1, Block 7, Lot 5	102-09-0-20-08-005.00-0	918.28

Fairfield Farms East Add No. 1, Block 7, Lot 6	102-09-0-20-08-006.00-0	918.28
Fairfield Farms East Add No. 1, Block 7, Lot 7	102-09-0-20-08-007.00-0	918.28
Fairfield Farms East Add No. 1, Block 7, Lot 8	102-09-0-20-08-008.00-0	1,193.77
Fairfield Farms East Add No. 1, Block 7, Lot 9	102-09-0-20-08-009.00-0	1,016.23
Fairfield Farms East Add No. 1, Block 7, Lot 10	102-09-0-20-08-010.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 11	102-09-0-20-08-011.00-0	734.63
Fairfield Farms East Add No. 1, Block 7, Lot 12	102-09-0-20-08-012.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 13	102-09-0-20-08-013.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 14	102-09-0-20-08-014.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 15	102-09-0-20-08-015.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 16	102-09-0-20-08-016.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 17	102-09-0-20-08-017.00-0	734.62
Fairfield Farms East Add No. 1, Block 7, Lot 18	102-09-0-20-08-018.00-0	1,007.91
Fairfield Farms East Add No. 1, Block 8, Lot 1	102-09-0-20-14-001.00-0	1,007.90
Fairfield Farms East Add No. 1, Block 8, Lot 2	102-09-0-20-14-002.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 3	102-09-0-20-14-003.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 4	102-09-0-20-14-004.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 5	102-09-0-20-14-005.00-0	734.63
Fairfield Farms East Add No. 1, Block 8, Lot 6	102-09-0-20-14-006.00-0	734.63
Fairfield Farms East Add No. 1, Block 8, Lot 7	102-09-0-20-14-007.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 8	102-09-0-20-14-008.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 9	102-09-0-20-14-009.00-0	734.63
Fairfield Farms East Add No. 1, Block 8, Lot 10	102-09-0-20-14-010.00-0	1,016.23
Fairfield Farms East Add No. 1, Block 8, Lot 11	102-09-0-20-14-011.00-0	1,016.23
Fairfield Farms East Add No. 1, Block 8, Lot 12	102-09-0-20-14-012.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 13	102-09-0-20-14-013.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 14	102-09-0-20-14-014.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 15	102-09-0-20-14-015.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 16	102-09-0-20-14-016.00-0	734.63
Fairfield Farms East Add No. 1, Block 8, Lot 17	102-09-0-20-14-017.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 18	102-09-0-20-14-018.00-0	734.62
Fairfield Farms East Add No. 1, Block 8, Lot 19	102-09-0-20-14-019.00-0	734.63
Fairfield Farms East Add No. 1, Block 8, Lot 20	102-09-0-20-14-020.00-0	1,007.90
Fairfield Farms East Add No. 1, Block 9, Lot 1	102-09-0-20-15-001.00-0	1,007.91
Fairfield Farms East Add No. 1, Block 9, Lot 2	102-09-0-20-15-002.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 3	102-09-0-20-15-003.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 4	102-09-0-20-15-004.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 5	102-09-0-20-15-005.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 6	102-09-0-20-15-006.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 7	102-09-0-20-15-007.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 8	102-09-0-20-15-008.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 9	102-09-0-20-15-009.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 10	102-09-0-20-15-010.00-0	1,016.23
Fairfield Farms East Add No. 1, Block 9, Lot 11	102-09-0-20-15-011.00-0	1,016.23
Fairfield Farms East Add No. 1, Block 9, Lot 12	102-09-0-20-15-012.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 13	102-09-0-20-15-013.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 14	102-09-0-20-15-014.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 15	102-09-0-20-15-015.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 16	102-09-0-20-15-016.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 17	102-09-0-20-15-017.00-0	734.62
Fairfield Farms East Add No. 1, Block 9, Lot 18	102-09-0-20-15-018.00-0	734.63

Fairfield Farms East Add No. 1, Block 9, Lot 19	102-09-0-20-15-019.00-0	734.63
Fairfield Farms East Add No. 1, Block 9, Lot 20	102-09-0-20-15-020.00-0	1,007.91
Fairfield Farms East Add No. 2, Block 1, Lot 1	102-09-0-20-01-001.00-0	23,466.31
Fairfield Farms East Add No. 2, Block 1, Lot 2	102-09-0-20-01-003.00-0	4,937.19
Fairfield Farms East Add No. 2, Block 1, Lot 3	102-09-0-20-01-004.00-0	4,937.19
Fairfield Farms East Add No. 2, Block 1, Lot 4	102-09-0-20-01-005.00-0	5,314.81
Fairfield Farms East Add No. 2, Block 1, Lot 5	102-09-0-20-01-006.00-0	6,740.45
Fairfield Farms East Add No. 2, Block 2, Lot 1	102-09-0-20-02-002.00-0	96,434.22
Fairfield Farms West Add, Block 1, Lot 3	103-08-0-10-24-003.00-0	51,439.25
Fairfield Farms West Add No. 2, Block 1, Lot 1	103-08-0-10-24-001.00-0	5,379.27
Fairfield Farms West Add No. 2, Block 1, Lot 2	103-08-0-10-24-002.00-0	3,698.25
Fairfield Farms West Add No. 2, Block 1, Lot 3	103-08-0-10-24-002.01-0	3,698.25
TOTAL		\$480,291.74

EXHIBIT C

**DOUGLAS COUNTY, KANSAS
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 3
RESOLUTION NO. 06-32**

Legal Description	Pin Number	Amount
Unplatted Parcel A, described as follows: The South Half of the North Half of the Northwest Quarter of the Southwest Quarter (S ½ N ½ NW ¼ SW ¼) of Section 9, Township 13 South, Range 20 East of the Sixth Principal Meridian, City of Lawrence, Douglas County, Kansas	102-09-0-00-00-008.00-0	\$30,161.39
Unplatted Parcel B, described as follows: 2.955A 9-13-20 N 195 FT OF SW ¼ SW ¼ NW ¼ WW35 (DIV 1983 800830)	102-09-0-00-00-005.00-0	10,432.67
Unplatted Parcel B, described as follows: 5.545A 9-13-20 SW ¼ SW ¼ NW ¼, LESS N 195 FT THEREOF, LESS 1.5A AFFD 470/400 WW35 (DIV 1992 800830A)	102-09-0-00-00-006.00-0	19,748.91
Unplatted Parcel B, described as follows: Commencing at the Southwest corner of the Northwest Quarter of Section 9, Township 13 South, Range 20, East of the 6th P.M., thence North 0°30'32" West along the West line of said Quarter, 209.19 feet for a point of beginning; thence continuing North 0°30'32" West, 255.50 feet; thence South 89°49'44" East, 256.00 feet; thence South 0°30'32" East, 255.50 thence North 89°49'44" West, 256.00 feet to the point of beginning, all in Douglas, County, Kansas	102-09-0-00-00-006.01-0	4,978.63
Fairfield Farms East Add No. 1, Block 1, Lot 1	102-09-0-20-11-001.00-0	1,590.85
Fairfield Farms East Add No. 1, Block 1, Lot 2	102-09-0-20-11-002.00-0	1,182.24
Fairfield Farms East Add No. 1, Block 1, Lot 3	102-09-0-20-11-003.00-0	1,182.13
Fairfield Farms East Add No. 1, Block 1, Lot 4	102-09-0-20-11-004.00-0	1,182.03
Fairfield Farms East Add No. 1, Block 1, Lot 5	102-09-0-20-11-005.00-0	1,181.93
Fairfield Farms East Add No. 1, Block 1, Lot 6	102-09-0-20-11-006.00-0	1,100.00
Fairfield Farms East Add No. 1, Block 1, Lot 7	102-09-0-20-11-007.00-0	1,036.28
Fairfield Farms East Add No. 1, Block 10, Lot 1	102-09-0-20-16-001.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 10, Lot 2	102-09-0-20-16-002.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 3	102-09-0-20-16-003.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 4	102-09-0-20-16-004.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 5	102-09-0-20-16-005.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 6	102-09-0-20-16-006.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 7	102-09-0-20-16-007.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 8	102-09-0-20-16-008.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 9	102-09-0-20-16-009.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 10, Lot 10	102-09-0-20-16-010.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 10, Lot 11	102-09-0-20-16-011.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 12	102-09-0-20-16-012.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 13	102-09-0-20-16-013.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 14	102-09-0-20-16-014.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 15	102-09-0-20-16-015.00-0	859.09

Fairfield Farms East Add No. 1, Block 10, Lot 16	102-09-0-20-16-016.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 17	102-09-0-20-16-017.00-0	859.09
Fairfield Farms East Add No. 1, Block 10, Lot 18	102-09-0-20-16-018.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 11, Lot 1	102-09-0-20-13-001.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 11, Lot 2	102-09-0-20-13-002.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 3	102-09-0-20-13-003.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 4	102-09-0-20-13-004.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 5	102-09-0-20-13-005.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 6	102-09-0-20-13-006.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 7	102-09-0-20-13-007.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 8	102-09-0-20-13-008.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 9	102-09-0-20-13-009.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 11, Lot 10	102-09-0-20-13-010.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 11, Lot 11	102-09-0-20-13-011.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 12	102-09-0-20-13-012.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 13	102-09-0-20-13-013.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 14	102-09-0-20-13-014.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 15	102-09-0-20-13-015.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 16	102-09-0-20-13-016.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 17	102-09-0-20-13-017.00-0	859.09
Fairfield Farms East Add No. 1, Block 11, Lot 18	102-09-0-20-13-018.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 12, Lot 1	102-09-0-20-09-001.00-0	1,360.22
Fairfield Farms East Add No. 1, Block 12, Lot 2	102-09-0-20-09-002.00-0	1,116.81
Fairfield Farms East Add No. 1, Block 12, Lot 3	102-09-0-20-09-003.00-0	1,116.82
Fairfield Farms East Add No. 1, Block 12, Lot 4	102-09-0-20-09-004.00-0	1,116.81
Fairfield Farms East Add No. 1, Block 12, Lot 5	102-09-0-20-09-005.00-0	1,116.82
Fairfield Farms East Add No. 1, Block 12, Lot 6	102-09-0-20-09-006.00-0	1,116.81
Fairfield Farms East Add No. 1, Block 12, Lot 7	102-09-0-20-09-007.00-0	1,360.22
Fairfield Farms East Add No. 1, Block 12, Lot 8	102-09-0-20-09-008.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 12, Lot 9	102-09-0-20-09-009.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 10	102-09-0-20-09-010.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 11	102-09-0-20-09-011.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 12	102-09-0-20-09-012.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 13	102-09-0-20-09-013.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 14	102-09-0-20-09-014.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 15	102-09-0-20-09-015.00-0	859.09
Fairfield Farms East Add No. 1, Block 12, Lot 16	102-09-0-20-09-016.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 13, Lot 1	102-09-0-20-04-001.00-0	1,530.25
Fairfield Farms East Add No. 1, Block 13, Lot 2	102-09-0-20-04-002.00-0	1,256.42
Fairfield Farms East Add No. 1, Block 13, Lot 3	102-09-0-20-04-003.00-0	1,256.42
Fairfield Farms East Add No. 1, Block 13, Lot 4	102-09-0-20-04-004.00-0	1,256.42
Fairfield Farms East Add No. 1, Block 13, Lot 5	102-09-0-20-04-005.00-0	1,256.42
Fairfield Farms East Add No. 1, Block 13, Lot 6	102-09-0-20-04-006.00-0	1,256.42
Fairfield Farms East Add No. 1, Block 13, Lot 7	102-09-0-20-04-007.00-0	1,530.25
Fairfield Farms East Add No. 1, Block 14, Lot 1	102-09-0-20-03-001.00-0	1,476.77
Fairfield Farms East Add No. 1, Block 14, Lot 2	102-09-0-20-03-002.00-0	1,288.63
Fairfield Farms East Add No. 1, Block 14, Lot 3	102-09-0-20-03-003.00-0	1,288.63
Fairfield Farms East Add No. 1, Block 14, Lot 4	102-09-0-20-03-004.00-0	1,288.63
Fairfield Farms East Add No. 1, Block 14, Lot 5	102-09-0-20-03-005.00-0	1,288.63
Fairfield Farms East Add No. 1, Block 14, Lot 6	102-09-0-20-03-006.00-0	1,288.63
Fairfield Farms East Add No. 1, Block 14, Lot 7	102-09-0-20-03-007.00-0	1,263.97

Fairfield Farms East Add No. 1, Block 14, Lot 8	102-09-0-20-03-008.00-0	1,527.97
Fairfield Farms East Add No. 1, Block 14, Lot 9	102-09-0-20-03-009.00-0	1,454.58
Fairfield Farms East Add No. 1, Block 14, Lot 10	102-09-0-20-03-010.00-0	1,099.10
Fairfield Farms East Add No. 1, Block 14, Lot 11	102-09-0-20-03-011.00-0	1,127.52
Fairfield Farms East Add No. 1, Block 14, Lot 12	102-09-0-20-03-012.00-0	1,399.95
Fairfield Farms East Add No. 1, Block 15, Lot 1	102-09-0-20-10-001.00-0	1,257.56
Fairfield Farms East Add No. 1, Block 15, Lot 2	102-09-0-20-10-002.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 15, Lot 3	102-09-0-20-10-003.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 15, Lot 4	102-09-0-20-10-004.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 15, Lot 5	102-09-0-20-10-005.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 15, Lot 6	102-09-0-20-10-006.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 15, Lot 7	102-09-0-20-10-007.00-0	1,360.22
Fairfield Farms East Add No. 1, Block 15, Lot 8	102-09-0-20-10-008.00-0	1,181.25
Fairfield Farms East Add No. 1, Block 15, Lot 9	102-09-0-20-10-009.00-0	930.68
Fairfield Farms East Add No. 1, Block 15, Lot 10	102-09-0-20-10-010.00-0	930.68
Fairfield Farms East Add No. 1, Block 15, Lot 11	102-09-0-20-10-011.00-0	930.68
Fairfield Farms East Add No. 1, Block 15, Lot 12	102-09-0-20-10-012.00-0	971.20
Fairfield Farms East Add No. 1, Block 15, Lot 13	102-09-0-20-10-013.00-0	930.68
Fairfield Farms East Add No. 1, Block 15, Lot 14	102-09-0-20-10-014.00-0	930.68
Fairfield Farms East Add No. 1, Block 15, Lot 15	102-09-0-20-10-015.00-0	1,181.25
Fairfield Farms East Add No. 1, Block 2, Lot 1	102-09-0-20-12-001.00-0	1,167.82
Fairfield Farms East Add No. 1, Block 2, Lot 2	102-09-0-20-12-002.00-0	912.78
Fairfield Farms East Add No. 1, Block 2, Lot 3	102-09-0-20-12-003.00-0	916.71
Fairfield Farms East Add No. 1, Block 2, Lot 4	102-09-0-20-12-004.00-0	920.63
Fairfield Farms East Add No. 1, Block 2, Lot 5	102-09-0-20-12-005.00-0	924.55
Fairfield Farms East Add No. 1, Block 2, Lot 6	102-09-0-20-12-006.00-0	928.25
Fairfield Farms East Add No. 1, Block 2, Lot 7	102-09-0-20-12-007.00-0	929.12
Fairfield Farms East Add No. 1, Block 2, Lot 8	102-09-0-20-12-008.00-0	1,194.59
Fairfield Farms East Add No. 1, Block 2, Lot 9	102-09-0-20-12-009.00-0	1,223.91
Fairfield Farms East Add No. 1, Block 2, Lot 10	102-09-0-20-12-010.00-0	1,152.41
Fairfield Farms East Add No. 1, Block 3, Lot 1	102-09-0-20-17-001.00-0	1,798.19
Fairfield Farms East Add No. 1, Block 3, Lot 2	102-09-0-20-17-002.00-0	1,688.71
Fairfield Farms East Add No. 1, Block 3, Lot 3	102-09-0-20-17-003.00-0	1,688.36
Fairfield Farms East Add No. 1, Block 3, Lot 4	102-09-0-20-17-004.00-0	1,688.01
Fairfield Farms East Add No. 1, Block 3, Lot 5	102-09-0-20-17-005.00-0	1,687.67
Fairfield Farms East Add No. 1, Block 3, Lot 6	102-09-0-20-17-006.00-0	1,687.32
Fairfield Farms East Add No. 1, Block 3, Lot 7	102-09-0-20-17-007.00-0	1,686.98
Fairfield Farms East Add No. 1, Block 3, Lot 8	102-09-0-20-17-008.00-0	1,686.63
Fairfield Farms East Add No. 1, Block 3, Lot 9	102-09-0-20-17-009.00-0	1,686.28
Fairfield Farms East Add No. 1, Block 3, Lot 10	102-09-0-20-17-010.00-0	1,685.94
Fairfield Farms East Add No. 1, Block 3, Lot 11	102-09-0-20-17-011.00-0	1,685.59
Fairfield Farms East Add No. 1, Block 3, Lot 12	102-09-0-20-17-012.00-0	1,685.24
Fairfield Farms East Add No. 1, Block 3, Lot 13	102-09-0-20-17-013.00-0	1,684.90
Fairfield Farms East Add No. 1, Block 3, Lot 14	102-09-0-20-17-014.00-0	1,684.55
Fairfield Farms East Add No. 1, Block 3, Lot 15	102-09-0-20-17-015.00-0	1,684.20
Fairfield Farms East Add No. 1, Block 3, Lot 16	102-09-0-20-17-016.00-0	1,135.93
Fairfield Farms East Add No. 1, Block 3, Lot 17	102-09-0-20-17-017.00-0	905.62
Fairfield Farms East Add No. 1, Block 3, Lot 18	102-09-0-20-17-018.00-0	898.30
Fairfield Farms East Add No. 1, Block 4, Lot 1	102-09-0-20-06-022.00-0	897.55
Fairfield Farms East Add No. 1, Block 4, Lot 2	102-09-0-20-06-021.00-0	905.62
Fairfield Farms East Add No. 1, Block 4, Lot 3	102-09-0-20-06-020.00-0	1,135.05

Fairfield Farms East Add No. 1, Block 4, Lot 4	102-09-0-20-06-018.00-0	1,550.89
Fairfield Farms East Add No. 1, Block 4, Lot 5	102-09-0-20-06-017.00-0	1,477.85
Fairfield Farms East Add No. 1, Block 4, Lot 6	102-09-0-20-06-016.00-0	2,028.19
Fairfield Farms East Add No. 1, Block 4, Lot 7	102-09-0-20-06-015.00-0	1,224.42
Fairfield Farms East Add No. 1, Block 4, Lot 8	102-09-0-20-06-014.00-0	1,262.69
Fairfield Farms East Add No. 1, Block 4, Lot 9	102-09-0-20-06-013.00-0	1,256.10
Fairfield Farms East Add No. 1, Block 4, Lot 10	102-09-0-20-06-012.00-0	1,334.47
Fairfield Farms East Add No. 1, Block 4, Lot 11	102-09-0-20-06-011.00-0	1,326.95
Fairfield Farms East Add No. 1, Block 4, Lot 12	102-09-0-20-06-010.00-0	1,123.39
Fairfield Farms East Add No. 1, Block 4, Lot 13	102-09-0-20-06-009.00-0	1,117.95
Fairfield Farms East Add No. 1, Block 4, Lot 14	102-09-0-20-06-008.00-0	1,112.50
Fairfield Farms East Add No. 1, Block 4, Lot 15	102-09-0-20-06-007.00-0	1,107.06
Fairfield Farms East Add No. 1, Block 4, Lot 16	102-09-0-20-06-006.00-0	1,101.61
Fairfield Farms East Add No. 1, Block 4, Lot 17	102-09-0-20-06-005.00-0	1,602.67
Fairfield Farms East Add No. 1, Block 4, Lot 18	102-09-0-20-06-004.00-0	1,985.05
Fairfield Farms East Add No. 1, Block 4, Lot 19	102-09-0-20-06-003.00-0	1,201.15
Fairfield Farms East Add No. 1, Block 4, Lot 20	102-09-0-20-06-002.00-0	1,208.10
Fairfield Farms East Add No. 1, Block 4, Lot 21	102-09-0-20-06-001.00-0	1,530.25
Fairfield Farms East Add No. 1, Block 5, Lot 1	102-09-0-20-07-001.00-0	1,360.22
Fairfield Farms East Add No. 1, Block 5, Lot 2	102-09-0-20-07-002.00-0	1,360.22
Fairfield Farms East Add No. 1, Block 5, Lot 3	102-09-0-20-07-003.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 4	102-09-0-20-07-004.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 5	102-09-0-20-07-005.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 6	102-09-0-20-07-006.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 7	102-09-0-20-07-007.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 8	102-09-0-20-07-008.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 9	102-09-0-20-07-009.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 10	102-09-0-20-07-010.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 11	102-09-0-20-07-011.00-0	1,503.40
Fairfield Farms East Add No. 1, Block 5, Lot 12	102-09-0-20-07-012.00-0	1,503.40
Fairfield Farms East Add No. 1, Block 5, Lot 13	102-09-0-20-07-013.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 14	102-09-0-20-07-014.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 15	102-09-0-20-07-015.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 16	102-09-0-20-07-016.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 17	102-09-0-20-07-017.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 18	102-09-0-20-07-018.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 19	102-09-0-20-07-019.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 5, Lot 20	102-09-0-20-07-020.00-0	1,145.45
Fairfield Farms East Add No. 1, Block 6, Lot 1	102-09-0-20-05-001.00-0	1,575.68
Fairfield Farms East Add No. 1, Block 6, Lot 2	102-09-0-20-05-002.00-0	1,208.09
Fairfield Farms East Add No. 1, Block 6, Lot 3	102-09-0-20-05-003.00-0	1,208.10
Fairfield Farms East Add No. 1, Block 6, Lot 4	102-09-0-20-05-004.00-0	1,208.10
Fairfield Farms East Add No. 1, Block 6, Lot 5	102-09-0-20-05-005.00-0	1,208.10
Fairfield Farms East Add No. 1, Block 6, Lot 6	102-09-0-20-05-006.00-0	1,208.09
Fairfield Farms East Add No. 1, Block 6, Lot 7	102-09-0-20-05-007.00-0	1,208.10
Fairfield Farms East Add No. 1, Block 6, Lot 8	102-09-0-20-05-008.00-0	1,570.52
Fairfield Farms East Add No. 1, Block 7, Lot 1	102-09-0-20-08-001.00-0	1,400.60
Fairfield Farms East Add No. 1, Block 7, Lot 2	102-09-0-20-08-002.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 7, Lot 3	102-09-0-20-08-003.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 7, Lot 4	102-09-0-20-08-004.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 7, Lot 5	102-09-0-20-08-005.00-0	1,073.86

Fairfield Farms East Add No. 1, Block 7, Lot 6	102-09-0-20-08-006.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 7, Lot 7	102-09-0-20-08-007.00-0	1,073.86
Fairfield Farms East Add No. 1, Block 7, Lot 8	102-09-0-20-08-008.00-0	1,396.02
Fairfield Farms East Add No. 1, Block 7, Lot 9	102-09-0-20-08-009.00-0	1,188.40
Fairfield Farms East Add No. 1, Block 7, Lot 10	102-09-0-20-08-010.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 11	102-09-0-20-08-011.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 12	102-09-0-20-08-012.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 13	102-09-0-20-08-013.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 14	102-09-0-20-08-014.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 15	102-09-0-20-08-015.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 16	102-09-0-20-08-016.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 17	102-09-0-20-08-017.00-0	859.09
Fairfield Farms East Add No. 1, Block 7, Lot 18	102-09-0-20-08-018.00-0	1,178.67
Fairfield Farms East Add No. 1, Block 8, Lot 1	102-09-0-20-14-001.00-0	1,178.67
Fairfield Farms East Add No. 1, Block 8, Lot 2	102-09-0-20-14-002.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 3	102-09-0-20-14-003.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 4	102-09-0-20-14-004.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 5	102-09-0-20-14-005.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 6	102-09-0-20-14-006.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 7	102-09-0-20-14-007.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 8	102-09-0-20-14-008.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 9	102-09-0-20-14-009.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 10	102-09-0-20-14-010.00-0	1,188.40
Fairfield Farms East Add No. 1, Block 8, Lot 11	102-09-0-20-14-011.00-0	1,188.41
Fairfield Farms East Add No. 1, Block 8, Lot 12	102-09-0-20-14-012.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 13	102-09-0-20-14-013.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 14	102-09-0-20-14-014.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 15	102-09-0-20-14-015.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 16	102-09-0-20-14-016.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 17	102-09-0-20-14-017.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 18	102-09-0-20-14-018.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 19	102-09-0-20-14-019.00-0	859.09
Fairfield Farms East Add No. 1, Block 8, Lot 20	102-09-0-20-14-020.00-0	1,178.67
Fairfield Farms East Add No. 1, Block 9, Lot 1	102-09-0-20-15-001.00-0	1,178.67
Fairfield Farms East Add No. 1, Block 9, Lot 2	102-09-0-20-15-002.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 3	102-09-0-20-15-003.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 4	102-09-0-20-15-004.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 5	102-09-0-20-15-005.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 6	102-09-0-20-15-006.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 7	102-09-0-20-15-007.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 8	102-09-0-20-15-008.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 9	102-09-0-20-15-009.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 10	102-09-0-20-15-010.00-0	1,188.41
Fairfield Farms East Add No. 1, Block 9, Lot 11	102-09-0-20-15-011.00-0	1,188.41
Fairfield Farms East Add No. 1, Block 9, Lot 12	102-09-0-20-15-012.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 13	102-09-0-20-15-013.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 14	102-09-0-20-15-014.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 15	102-09-0-20-15-015.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 16	102-09-0-20-15-016.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 17	102-09-0-20-15-017.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 18	102-09-0-20-15-018.00-0	859.09

Fairfield Farms East Add No. 1, Block 9, Lot 19	102-09-0-20-15-019.00-0	859.09
Fairfield Farms East Add No. 1, Block 9, Lot 20	102-09-0-20-15-020.00-0	1,178.67
Fairfield Farms East Add No. 2, Block 1, Lot 1	102-09-0-20-01-001.00-0	27,442.06
Fairfield Farms East Add No. 2, Block 1, Lot 2	102-09-0-20-01-003.00-0	5,773.67
Fairfield Farms East Add No. 2, Block 1, Lot 3	102-09-0-20-01-004.00-0	5,773.67
Fairfield Farms East Add No. 2, Block 1, Lot 4	102-09-0-20-01-005.00-0	6,215.27
Fairfield Farms East Add No. 2, Block 1, Lot 5	102-09-0-20-01-006.00-0	7,882.44
Fairfield Farms East Add No. 2, Block 2, Lot 1	102-09-0-20-02-002.00-0	112,772.49
Fairfield Farms West Add, Block 1, Lot 3	103-08-0-10-24-003.00-0	60,154.29
Fairfield Farms West Add No. 2, Block 1, Lot 1	103-08-0-10-24-001.00-0	6,290.64
Fairfield Farms West Add No. 2, Block 1, Lot 2	103-08-0-10-24-002.00-0	4,324.82
Fairfield Farms West Add No. 2, Block 1, Lot 3	103-08-0-10-24-002.01-0	4,324.82
TOTAL		\$561,664.86

CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF DOUGLAS)

The undersigned, County Clerk of Douglas County, Kansas, do hereby certify that on June 29, 2009, the date on which Assessment Resolution No. 09-__ (the "Assessment Resolution") of the County was published, I caused to be mailed to the owners of the properties liable for the assessments set out in the Assessment Resolution, at their last known post office addresses, a Notice of Assessment showing the respective assessments levied against their properties and stating the manner in which said assessments will be collected.

A sample copy of the form of such Notice of Assessment is attached hereto.

WITNESS my hand and seal as of June 29, 2009.

(Seal)

Jameson D. Shew, County Clerk

NOTICE OF ASSESSMENT
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 1

June 29, 2009
Douglas County, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on *Schedule I* attached hereto, that pursuant to Assessment Resolution No. 09-__ (the "Assessment Resolution") of Douglas County, Kansas (the "County") there has been assessed against said property, the costs of certain sewer improvements in Southeast Lawrence Sanitary Sewer Main Benefit District No. 1 heretofore authorized by the Board of County Commissioners of the County (the "Improvements") pursuant to Resolution No. 06-30.

You may pay this assessment in whole or in part to the County Clerk of the County on or before July 22, 2009; and if the amount is not paid on or before July 22, 2009, bonds will be issued therefor, and the balance of such assessment will be collected in installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 19-27a01 *et seq.* Interest accruing between the date set forth above and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Jameson D. Shew, County Clerk

SCHEDULE I

**DOUGLAS COUNTY, KANSAS
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 1
RESOLUTION NO. 06-30**

NOTICE OF ASSESSMENT
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 2

June 29, 2009
Douglas County, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on *Schedule I* attached hereto, that pursuant to Assessment Resolution No. 09-__ (the "Assessment Resolution") of Douglas County, Kansas (the "County") there has been assessed against said property, the costs of certain sewer improvements in Southeast Lawrence Sanitary Sewer Main Benefit District No. 2 heretofore authorized by the Board of County Commissioners of the County (the "Improvements") pursuant to Resolution No. 06-31.

You may pay this assessment in whole or in part to the County Clerk of the County on or before July 22, 2009; and if the amount is not paid on or before July 22, 2009, bonds will be issued therefor, and the balance of such assessment will be collected in installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 19-27a01 *et seq.* Interest accruing between the date set forth above and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Jameson D. Shew, County Clerk

SCHEDULE I

**DOUGLAS COUNTY, KANSAS
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 2
RESOLUTION NO. 06-31**

**NOTICE OF ASSESSMENT
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 3**

June 29, 2009
Douglas County, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on *Schedule I* attached hereto, that pursuant to Assessment Resolution No. 09-__ (the "Assessment Resolution") of Douglas County, Kansas (the "County") there has been assessed against said property, the costs of certain sewer improvements in Southeast Lawrence Sanitary Sewer Main Benefit District No. 3 heretofore authorized by the Board of County Commissioners of the County (the "Improvements") pursuant to Resolution No. 06-32.

You may pay this assessment in whole or in part to the County Clerk of the County on or before July 22, 2009; and if the amount is not paid on or before July 22, 2009, bonds will be issued therefor, and the balance of such assessment will be collected in installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 19-27a01 *et seq.* Interest accruing between the date set forth above and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Jameson D. Shew, County Clerk

SCHEDULE I

**DOUGLAS COUNTY, KANSAS
SOUTHEAST LAWRENCE SANITARY SEWER MAIN BENEFIT DISTRICT NO. 3
RESOLUTION NO. 06-32**

CERTIFICATE OF COUNTY TREASURER

STATE OF KANSAS)
) ss:
COUNTY OF DOUGLAS)

The undersigned, County Treasurer of Douglas County, Kansas (the "County"), do hereby certify that within the time allowed by Assessment Resolution No. 09-__ of the County for the payment of special assessments in cash, property owners specially assessed for the costs of certain internal improvements heretofore authorized by the Board of County Commissioners of the County, paid in cash the amounts set forth below:

Resolution No.	Amount
06-30	
06-31	
06-32	
TOTAL	\$ _____

WITNESS my hand on July 22, 2009.

Pat Wells, County Treasurer
Douglas County, Kansas

Memorandum

Lawrence-Douglas County Metropolitan Planning Office

TO: Lawrence-Douglas County Metropolitan Planning Commission
FROM: Mary Miller, Planning Staff
CC: Scott McCullough, Director of Planning and Development Services
Sheila Stogsdill, Assistant Planning Director
Date: May 18, 2009
RE: Revised Staff Recommendation for Z-11-19-08 [58.99 acres
located northeast of the intersection of N 1800 and E 700 Roads]

The applicant has requested that staff review and consider revisions to the conditions associated with the rezoning request identified above. The intent of the conditions is not being challenged, only the details of how this project will move forward if a recommendation for approval is granted.

As mentioned in the staff report for this item, the Staff recommendation for approval is contingent upon the approval and adoption of the Comprehensive Plan Amendment [CPA-3-2-09] to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County. Therefore, staff recommended that the rezoning resolution be published after the Board of County Commissioners approves and signs the resolution for the Comprehensive Plan Amendment.

Condition No. 2 is intended to insure that the required buffer area is provided with the development. There are various options which would achieve this goal. Staff had recommended that the buffer area and use restrictions be noted on the plat. The applicant requested that the buffer area and use restrictions be noted and shown on the site plan as the CPA suggests rather than the plat, as there is concern for the plat performing functions not normally associated with plats, i.e., using the plat to restrict use.

One of the issues has been the ability of the applicant to provide enough assurance through site planning to be able to support the rezoning since conditional zoning is not a tool in the county's zoning code. Condition No. 3 requires the County Commission to approve a site plan prior to publishing the zoning resolution. In effect, the zoning is not effective until the site plan is approved by the Commission.

In addition, the applicant proposes revising the buffer width on the concept plan from 500 ft to 300 ft. given the proposed language of CPA-3-2-09. If this buffer width is approved, a revised concept plan showing the approved buffer area shall be provided to

the Planning Office for the rezoning file. This condition has been added to the revised recommendation shown below.

(Deleted wording is shown ~~struckthrough~~ and new wording is in ***bold italic print.***)

REVISED STAFF RECOMMENDATION: *If the Comprehensive Plan Amendment [CPA-3-2-09] is forwarded with a positive recommendation, then Staff recommends that the Planning Commission vote to forward the rezoning request to the Board of County Commissioners with a recommendation for approval, subject to the following conditions:*

1. *The rezoning resolution shall be published after the Board of County Commissioners have approved and signed the resolution for the Comprehensive Plan Amendment [CPA-3-2-09].*
2. *The rezoning resolution shall be published after the recordation of a final plat. ~~which shall include the following items:~~*
3. ***The rezoning resolution shall be published after the approval of a site plan. The following required features will be included on any site plan submitted for this property:***
 - a. *The buffer area shown on the concept plan. ~~shall be included on the plat.~~*
 - b. *Use restrictions and maintenance responsibility for the buffer area shall be listed.*
4. ***If a 300 ft buffer width is approved, a revised concept plan showing the approved buffer area shall be provided to the Planning Office to be filed with the rezoning application.***

**PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item**

ITEM NO. 5: A TO B-2; 58.99 ACRES; N 1800 ROAD & E 700 ROAD (MKM)

Z-11-19-08: Consider a request to rezone 58.99 acres located northeast of the intersection of N 1800 Road & E 700 Road, S of Lecompton from A (Agricultural) to B-2 (General Business District). Submitted by Paul Werner Architects, for Rockwall Farms L.C., property owner of record. *Joint meeting with Lecompton Planning Commission.*

This staff report has been revised to include discussion of the Comprehensive Plan Amendment which has been submitted for the proposed use and to provide revised recommendations. The graphic in Figure 1 has also been revised to correct a processing error. New language is in *bold, italic print* and deleted language is shown as ~~struck through~~.

The recommendation for this request is subject to the determination of the accompanying Comprehensive Plan Amendment request [CPA-3-2-09].

STAFF RECOMMENDATION: *If the Comprehensive Plan Amendment [CPA-3-2-09] is forwarded with a positive recommendation, then Staff recommends that the Planning Commission vote to forward the rezoning request to the Board of County Commissioners with a recommendation for approval, subject to the following conditions:*

- 1. The rezoning resolution shall be published after the Board of County Commissioners have approved and signed the resolution for the Comprehensive Plan Amendment [CPA-3-2-09].*
- 2. The rezoning resolution shall be published after the recordation of a final plat which shall include the following items:*
 - a. The buffer area shown on the concept plan shall be included on the plat.*
 - b. Use restrictions and maintenance responsibility for the buffer area shall be listed.*

STAFF RECOMMENDATION: *If the Comprehensive Plan Amendment [CPA-3-2-09] is forwarded with a recommendation for denial, then Staff recommends denial of the rezoning request for 52.49 acres from A (Agricultural) to B-2 (General Business) District and forwarding it to the Board of County Commissioners with a recommendation for denial based on the findings of fact found in the body of the staff report.*

~~**ALTERNATIVE STAFF RECOMMENDATIONS:** Staff recommends deferral of the rezoning request pending approval of an amendment to *Horizon 2020* with recommendations pertaining to agri-tourism and rec-tourism uses in the unincorporated areas of the county.~~

~~If the Commission would vote to recommend approval, staff would recommend the following conditions:~~

- ~~1. Recording of a final plat prior to publication of the rezoning resolution.~~
- ~~2. The applicant shall execute an agreement which is acceptable to the County Attorney which:~~

- a. ~~delineates and requires the conservation of the woodland areas and natural areas in the areas designated as accessory to the corporate retreat, per this application; and~~
 - b. ~~includes a clause that the Board of County Commission's approval is necessary to change or modify the restrictions of use in the conserved area.~~
 - c. ~~The buffer area shown on the concept plan shall be included on the plat for this property. Use restrictions and maintenance responsibility shall be listed on the plat.~~
3. ~~If appropriate, the zoning shall be conditioned to permit only the use being proposed: a corporate retreat with recreational facilities, or other similar use.~~

Applicant's reason for request:

"Our clients are proposing to make a substantial investment in a corporate retreat. After reviewing their options, it seems it is the best interest of the property owners and of the county to rezone the property to 'B-2' and site plan the entire development under one site plan, based on the allowed uses in the development code. A Conditional Use Permit does not seem appropriate for the amount of investment proposed."

KEY POINTS

- This rezoning request was deferred from the January Planning Commission to allow the applicant an opportunity to discuss the proposal further with the neighbors and the Lecompton Planning Commission.
- The applicant intends to develop a corporate retreat in this location. The corporate retreat, as described previously in the CUP application, would include a conference center with meeting rooms and reception area, a restaurant, a bar, and recreational facilities including a swimming pool, commercial riding stable, and hunting/shooting areas. Lodging would be provided in cabins which would be arranged in clusters throughout the development. The layout is shown in the 'Rezoning Area and Development Concept' drawing which is included with this item in the packet. The applicant requested the rezoning to B-2 so most of the uses included in the corporate retreat would be uses that are permitted by right, rather than uses which require a Conditional Use Permit in the A (Agricultural) Zoning District. (The recreational uses: hunting/shooting areas, commercial riding stable and ball fields would require approval through a Conditional Use Permit.)
- ***A CUP does not permit all the uses the applicant is interested in pursuing with the conference/retreat. Specifically, liquor licenses are not possible for properties with uses permitted by CUP rather than zoning. In addition, the applicant feels that the time limits placed on a CUP are inadequate given the amount of investment involved in this project.***
- The property is located within 3 miles of the Lecompton city limits and will be considered at a joint meeting of the Lawrence-Douglas County Metropolitan and Lecompton Planning Commissions. This rezoning request was considered by the Lecompton Planning Commission who ***recommended the Douglas County/Lawrence Planning Commission deny the rezoning request as submitted, due to concerns about future land use/development activities not included in the current proposal but allowed under B-2 zoning guidelines. This motion included the comment***

that if there were conditions placed on a new or revised rezoning request that limited the site development/activities to the proposed uses, the commission would be in favor of it.

- Property within the B-2 District must be platted prior to obtaining a building permit. As the rezoning request is for a portion of a parcel, the property must be platted as a condition of the rezoning to allow the rezoning to coincide with the new lot lines.
- *Horizon 2020* addresses recreational/conference uses centered around the counties' lakes but does not address 'agri-tourism' or 'rec-tourism' uses ***or recreational/conference uses which are centered around other features in the county.***

GOLDEN FACTORS TO CONSIDER

CHARACTER OF THE AREA

- The area is primarily rural/agriculture in nature with large areas of woodland. The area is served by principal arterials, with N 1800 Road (Farmer's Turnpike) bounding the property to the south and the Kansas Turnpike in close proximity, to the south of N 1800 Road.

CONFORMANCE WITH *HORIZON 2020*

- The proposed rezoning request from A (Agricultural) District to B-2 (General Business) is not consistent with land use recommendations found in *Horizon 2020*.
- ***The proposed use is in compliance with Comprehensive Plan Amendment [CPA-3-2-09] regarding conference/tourism centers in rural areas other than the county lakes.***

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- SP-06-42-07; Site plan for a country club. Approved by the Board of County Commissioners on April 30, 2008 and a one year extension granted by the Board of County Commissioners on December 10, 2008.
- CUP-01-01-07; a Conditional Use Permit for The Woods, a Corporate Retreat. Submitted on Jan 10, 2007; deferred indefinitely by the applicant.

Other Action Required

- Approval of the rezoning request by the Board of County Commissioners.
- Adoption of rezoning resolution by Board of County Commissioners and publication.
- Platting of the property within the B-2 Zoning District.
- Site planning of the proposed development.
- Submittal of a CUP application for the recreational uses proposed with the original CUP, if these uses are still proposed.
- ***Approval of the Comprehensive Plan Amendment [3-2-09] regarding conference/tourism facilities in rural portions of the county.***

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Neighbor to the southeast called to inquire about the proposed uses. Indicated he was primarily concerned with the hunting/shooting activities originally proposed with the Conditional Use Permit. Did not state any objections to the rezoning request.

GENERAL INFORMATION

Current Zoning and Land Use: A (Agricultural) Districts; Agricultural uses and woodlands.

Surrounding Zoning and Land Use: In all directions: A (Agricultural) District; Agricultural uses, woodlands and scattered rural residences.

I. ZONING AND LAND USES OF SURROUNDING PROPERTIES

Staff Finding -- The surrounding property is zoned A (Agricultural). Agriculture is the primary land use in the area. To the south of the subject property is the Kansas Turnpike and N 1800 Road which is commonly referred to as the 'Farmer's Turnpike'.

II. CHARACTER OF THE AREA

The area is rural in nature and agriculture is the primary land use. There are large woodlands throughout the area which contribute to the rural character. The area is located near the corridor of I-70, a state highway, and N 1800 Road, Farmer's Turnpike, which is classified a principal arterial on the Major Thoroughfares Map.

Staff Finding -- The area is a rural area containing woodland, farmland and scattered rural residences which is in close proximity to a major transportation corridor.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Applicant's Response:

"The property is currently site planned for a 'country club', which is an allowed use. Under the new proposed development code, this allowed use will convert to a Conditional Use Permit. While it may have been acceptable to site plan cabins under the provisions of the CUP, to have this entire development under a CUP seems to be fiscally irresponsible. It seems that the best plan for this proposed development is to zone the property for the desired uses and site plan them, which will allow for control over the activities provided.

A site plan [SP-06-42-07] was approved by the Board of County Commissioners for a country club, chapel and swimming pool at this location. An application for a Conditional Use Permit [CUP-01-01-07] for cabins and recreational uses associated with the proposed corporate retreat was submitted but was deferred indefinitely by the applicant. The request is to rezone to the B-2 Zoning District in which the country club and corporate retreat are uses permitted by right. The Conditional Use Permit application for the corporate retreat included a commercial riding stable, ball fields, and hunting and shooting areas which are not permitted by right in the B-2 District but would still require a Conditional Use Permit.

The property is currently zoned A (Agricultural) District which permits agricultural activities including farms, nurseries, as well as animal hospitals, commercial greenhouses, churches, schools, and country clubs.

Staff Finding -- The property as zoned would allow for agricultural uses, farm residences, country clubs and churches. The subject property is well suited for the uses to which it has

been restricted. The applicant is requesting rezoning to the B-2 District so more of the uses proposed with this development would be permitted by right rather than requiring a Conditional Use Permit.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – The property has never been developed but has been used for agricultural purposes. A farm residence is located on one of the parcels owned by the applicant; however, this property is not included within the rezoning request.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant's response:

"In our opinion, the rezoning should not affect the nearby property owners at all. The proposed rezoning is more than 1000' from any neighboring property owner. The access to the proposed development is off of Farmers Turnpike which is being rebuilt in the following year to add shoulders to both sides. While this development may increase traffic slightly during times of its use, in the scheme of things this increase is minimal. Most of the neighboring property owners do not access Farmers Turnpike directly, so there should be little notice, if any, of an increase to the traffic in the area."

The more intense uses, such as restaurants (including drive-ins), filling stations, skating rinks, bowling alleys, and retail stores that would be permitted within the B-2 District would result in increased traffic in the area and may also may have higher water consumption rates. The road network in the area can accommodate the anticipated increase in traffic. The property is adjacent to N 1800 Road, a principal arterial, and is in close proximity to an access point for I-70 and K-10. (Figure 1) The intensity of development would be determined by the availability of water which is supplied by Rural Water District No. 6. The Rural Water District determines the amount of water they will supply a customer by setting the size of a meter which they will provide. When the CUP was submitted for the corporate retreat, the applicant met with the Rural Water District representative who indicated that the water district would provide one meter for the property and would set a limit to insure the water usage of the commercial use would not negatively impact the water supply to the other district customers.

The development, as proposed, should have minimal negative impacts on nearby property; however, the rezoning request to the B-2 District does not limit the development to this use or require the buffering that is proposed with this development. Some of the uses permitted within the B-2 District may have a negative impact if developed in this location. (The permitted uses within the A and B-2 Districts are listed in the Staff Review portion of this staff report, page 8)

One option is to require an agreement which would tie the surrounding woodland and natural areas proposed to be a part of the corporate retreat to the development and, if found appropriate, condition the zoning to the proposed use.

Staff Finding –The proposed development should have minimal negative impacts on nearby property; however, the rezoning would allow all the uses permitted in the B-2 District and would not require the buffering that is being proposed with this development. It is possible

that the rezoning could result in development which negatively impacts the surrounding properties. Unless the rezoning is conditioned to the proposed uses, a CUP is the more appropriate vehicle for developing this use.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Applicant's Response:

"There is significant gain to the public health, safety, and welfare by allowing this rezoning. The rezoning will allow for an approved site plan stating all activities in the development. The site plan will then become a document to control the activities and state what is allowed and what is not. The additional benefit to the county is from the increased property value and sales taxes associated with this use."

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare. The proposed rezoning would benefit the community by providing an area for corporate retreats and conferences in close proximity to the City of Lawrence.

The rezoning would place the property in a zoning district in which the uses being proposed are permitted by right rather than requiring a Conditional Use Permit, with the exception of the recreational uses. This would result in additional security and predictability for the property owner. If the rezoning were denied, the applicant could continue with the development proposal with the approved site plan for the country club and the church and the Conditional Use Permit for the corporate retreat and recreational uses.

Staff Finding – Denial of the rezoning would require the applicant to continue with the project with a site plan for the country club use and obtain a Conditional Use Permit for the corporate retreat, and recreational uses. As Conditional Use Permits are typically valid for 10 years, this would introduce an element of uncertainty into the development.

Denial of the rezoning and the resultant requirement for a CUP for the Corporate Retreat would allow the Board of County Commissioners to place limits on the development which may keep it in line with the water supply available from the Rural Water District and limit the intensity of the use in this area which would provide more predictability for the area residents and the Water District.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"The proposed development conforms with H2020 in several ways:

The property is not located in the UGA. The potential pressure to develop this entire parcel will not exist for an extended period of time. Therefore this minor development can be proposed and allow for the larger parcel to remain in a completely rural setting.

Chap 4: We feel the proposed development will allow the remaining portion of the property to remain in a rural setting, thus controlling the potential growth of the proposal. We are proposing to use a lagoon system and have a plan to minimize the impact on RWD as to not affect any current users of the facilities.

Chap 6: We would not classify this as a typical commercial development as defined in H2020 and under a development code. While the proposed use is in a General Business district, we feel by placing the development so far north of Farmers Turnpike we have eliminated any potential pressure to expand the uses as allowed in the district. This is the best alternative for the proposed use for all parties concerned – to allow for the development but to also control it.

Chap 8: This site is unique in the county because of its excellent access – both from I-70 and K-10; west on Farmers Turnpike which is being rebuilt next year and then into the property. It offers both excellent access – as well as being in a completely rural setting.

Chap 9: We think this proposed development offers recreational services that are under utilized in the county. There is numerous potential to provide recreational service to the surrounding area by allowing the proposed development to be concentrated at the interior of the site.

Chap 12: Clearly there would be a substantial gain to the tax base of the county by allowing this development. The area would benefit from employment as this would be a new development, not taking away from anything existing in the county. There would be tax increases on the property and additional benefit to the county from sales taxes generated by this proposal.”

Staff Review: This property is not within an Urban Growth Area. ***This report will discuss the conformance of this request with the proposed Comprehensive Plan Amendment [3-2-09].***

Growth Management Page 4-4.

The proposed amendment recommends conference/tourism facilities in rural areas which meet the following criteria:

- (a) direct access to an improved arterial roadway;***
- (b) public water supply available;***
- (c) separated from existing conference, recreation, or tourism facilities by 3 miles or other appropriate distance as determined by the Board of County Commissioners; and***
- (d) is designed to preserve and/or integrate natural resources and the rural environment through appropriate land use, site design, buffering, or other methods.***

Staff comment--The proposed use is a conference retreat use which will use cabins for overnight lodging. The applicant indicated they intend to maintain the rural character. The provision of a 500 ft or wider buffer around the develop would serve to maintain the rural character and integrate the proposed use. The subject property would meet the proposed criteria in that it is located outside the Urban

Growth Area, has direct access to an arterial street, and has been designed to preserve and/or integrate natural resources. The facility would not be located within 3 miles of another conference/recreation/tourism facility.

Chapter Six – Commercial Land Use, p.6-23, last paragraph

Conference, recreational, or tourism uses located in the Rural Area shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory 200' natural buffer area. Proposed conference, recreational, or tourism facilities shall include a site specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

Staff comment--The proposed use includes a wider buffer (500') than is recommended. A site specific site plan has been submitted for the proposed use.

Following are sections of *Horizon 2020* that relate to this rezoning request and development proposal. The citation is in bold print followed by the recommendation from the Plan. Staff's comments are italicized:

Chapter Four, Growth Management.

Rural Area (page 4-4)

Lands in the Rural Area are not planned to develop or to support urban densities of development during the planning period. There are a few locations, however, in the Rural Area which may be expected to receive some level of urban development consistent with the Plan. These include commercial areas to serve county residents and, potentially, to provide conference and recreation facilities at Clinton Lake. Otherwise, urban uses are not planned within the Rural Area.

The proposed use is a conference/recreational facility within the rural area but is not planned for Clinton Lake.

Goal 1. Policy 1.3.2(a) (page 4-7)

The plan recommends that proponents of commercial development beyond the corporate limits provide reasonable documentation to substantiate that similar competitive sites are not available within the municipalities.

The proposal is to create a corporate retreat of approximately 50 acres within a large wooded area. The wooded area is not included in the rezoning request. The total site which was included in the 2007 CUP application for the Corporate Retreat area was approximately 353 acres including the surrounding wooded area and the site to be developed. There is no site within the city which would provide this amount of open space for the development.

Goal 2. Conserve the Rural Character of Douglas County (page 4-9)

The plan recommends that the pattern of rural residential development should minimize impacts on the rural character of Douglas County and protect existing agricultural and natural uses in those areas beyond the UGAs.

While the proposed development is not rural residential, the proposed development is being designed to protect the existing agricultural and natural uses in the area. The land which is

being proposed for the corporate retreat development contains large areas of woodland and will not remove significant amounts of agricultural land from production. However, the rezoning request is for 50 acres and there is no guarantee that the surrounding acreage will remain woodland in association with this development.

The proposed use as outlined in the CUP application would conserve the rural character of Douglas County; however, the B-2 District permits other commercial uses. Many of the permitted uses in the B-2 District would not conserve the rural character of Douglas County.

Goal 2. Policy 2.3 Rural Commercial Development (page 4-9)

The plan recommends that commercial development beyond the UGA be limited and carefully reviewed based on the intensity of use; impact on surrounding land uses; and impact on public services and transportation systems. Commercial development should be platted and shall comply with the intent of the Locational Criteria Policies found in Commercial Land Use, Goal 3.

The applicant is aware that platting would be required. The applicant has discussed the development proposal with the Rural Water District Board to determine the impact on public services and an agreement has been reached as to the size of water meter that would be provided to the development. The applicant intends to utilize a septic system, or lagoon depending on the need. The development would have little impact on transportation systems in the area as the property is adjacent to a principal arterial and is in close proximity to an access to the Kansas Turnpike. The uses being proposed with this rezoning request would have little impact on the surrounding land uses; however, the zoning is not limited to these uses.

The development does not comply with the intent of the Locational Criteria Policies found in Commercial Land Use, Goal 3.

Unincorporated Douglas County Natural and Environmentally Sensitive Areas (page 5-9)

The Comprehensive Plan does not preclude development of land within environmentally sensitive areas, but it does discourage it. The Plan recommends that criteria for site plan review in these areas would include the incorporation and voluntary preservation of natural areas and wildlife habitats into the development's design concept.

The surrounding area contains woodlands and steep slopes. The applicant has indicated that he intends to preserve portions of this area as an amenity for his development. This preservation of the natural areas and wildlife habitats could be tied to the rezoning request, in a recorded agreement.

Chapter Six. Commercial Land Use

Unincorporated Douglas County – New Commercial Areas (page 6-23)

Commercial activities related to recreational uses associated with Clinton Lake, Lone Star Lake or Douglas County Lake shall be exempt from the locational criteria applied to new commercial areas. A commercial area serving the recreational needs of persons using the county's lake facilities may be located at an entrance point to a lake.

This recommendation does not apply directly to the proposed rezoning as it relates to a recreational use which is associated with the County woodlands rather than the County's lake

facilities. However, the rezoning request is very similar to the rezonings for commercial uses associated with the lake in that it involves utilization of natural areas.

Policy 3.12 Criteria for Commercial Development in Unincorporated Areas (page 6-39)

- Encourage new commercial development at key access points on major corridors only if served by adequate infrastructure, community facilities and services.
- The commercial gross square footage of a development shall be limited to a total of 15,000 gross square feet.
- The only new commercial area shall be located at the intersection of either US-56 and K-33 or US-56 and County Route 1061.

The proposed development does not meet the locational criteria above and exceeds the maximum area recommended for a commercial development.

Staff Finding – The proposed rezoning request complies with the recommendations in the proposed Comprehensive Plan Amendment [CUP-3-2-09]. The proposed rezoning request conflicts with several **existing** Horizon 2020 policies related to commercial development within the rural area of the county. It may be possible for the zoning request to conform with several policies if an agreement were executed tying the conservation of the surrounding woodlands to the development and if the permitted uses were limited through a condition placed on the zoning.

STAFF REVIEW

This rezoning request is associated with the development of a corporate retreat near the intersection of N 1800 and E 700 Roads. (Figure 2) The applicant had previously submitted the following applications for The Woods, a Corporate Retreat:

- A Site Plan [SP-06-42-07] for the uses which are permitted by right in the A (Agricultural) district: chapel and country club which includes reception areas, kitchen and restaurant, ballroom, meeting rooms, and a swimming pool.
- A Conditional Use Permit [CUP-01-01-07] for the uses which are permitted with a Conditional Use Permit in the A District: dude ranch with cabins and a riding stable, hunting and shooting areas, and ball fields.

The rezoning is not tied to this development proposal but the applicant indicated that their proposed uses have not changed.

The applicant is requesting the rezoning so more of the uses would be permitted by right rather than requiring approval through a Conditional Use Permit. The permitted uses and the uses which require a Conditional Use Permit in the B-2 District are listed below:

- The uses which are proposed with this development which would be permitted by right in the B-2 District include: motel/hotel, restaurant, tavern/bar, offices, conference center with reception area and meeting room, swimming pool, and chapel.
- The proposed uses which would require a Conditional Use Permit in the B-2 District include the recreational facilities: commercial riding stable, ball fields, and hunting/shooting areas.

The development as proposed would be compatible with the surrounding area. The Conditional Use Permit submitted earlier for this development included over 300 acres with much of that area being retained as woodland or open space to serve as a site amenity or recreational area. This rezoning request does not limit the use to that which has been proposed and does not assure that the surrounding woodland/open areas would be tied to the development or that the woodland/open areas would be preserved.

If the rezoning request to the B-2 District were approved, all the uses in the B-2 District would be possible in this location. The following table lists the uses permitted in the B-2 District.

Uses which are permitted in the B-2 District:	
Advertising signage	Food storage lockers
Amusement place, skating rink, swimming pool or dance hall (enclosed)	Frozen food lockers
Animal hospital or clinic	Hotels, motels or motor hotels
Automobile parking lots and storage garages	Material storage yards
Bowling alleys and billiard parlors	Offices and office buildings, including clinics
Bottling works, dyeing and cleaning works or laundry, plumbing and heating shop, painting shop, upholstering shop, tinsmithing shop, tire sales and service, appliance repairs, general service and repair	Personal service uses including barber shops, banks, photographic or artist' studios, messengers, taxicabs, newspaper service stations, dry cleaning receiving stations, restaurants (not drive-in), taverns, undertaking establishments
Display room for merchandise to be sold on order	Printing, publishing and engraving establishments
Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, dry cleaning and pressing and bakery	Retail stores, including florist shops and greenhouses in connection with such shops
Drive in restaurants	Self-service laundry or self-service dry cleaning
Filling stations	Used car lot
Fireworks stand, with permit	Wholesale establishment or warehouse (enclosed)

While the development, as proposed, would be compatible with the land uses in the area and would be compliant with some recommendations in *Horizon 2020*, there is no assurance or requirement that the development would occur as proposed. It may be possible to apply conditions to the zoning that would limit the development to that which has been proposed, or a similar use. **However, the County Code does not currently contain a provision which allows conditioned zoning.**

The development proposal meets many of the necessary criteria required for approval. The development would be buffered from the surrounding area by the large areas of woodland which would be a part of the retreat, but the woodland area is not included in the rezoning request. If preservation of the surrounding woodland area were assured, the development proposal would conserve large areas of woodland and steep slopes and maintain the rural character of the area while accommodating the commercial development. While the development has the potential for preserving the wooded areas, the preservation is not tied to the rezoning. If the rezoning were approved, Staff would recommend that an agreement be

executed which shows the woodland area which will be maintained with the Corporate Retreat center.

The commercial uses proposed should have little impact on the surrounding property owners. The property has good access to the transportation network as it is in close proximity to I-70 and K-10 and traffic would need to travel a limited distance on N 1800 Road which is classified as a principal arterial in the Major Thoroughfares Map. (Figure 1)

The rezoning request does not conform to several recommendations in *Horizon 2020*, specifically the area limitation of 15,000 sq. ft. of commercial development; and the locational criteria in Goal 3 which states that the only new commercial area shall be located at the intersection of either US-56 and K-33 or US-56 and County Route 1061.(page 6-39).

The proposed commercial development is a conference/recreation use similar to the conference uses recommended in *Horizon 2020* for areas near Clinton Lake. The natural feature being utilized with this conference/recreation center is woodlands rather than lake area and the use is very similar; however, *Horizon 2020* only recommends conference centers near Clinton Lake. ***However, the use does comply with the locational criteria and recommendations being proposed in the Comprehensive Plan Amendment [CUP-3-2-09].***

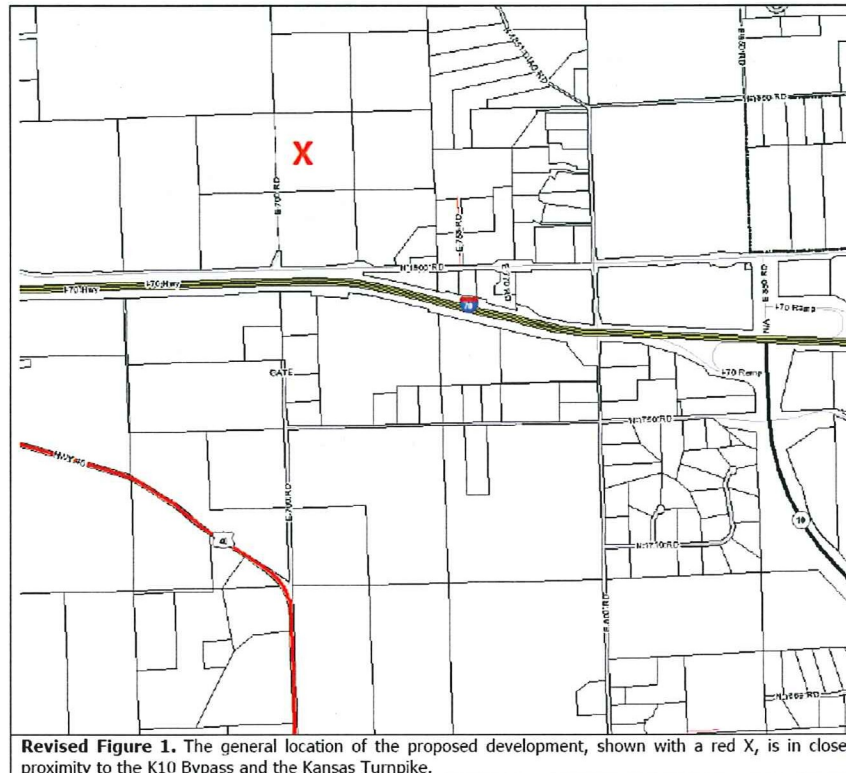
This development is not a typical 'commercial' or 'retail' development, but is more of a 'conference center/recreation center'. The proposed development is well suited for the location, should have little impact on the neighbors, and would provide an additional benefit by preserving the woodlands in the area. However, as the rezoning request does not comply with *Horizon 2020's* criteria for new commercial development in the County, Staff must recommend denial of the rezoning request. ***If the proposed Comprehensive Plan Amendment [CUP-3-2-09] is approved, the proposed development would be compliant with the recommendations in H2020 and staff would recommend approval.***

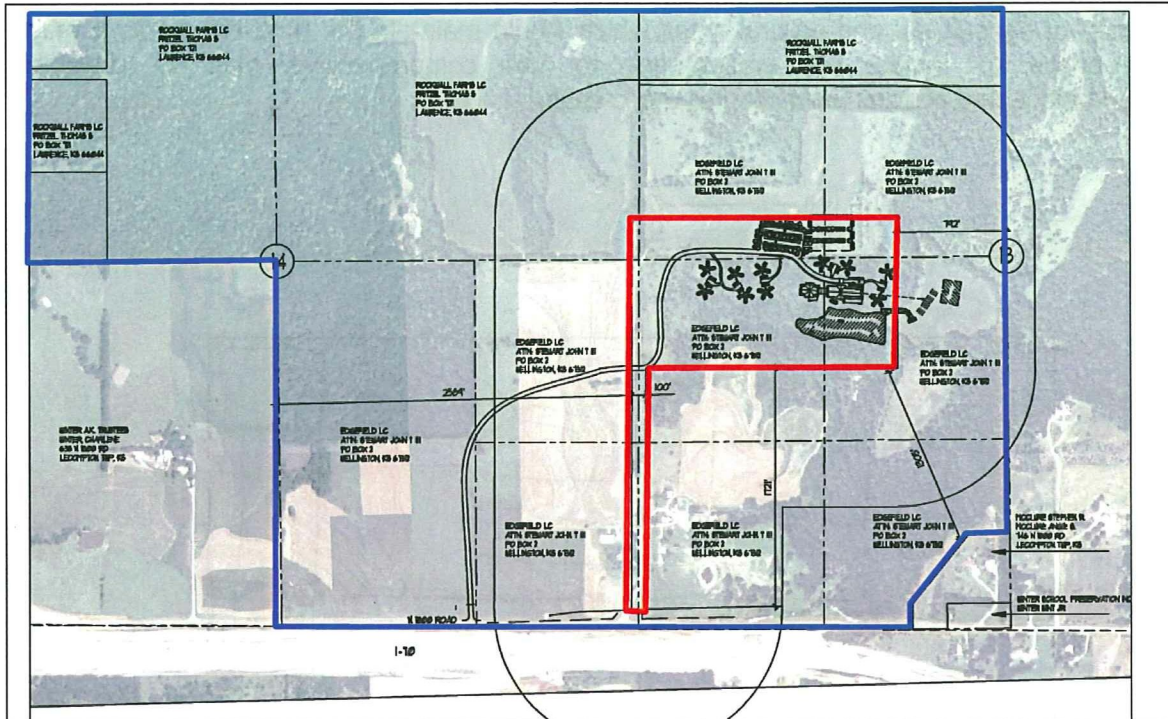
A Conditional Use Permit may be more appropriate for this type of use as it provides the means for restricting the use and including the woodland area in the proposal. ***However, as mentioned earlier, a CUP does not permit all the uses the applicant is interested in pursuing with the conference/retreat. Specifically, liquor licenses are not possible for properties with uses permitted by CUP rather than commercial zoning. In addition, the applicant feels that the time limits placed on a CUP are inadequate given the amount of investment involved in this project.***

If the rezoning request were approved, Staff would recommend that an agreement be required which would specify the surrounding areas which are to be associated with the development and require that the surrounding area will be conserved. The permitted uses such as: hunting, trails and routine maintenance, and the restricted uses, such as: bulldozing, clear-cutting, residential development, would be listed on the agreement. Changes to the restricted uses or the protection status of the property would require approval by the Board of County Commissioners. ***This agreement would not be necessary if the Comprehensive Plan Amendment is adopted as the buffer area and the use and maintenance information would be included on the plat.***

Horizon 2020 does not address 'agri-tourism' or 'rec-tourism' uses. Given that agri-tourism or rec-tourism uses may be appropriate in many areas of the county and may result in the

preservation of agricultural and natural areas which would maintain the rural character, it may be appropriate to initiate an amendment to the comprehensive plan to develop recommendations and policies pertaining to these uses.





REVISED Figure 2 – 01/23/09 –
Area included in the rezoning request is outlined in red. Property under same ownership and associated with this development proposal is outlined in blue.

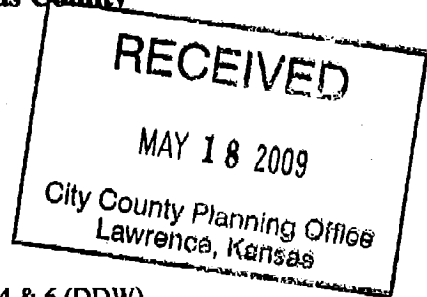


League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

May 17, 2009

Mr. Brad Finkeldei, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044



RE: ITEM NO. 4: CPA-3-2-09; AMENDMENT TO HORIZON 2020, CHAPTERS 4 & 6 (DDW)
ITEM NO. 5: A TO B-2; 58.99 ACRES; N 1800 RD & E 700 RD (MKM)


Dear Chairman Finkeldei and Planning Commissioners:


You have received several communications from us on this issue and therefore know that we support the type of use proposed by Rockwall Farms but not the rezoning to the County B-2 that the developers have requested. We take this position because of the open-ended list of possible uses that this property could become in the future and the inability of the County to legally restrict the use under this B-2 District. The restrictions that you have recommended (i.e., the platting and buffering) would not prevent the property from becoming a general commercial use. Platted property can be replatted. Buffers as a function of the platting can be rescinded, unless that land is given to the County. The suggestion for a modified Conditional Use Permit is unacceptable to the developers.

We have another suggestion that we hope you will seriously consider. Because *Horizon 2020* is undergoing a possible change to allow any number of these "conference, recreation, or tourism facilities that benefit from or integrate with the rural setting," it seems justifiable to create a special zoning district for this use. These proposed and necessary conditions are not written into any zoning district at this time and would not be binding under the existing conventional County zoning districts. There is no reason why a new County Zoning District could not be initiated that would satisfy the needs of this use, but at the same time provide the necessary predictability that such a County business use should dictate. We believe that in order to avoid the unexpected consequences of unintentional outcomes that the all-encompassing B-2 District could cause, a possible solution would be to create a new special district for the use "conference, recreation, or tourism facilities that benefit from or integrate with the rural setting." Such a district could be written so as to limit the uses, add requirements specific to the facilities, and therefore avoid the development of more intensive commercial sites/and or shopping centers located throughout the County. We also suggest that you word the *Horizon 2020* Chapter 6, Commercial Land Use, so that this type of use would be limited to this special district in the County.

Also, we would like to apologize for mis-locating the Rockwall Farms site on the map that was attached to our letter. We had inserted the letter that was presented in the PC Staff Report of January 28, 2009 in the Miscellaneous Item #1. We continue to view the correct location, however, as strategically located and large enough to potentially become an intensive commercial center if granted B-2 County Zoning because of its relatively close proximity to the K-10/I-70 Interchange.

Again, we ask that you seriously consider our suggestion of creating a new, special district for the specific use requested by the developers of Rockwall Farms and to reference such district in Chapter 6, *Horizon 2020*. Thank you.

Sincerely yours,

Milton Scott
Vice President


Alan Black, Chairman
Land Use Committee

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RICHARD A. BARBER
(1911-1998)

GLEE S. SMITH, JR.
OF COUNSEL

May 12, 2009

VIA REGULAR MAIL AND E-MAIL

Mr. Brad Finkeldei, Chair
Lawrence-Douglas County
Metropolitan Planning Commission
6 East 6th Street
P.O. Box 708
Lawrence, Kansas 66044

Re: May 18, 2009 Planning Commission Meeting
Agenda Item 4, CPA-3-2-09 (the "Text Amendment")
Agenda Item 5, Z-11-19-08 (the "Rezoning Request")

Dear Mr. Finkeldei:

I am writing on behalf of Rockwall Farms, L.C. (the "Applicant"), in connection with the above-referenced land use matters, which will allow for the construction of a rural conference center (the "Project"). During the past several months, the Applicant and Planning Staff have discussed several issues related to the Project, including many of the same issues identified by the League of Women Voters (the "LWV") in their letter addressed to the Planning Commission, and dated April 19, 2009. Although we appreciate and share many of the LWV's same concerns, the LWV's letter does contain a couple of factual misstatements regarding the Project, which need to be corrected.

CUP not an option. The LWV states that the Project, as proposed, may proceed with a Conditional Use Permit ("CUP"). This is not correct. The option of a CUP has been considered and discussed at length between the Applicant and the Planning Staff, but is not a viable option. First, long-term financing for a multi-million dollar real estate development, such as the Project, requires permanent zoning, not a CUP. Second, a CUP will not allow the Applicant the ability to obtain a liquor license to serve alcohol on the subject property. A liquor license is a prerequisite to the Applicant's proposed uses, including dining, banquet and reception facilities on the subject property.

Wrong property identified. The LWV incorrectly states that the Project "is strategically located for the potential to become a major commercial hub in the County because of its proximity to the K-10/Turnpike interchange." This is not correct. The LWV identified the wrong parcel of property. The actual Project is located 1.5 miles to the west, and a quarter mile north of the LWV's location. Moreover, the Project is not likely to become a "major commercial hub" because the site is not even visible from the Farmer's Turnpike. The proposed improvements will be set back more

Mr. Brad Finkeldei, Chair
Lawrence-Douglas County Metropolitan Planning Commission
May 12, 2009
Page 2

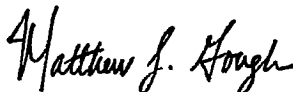
than a quarter mile from the Farmer's Turnpike—not an ideal location for a “commercial hub.” To the contrary, the site was selected *because* of its seclusion.

Conditional zoning not allowed. The Project has very specific proposed uses, and the LWV believes a specific land use approval should be used to permit those uses. Conceptually we agree, and have had several discussions with the Planning Staff about this very issue. The Applicant has *offered* to restrict the proposed uses in connection with the Rezoning Request, and the Planning Staff would *accept* such restrictions, if permitted to do so. However, the LWV correctly notes that Douglas County does not presently allow “conditional zoning” to impose additional use limitations within a zoning category.

Workable solution. The Applicant has agreed to make the rezoning contingent upon the approval of a site plan, which includes a site buffer. Additionally, if the proposed Text Amendment is approved, then *Horizon 2020* will allow the proposed project in the rural area, thereby evoking a recommendation for approval from Planning Staff. To address concerns of future land use, the Text Amendment imposes criteria for rural recreation and tourism facilities. The configuration and isolated location of the Project are further assurances against more intense commercial development in the future. These actions and facts represent the best available compromise between the concerns of Planning Staff and the objectives of the Applicant. In effect, the Applicant is agreeing to condition the “approval” of the Project, rather than condition the “zoning” itself.

The Applicant and the Planning Staff have cooperated to present the Planning Commission with a solution both parties can support. The Applicant has made a concerted effort to provide the public with assurances that the proposed use on the subject property will integrate with and preserve the surrounding rural environment, and has made all reasonable efforts to address concerns of the Planning Staff, the Lecompton Planning Commission, and the neighboring landowners. We believe the Text Amendment and the Rezoning Request independently merit the consideration and approval of the Planning Commission.

Respectfully,



Matthew S. Gough
of Barber Emerson, L.C.

MSG:jsm

cc: Rockwall Farms, L.C.
Scott McCullough, Planning Director

ITEM NO. 5 A TO B-2; 58.99 ACRES; N 1800 RD & E 700 RD (MKM)

Z-11-19-08: Consider a request to rezone 58.99 acres located northeast of the intersection of N 1800 Road & E 700 Road, S of Lecompton from A (Agricultural) to B-2 (General Business District). Submitted by Paul Werner Architects, for Rockwall Farms L.C., property owner of record. *Joint meeting with Lecompton Planning Commission.* Deferred from the March 2009 Planning Commission meeting.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

Commissioner Dominguez asked why the buffer was requested to be reduced.

Ms. Miller said the applicant would have to answer that.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, said the shape was intentionally designed as a flag lot with the access off of Farmers Turnpike. He said originally he offered a 500' buffer but reduced it to 300' when staff suggested 200'. He said the 300' buffer was reasonable.

PUBLIC HEARING

Ms. Betty Lichtwardt, League of Women Voters, said that the outcome cannot always be predicted and that nothing in the ordinance prevents changes in the future. She recommended that a special zoning district be created for these types of uses.

Mr. Jeff Robertson, Lecompton Planning Commission Chair, said the Lecompton Planning Commission support the rezoning.

APPLICANT CLOSING COMMENTS

Mr. Matt Gough, Barber Emerson, said the access road is not a county road, it is private as E 700 Road has been vacated in this location. It is a flag lot, which cannot be split because of its shape. He said it was about 2 miles from KTA and the proposed location of the improvements is in a ravine and surrounded by woodland areas and is not visible from the Farmers Turnpike.

COMMISSION DISCUSSION

Commissioner Harris asked for staff to address the League of Women Voters comment about having a special designation for these types of facilities.

Mr. McCullough said that staff has recognized all along the lack of ability to do conditional zoning and the practical lack of Conditional Use Permit for a facility that wants to serve alcohol. It has presented some practical barriers.

Commissioner Hird thanked Lecompton Planning Commission members for being present. He said because of their positive recommendation and the project's location and inherent limitations he would vote to support the rezoning request.

ACTION TAKEN

Motioned by Commissioner Hird, seconded by Commissioner Blaser, to forward the rezoning request to the Board of County Commissioners with a recommendation for approval, subject to the following conditions as revised in the staff memo:

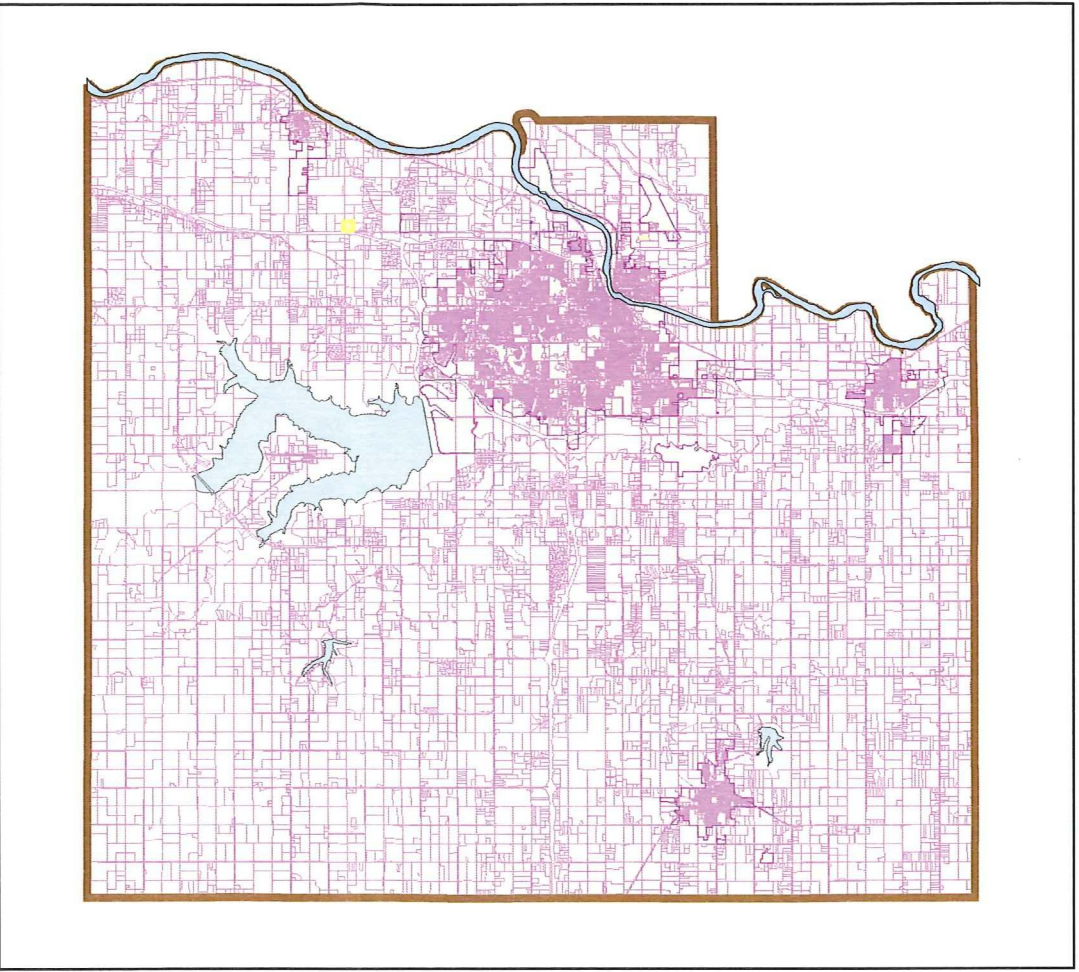
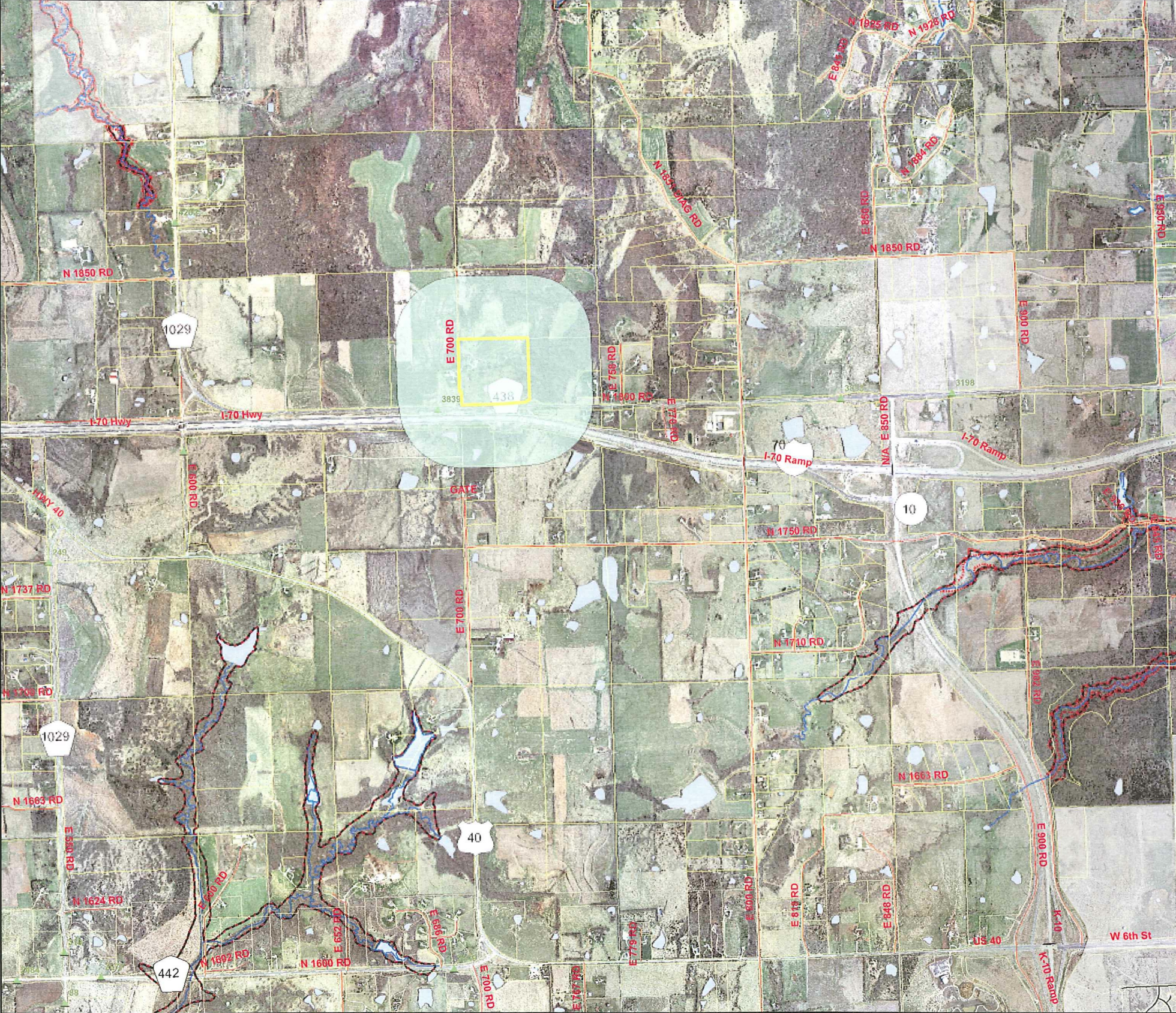
1. The rezoning resolution shall be published after the Board of County Commissioners have approved and signed the resolution for the Comprehensive Plan Amendment [CPA-3-2-09].
2. The rezoning resolution shall be published after the recordation of a final plat.

3. The rezoning resolution shall be published after the approval of a site plan. The following required features will be included on any site plan submitted for this property:
 - a. The buffer area shown on the concept plan.
 - b. Use restrictions and maintenance responsibility for the buffer area shall be listed.
4. If a 300 ft buffer width is approved, a revised concept plan showing the approved buffer area shall be provided to the Planning Office to be filed with the rezoning application.

Commissioner Harris said she would vote in favor of the motion but encouraged staff to consider the League of Women Voters points and try to address their concerns.

Unanimously approved 8-0.

Z-11-19-08



Z-11-19-08

	Z-11-19-08	S_Fld_Haz_Ln
	2008counts	Ln_Typ
	city_limits09	0.2 PCT ANNUAL CHANCE FLOOD HAZARD
	ownshp09	1 PCT ANNUAL CHANCE FLOOD HAZARD
	S_Wtr_Ln	FLOODWAY
	water_bodies	

This map was produced by Douglas County GIS. It is for reference only and is not intended for conveyances, nor is it a legal survey. June 16 , 2009.

**PLANNING COMMISSION REPORT
Regular Agenda – Action Item**

PC Staff Report
05/18/09

ITEM NO. 4: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6 (DDW)

CPA-3-2-09: Hold public hearing on a Comprehensive Plan Amendment (CPA) to Horizon 2020 Chapter 4, Growth Management and Chapter 6, Commercial Land Use to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County. Initiated by the Planning Commission on April 20, 2009. Requested by Rockwall Farms, LC.

STAFF RECOMMENDATION: Staff recommends approval of CPA-3-2-09 amending Horizon 2020 Chapter 4, Growth Management and Chapter 6, Commercial Land Use to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County, and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution 5-3-09.

STAFF REVIEW

This CPA was requested by Rockwall Farms, LC and initiated by the Planning Commission on April 20, 2009. The applicant provided proposed text changes to Chapter 4, Growth Management and Chapter 6, Commercial Land Use with their CPA request.

Staff reviewed the language proposed by the applicant and modified it after consideration of the issues. The italicized language below is the changes proposed by the applicant. The bold and struck through language is the modifications proposed by staff.

Chapter Four – Growth Management, pg. 4-4

RURAL AREA

The Rural Area is the land that lies outside the designated Urban Growth Areas of the incorporated cities. Lands in the Rural Area are not planned to develop or to support urban densities of development during the planning period. Rural development shall be subject to the overall policies, recommendations and standards of the Comprehensive Plan. There are a few locations, however, in the Rural Area which may be expected to receive some level of urban development consistent with the Plan. These include commercial areas to serve county residents and, potentially, to provide *(i) conference and recreation facilities at Clinton Lake, and (ii) conference, recreation, or tourism facilities that benefit from or integrate with the rural setting, at such other locations that substantially satisfy the*

following criteria: (a) direct access to an improved arterial roadway; (b) ~~rural or public water supply available;~~ (c) separated from existing conference, recreation, or tourism facilities by 3 miles or other appropriate distance as determined by the Board of County Commissioners; and (d) designed to preserve and/or integrate natural resources and the rural environment through appropriate land use, site design, buffering, or other methods. Otherwise, urban uses are not planned within the Rural Area.

Chapter Six – Commercial Land Use, p.6-23, last paragraph

Commercial activities related to *conference, recreational, or tourism* uses associated with Clinton Lake, Lone Star Lake, or Douglas County Lake, ~~or other Rural Areas that satisfy the criteria for growth management in Chapter Four,~~ shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

Conference, recreational, or tourism uses located in the Rural Area shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory 200' natural buffer area. Proposed conference, recreational, or tourism facilities shall include a site-specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

Discussion

Limiting the occurrence of these facilities is warranted in order to keep them from proliferating in the rural area. It is reasonable to require public water supply only instead of rural or public water. A separation standard also will help to limit the occurrence of these facilities. Staff is proposing a distance of 3 miles or other appropriate distance as determined by the Board of County Commissioners.

While these uses are intended to preserve or integrate with the rural environment, buffering these uses from neighboring properties will help protect the rural nature of the neighboring areas. Providing a site-specific site plan at the time of rezoning will help ensure the standards for these facilities are being met.

Staff also reviewed this amendment based upon the comprehensive plan amendment review criteria listed below [identified in Chapter 13 (Implementation) of *Horizon 2020*]. The applicant also provided responses to the criteria.

Included as an attachment to this staff report are the proposed amendments to Chapter 4, Growth Management and Chapter 6, Commercial Land Use. If approved, this amendment will add language to the Rural Area description in Chapter Four – Growth Management (pg. 4-4) and to Chapter Six – Commercial Land Use (pg. 6-23, last paragraph).

COMPREHENSIVE PLAN AMENDMENT REVIEW

A. Does the proposed amendment result from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted?

Applicant's Response:

The proposed amendment is the result of unforeseen conditions not understood or addressed at the time Horizon 2020 was adopted. The concept of rural-related tourism, such as a retreat that includes convention and meeting space, dining facilities, cabins, a wedding chapel, a lodge, or a clubhouse, which are intended to preserve natural resources and the rural environment, was not specifically addressed or contemplated in Horizon 2020. However, because rural-related tourism activities are similar in many respects to lake activities and recreation, the proposed text amendments are an extension of the plan's rationale regarding recreational development in the Rural Area.

Staff's Response:

The proposed amendment is a result of the changing circumstances that have occurred since the comprehensive plan was first written. The extent of the scope of rural tourism today was not contemplated when *Horizon 2020* was first written. Rural tourism is a growing industry and providing facilities in rural areas of the County, rather than just around county lakes, is appropriate.

B. Does the proposed amendment advance a clear public purpose and is it consistent with the long-range goals and policies of the plan?

Applicant's Response:

*The proposed amendments advance several clear public purposes and are consistent with the long-range planning goals and policies of Horizon 2020. First, the proposed text amendments will preserve, protect and utilize natural and environmental features as focal points for new recreational development, and will preserve natural areas and open spaces in Rural Areas, consistent with the policies of Chapter Nine of Horizon 2020. See pp. 9-2, 9-6. Second, the addition of new rural recreational facilities will promote tourism in Douglas County, which is an objective in Horizon 2020, as stated in Chapter Twelve, Priority 5.4, p. 12-6. Third, rural-related tourism facilities like *The Woods* are consistent with the first and second Goals of Economic Development – to create new jobs and to increase the tax base. See Horizon 2020, p. 12-1. For example, *The Woods*, when fully developed, will add new jobs and payroll in Douglas County and include a capital investment of up to \$10,000,000.*

Staff's Response:

The proposed amendment is an advancement of a clear public purpose to permit opportunities to develop rural-oriented uses related to recreation, conference and tourism. Staff agrees with the applicant's response regarding the support of long-range goals and policies. The proposed amendment is changing policy but still limiting commercial uses in the rural area.

C. Is the proposed amendment a result of a clear change in public policy?

Applicant's Response:

The recent emphasis on the preservation of natural resources and the rural environment, as evidenced by the recently approved amendments to Chapter Seven of Horizon 2020, is the result of a clear change in public policy. This change of public policy is also evidenced by the recent draft Environmental Chapter of the long-range plan.

Staff's Response:

There have been recent discussions of opening unincorporated areas to limited development in Chapter Seven. Further, eastern Kansas and western Missouri have been designated as part of the Freedom's Frontier National Heritage Area by Congress. The Freedom's Frontier Heritage Area is a grassroots effort focused on telling the story of freedom. The Freedom's Frontier Heritage Area designation could lead to increased visitors to the Douglas County and this comprehensive plan amendment could help support increased tourism by allowing conference, recreation, and tourism facilities in the rural area.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of CPA-3-2-09 amending Horizon 2020 Chapter 4, Growth Management and Chapter 6, Commercial Land Use to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County, and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

Attachments:

- Proposed new text

Description inserted in Horizon 2020 Text, shown in italics, deleted language is struck through:

Chapter Four – Growth Management, pg. 4-4

RURAL AREA

The Rural Area is the land that lies outside the designated Urban Growth Areas of the incorporated cities. Lands in the Rural Area are not planned to develop or to support urban densities of development during the planning period. Rural development shall be subject to the overall policies, recommendations and standards of the Comprehensive Plan. There are a few locations, however, in the Rural Area which may be expected to receive some level of urban development consistent with the Plan. These include commercial areas to serve county residents and, potentially, to provide *(i) conference and recreation facilities at Clinton Lake, and (ii) conference, recreation, or tourism facilities that benefit from or integrate with the rural setting, at such other locations that substantially satisfy the following criteria: (a) direct access to an improved arterial roadway; (b) public water supply available; (c) separated from existing conference, recreation, or tourism facilities by 3 miles or other appropriate distance as determined by the Board of County Commissioners; and (d) designed to preserve and/or integrate natural resources and the rural environment through appropriate land use, site design, buffering, or other methods.* Otherwise, urban uses are not planned within the Rural Area.

Chapter Six – Commercial Land Use, p.6-23, last paragraph

Commercial activities related to *conference, recreational, or tourism* uses associated with Clinton Lake, Lone Star Lake, or Douglas County Lake, ~~or other Rural Areas that satisfy the criteria for growth management in Chapter Four,~~ shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

Conference, recreational, or tourism uses located in the Rural Area shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory 200' natural buffer area. Proposed conference, recreational, or tourism facilities shall include a site specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

RECEIVED

MAR 30 2009

City County Planning Office
Lawrence, Kansas

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MARK A. ANDERSEN*
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*ADMITTED IN KANSAS AND MISSOURI

Matthew S. Gough
Email: mgough@barberemerson.com

MATTHEW S. RICHARDS*
KANSAS GUTIERREZ
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CATHERINE C. THEISEN
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MATTHEW B. TODD
RICHARD A. BARBER
(1911-1998)
GLEE S. SMITH, JR.
OF COUNSEL

March 30, 2009

Mr. Scott McCullough, Director
Planning and Development Services
City Hall, P.O. Box 708
6 East 6th Street
Lawrence, Kansas 66044

Via Hand Delivery

Re: *Requested Text Amendment to Horizon 2020*

Dear Scott:

We are writing on behalf of Rockwall Farms, L.C., the applicant requesting to rezone approximately 58.99 acres from A to B-2 (Item No. Z-11-19-08) in Douglas County. In the most recent staff report dated as of March 25, 2009, the Planning Staff suggested that a text amendment to Horizon 2020, related to recreational uses in the Rural Area, may be necessary. As a result of our recent discussions, and in response to your suggestions and requests, the applicant proposes that Horizon 2020 be amended as follows:

Chapter Four-Growth Management, p. 4-4:

RURAL AREA

The Rural Area is the land that lies outside the designated Urban Growth Areas of the incorporated cities. Lands in the Rural Area are not planned to develop or to support urban densities of development during the planning period. Rural development shall be subject to the overall policies, recommendations and standards of the Comprehensive Plan. There are a few locations, however, in the Rural Area which may be expected to receive some level of urban development consistent with the Plan. These include commercial areas to serve county residents and, potentially, to provide **(i) conference and recreation facilities at Clinton Lake, and (ii) conference, recreation, or tourism facilities that benefit from or integrate with the rural setting, at such other locations that substantially satisfy the following criteria: (a) direct access to an improved arterial roadway; (b) rural or public water supply available; and (c) designed to preserve and/or integrate natural resources and the rural environment through appropriate land use, site design, buffering, or other methods.**

Otherwise, urban uses are not planned within the Rural Area.

McCullough, Scott

March 30, 2009

Page 2

Chapter Six-Commercial Land Use, p. 6-23, last paragraph:

Commercial activities related to conference, recreational, or tourism uses associated with Clinton Lake, Lone Star Lake, ~~or~~ Douglas County Lake, or other Rural Areas that satisfy the criteria for growth management in Chapter Four, shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

The proposed text amendments may be necessary, because although Horizon 2020 acknowledges that there are a few locations in the Rural Area that may be expected to receive some level of development (see p. 4-4), the plan provides only one example of such development, namely around the County lakes. The applicant's proposed uses related to The Woods project are similar to the recreational uses associated with the County lakes—fishing, camping, retreats, cabins, and other tourism and recreation activities that benefit from or integrate with the rural setting. The proposed text amendments are designed to permit similar recreational activities in the Rural Area, but only when the proposed facility substantially satisfies the three criteria described above.

The proposed amendment is a result of unforeseen conditions not understood or addressed at the time Horizon 2020 was adopted. The concept of rural-related tourism, such as a retreat that includes convention and meeting space, dining facilities, cabins, a wedding chapel, a lodge, or a clubhouse, which are intended to preserve natural resources and the rural environment, was not specifically addressed or contemplated in Horizon 2020. However, because rural-related tourism activities are similar in many respects to lake activities and recreation, the proposed text amendments are an extension of the plan's rationale regarding recreational development in the Rural Area.

The proposed amendments advance several clear public purposes and are consistent with the long-range goals and policies of Horizon 2020. First, the proposed text amendments will preserve, protect and utilize natural and environmental features as focal points for new recreational development, and will preserve natural areas and open spaces in Rural Areas, consistent with the policies of Chapter Nine of Horizon 2020. See pp. 9-2, 9-6. Second, the addition of new rural recreational facilities will promote tourism in Douglas County, which is an objective in Horizon 2020, as stated in Chapter Twelve, Priority 5.4, p. 12-6. Third, rural-related tourism facilities like The Woods are consistent with the first and second Goals of Economic Development – to create new jobs and to increase the tax base. See Horizon 2020, p. 12-1. For example, The Woods, when fully developed, will add new jobs and payroll in Douglas County and include a capital investment of up to \$10,000,000.

McCullough, Scott

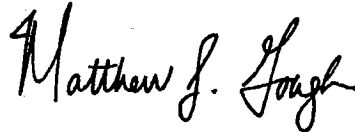
March 30, 2009

Page 3

The recent emphasis on the preservation of natural resources and the rural environment, as evidenced by the recently approved amendments to Chapter Seven of Horizon 2020, is the result of a clear change in public policy. This change of public policy is also evidenced by the recent draft Environmental Chapter of the long-range plan.

Thank you for the opportunity to submit these proposed text amendments to support tourism and recreation in the Rural Area. If you have any questions about anything in this application, please contact me at your earliest convenience. As we discussed, please schedule the applicant's rezoning request and proposed text amendments for the May 2009 Planning Commission meeting.

Very truly yours,

A handwritten signature in black ink that reads "Matthew S. Gough". The signature is written in a cursive, flowing style.

Matthew S. Gough
of Barber Emerson, L.C.

MSG:jsm

cc: Rockwall Farms, L.C.
Paul Werner

RESOLUTION NO. 5-3-09

A RESOLUTION ADOPTING AMENDMENTS TO HORIZON 2020, THE COMPREHENSIVE PLAN FOR THE CITY OF LAWRENCE AND UNINCORPORATED DOUGLAS COUNTY, KANSAS PERTAINING TO CONFERENCE, RECREATION, AND TOURISM FACILITIES IN THE RURAL AREA OF DOUGLAS COUNTY

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas, for the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving and protecting property values throughout Lawrence and Douglas County, are authorized by K.S.A. 12-741 *et seq.* to provide for the preparation, adoption, amendment, extension and carrying out of a comprehensive plan; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas have adopted an official comprehensive plan for the coordination of development in accordance with the present and future needs and to conserve the natural resources of the City and County, ensure efficient expenditure of public funds and promote the health, safety, convenience, prosperity and general welfare of the citizens of Lawrence and Douglas County; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission held a public hearing on May 18, 2009, for the proposed amendments to Chapter 4 – Growth Management and Chapter 6 – Commercial Land Use, Horizon 2020, the comprehensive plan, to expand the possible locations of conference, recreation, or tourism uses in the Rural Area of Douglas County, after notice by publication in the official city and county newspaper.

BE IT RESOLVED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION ONE: The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim.

SECTION TWO: Pursuant to K.S.A. 12-747, the Lawrence-Douglas County Metropolitan Planning Commission adopts and recommends for approval CPA-3-2-09, the amendments to Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County.

SECTION THREE: The amendments to *Horizon 2020*, Chapter 4 – Growth Management and Chapter 6 – Commercial Land Use are amended as noted below.

Chapter Four – Growth Management, pg. 4-4

RURAL AREA

The Rural Area is the land that lies outside the designated Urban Growth Areas of the incorporated cities. Lands in the Rural Area are not planned to develop or to support urban densities of development during the planning period. Rural development shall be subject to the overall policies, recommendations and standards of the Comprehensive Plan. There are a few locations, however, in the Rural Area which may be expected to receive some *significant* level of urban development consistent with the Plan, ~~These~~ *these* include commercial areas to serve county residents and, potentially, to provide (i) conference and recreation facilities at Clinton Lake, and (ii) conference, recreation, or tourism facilities that benefit from or integrate with the rural setting, at such other

locations that substantially satisfy the following criteria: (a) direct access to an improved arterial roadway; (b) public water supply available; (c) separated from existing conference, recreation, or tourism facilities by 3 miles or other appropriate distance as determined by the Board of County Commissioners; and (d) designed to preserve and/or integrate natural resources and the rural environment through appropriate land use, site design, buffering, or other methods. Otherwise, urban uses are not planned within the Rural Area.

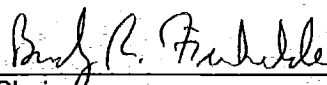
Chapter Six – Commercial Land Use, p.6-23, last paragraph

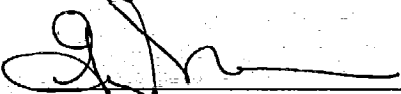
Commercial activities related to *conference, recreational, or tourism* uses associated with Clinton Lake, Lone Star Lake, or Douglas County Lake, ~~or other Rural Areas that satisfy the criteria for growth management in Chapter Four~~, shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

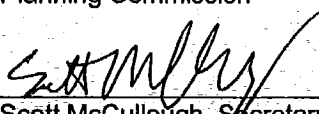
Conference, recreational, or tourism uses located in the Rural Area, and which include some significant level of urban development, shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory 200' natural buffer area. Proposed conference, recreational, or tourism facilities shall include a site specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

SECTION FOUR: Resolution 5-3-09 together with a certified copy of the amendments to Chapter 4 – Growth Management and Chapter 6 – Commercial Land Use of Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, and a written summary of the public hearing shall be submitted to the City Commission and the Board of County Commissioners.

Adopted by the Lawrence-Douglas County Metropolitan Planning Commission on this, the 18th day of May, 2009.


Chair
Lawrence-Douglas County Metropolitan
Planning Commission


Vice-Chair
Lawrence-Douglas County Metropolitan
Planning Commission


Scott McCullough, Secretary
Lawrence-Douglas County Metropolitan
Planning Commission

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*ADMITTED IN KANSAS AND MISSOURI

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RICHARD A. BARBER
(1911-1998)

GLEE S. SMITH, JR.
OF COUNSEL

May 12, 2009

VIA REGULAR MAIL AND E-MAIL

Mr. Brad Finkeldei, Chair
Lawrence-Douglas County
Metropolitan Planning Commission
6 East 6th Street
P.O. Box 708
Lawrence, Kansas 66044

Re: *May 18, 2009 Planning Commission Meeting*
Agenda Item 4, CPA-3-2-09 (the "Text Amendment")
Agenda Item 5, Z-11-19-08 (the "Rezoning Request")

Dear Mr. Finkeldei:

I am writing on behalf of Rockwall Farms, L.C. (the "**Applicant**"), in connection with the above-referenced land use matters, which will allow for the construction of a rural conference center (the "**Project**"). During the past several months, the Applicant and Planning Staff have discussed several issues related to the Project, including many of the same issues identified by the League of Women Voters (the "**LWV**") in their letter addressed to the Planning Commission, and dated April 19, 2009. Although we appreciate and share many of the LWV's same concerns, the LWV's letter does contain a couple of factual misstatements regarding the Project, which need to be corrected.

CUP not an option. The LWV states that the Project, as proposed, may proceed with a Conditional Use Permit ("**CUP**"). This is not correct. The option of a CUP has been considered and discussed at length between the Applicant and the Planning Staff, but is not a viable option. First, long-term financing for a multi-million dollar real estate development, such as the Project, requires permanent zoning, not a CUP. Second, a CUP will not allow the Applicant the ability to obtain a liquor license to serve alcohol on the subject property. A liquor license is a prerequisite to the Applicant's proposed uses, including dining, banquet and reception facilities on the subject property.

Wrong property identified. The LWV incorrectly states that the Project "is strategically located for the potential to become a major commercial hub in the County because of its proximity to the K-10/Turnpike interchange." This is not correct. The LWV identified the wrong parcel of property. The actual Project is located 1.5 miles to the west, and a quarter mile north of the LWV's location. Moreover, the Project is not likely to become a "major commercial hub" because the site is not even visible from the Farmer's Turnpike. The proposed improvements will be set back more

Mr. Brad Finkeldei, Chair
Lawrence-Douglas County Metropolitan Planning Commission
May 12, 2009
Page 2


than a quarter mile from the Farmer's Turnpike—not an ideal location for a “commercial hub.” To the contrary, the site was selected *because* of its seclusion.

Conditional zoning not allowed. The Project has very specific proposed uses, and the LWV believes a specific land use approval should be used to permit those uses. Conceptually we agree, and have had several discussions with the Planning Staff about this very issue. The Applicant has *offered* to restrict the proposed uses in connection with the Rezoning Request, and the Planning Staff would *accept* such restrictions, if permitted to do so. However, the LWV correctly notes that Douglas County does not presently allow “conditional zoning” to impose additional use limitations within a zoning category.

Workable solution. The Applicant has agreed to make the rezoning contingent upon the approval of a site plan, which includes a site buffer. Additionally, if the proposed Text Amendment is approved, then *Horizon 2020* will allow the proposed project in the rural area, thereby evoking a recommendation for approval from Planning Staff. To address concerns of future land use, the Text Amendment imposes criteria for rural recreation and tourism facilities. The configuration and isolated location of the Project are further assurances against more intense commercial development in the future. These actions and facts represent the best available compromise between the concerns of Planning Staff and the objectives of the Applicant. In effect, the Applicant is agreeing to condition the “approval” of the Project, rather than condition the “zoning” itself.

The Applicant and the Planning Staff have cooperated to present the Planning Commission with a solution both parties can support. The Applicant has made a concerted effort to provide the public with assurances that the proposed use on the subject property will integrate with and preserve the surrounding rural environment, and has made all reasonable efforts to address concerns of the Planning Staff, the Lecompton Planning Commission, and the neighboring landowners. We believe the Text Amendment and the Rezoning Request independently merit the consideration and approval of the Planning Commission.

Respectfully,



Matthew S. Gough
of Barber Emerson, L.C.

MSG:jsm

cc: Rockwall Farms, L.C.
Scott McCullough, Planning Director

League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

April 19, 2009

Mr. Brad Finkeldei, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044

RE: MISC. ITEM #2: COMPREHENSIVE PLAN AMENDMENT INITIATION REQUEST,
To Change Horizon 2020, Chapter 6, to Allow Conference, Recreation Tourism Facilities as a Commercial Use
in the Unincorporated County:

Dear Chairman Finkeldei and Planning Commissioners:

We are writing this letter in opposition to changing *Horizon 2020*, Chapter 6, Commercial Land Use, to allow for randomly-located conference, recreation, or tourism facilities to be included in this commercial land use chapter. This request has arisen because of the need to allow in the County a more general distribution of such facilities. However, we object to including this use in the Commercial Land Use Chapter for the following reasons, and ask that you seek a different method to accommodate this use in our comprehensive plan.

1. Allowing this use in Chapter 6 would permit all such requests to be considered public commercial areas, eligible for commercial zoning under one of the existing county business districts. We have included copies of the current Douglas County Zoning Regulations for commercial zoning, Districts B-1, B-3 and B-2, to give you an idea of the wide variety and intensity of commercial uses available to an applicant in these districts. This is especially true for B-2 zoning, the requested commercial district for Rockwall Farms. Because there is no method available to the County to limit these permitted uses to only one or a few uses, once the zoning is in place, the ultimate use of this land would always be in question.
2. The nature of these uses requires a considerable amount of acreage. For the entire amount to be zoned for one of the County commercial districts, as in the case of Rockwall Farms, its size of 59 acres would be equivalent to a shopping center when zoned to any of the County commercial districts. The Rockwall Farms is strategically located for the potential to become a major commercial hub in the County because of its proximity to the K-10/Turnpike interchange, even though this is not the applicants' expressed intention.
3. Although conference, recreation and tourism uses would probably include dining facilities and residential accommodations, the assumption of the Rockwall Farms proposal is that the clientele would not be the random, general public, but, instead, organized groups with pre-arranged programs planned and booked in advance; at least this is the impression that has been presented by the applicants. Any adjunct commercial uses would be designed for the use of the clientele, would be small, and possibly not even open to the public. Because of the specific nature of the application, it would seem to us that such a use would not require commercial zoning at all.

Such uses, we believe, could be better accommodated with a Conditional Use Permit. The objection by the applicants that a CUP would be too uncertain because of the time limits could be overcome by eliminating the time limits and the other specific restrictions that the applicants feel jeopardize the attractiveness of the project to investors.

We ask the Planning Commission to be aware of the possible consequences of opening up the County to the random distribution, scattered throughout the unincorporated area, of large tracts of commercially-zoned land that could become nuclei of general business uses. For these reasons, we again urge you not to include “conference, recreation, and tourism” uses in Chapter 6. We suggest that you treat this as a special use, and provide a specifically tailored conditional use permit category for such uses. It would be wise to make note of this treatment in the *Horizon 2020*, Growth Management Chapter 4, as well.

Thank you for carefully considering this issue.

Sincerely yours,

Carrie Lindsey
Board Member

Alan Black, Chairman
Land Use Committee

Attachment

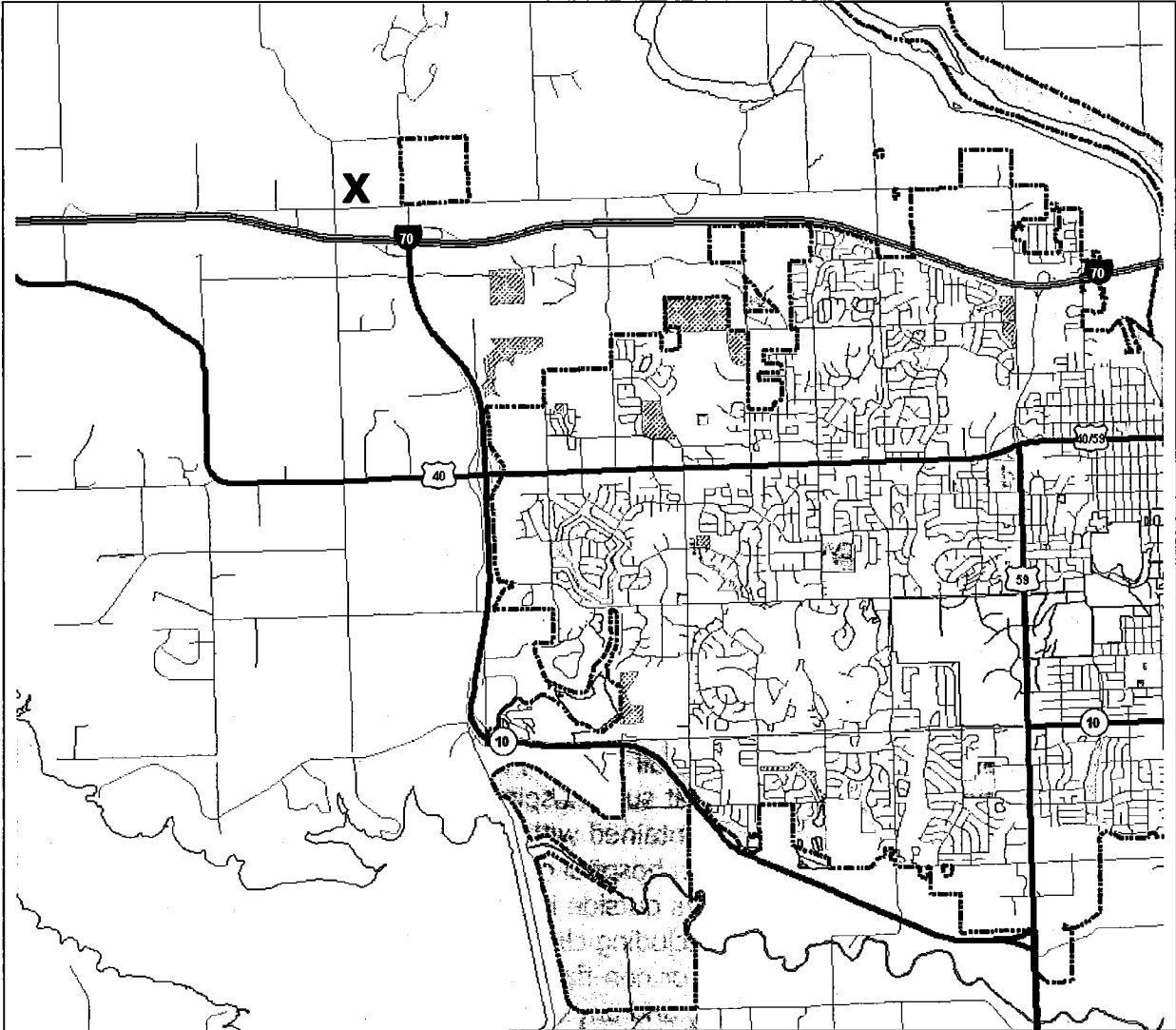


Figure 1. The general location of the proposed development, shown with a red X, is in close proximity to the K10 Bypass and the Kansas Turnpike.

ARTICLE - 9 "B-1" NEIGHBORHOOD BUSINESS DISTRICT REGULATIONS

SECTION 9 - 1.

The regulations set forth in this article, or set forth elsewhere in this Resolution, when referred to in this article, are the regulations in the "B-1" Neighborhood Business District. This district provides primarily for retail shopping and personal service uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods.

SECTION 9 - 2. USE REGULATIONS

A building or premises shall be used only for the following purposes:

1. Any use permitted in the "R-1" Single-Family Residential District.
2. Automobile parking lots and storage garages.
3. Display room for merchandise to be sold on order where merchandise sold is stored elsewhere.
4. Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, dry cleaning and pressing and bakery, with sale of bakery products on the premises and other uses of a similar character; provided that no use permitted in this item shall occupy more than 2,500 square feet of floor area.
5. Filling stations, so long as bulk storage of inflammable liquids is underground.
6. Frozen food lockers for individual or family use.
7. Hospital or clinic for large or small animals, such as cattle, horses, dogs, cats, birds and the like, provided that such hospital or clinic and any treatment rooms, cages, pens or kennels be maintained within a completely enclosed building with soundproof walls and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls and located on a sewer.
8. Offices and office buildings, including clinics.
9. Outdoor advertising structure or non-flashing sign pertaining only to a use conducted within the building, and any sign or display in excess of 30 square feet in area shall be attached flat against a wall of the building, and in no case shall any sign or display attached to a building project above the roof line. The permitted 30 square feet of sign area for projecting or free-standing signs may be in one sign or the aggregate area of several signs.
10. Personal service uses including barber shops, banks, beauty parlors, photographic or artists' studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning receiving stations, restaurants, (but not drive-in restaurants), taverns, undertaking establishments and other personal service uses of a similar character.
11. Retail stores, including florist shops and greenhouses in connection with such shops, but there shall be no slaughtering of animals or poultry on the premises of any retail store.
12. Self-service laundry or self-service dry cleaning establishment.
13. Accessory buildings and uses.

14. A retail fireworks stand only as authorized by permit issued and operated pursuant to applicable resolutions of the Board of County Commissioners.

SECTION 9 - 3. PARKING REGULATIONS

The parking regulations for permitted uses are contained in Article 16 of this Resolution.

SECTION 9 - 4. OFF-STREET LOADING REGULATIONS

The off-street loading regulations for permitted uses are contained in Article 17.

SECTION 9 - 5. HEIGHT AND AREA REGULATIONS

Height and area requirements shall be as set forth in the chart of Article 16.

SECTION 9 - 6. Supplementary use regulations are contained in Article 19.

SECTION 9 - 7. Supplementary height and area regulations are contained in Article 21.

ARTICLE - 9A "B-3" LIMITED BUSINESS DISTRICT REGULATIONS

SECTION 9A - 1.

The regulations set forth in this article, or set forth elsewhere in this Resolution, when referred to in this article are the regulations in the "B-3", Limited Business District. This district is designed to permit and encourage the grouping, in areas defined by comprehensive plans, of certain retail activities and services intended primarily to serve, and dependent upon, the motoring public.

A building or premises shall be used only for the following purposes:

1. Automobile Service Stations, excluding body work, painting or major engine repair.
2. Antique Sales.
3. Art Supplies.
4. Bicycle Sales, Rental, or Repair.
5. Boat and Equipment Sales and Repair.
6. Boat Storage, open or enclosed.
7. Camera or Photographic Supply Sales.
8. Drug Store.
9. Equestrian Equipment Sales.
10. Fishing and Camping Equipment and Supplies.
11. Florist Shop, Greenhouse, and Garden Supplies.
12. Gift, Novelty, and Souvenir Sales.
13. Grocery Store.
14. Hardware, excluding lumber and industrial hardware.
15. Restaurant, not providing service in automobiles.
16. Accessory buildings and uses to include accessory residential uses.
17. Open storage must meet the minimum front, side, and rear yard requirements,

and be screened by a view reducing wall, fence, or landscaping material from adjacent public roads or residentially zoned property.

18. Motels and motor hotels.
19. Overnight camper trailer grounds.

SECTION 9A - 3. PARKING REGULATIONS

The parking regulations for permitted uses are contained in Article 16 of this Resolution.

SECTION 9A - 4. OFF-STREET LOADING REGULATIONS

The off-street loading regulations for permitted uses are contained in Article 17 of this Resolution.

SECTION 9A - 5. HEIGHT AND AREA REGULATIONS

Height and area regulations shall be set forth in the chart of Article 18.

SECTION 9A - 6. Supplementary use regulations are contained in Article 19.

SECTION 9A - 7. Supplementary height, area, and bulk requirements are contained in Article 21.

SECTION 9A - 8. SIGN REGULATIONS

- (a) Only one non-flashing unanimated area marker designating or identifying a commercial development area is permitted. The area marker shall not exceed four (4) feet in height from the ground and shall be limited to 15 sq. ft. in area. It shall be located a minimum of ten (10) feet from a road right-of-way unless along a Federal or State Highway for which it will then comply with the conditions set forth by the Kansas Department of Transportation, but in no case shall it be less than the conditions set forth herein.
- (b) Each business may have one non-flashing unanimated sign attached flat to the face of the building. The sign shall not exceed 30 sq. ft.

ARTICLE - 10 "B-2" GENERAL BUSINESS DISTRICT REGULATIONS

SECTION 10 - 1.

The regulations set forth in this article, or set forth elsewhere in this Resolution, when referred to in this article are the regulations in the "B-2" General Business District. The purpose of this district is to provide sufficient space in appropriate locations for a wide variety of business, commercial, and miscellaneous service activities, particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor, and noise associated with manufacturing.

SECTION 10 - 2. USE REGULATIONS

A building or premises shall be used only for the following purposes:

1. Any use permitted in the "B-1" Neighborhood Business District.
2. Amusement place, skating rink, swimming pool or dance hall in a completely enclosed building, auditorium or theater, except open-air drive-in theaters. (See Section 19-4)
3. Bottling works, dyeing and cleaning works or laundry, plumbing and heating shop, painting shop, upholstering shop not involving furniture manufacture, tinsmithing shop, tire sales and service including vulcanizing but no manufacturing, appliance repairs, and general service and repair establishments, similar in character to those listed in this item; provided that no outside storage of material is permitted, and further provided that no use permitted in this item shall occupy more than 6,000 square feet of floor area.
4. Bowling alleys and billiard parlors.
5. Drive-in restaurants.
6. Food storage lockers.
7. Hotels, motels, or motor hotels.
8. Material storage yards, in connection with retail sales of products where storage is incidental to the approved occupancy of a store, provided all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, fence, or hedge, not less than six feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted within the walls, but not including storage of heavy equipment, such as road-building or excavating equipment.
9. Outdoor advertising structure or sign and any sign or display in excess of 100 square feet in area shall be attached flat against a wall of a building. See Section 6-2(17) for height and location of sign requirements.
10. Printing, publishing, and engraving establishments.
11. Public garage.
12. Wholesale establishment or warehouse in a completely enclosed building so long as floor area devoted to such uses shall not exceed 20,000 square feet.
13. Used car lot.

14. Accessory buildings and uses.

SECTION 10 - 3. PARKING REGULATIONS

The parking regulations for permitted uses are contained in Article 16 of this Resolution.

SECTION 10 - 4. OFF-STREET LOADING REGULATIONS

The off-street loading regulations for permitted uses are contained in Article 17.

SECTION 10 - 5. HEIGHT AND AREA

Height and area regulations shall be as set forth in the chart of Article 18, and in addition, the following regulations shall apply:

SECTION 10 - 5.01. Apartments may be constructed in buildings designed primarily for commercial use so long as there is compliance with the minimum lot area per family requirements of the "R-1" Single-Family Residential District.

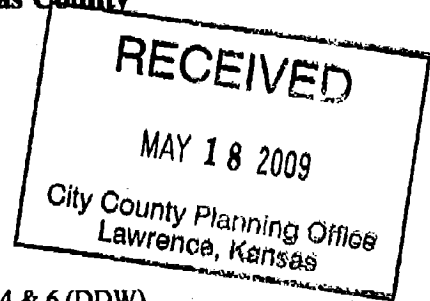
SECTION 10 - 6. Supplementary use regulations are contained in Article 19.

SECTION 10 - 7. Supplementary height, area, and bulk regulations are contained in Article 21.

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

May 17, 2009

Mr. Brad Finkeldei, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044



RE: ITEM NO. 4: CPA-3-2-09; AMENDMENT TO HORIZON 2020, CHAPTERS 4 & 6 (DDW)
ITEM NO. 5: A TO B-2; 58.99 ACRES; N 1800 RD & E 700 RD (MKM)

Dear Chairman Finkeldei and Planning Commissioners:

You have received several communications from us on this issue and therefore know that we support the type of use proposed by Rockwall Farms but not the rezoning to the County B-2 that the developers have requested. We take this position because of the open-ended list of possible uses that this property could become in the future and the inability of the County to legally restrict the use under this B-2 District. The restrictions that you have recommended (i.e., the platting and buffering) would not prevent the property from becoming a general commercial use. Platted property can be replatted. Buffers as a function of the platting can be rescinded, unless that land is given to the County. The suggestion for a modified Conditional Use Permit is unacceptable to the developers.

We have another suggestion that we hope you will seriously consider. Because *Horizon 2020* is undergoing a possible change to allow any number of these "conference, recreation, or tourism facilities that benefit from or integrate with the rural setting," it seems justifiable to create a special zoning district for this use. These proposed and necessary conditions are not written into any zoning district at this time and would not be binding under the existing conventional County zoning districts. There is no reason why a new County Zoning District could not be initiated that would satisfy the needs of this use, but at the same time provide the necessary predictability that such a County business use should dictate. We believe that in order to avoid the unexpected consequences of unintentional outcomes that the all-encompassing B-2 District could cause, a possible solution would be to create a new special district for the use "conference, recreation, or tourism facilities that benefit from or integrate with the rural setting." Such a district could be written so as to limit the uses, add requirements specific to the facilities, and therefore avoid the development of more intensive commercial sites/and or shopping centers located throughout the County. We also suggest that you word the *Horizon 2020* Chapter 6, Commercial Land Use, so that this type of use would be limited to this special district in the County.

Also, we would like to apologize for mis-locating the Rockwall Farms site on the map that was attached to our letter. We had inserted the letter that was presented in the PC Staff Report of January 28, 2009 in the Miscellaneous Item #1. We continue to view the correct location, however, as strategically located and large enough to potentially become an intensive commercial center if granted B-2 County Zoning because of its relatively close proximity to the K-10/I-70 Interchange.

Again, we ask that you seriously consider our suggestion of creating a new, special district for the specific use requested by the developers of Rockwall Farms and to reference such district in Chapter 6, *Horizon 2020*. Thank you.

Sincerely yours,

Milton Scott
Vice President

Alan Black
Alan Black, Chairman
Land Use Committee

ITEM NO. 4 CPA-3-2-09; AMENDMENT TO HORIZON 2020, CHAPTERS 4 & 6 (DDW)

CPA-3-2-09: Comprehensive Plan Amendment for revisions to Horizon 2020 Chapter Four – Growth Management and Chapter 6 – Commercial Land Use to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County. Initiated by the Planning Commission on April 20, 2009. Requested by Rockwall Farms, LC.

STAFF PRESENTATION

Mr. Dan Warner presented the item.

Commissioner Hird inquired about direct access to arterial roads. He asked how this would work for agri-tourism that are on farms, not on arterials.

Mr. Warner said driveways accessing the road.

Commissioner Hird said his neighbors have a vegetable stand in the country that is rural natured and more tied to agriculture than commercial activity. He wondered how the two can be differentiated.

Mr. Warner said it is a scale issue and this amendment talks about large facilities. The differentiation could come with different definitions.

Mr. McCullough said he was not sure the language in the Comprehensive Plan was speaking to the agricultural side of the equation in terms of land use. Staff was trying to build on the heritage area. When staff reviewed the language, commercial areas are very limiting in the county and tend to take advantage of the lakes but not the other elements of the rural setting.

Commissioner Hird said by adopting this he wanted to be sure that agri-tourism would not be precluded.

Mr. McCullough said that is one of the scale issues that has been discussed and maybe needs to be clarified in the language.

Commissioner Harris asked how this could be used by other types of development such as an amusement park. She asked if it would be considered commercial or recreational.

Mr. McCullough said it depends on how the Planning Commission and County Commission judge these policies in the comprehensive plan to know when a project comes in whether or not it meets the spirit and intent of this. Staff tried not to get into the list of uses in the comprehensive plan but it needs to show integration with the natural resources in the rural environment.

Commissioner Rasmussen asked if this would affect uses like a pumpkin patch. He asked if it would need to be on an arterial road now.

Mr. McCullough said he did not think that was the intent of it but the language can be clarified if needed.

Commissioner Rasmussen asked why there was a separation recommendation of 3 miles.

Mr. Warner said that concern was raised and the 3 miles was an attempt to limit it in some manner. Chapter 6 already provides separation for commercial uses in the City.

Commissioner Harris asked if there is acreage in mind with the projects.

Mr. Warner said no.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, gave examples of how the buffer grows the site. He gave the example of a proposed 10 acre site with a 200' buffer would grow to almost 25 acres which would provide adequate protection for area residents. Small Conditional Use Permits would not be part of the 3 mile criteria, only projects with larger scale required loans. He stated that the Conditional Use Permit recently approved for a wedding event site would not be applicable.

Commissioner Rasmussen asked why he thought the wedding site would not be applicable.

Mr. Werner said the 3 mile radius is not the applicable part, the facility falls into a smaller category that they are willing and able to function under a Conditional Use Permit.

Commissioner Harris asked if one of the reasons he was seeking this is to protect the investment of a new building.

Mr. Werner said that was correct.

PUBLIC HEARING

Ms. Kim Richter, Lecompton, said she did not think the 3 mile radius buffer was good because it would prevent similar businesses from locating together.

Ms. Betty Lichtwardt, League of Women Voters, said they support the idea presented but have objected to the process because of consequences. She urged caution with the language and recommended the Planning Commission choose a different zoning ordinance than those available now.

Commissioner Dominguez asked Ms. Lichtwardt to give an example of detriment she mentioned.

Ms. Lichtwardt gave the example of Nieder Acres that was changed from residential to commercial.

Mr. Matt Gough, Barber Emerson on behalf of the applicant, said the Comprehensive Plan Amendment is a solution to a long dilemma. A Conditional Use Permit does not work for large investments.

Commissioner Rasmussen asked what language prevents it from applying to smaller recreation, agri-business activities.

Mr. Gough said Chapter 6 references to commercial zoning requests. Conditional Use Permits are allowed in agricultural zoning.

Commissioner Rasmussen expressed concern about a broad amendment that applies to everything.

COMMISSION DISCUSSION

Commissioner Harris inquired about noise. She asked if a facility where motorcycles or ATV's could go through the area as a recreational facility.

Mr. McCullough said the language does not address every type of land use impact.

Commissioner Rasmussen said he was uncomfortable with vague language subject to staff interpretation.

Commissioner Finkeldei said they are not writing a code here, it is the comprehensive plan and we want to set out what the principles are.

Mr. McCullough gave example of automobile race track in a different jurisdiction that was located where the comprehensive plan said a large scale recreational area should locate but after several studies on noise it was found to be detrimental to the community.

Commissioner Finkeldei said he did not like the 3 mile separation because it was too much like a code.

Commissioner Hird felt the 3 mile limit was arbitrary.

Commissioner Finkeldei suggested in Chapter 4 adding the word 'significant' and changing the period at the end of the sentence to a comma, *'There are a few locations, however, in the Rural Area which may be expected to receive some **significant** level of urban development consistent with the Plan, these include...'* He also suggested switching section D to A to highlight it. He suggested eliminating the 3 mile buffer and just state *'appropriate separation should be determined by the Board of County Commissioners.'* He suggested in the new section of Chapter 6 that it state *'Conference recreational tourism uses located in the rural area, and which included some **significant** level of urban development, shall satisfy the criteria listed in Chapter 4.'*

Commission Harris said she could not support what Commissioner Finkeldei said because there is no criteria to base it on. She would support including language that gets at staffs concern and wish to have some kind of separation of these significant developments but without having an arbitrary number associated with it. She felt they needed to articulate why having a separation requirement was important.

ACTION TAKEN

Motioned by Commissioner Singleton, seconded by Commissioner Dominguez, to approve CPA-3-2-09 amending Horizon 2020 Chapter 4, Growth Management and Chapter 6, Commercial Land Use to expand the possible locations of conference, recreation, or tourism facility uses in the rural area of Douglas County, and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

Commissioner Rasmussen said he would vote against the motion but would be willing to vote for something that included the suggested language by Commissioner Finkeldei.

Commissioner Singleton revised her motion to add the language to Chapter 4 and 6 suggested by Commissioner Finkeldei:

Chapter 4 – *'There are a few locations, however, in the Rural Area which may be expected to receive some **significant** level of urban development consistent with the Plan, these include...'*
New section of Chapter 6 – *'Conference recreational tourism uses located in the rural area, and which included some **significant** level of urban development, shall satisfy the criteria listed in Chapter 4.'*

Seconded by Commissioner Dominguez.

Commissioner Hird said it was better than nothing but he was afraid it was excluding that there is an implication that only significant development is to ever be allowed. He said he would support the language.

Commissioner Harris said she would like to support the motion but felt language should be added about why it is important to have a separation requirement.

Motion carried 6-2, with Commissioners Harris and Rasmussen voting in opposition.

Motioned by Commissioner Singleton, seconded by Commissioner Dominguez, to approve and sign Planning Commission Resolution 5-3-09.

Motion carried 6-2, with Commissioners Harris and Rasmussen voting in opposition.



ORDINANCE NO. 8415

RESOLUTION NO. _____

JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AND
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS APPROVING AMENDMENTS TO THE
COMPREHENSIVE LAND USE PLAN "HORIZON 2020" BY AMENDING
CHAPTER FOUR – GROWTH MANAGEMENT AND CHAPTER SIX –
COMMERCIAL LAND USE.

WHEREAS, pursuant to K.S.A. 12-747, a comprehensive plan or part thereof shall constitute the basis or guide for public action to insure a coordinated and harmonious development or redevelopment which will best promote the health, safety, morals, order, convenience, prosperity and general welfare as well as wise and efficient expenditure of public funds; and

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas have adopted a comprehensive land use plan labeled "Horizon 2020"; and

WHEREAS, pursuant to provisions of K.S.A. 12-747, the Lawrence-Douglas County Metropolitan Planning Commission did give notice and held a public hearing on the adoption of amendments to *Horizon 2020*; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission on May 18, 2009 by PCR-5-3-09, recommended the adoption of the amendments regarding Horizon 2020 Chapter 4 – Growth Management and Chapter 6 – Commercial Land Use to expand the possible locations of conference, recreation, or tourism uses in the Rural Area of Douglas County; and

WHEREAS, a certified copy of the Chapter 4 – Growth Management and Chapter 6 – Commercial Land Use contained in planning staff report CPA-3-2-09 adopted by the Planning Commission in PCR-5-03-09 on May 18 2009 together with the written summary of the public hearing thereon held by the Lawrence-Douglas County Metropolitan Planning Commission has been submitted to the Governing Bodies;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS; AND

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. The above recitals are incorporated by reference as if fully set forth herein and shall be as effective as if repeated verbatim.

Section 2. The Governing Bodies of the City of Lawrence, Kansas and Douglas County, Kansas hereby find that the provisions of K.S.A. 12-743 and K.S.A. 12-747 concerning the amendment of comprehensive plans have been fully complied with in consideration, adoption, and approval of and amendment to "*Horizon 2020*".

Section 3. Pursuant to K.S.A. 12-747, the Governing Bodies of Douglas County, Kansas and the City of Lawrence, Kansas do hereby amend "*Horizon 2020*" by adopting and approving the recommendation of the Planning Commission, amending Chapter 4 – Growth Management and Chapter 6 – Commercial Land Use contained in planning staff report CPA-3-2-09 adopted by the Planning Commission in PCR-5-3-09 on May 18, 2009.

Section 4. The Rural Area section of Chapter 4 – Growth Management in “*Horizon 2020*” is hereby amended to read as follows:

RURAL AREA

The Rural Area is the land that lies outside the designated Urban Growth Areas of the incorporated cities. Lands in the Rural Area are not planned to develop or to support urban densities of development during the planning period. Rural development shall be subject to the overall policies, recommendations and standards of the Comprehensive Plan. There are a few locations, however, in the Rural Area which may be expected to receive some *significant* level of urban development consistent with the Plan, ~~These~~ *these* include commercial areas to serve county residents and, potentially, to provide (i) conference and recreation facilities at Clinton Lake, and (ii) conference, recreation, or tourism facilities that benefit from or integrate with the rural setting, at such other locations that substantially satisfy the following criteria: (a) direct access to an improved arterial roadway; (b) public water supply available; (c) separated from existing conference, recreation, or tourism facilities by 3 miles or other appropriate distance as determined by the Board of County Commissioners; and (d) designed to preserve and/or integrate natural resources and the rural environment through appropriate land use, site design, buffering, or other methods. Otherwise, urban uses are not planned within the Rural Area.

Section 5. The Unincorporated Douglas County – New Commercial Areas section of Chapter 6 – Commercial Land Use in “*Horizon 2020*” is hereby amended to read as follows:

UNINCORPORATED DOUGLAS COUNTY - NEW COMMERCIAL AREAS

Commercial locations in both unincorporated Douglas County and Douglas County communities together provide reasonable accessibility in terms of distance and the type of goods and services available. As Douglas County continues to urbanize, the need for additional commercial space in the unincorporated portions of Douglas County will increase. New commercial areas shall not be located within a four mile radius of any existing commercial area. There are already a number of existing commercially zoned areas in the unincorporated portions of Douglas County. Most of these locations are well placed at the intersection of a hard surfaced County Route and a state or federally designated highway.

Areas that are already zoned commercially and are located at the intersection of a hard surfaced county route and state or federally designated highway should be expanded to serve any increased demand for commercial space in the county. The Comprehensive Plan recommends that only one new commercial area be created in the unincorporated portion of the county. The southeastern area of the county does not have any commercially zoned areas. To serve this area a commercial development could be located at the intersection of US-56 and K-33 or US-56 and County Route 1061.

A limiting factor to the size of any commercial development in unincorporated Douglas County will be the availability of utilities, particularly water and sanitary sewer. Any on-site treatment system shall be designed to minimize its impacts on the environment. The amount of gross square footage of a commercial development shall be limited to a total of 15,000 gross square feet to serve the surrounding rural area.

Commercial activities related to *conference, recreational, or tourism* uses associated with Clinton Lake, Lone Star Lake, or Douglas County Lake, ~~or other Rural Areas that satisfy the criteria for growth management in Chapter Four,~~ shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

Conference, recreational, or tourism uses located in the Rural Area, and which include some significant level of urban development, shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory 200' natural buffer area. Proposed conference, recreational, or tourism facilities shall include a site specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

Section 6. Severability. If any section, clause, sentence, or phrase of this Joint Ordinance and Resolution is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this Joint Ordinance and Resolution.

Section 7. This Joint Ordinance and Resolution shall be in full force and effect upon its adoption by the Governing Bodies of the City of Lawrence and Douglas County, Kansas and publication as provided by law.

Passed by the Governing Body of the City of Lawrence this ____ day of _____, 2009.

APPROVED:

Robert Chestnut, Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Adopted by the Board of County Commissioners of Douglas County, Kansas, this ___ day
of _____, 2009.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Nancy Thellman, Chair

Jim Flory, Commissioner

Mike Gaughan, Commissioner

ATTEST:

Jameson D. Shew, County Clerk

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Director
of Legal Services, and one to the County Clerk.

STAFF REPORT
SP-5-20-09: Revision to Pine Family Farms CUP [CUP-10-08-03]
June 24, 2009

A. SUMMARY

SP-05-20-09: A site plan for revisions to the Pine Family Farms Conditional Use Permit [CUP-10-08-03] at 1785 E 1500 Road. The approved use is for landscape nursery and bulk landscape materials sales. Submitted by Paul Werner for Sue Pine Trustee, property owner of record.

B. GENERAL INFORMATION

Current Zoning and Land Use:	A (Agricultural) District; landscape materials sales approved with a Conditional Use Permit (CUP-10-08-03)	
Surrounding Zoning and Land Use:	A (Agricultural) District to the east, west and south and A (Agricultural) District and B-2(General Business) District to the north; established farms and rural residences in all directions. To the west, across County Route 9 [E 1500 Road] is the office and scale for this landscape material operation of the Pine Family Farms.	
Site Summary:	5/14/09 plan	12/30/03 plan
Gross Area:	23.00 acres	23.00 acres
Proposed Tree Farming Area	4.7 acres	5.2 acres
Existing Varietals Agriculture Area	10.8 acres	14.2 acres
Existing Pole Barn	-	95' X 45'
Display Area: <ul style="list-style-type: none"> ▪ 2 at entry ▪ 1 within circle drive ▪ palette product display surrounding storage bin area 	3 smaller areas; 1 palette product area	none
Storage Bins – 35' X 35'	4 + covered storage	None
Storage Bins – 20' X 30'	36	16
Off-Street Parking Area/Spaces	6 spaces, including 1 ADA van space	6 spaces, including 1 ADA van space
Composting Area	.5 acres	--
Tree Heeling-in Area	--	.5 acres
Bulk Mulch Area	.2 acres	--
Legal Description	23 acres within the NW ¼ of the NW ¼ of section 20-12-20 more particularly described on the site plan	

C. STAFF REVIEW

The subject property contains approximately 23 acres and is located east of 1785 E 1500 Road, where the retail office and scale are located for this landscape business. A Conditional Use Permit for the Nursery and Landscape Material Sales [re: CUP-10-08-03] was approved by the County Commission in 2003. The CUP approval contained a requirement for administrative review in 2008. That review has occurred. The Conditional Use Permit was approved for a 10-year period, through 12/31/2013. Renewal of the CUP is not permitted. Continuation of the current use could occur through the approval of a new CUP application at the Planning Office no later than September 1, 2013. The original approval

anticipated a high demand for street trees associated with residential development. The high demand for street trees has not been realized and the business currently relies on landscape materials sales.

The revisions on this site plan to the original site plan approved as part of the CUP are shown in the site summary table above. Primarily, the changes are the addition of display areas along the entry drive and around the materials storage areas. The material storage area extends further to the north and not as far to the east as was shown on the original site plan. The site area is still 23 acres.

D. Findings

Per Section 19A-5, staff shall first find that the following conditions have been met:

(a) That the proposed use is a permitted use in the district in which the property is located;

The subject property is zoned A (Agricultural) District, which permits agricultural uses and various other related uses. The current use was approved under the "Retail Nursery" category, section 19-4-4.32 of the Zoning Regulations.

(b) That the proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses;

No new buildings are proposed as part of this site plan revision. Twenty additional storage bins and areas for composting and bulk mulch sales are additions to the existing site. The access to E 1500 Road is unchanged. Four display areas for landscape materials have also been added to the site. There is no exterior lighting or night use proposed for this business.

(c) That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well;

The 6 space parking area has been revised to provide three spaces along the access road, near the entry area displays. The remaining three spaces, which include a van accessible space, are at the east end of the road near the palette product display area. Public Works has identified a concern with the offset crossing created by this entry drive and the retail business entry drive on the west side of E 1500 road. They have asked that the business operators encourage cross over traffic between the two sites to use the driveway south of the house that lines up with the entry drive to the materials area, when crossing between the sites to weigh materials. They have also requested the installation of a stop sign at the intersection of the east entry drive and Douglas County Rte 9/ E 1500 Road.

A security gate is proposed to the east of the parking spaces along the entry drive.

(d) That the site plan provides for the safe movement of pedestrians within the site;

Due to the nature of the business, individual pedestrian walkways are not provided within the site; however, the gravel drives provide customers with a safe, level surface for walking around the product display areas.

(e) That there is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance

to the public. Any part of the site plan area not used for buildings, structures, parking, or access ways shall be landscaped with a mixture of grass, trees and shrubs;

The storage areas of the site are set back nearly 1/8 mile from the public road. The display areas along the entry drive will enhance the roadside view of this property.

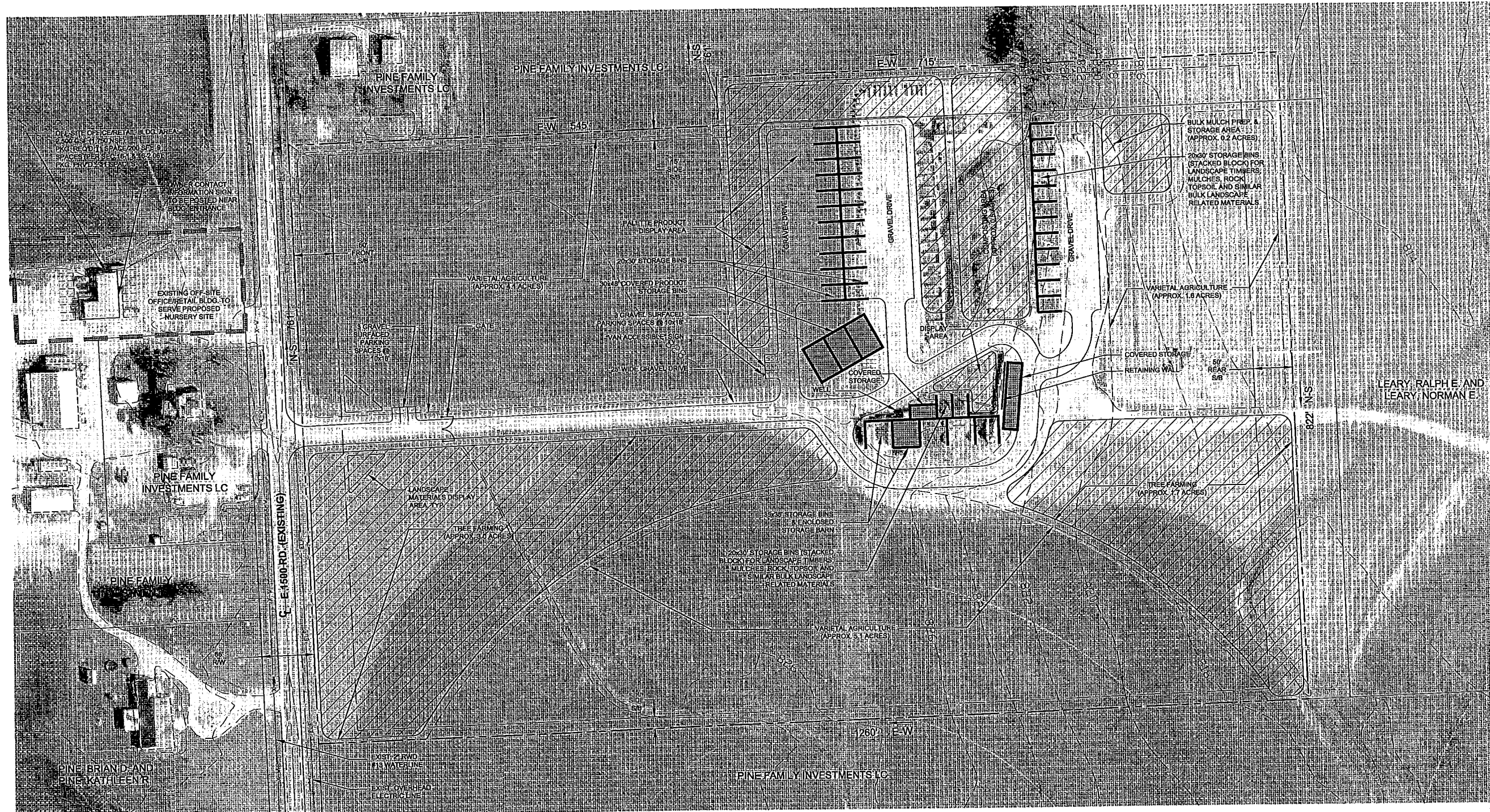
(f) That all outdoor trash storage areas are screened;

No outdoor trash storage is proposed.

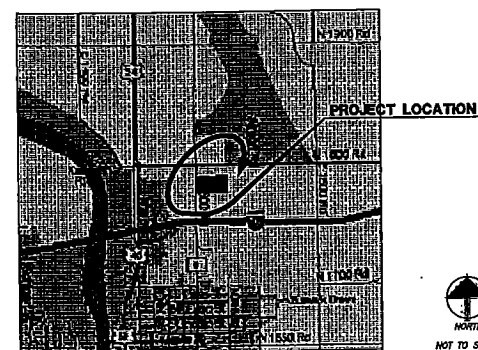
E. CONCLUSION

The proposed request, as conditioned, is consistent with the CUP previously approved for this property [CUP-10-08-03] and the A (Agricultural) Zoning District. Staff recommends approval of Site Plan 05-20-09 as a revision to the previously approved 2003 site plan for this CUP Retail Nursery use located east of the retail site in the 1700 block of E 1500 Road, subject to the following conditions:

1. A stop sign be installed for customer traffic at the west end of the drive, where it intersects with E 1500 Road.
2. Retail customers be encouraged to use the drive directly west of the entry drive when multiple trips are required to weigh materials on the scales next to the retail office. There should be printed material at the retail sales office that provides this encouragement to customers.



Location Map



Legal Description

GENERALLY, THE SOUTH 23 ACRES OF THE NW 1/4 OF THE NW 1/4 OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SW CORNER OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 20; THENCE NORTH, ALONG THE WEST LINE OF SAID QUARTER SECTION, 761 FEET; THENCE EAST, 545 FEET; THENCE NORTH, 61 FEET; THENCE EAST, 715 FEET; THENCE SOUTH, 822 FEET TO THE SOUTH LINE OF THE NW 1/4 OF SAID QUARTER SECTION, THENCE WEST, ALONG SAID SOUTH LINE, 1260' TO THE POINT OF BEGINNING. CONTAINS 23 ACRES, MORE OR LESS.

General Notes

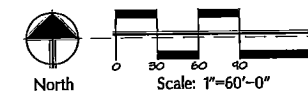
- OWNER: SUE A. PINE, TRUSTEE
1783 E 1500 RD.
LAWRENCE, KS 66044
- LAND PLANNER/ENGINEER: LANDPLAN ENGINEERING, P.A.
1310 WAKARUSA DR.
LAWRENCE, KS 66049
- TOPOGRAPHY OBTAINED FROM M.J. HARDEN 2003 AERIAL SURVEY
- EXISTING LAND USE: AGRICULTURE
- PROPOSED LAND USE: AGRICULTURE/NURSERY AND ANCILLARY PRODUCT STORAGE, DISPLAY AND LOADING.
- EXISTING ZONING: "A" COUNTY
- PROPOSED ZONING: "A" COUNTY
- NO PART OF THIS PROPERTY IS LOCATED IN THE FLOODPLAIN PER FEMA FIRM NO. 2004SC0037C, EFFECTIVE DATE NOVEMBER 7, 2001
- FUTURE BUILDINGS CONSTRUCTED ON SITE ALLOWING PUBLIC ACCESS (IF ANY) SHALL BE CONSTRUCTED PER THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28 CFR PART 35.
- THE CONDITIONAL USE PERMIT WILL BE RE-EVALUATED BY THE COUNTY COMMISSION IN DECEMBER, 2008. THE CUP WILL EXPIRE IN DECEMBER, 2013. CONTINUATION OF THE USE BEYOND NOVEMBER, 2013 WILL REQUIRE REZONING OR APPROVAL OF A NEW CUP.

Site Summary

GROSS SITE AREA:	1,001,880 S.F./23.00 AC.
EXISTING ENCLOSED BUILDING AREA:	7,063 S.F./0.16 AC. (1%)
REMAINING OPEN SPACE AREA:	994,817 S.F./22.84 AC. (99%)

Parking Requirements

PARKING REQUIRED (1 SP / 2 EMPLOYEES):	1 (PER SEC. 16-1 AND 16-2.06)
PARKING PROVIDED:	6
ACCESSIBLE PARKING REQUIRED:	1
ACCESSIBLE PARKING PROVIDED:	1



A CUP Plan for
**PINE FAMILY
 TREE NURSERY**
 Douglas County, Kansas

Civil Engineering
 Landscape Architecture
 Community Planning
 Surveying

Landplan Engineering, P.A.

1310 Wakarusa Drive
 Lawrence, Kansas 66044
 Phone: (785) 843-2410
 Fax: (785) 843-2414
 Website: www.landplan-pa.com

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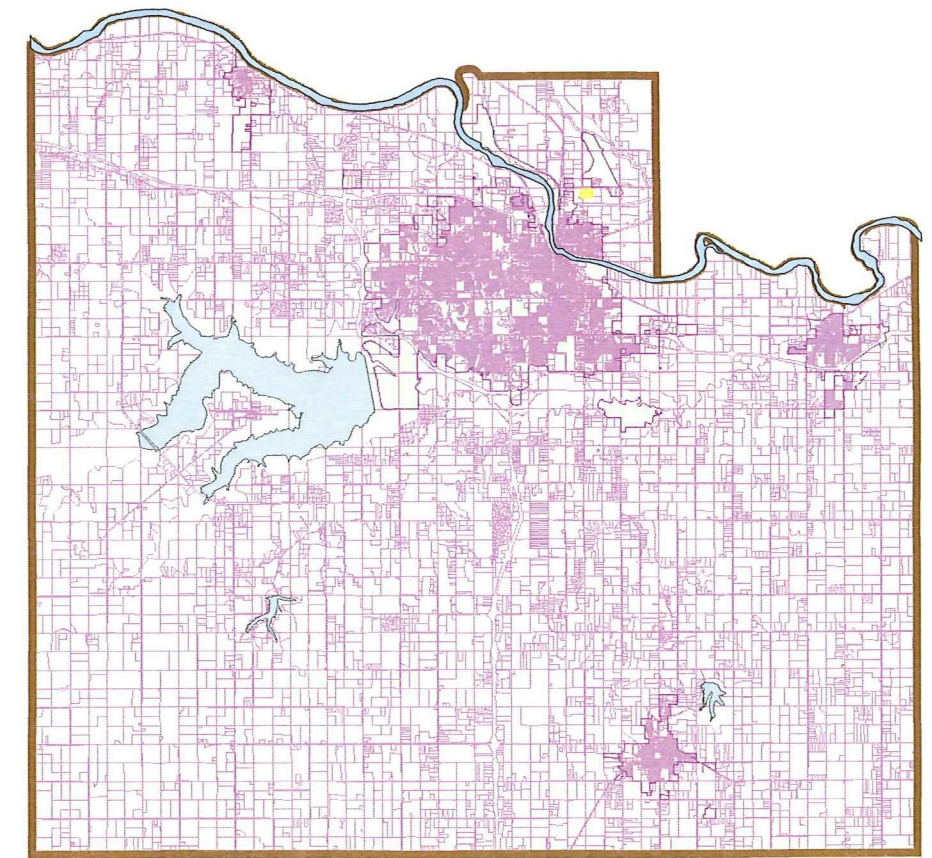
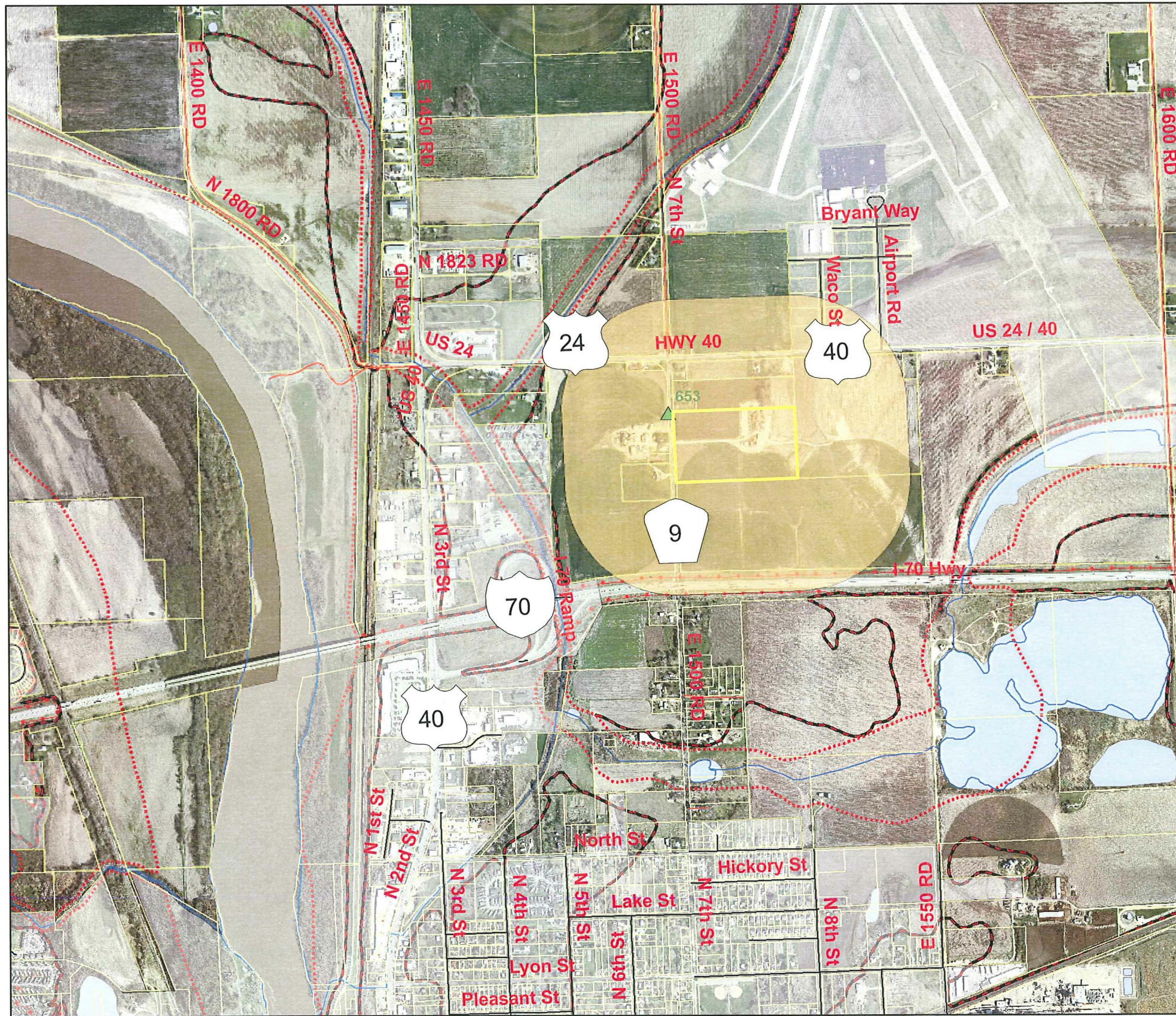
REVISIONS

11.24.03	per dist. comments
12.30.03	per conditions of approval
5.14.09	revised layout
6.12.09	per dist. comments

DATE:	10/31/03
DATE AMENDED:	8/14/09
PROJECT NO.:	03608
AMENDED PROJ. NO.:	08820
DWG. NO.:	03688CUP
DESIGNED BY:	PTF
DRAWN BY:	AYG/SB
CHECKED BY:	TAMPWA

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- ownshp09
- S_Wtr_Ln
- ▲ S_Fld_Haz_Ln
- Ln_Typ
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- 1 PCT ANNUAL CHANCE FLOOD HAZARD
- FLOODWAY
- water_bodies

This map was produced by Douglas County GIS.
It is for reference only and is not intended for conveyances, nor is it a legal survey. June 08 , 2009.