

**Noxious uses at 8<sup>th</sup> and Penn**

**From:** Good, Janet  
**Sent:** Tuesday, October 03, 2006 2:29 PM  
**To:** 'Jim McClymont'  
**Subject:** RE: List of Noxious Uses

Jim,

The whole list is as follows:

bars (55% income from food rule)

liquor store

Ambulance service

car or truck wash

auto mechanic

no drive ups or through ATM's ok if walkup

furriers

pawn shops

mobile home sales and service

golf driving range

pet store (pet supplies okay)

loan office(payday loans)

convenience store okay but no gas stations

I don't imagine that most of these are a concern, (East Lawrence furriers?) but the group went through the items on the C5 use list and came up with this.

Let me know if you have any questions or concerns.

Thanks,

Janet Good

ELNA

## East Lawrence Neighborhood Association

P.O. Box 442393  
Lawrence, KS 66044  
eastlawrence@yahoo.com

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September 4, 2013

Planning Department  
Planning Commission  
City Hall, 6 E. 6<sup>th</sup> Street  
Lawrence, KS 66044

Re: Bistro at 8<sup>th</sup> & Pennsylvania

To whom it may concern:

The East Lawrence Neighborhood Association would like to register its official opinion regarding a bistro at 8<sup>th</sup> & Pennsylvania, proposed by Tony Krsnich.

Our neighborhood feels that the up-zoning from a residential zoning to a commercial zoning is appropriate only in that it maintain all of the limitations that exist already in the East Lawrence Industrial Historic District and Downtown Historic District. (CS-UC)

One of the most important of these zoning limitations concerns the level of alcohol sales for an establishment. The CS-UC zoning does allow for an “accessory bar” that would allow alcohol sales if a minimum food sales percentage of 55% is met. The neighborhood is in favor of this “accessory bar” usage, but only if the bistro follows that existing food sales guideline. ELNA voted unanimously 13-0 in favor of this “accessory bar” usage following the 55% food sales minimum.

As this bistro is within a residential neighborhood, and located directly below the windows of 24 apartments, higher alcohol sales levels would be inappropriate (such as exists in CS for a nightclub or lounge). The neighborhood also would like to request that the bistro close by midnight to not severely impact these residential neighbors. For instance Free State Brewery on Mass Street is successful and closes at midnight.

Another concern to the neighborhood association is that the developer has not met with the immediate surrounding residents (New Jersey street and in the Poehler building). These residents would be the most impacted by the bistro, regarding increased pedestrian & vehicular traffic, increased noise and the proposed alcohol sales. The Cider Gallery building has already raised concerns with residents of the Poehler building of these exact same issues, so we hope that these concerns are addressed before usage intensifies on that corner.

We have been pleased with the developer’s past efforts to follow the 8<sup>th</sup> & Penn Design guidelines and his past engagement with ELNA and the neighbors. However, we have not seen that with the bistro concept. We hope that in the future the developer will work with the neighborhood to find common ground.

Sincerely,

East Lawrence Neighborhood Association