

LOCKWOOD CO., INC. REORDER NO. 126122-0-75

Comm Order
1353

The Board approved Commissioners Cancellation Order No. 1353. Order is on file in the office of the County Clerk.

Planning:
Adjourned to
Dist I Courtroom

The Board adjourned the meeting to District I Courtroom in anticipation of a sizeable number of people being present for the three items to be considered from the Lawrence-Douglas County Planning Commission.

Planning:
Approved rezoning
of 53 acres from
A-VP to I-2, VP
at 31st & Haskell

Chairman Heck requested Mr. Hewitt, representing the Lawrence-Douglas County planning staff, to present Item No. 7 of the minutes of the February 26, 1975 meeting of the Lawrence-Douglas County Planning Commission. Item No. 7 relates to a request to rezone approximately 53 acres from A-VP (Agricultural - Valley Plain) to I-3 (Heavy Industrial), generally located at the southeast corner of East 31st Street and Haskell Avenue and submitted by Harold W. Sherman. Following Mr. Hewitt's presentation and remarks by Mr. Richard Zinn, attorney speaking on behalf of Mr. Charles Dunbar and the applicant, and hearing all other comments relative to the request, it was moved by Mr. Stoneback that the Board accept the recommendation of the Lawrence-Douglas County Planning Commission which was to approve the rezoning as recommended by the planning commission, which was for a change from A-VP (Agricultural - Valley Plain) to I-2,VP (Light Industrial - Valley Plain) with such rezoning subject to the following restrictions and requirements:

1. Require adequate landscape screening of open space and vehicle parking.
2. Require all buildings be set back 75 feet from the North and West section lines to provide for future widening of Haskell Avenue and the extension of 31st Street.
3. The land approved for rezoning be surveyed so that an accurate legal description of the area can be determined.
4. That the areas of the tract not under buildings or parking, and those areas of the tract cut and filled, be seeded with ground cover vegetation.

Motion was seconded by Mr. Whitenight and carried unanimously. The rezoning will become effective following official publication.

Planning:
Request for CUP
for Villages, Inc.
delayed

Chairman Heck then requested Mr. Richard McClanathan to present Item No. 11 of the minutes of the same planning commission meeting which item refers to a request for a Conditional Use Permit to allow for a nonprofit group home for children located on a tract of approximately 41 acres, generally described as being located on the south side of Wakarusa Township Road No. 632, approximately $\frac{1}{4}$ mile west of Wakarusa Township Road No. 216, all in the Northeast $\frac{1}{4}$ of Section 27, Township 13 South, Range 19 East, Douglas County, Kansas, submitted by The Villages, Inc. Complete and lengthy discussion on this item ensued with the principal presentation being presented by Mr. Herbert Callison, Executive Director of The Villages, Inc., and by Mr. Stephen Rhudy, attorney representing citizens principally of the Pleasant Valley area. Pertinent comment was also made by Mr. Vernon Dow, representing Barnett-Stuart-Dow consulting geologist of Topeka, Kansas; Mr. Walter Langston of Langston Laboratories, Leawood, Kansas; Mr. Lance Burr, Project Director of The Villages, Inc.; Mr. Elery Phillips, Director of Douglas County Correctional Services; Beth Bridgeman of the Kansas Department of Social and Rehabilitation Services; Marilyn Brandt, representing the League of Women Voters; and others. The Board noted receipt of certified legal protest petition. The filing of such petition requires a unanimous decision of the Board to grant this Conditional Use Permit. After giving everyone who wished to do so the opportunity to comment, it was moved by Mr. Stoneback that the request for this Conditional Use Permit be denied. This motion died for lack of a second. Mr. Whitenight then moved that action on this matter be deferred for four weeks, at which time the Board should again consider the matter. This motion was seconded by Mr. Stoneback and after further brief comment, Chairman Heck called for a vote on the motion. Mr. Heck and Mr. Whitenight voted "yes" and Mr. Stoneback voted "no".

Planning:
Approved CUP
for rock quarry
on 160 acres

Chairman Heck then requested Mr. McClanathan to present Item No. 12 of the February 26, 1975 minutes of the Lawrence-Douglas County Planning Commission, which item relates to a request for a Conditional Use Permit to allow for a rock quarry on a 160 acre tract, generally described as being located on the West and North sides of Douglas County Route No. 460 approximately $\frac{1}{4}$ mile East of Douglas County Route No. 1029, all in the Southwest $\frac{1}{4}$ of Section 35, Township 13 South, Range 18 East, Douglas County, Kansas, submitted by Skeet Smith for M. R. Hamm Quarries, Inc. The Board noted receipt of a legal protest petition, which again requires unanimous decision by the Board of County Commissioners to grant this requested Conditional Use Permit. Comment was heard from Mrs. Edna Torneden who spoke in opposition of the granting of the permit. Mr. Skeet Smith, representing Hamm Quarries, Inc., related the various positive factors which should be considered with reference to the