

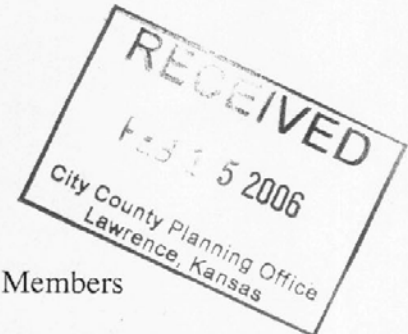
DATE: February 16, 2006

TO: Sheila Stogsdill, Interim Planning Director, City of Lawrence
Terry Riordan, Chair, Lawrence Douglas County Metropolitan Planning Commission

FROM: Laura Routh, Recording Secretary on behalf of members of the Recycling and Resource Conservation Advisory Board

RE: Notice of Intent to Propose Additions to Development Code

CC: Mike Wildgen, City Manager
Dave Corliss, Assistant City Manager
Debbie Van Saun, Assistant City Manager
Chuck Soules, Public Works Director
Tammy Bennett, Sr. Management Analyst
Bob Yoos, Solid Waste Division Manager
Mollie Mangerich, Operations Supervisor
Recycling and Resource Conservation Advisory Board Members



The purpose of this memo is notify the Development Code Review Community of the Recycling and Resource Conservation Advisory Board's interest in submitting formal comments within the next month addressing the proposed code.

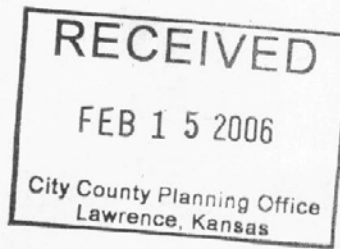
Our advisory board is in the process of drafting several recommendations specific to the proposed Code. These recommendations address a variety of recycling and resource conservation issues including: energy conservation code adoption; siting and regulation of recycling and salvage operations; allowing space in new developments for decentralized neighborhood and commercial space recycling centers; promotion of environmentally preferable landscaping; outdoor lighting glare reduction; and construction site recycling initiatives.

Proposals related to the Development Code are in preparation by the RRCAB, and are expected to be voted on at the March 2006 RRCAB meeting.

We believe that the proposed Development Code will greatly benefit the City of Lawrence. Consideration and passage of the Code provides unique opportunities for the City to further develop and structure recycling and resource conservation objectives.

To that end, on behalf of the RRCAB, I am writing to request that the Code Review Committee permit our board to be part of the process either through direct participation or via written comment.

Thank you for your consideration of this request.



1145 West Hills Parkway
Lawrence
KS 66044

2/16/2006

Dear Sheila Stogsdill :

On behalf of the West Hills Homes Association, we want to thank you for the courteous assistance you have provided us over the last few months as we consulted on the proposed new Lawrence Land Development Code.

We were very pleased to see the inclusion of the new "RMG" designation for dealing with the unique residential condition of our neighborhood – low-density single family dwellings close to the KU campus boundary, intermingled with Greek dormitory housing with large residential student populations for the 30+ weeks per year that KU is in session.

At our last meeting we raised one issue that we would like to call to your attention again. Your proposed code and draft zoning map indicated two proposed RMG designation clusters in (i) the large-lot, single-family West Hills district and (ii) the single-family and multi-family area adjacent to the Oread district.

The proposed RMG designation applies to both areas and does not distinguish between the clearly perceptible differing densities that exist in each of these areas. We think the resultant developmental standard allows for an undesirable denser development potential than currently exists in our West Hills neighborhood.

After examining existing development parameters in the West Hills area we offer the following minor suggestions that we think would ensure that any future development of the Greek housing lots would maintain the density texture of the existing neighborhood. If we are reading this document correctly, two of the standards recommended for RMG in the 20-601 Density and Dimensional Standards Table seem unlike the West Hills density characteristics (which we think is on-the-ground more like **RS10** zoning). Before the document is submitted for approval, we respectfully request that, in order to make any future development have the look-and-feel of the current West Hills area, you consider amending the following two items, as indicated below:

- RMG / West Hills Min. Lot Width (ft.): **100'** (amended from 50')
- RMG / West Hills Min. Min. Setbacks (ft.) Side (Interior) [5]: **15'** (amended from 5')

We realize that incorporating these into the Development Code is subject to your professional consideration. At our last meeting the possibility of having two standards of RMG designation was raised as a method of acknowledging that the local densities for West Hills and for Oread were different.

We hope that you can find some efficient and equitable way of making this distinction to achieve the reasonable goal of appropriate density gradients within the city fabric.

Again, thank you for your help on this in the past and we look forward to your creative resolution of this remaining consideration.

Sincerely,

Ray Davis
Co-President, West Hills Homes Association

Item 10

John Naramore
900 New Jersey
Lawrence, KS 66044

February 15, 2006

RECEIVED

FEB 15 2006

City County Planning Office
Lawrence, Kansas

Sheila Stogsdill
Lawrence Douglas County Planning Department
Lawrence, KS 66044
785-832-3157

RE: Modification to either CS Zoning & / or the Zoning of 900 New Jersey Street

Dear Sheila,

I co-own the building at 900 New Jersey Street, the site of the now discontinued Kansas Key Press printing and mailing company. We will be soon be attempting its lease, and to that end would like the option of utilizing the building at 900 for what could be considered "non-neighborhood intrusive food product production". Currently that use is not allowed under CS.

In my feeble attempt at reviewing the proposed zoning code changes and how they affect that property, I would like to ask for a modification there-to. This could be accomplished by one of two ways.

One alternative would be to change the designation of our property, to a zoning that would allow for more intensive use. Manufacturing and Production Limited (20-1739) is an example that would work.

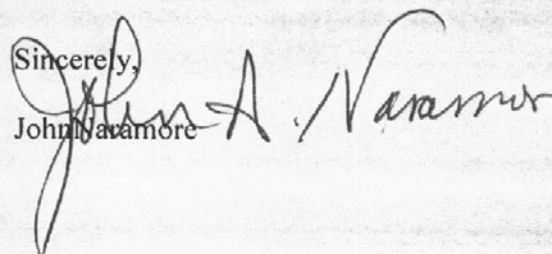
The other alternative would be to broaden the uses allowed under the CS designation such that production, processing, etc of non-neighborhood intrusive food products be allowed. There would have to be a consideration of the difference between large scale and small scale uses. As it stands right now, it appears that even catering operations would not be allowed for in the CS areas. Of course uses such as the dog food plant should not be allowed due to the scale of operation, the volume of traffic as well as environmental discharges.

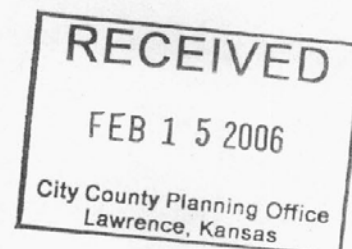
Specifically we would like to offer the use for a small level brewing / bottling operation, should an opportunity to do so arise. I envision a small number of employees, certainly less than the 20 as allowed for in Manufacturing & Production Limited (20-1739), and no more traffic in and out than occurred within our previous printing / mailing operation. There would be no retail sales at this location. In effect, it would be of a scale quite similar to what occurred within the Kansas Key Press.

Please note that I am sensitive to my neighbor, and would not ask for anything that would interfere with the sanctity and peacefulness of his home and home life. I would appreciate your consideration of my request. (And if this is a jumbled request, it is because I have never done anything like it before.)

Sincerely,

John Naramore



BOOK
Item 10**Carol Folkmann****From:****Sent:** Thursday, February 16, 2006 9:18 AM**To:** Carol Folkmann**Subject:** PC Comments re City Code**To:** Lawrence Douglas County Planning Commission**From:** Patricia Sinclair**Re:** Development Code -- various topics**Date:** February 16, 2006Notification of Rezoning to Neighborhood Associations Rather Than to Residents

A year ago when this code was considered, I objected to the fact that it did not provide for notification to homeowners of a proposed rezoning of their property. I maintained that the current city code required the city to notify each homeowner.

Now I have read in the Journal-World that it is being proposed that notification would be to neighborhood associations rather than to individual homeowners. I'm sorry that I could not find this section, so I can't cite it.

I am completely opposed to the use of neighborhood associations for this purpose. First, any group of people can claim to represent a neighborhood without really doing so or without communicating with the residents. A few of our neighborhoods get small grants to pay for a parttime coordinator and even put out newsletters, so they can do a better job. But who is to say that they represent the neighborhood as a whole?

In my Barker neighborhood, we do not have a viable neighborhood association, and have not for years, yet a few people still claim to represent the neighborhood and claim they are the Barker Neighborhood Association (BNA). One person has served as a LAN representative for some time, yet he feels no obligation to communicate any news to the neighbors.

The BNA was begun as a nonprofit organization in 1994. According to the Kansas Secretary of State's office, BNA failed to file the necessary annual report due in March, 2002, with the last correct report being filed in Sept., 2000. The BNA is considered to be in forfeited status. It is required that corporations be registered with the Secretary of State's office.

Even so, they continued to have a meeting here and there and collect dues. Then the bylaws were changed so that officers did not have to be elected annually and there haven't been elections since. The last meeting was a year and a half ago, at which time there were supposed to be elections. Time being short, it was decided to have the elections the next month, but that meeting never took place. The secretary sent an email out saying that only those current on dues would receive newsletters or flyers in the future.

The city continues to send notices to the last elected chair of the BNA and she only rarely forwards them and does not return calls or emails to my knowledge. She has not notified residents of any of the most relevant neighborhood issues during this time although there is a tiny listserve.

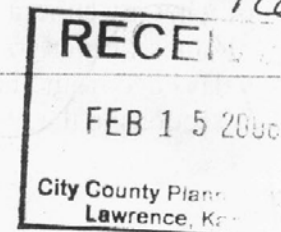
Carol Folkmann

From:

Sent: Thursday, February 16, 2006 9:20 AM

To: Carol Folkmann

Subject: PC Comments City Code Rezoning



To: Lawrence Douglas County Planning Commission

From: Patricia Sinclair

Re: Conversion of RS2 to RS5 in Barker

Date: February 16, 2006

I am against the rezoning of the RS2 homes in my Barker neighborhood to RS5 for reasons stated more than a year ago when this issue came up.

My home is from the 1920's and it almost fits the requirements for RS2. It is only 500 sq. ft too small for lot size (6,500 instead of 7,000) and the frontage is 50 feet instead of 60. I do not believe from my research that many properties in Barker are as small as the RS5 and wonder why the requirements have been made so much smaller than most of the smaller lots in the neighborhood. A large number of lots in Barker are larger than mine.

This is supposed to be of benefit to the neighborhood, but I fear that it will have an adverse effect on the character of our neighborhood. In a rush to build anywhere, infill housing can change the environment of established homeowners who counted on the existing zoning when they settled in as I did in 1993. The few examples of infill the I can think of in our neighborhood stick out like a sore thumb.

Under this plan, it is possible that my neighbor one house over could stick another house on the boundary nearest me, thus considerably degrading my environment and the value of my home. It is even possible that the existing oversized outbuilding, which may not have even been legally built and was used for years for an illegal home business, may be turned into some sort of home.

Please consider the actual sizes of our lots and do not create a zoning category for us that does not reflect our actual situation or lot sizes, but rather allows for some very close building in an established neighborhood where that building would not have been allowed before.

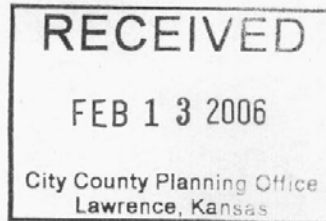
Over a year ago, tables of the properties to be changed were on the Planning Dept.'s website, but the actual sizes of the lots were not listed. Thus, there seem to be no statistics to back up an assertion that there are so many significantly undersized lots in Barker. I asked for the actual sizes of the lots in question to be identified over a year ago and I asked again at the "presentation" of the new code recently at City Hall. All I got was some figures for lots on my block a few days ago.

The presentation was disappointing. There were large zoning maps and copies of the entire proposed code. The consultant was not introduced or identified. There was no talk given. There were no handouts summarizing the changes and no handout describing the upcoming process or opportunities for public input. I am daunted by the volume of the proposed code and cannot search for specific items. It seems that this could have been shown to residents in a more user-friendly fashion. We were not informed there that our comments would be due today, Feb. 16.

Also, over a year ago, I repeatedly asked Linda Finger in private and also asked at a commission

meeting just what my current situation would be as I was said to be non-conforming should I need to rebuild my home. I never got a reply. She gave me a casual reponse at the presentation and I received a reply a few days ago from Sheila Stogsdill; however, I was not able to decipher it in time by accessing the relevant sections in the new code.

Jeffrey Morrow
4628 Trail Road
Lawrence, KS 66049



February 10, 2006

Planning Commission
City of Lawrence, Kansas

RE: DRAFT ZONING ORDINANCE, PROVISION OF AFFORDABLE HOUSING

Dear Planning Commission Members,

The November 11, 2005 Draft Development Code of the City of Lawrence, Section 20-534 Accessory Dwelling Units, deserves attention. The following sections, modified as proposed, would encourage rather than restrict affordable housing development in Lawrence. Five specific code sections are highlighted:

1) URBAN OVERLAY DISTRICT RESTRICTS AVAILABILITY

20-534 (1) **Purpose:** Accessory Dwelling Units are allowed in certain situations to:

- (i) create new housing units while preserving the look and scale of single-Family detached Dwelling neighborhoods; allowed in RS zones, only as part of an adopted Urban Conservation Overlay District, for a defined neighborhood.

COMMENT: Substitution of site plan requirements for blanket neighborhood approval would allow local neighbor concerns to be addressed on a project level. This approach would force individual projects to address site-specific problems such as drainage, access, alley condition, landscaping, or other concerns.

PROPOSED CHANGE: Remove Urban Conservation Overlay District. Substitute administrative, or ministerial site plan requirement.

20-534 (1) **Purpose:** Accessory Dwelling Units are allowed in certain situations to:

- (i) create new housing units while preserving the look and scale of single-Family detached Dwelling neighborhoods; allowed in RS zones, given site development permit approved by the director.

2) OWNER/OCCUPANT REQUIREMENT UNFAIR, AND OVERLY RESTRICTIVE

20-534 (2) **Design Standards**

- (iv) **Owner Occupancy Required in RS Districts:** Either the principal Dwelling Unit or the Accessory Dwelling Unit must be occupied by one or more of the persons who is/are the record Owner of the Premises.

If at any time, neither of the Dwelling Units in a Building that contains an Accessory Dwelling Unit is the principal residence of one of the Owner of the property, then the property shall be considered a duplex. If a duplex is not permitted in the Zoning District in which the property is located, the Owner shall be subject to penalties...

- (xi) **Registration; Affidavit:** ...intended to ensure that the applicant is aware of the provisions of this Development Code governing Accessory Dwelling Units.

COMMENT: Older neighborhoods consist of a mix of rental and owner-occupant properties. More often than not, these properties lack adequate off-street garages. A new garage could be built and financed by a over-the-garage second unit. Allowing owner-occupants, but not landlords to create over-the-garage second units may be unnecessarily prohibitive.

PROPOSED CHANGE: Allow non-owner occupant accessory dwelling units given Urban Conservation Overlay District. This would allow neighborhoods to determine whether or not to allow such use.

- (iv) **Owner Occupancy Required in RS Districts:** Either the principal Dwelling Unit or the Accessory Dwelling Unit must be occupied by one or more of the persons who is/are the record Owner of the Premises, unless as allowed by an Urban Conservation Overlay District, for a defined neighborhood.

3) ENTRANCE PROVISIONS LIMIT FLEXIBILITY, MAY BE INAPPROPRIATE

20-534 (2) Design Standards, (vii) Location of Entrances

- b. When the Accessory Dwelling Unit is located behind the rear wall of the Principal Building, the accessory Dwelling entrance shall face the Front Lot Line.
- c. An exception to subsection (b), above, is Dwelling Units that do not have Access from the ground such as Dwelling Units with entrances from balconies or elevated decks.

COMMENT: Given site plan approval requirement, an appropriate entrance design will emerge. Removing side entrance possibilities in all cases may be overly restrictive.

PROPOSED CHANGE: Remove b. and c.

4) OFF STREET PARKING CAN, AND SHOULD BE PROVIDED WITH SECOND UNITS

20-534 (2) Design Standards (viii) Parking: The following parking requirements apply...

- b. If the Lot containing the Accessory Dwelling Units abuts only a Local Street and the pavement of the Local Street is at least 27 feet wide, no additional Parking Space is required for the Accessory Dwelling Unit.

COMMENT: Street congestion can occur where no off-street parking is required.

PROPOSED CHANGE: Remove b., c., and d., replace with one additional off-street space requirement.

- b. One additional parking space is required for the Accessory Dwelling Unit.

5) FLOOR AREA DESIGN STANDARDS UNNECESSARILY LIMIT CREATIVITY

20-534 (2) Design Standards (x) Floor Area Additions

- a. The exterior finish material shall be the same or visually match in type, size and placement, the exterior finish material of the house or existing Structure.
- b. The roof pitch shall be the same as the predominant roof pitch of the house or existing structure.
- c. Trim on edges of elements on the addition shall be the same in type, size and location...
- d. Windows shall match those in the house in proportion (relationship of width to Height) and orientation (horizontal or vertical)...
- e. Eaves shall project from the Building walls the same distance as the eaves on the rest of the house or existing Structure.

COMMENT: Drive up the alley on the 900 block between Ohio and Tennessee in the Oread Neighborhood. On both sides are numerous examples of accessory structure additions, quite tastefully done. Many of the best designs completely disregard the above directives.

PROPOSED CHANGE: Compatibility with and sensitivity to the neighborhood is adequate.

20-534 (2) Design Standards (x) Floor Area Additions

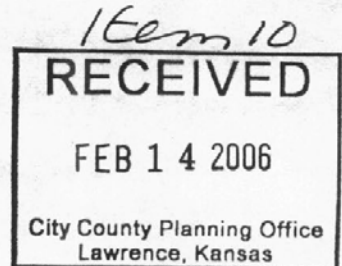
- a. The exterior finish material shall be compatible with, or visually match in type, size and placement, the exterior finish material of the house or existing Structure.

Thank you for considering the above suggestions.

With best regards,

Jeff Morrow
Affordable Housing Associates

JAMES A. and ALEXANDRA SELVIG
19951 West 112th Terrace
Olathe, Kansas 66061
913-829-7344
lexiselvig@prodigy.net



February 13, 2006

Lawrence-Douglas County Metropolitan Planning Commission
City of Lawrence, Kansas
6 East 6th Street
Lawrence, Kansas 66044

Ladies and Gentlemen:

Lexi and I have been working toward our life goal of owning and operating a Bed and Breakfast for over fifteen years. For the past five years and in earnest since the summer of 2004 we have prepared our feasibility study/business plan after completing the Fast Trac New Venture program at the Kauffman Foundation. We are members of the Kansas Bed and Breakfast Association and the Missouri Bed and Breakfast Association. We methodically researched the lodging industry within the 18 county Kansas City Area Development Council region. We determined the need for lodging accommodations in the City of Lawrence is significant. The national publication "Entrepreneur Magazine" training manual, Guide to Success - How to Start a Bed and Breakfast states that successful Bed and Breakfasts must meet the following requirements in the community they are located. Tourist attractions, business travelers, romantic destination, location of a college or university, major medical center are the top five requirements. The City of Lawrence fulfills all of the top five requirements. Pursuing these requirements one-step further, we as future Bed and Breakfast owners understand that the top five requirements are undoubtedly a built in market.

We understand that a Public Hearing is scheduled for February 22, 2006 to gather testimony regarding the proposed modifications to Lawrence Development Code. We request an opportunity to testify on behalf of the proposed modifications to the Bed and Breakfast Establishment Section. We are pleased to learn that the City of Lawrence recognizes the Kansas Bed and Breakfast Association By Laws, Policies and Procedures defining Bed and Breakfast Establishments.

We continue to actively pursue property in the City of Lawrence to establish our Bed and Breakfast and look forward to following the procedures for final approval of a Special Use Permit.

Thank you for the opportunity to introduce ourselves and speak to the Commission on February 22nd.

Sincerely,


Lexi and Jim Selvig

League of Women Voters of Lawrence-Douglas County

P.O. Box 1072, Lawrence, Kansas 66044

February 15, 2006

Dr. Terry Riordan, Chairman
Members
Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044

CC: Jeffrey Morrow

RE: DRAFT ZONING ORDINANCE, ACCESSORY DWELLING UNITS

Dear Chairman Riordan and Planning Commissioners:

This letter is in response to that sent to you by Jeffrey Morrow, dated February 10, 2006. Our concern is with the interpretation of where accessory dwellings are allowed and under what circumstances. We believe that a particular section of this provision, cited below, requires either rewording or clarification.

Page 5-29, PDF page 105: " **20-534, Accessory Dwelling Units (permitted only in RS40, RS20, RS10, RS7, CN1, GPI, and H)**

(1) Purpose Accessory Dwelling Units are allowed in certain situations to: **(i)** create new housing units while preserving the look and scale of single-Family detached Dwelling neighborhoods; allowed in RS zones, *only as part of an adopted Urban Conservation Overlay District, for a defined neighborhood;...*"

It was our understanding that Accessory Dwellings would be allowed in the districts listed (RS40, RS20, RS10, RS7, CN1, GPI, and H) according to the procedure of Section **(xi) Registration; Affidavit**. It was also our understanding that the adoption of an Urban Conservation Overlay District prior to permitting accessory dwelling use was intended for the RS districts not listed above—the RS5 and RS3 Districts. If our interpretation is incorrect, we ask that you change this Section 20-534 to allow the Accessory Dwelling use in these districts RS 40 through RS7 without the requirement for an Urban Conservation Overlay District.

In answer to Mr. Morrow's letter, we believe that the most critical requirement is that of **owner-occupancy** for one of the accessory dwelling units. The primary concept of accessory dwellings introduced by the ZAC committee, was not to create indiscriminate multiple family use in single family districts, but rather to provide a second unit in cases where it is needed for home health care as "granny units," or for other family living arrangements. This original intention was expanded to include accessory dwellings as a means in new areas to provide more affordable homes when in combination with an accessory dwelling, and would provide more reasonably priced rental units, as well. We were also inspired by this idea from other communities that use the accessory dwelling concept to reclaim aging single family neighborhoods by providing the incentive for owner-occupancy and rehabilitation of existing dwellings rather than their conversion to rental use.

In his proposal to expand the purpose of accessory dwellings by not requiring owner-occupancy, and by allowing accessory dwellings in multiple family situations, we believe that Mr. Morrow misinterprets the whole concept and purpose of the current accessory dwelling provisions. Therefore, we ask that you do the following.

1. Clarify that the Accessory Dwelling provision applies to the RS40, RS20, RS10, and RS7 districts with the approval process listed under the Section **(xi) Registration; Affidavit** and is not dependent on an Urban Conservation Overlay District as a prior requirement.
2. Clarify that in any other RS district (RS5 and RS3), Accessory Dwellings are allowed only as one provision of an Urban Conservation District.
3. Maintain all other provisions as they read in the Draft New Code under this section 20-534, Accessory Dwelling Units.

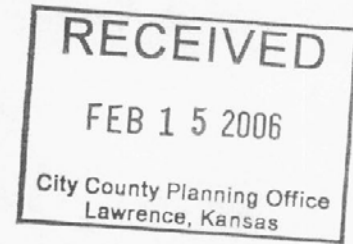
Sincerely yours,



Alan Black, Chairman
Land Use Committee



Caleb Morse
LWV L-DC Board



Mary Miller

Item 10

From: Carol Folkmann
Sent: Wednesday, February 22, 2006 4:40 PM
To: Sheila Stogsdill; Mary Miller
Subject: FW: Letter sent to Planning Commission

Betty asked me to forward this to you.

Carol

From: Betty Lichtwardt [mailto:licht@ku.edu]
Sent: Wednesday, February 22, 2006 4:33 PM
To: Carol Folkmann
Cc: Betty Lichtwardt
Subject: Letter sent to Planning Commission

Carol, below is an email along with an attachment that Alan Black sent to the Planning Commission. Our President, Carrie Lindsey, is asking that you get this to the staff so that they are aware of it and it can be read into the Minutes of the meeting tonight. We will present it at the meeting. Betty Lichtwardt

February 20, 2006

Dr. Terry Riordan, Chairman
Lawrence-Douglas County Planning Commission

Dear Planning Commissioners:

Because of the extremely short time period of mid-day Wednesday, February 15, when the Staff recommendations on the "Proposed Revisions Table for Development Code, November 11, 2005, Edition, became available, and the deadline at 10:00 AM Thursday morning for a response, we were not able get our response to you in time. Now that we have studied these revised regulations, we want to let you know that we appreciate the changes that have been recommended by staff.

However, we have found some critical issues that were not addressed in the changes, and one change that was a reversion back to a meaningless statement. There are only four of these deficiencies that we feel are important enough to address at this time, and we hope that, in fact, you will correct them. We believe these changes to be so important that without them, they could undermine the sustainability of our neighborhoods.

Attached is our two-page memorandum with the issues listed and suggested changes.

We appreciate very much the time and effort that you have put into this new code and hope that you will find our suggested changes in this memo reasonable.

Thank you.

Alan Black, Chairman
Land Use Committee
LWV L-DC

Not provided to
Planning Commission

LEAGUE PRIORITIES THAT ARE NOT INCLUDED IN THE “PROPOSED REVISIONS TABLE FOR DEVELOPMENT CODE, NOVEMBER 11, 2005, EDITION”

February 19, 2006

A major priority for the League is PREDICTABILITY. The following are a list of priority issues in the new Lawrence

Land Development Code that are NOT staff recommended changes that we believe should be that are necessary to provide predictability in commonly-used zoning districts.

1. A lack of specificity as to housing type in the RS districts in this new Land Development Code is a major policy

change from our current Ordinance 3500 and has never really been discussed. We ask that the word “detached” be

inserted in the definition of housing type in the RS Districts in the base districts description.

Page 2-2, PDF page 24; Sec. 20-202, RS, Single-Dwelling Residential Districts

(a) Purpose

(1) “The primary purpose of the RS Districts is to accommodate single detached Dwelling Units on

individual Lots. The Districts are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are compatible with residential neighborhoods.”

This also constitutes a major policy change from our current Zoning Ordinance 3500 amended, which reads as follows:

“20-602. RS SINGLE-FAMILY RESIDENCE DISTRICTS.

(a) Purpose. RS Districts are designed for those areas where the land is presently being used, or where development appears desirable, for single-family dwellings. In addition to the general purposes applying to residential districts, the regulations for the RS Districts are designed to encourage the provision of **single-family, detached residences** in districts of four

permitted densities. In RS zoning districts only, single-family detached dwellings shall be permitted and such dwelling shall be occupied only by families which meet a definition of family as defined in this code.”

2. The CS District allows Big Box developments in the existing strip districts BY-RIGHT. We are concerned

because the consolidation of existing lots in a strip area would allow the smaller uses to be replaced by a regional

big box use *by right* and without any restriction. The big box uses should be located in a regional center. We ask

that you change the Use Table to eliminate “Large Retail Establishment” as a permitted use.

Page 4-10, PDF page 74; Sec. 20-403, Use Table for Retail uses, CS District allows

Large Retail

Establishment, i.e., Big Box.

3. PROTECTION STANDARDS FOR RESIDENTIAL DISTRICTS.

A critical issue that has not been properly addressed in the staff recommendations is protection standards for

residential districts adjacent to transitional areas. We believe that this is a critical issue of major importance. The

new code does not provide the protections that are needed to provide single family uses from the unpredictability of our current code. In fact, nothing in this New Code would prevent a recurrence of the situation that happened to the single family neighborhood on Joseph Drive when the Canyon Court Apartments were built next to them.

The performance standards required of PDs by the Buffer Areas will be ineffective. The reason is that according to the wording in the New Code, Planned Developments must limit their development only to ***“uses, Heights, Setbacks and minimum Lot sizes permitted in the Zoning District immediately adjoining the proposed PD on***

the date of preliminary development plan approval of the PD.”

The word "uses" is a general term that can mean any type of general use such as **residential, office, commercial, or industrial**. It does not have any effect on scale. It does not, for example, specify **“single family detached, single family attached, duplex, apartment, etc.” which are building types**. Please note that modern single family homes are generally less than 25 feet in height, although the building height allowed in RS zoning districts goes up to **35 feet**. Setbacks, even for RS40 districts, is only 20 feet for side yards. These permitted dimensions in RS districts proposed for the New Code would allow the equivalent of a 3-story apartment to immediately abut a single family lot.

The limitations for balconies proposed in the new code also would be ineffective for privacy protection because the definition of “story” allows three-story buildings to be classified as two-story. Because of these gross deficiencies in the protections of residential districts adjacent to transitional districts, ***housing types*** must be specified to determine the ***scale*** of the uses in the Buffer Area.

We ask that you make the following change, below, by including after “uses” the words ***building and/or housing***

type. We also ask that Buffer Areas, as modified below, should apply to conventional districts as well as PDs.

Article 7 | Planned Developments

Page 7-4, PDF page128 (j) Buffer Areas

Development within 60 feet of the peripheral boundary of the PD shall be limited to the following:

“building and/ or housing types.

(1) uses, ^ **Heights, Setbacks** and minimum **Lot** sizes permitted in the **Zoning District** immediately adjoining the proposed PD on the date of preliminary development plan approval of the PD; and,

4. We asked in our “Comments and Questions” to define the term “Building type.” The original section reads as follows, below.

“Page 13-24, PDF page 228 Section 20-1304 Planned Developments(e)(2)

(iv) Major Changes. A Major Change is one that:

e. changes a residential use or **Building** type;

In the “Proposed Revisions Table” staff does define the term Building type in the Terminology section. We thank

them. But then, in the same section in the Proposed Revisions Table, below

“13-24 1304(e)(2)(iv)e Clarification: changes a residential use or type of Building type;”

The term “building type has been changed back to a meaningless phrase: “type of Building.” ***We ask that you return***

this section to the original wording, “Building type.”

SUMMARY OF LUC PRIORITIES

1. Include the term “detached” to describe the base RS districts. Reason: all other residential housing types

require special use permits when in an RS district, and are not uses “by right” in the RS District.

2. Do not allow “Large Retail Establishment” as a use permitted by right in the CS District in the Use Table.

3. On Page 7-4, **Article 7, Planned Developments, (J) Buffer Areas**, Development within 60 feet of the

peripheral boundary of the PD shall be limited to the following: (1) add either “**building types**” or “**housing types**”

between “uses, and “Heights, Setbacks and minimum lot sizes...”

4. “**Page 13-24, PDF page 228 Section 20-1304 Planned Developments(e)(2)**

(iv) Major Changes. A Major Change is one that: e. changes a residential use or **Building** type;”

Please do not make the change in the Proposed Revisions Table to “type of building.”

February 20, 2006

Sarah Hill-Nelson for
Marcia Hill
P.O. Box 722
Lawrence, Kansas 66044

Sheila Stogsdill
Lawrence Douglas County Planning Department
Fax: 785-832-3160

RE: Modification to either CS Zoning &/or the Zoning of Region of 9th and New Jersey Streets

Dear Sheila,

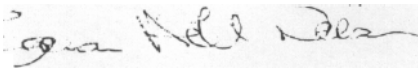
I am writing on behalf of Marcia Hill, who manages the buildings on the northwest corner of 9th and New Jersey Streets. Currently the tenants in this group of buildings include a printing company and a catering company. We would like to register our comments that we would like to ensure that the similar uses for those buildings would continue to be allowed under the new zoning which is proposed for that area — CS.

It is our understanding that our current tenants would be grandfathered-in, but we would like to assure that should our tenants change in the future, we will be able to fill the spaces with appropriate businesses. The buildings have a history of being used for low-level manufacturing and production. For example, at one point the catering space was filled by a chocolate maker -- a low-level food production business. In brief discussions with other property owners from the area, we understand that there would be two potential options for continuing uses of this nature.

One alternative would be to change the designation of our property to a zoning that would allow for more intensive use. As an example, Manufacturing and Production Limited (20-1739) could potentially allow for both our current uses. Another alternative would be to broaden the uses allowed under the CS designation such that production, processing, etc. of non-neighborhood intrusive food products would be allowed. We feel this would allow for other small catering and food production-type businesses. We are hopeful that a business such as Lawrence Printing and Design would also continue to be acceptable under that broadened designation.

We understand that this topic will be raised at the Planning Commission Meeting on Wednesday, February 22nd, and hope that our comments will be included **in** that meeting. Please call me with any questions or suggestions.

Sincerely,



Sarah Hill-Nelson
785-766-0884

WWW.MRSC.ORG/GODOCS/s42adurpt.pdf



Detached Accessory Dwelling Units

Director's Report

February 17, 2004



City of Seattle
Department of
Planning and
Development

*For more information,
contact Jory Phillips at DPD
at (206) 386-9761 or
jory.phillips@seattle.gov*

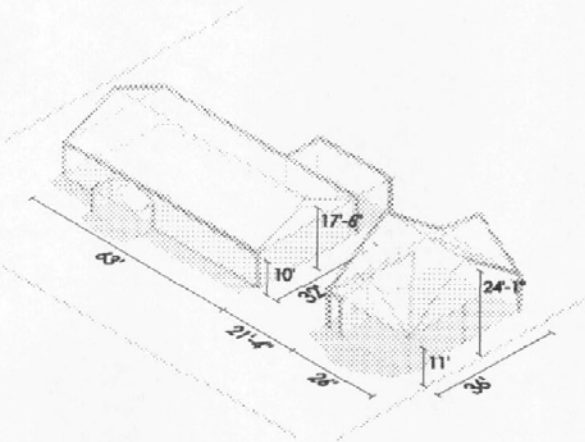
Attachment 1 to Detached Accessory Dwelling Unit Fiscal Note

*Provided to staff after
02/22/06 meeting by
Jeff Morrow*

Appendix III: Summary of Demonstration Program Detached ADU Evaluations

Magnolia Detached ADU

This detached ADU in Magnolia sits at the rear of a large corner lot next to an alley amidst a single family residential area.



Neighborhood Impact Survey Results

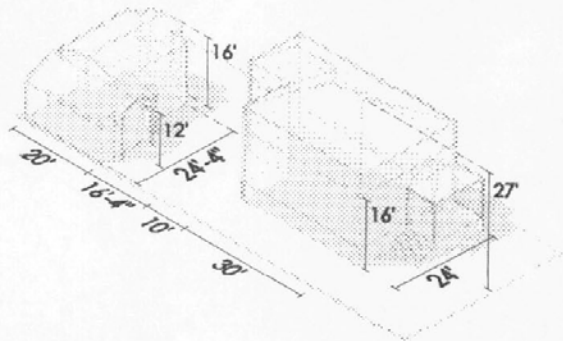
16%	19%	65%
<i>Bad</i>	<i>Neutral</i>	<i>Good</i>



A view of the primary structure (left) next to the detached ADU (right).

North Capitol Hill Detached ADU

The detached ADU structure, tucked behind the main home and barely noticeable from the street, replaced an existing detached garage.



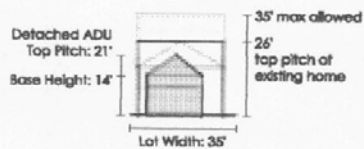
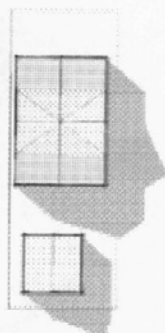
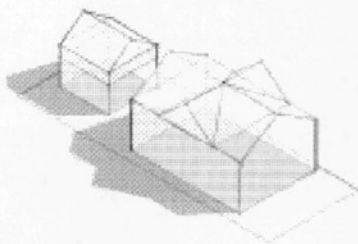
Neighborhood Impact Survey Results

14%	30%	56%
<i>Bad</i>	<i>Neutral</i>	<i>Good</i>

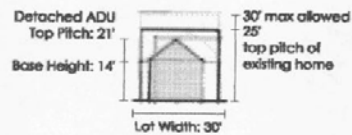
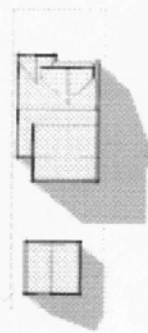
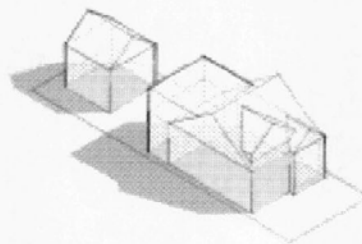


The detached ADU matches the main home.

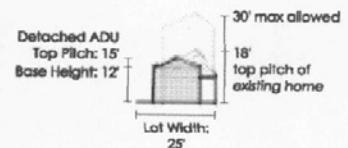
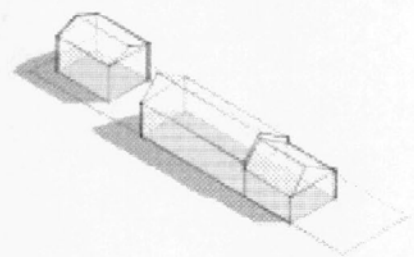
35x100 Lot



30x100 Lot



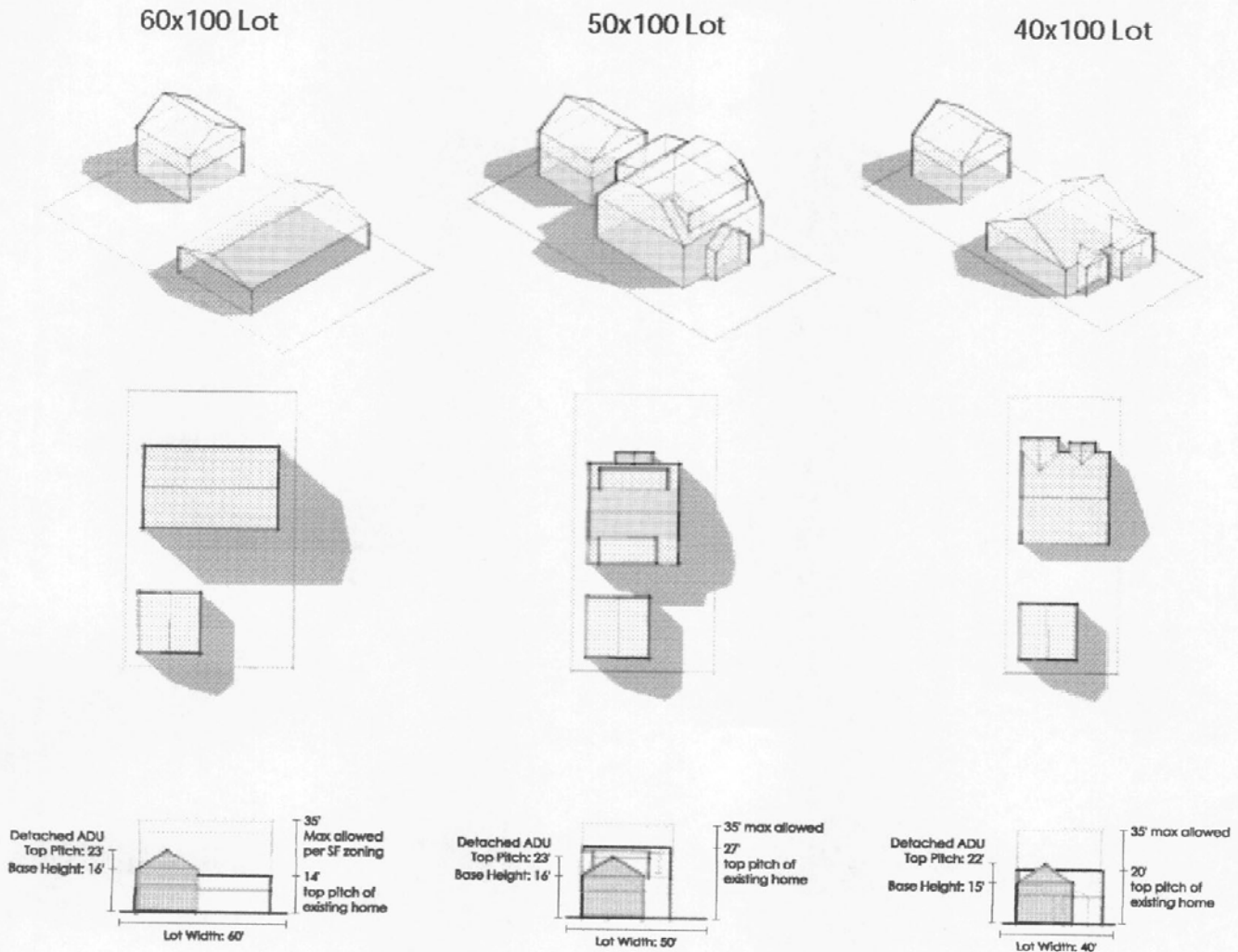
25x120 Lot



Note: Alley likely required for lots 30 ft. or narrower to meet lot coverage provisions.

Detached ADU Proposal Illustrations

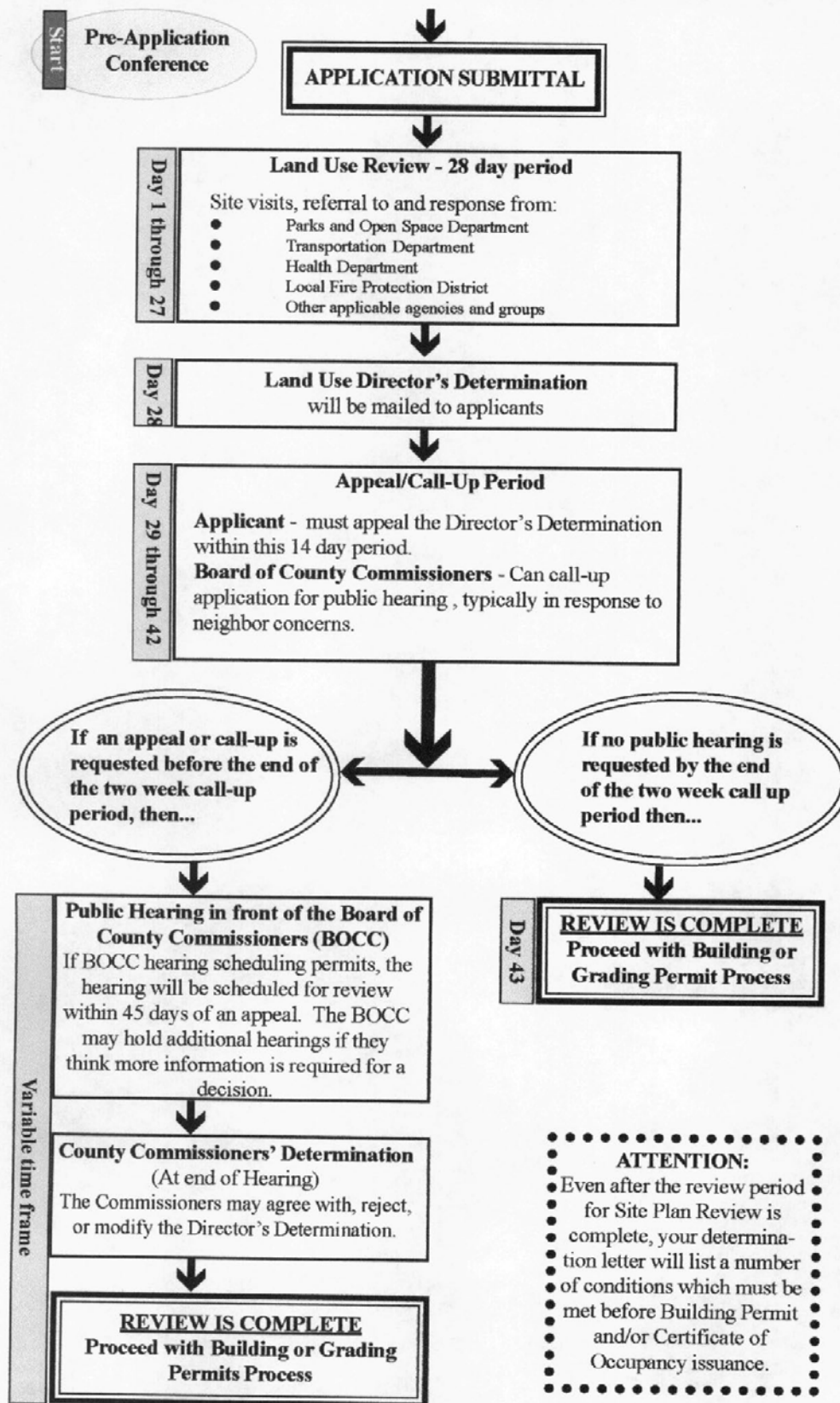
These diagrams illustrate how the proposed development standards for detached ADUs could work on a variety of lot sizes in Seattle.



Note: Most maximum requirements begin at a lot sizes between 4,000 and 5,000 ft²

Figure 4: Illustration of effect of proposed development standards for multiple lot sizes.

Site Plan Review Timeline



Building Permits and SPR

The Land Use Office will accept building permit applications at any time during the Site Plan Review process. However, the applications will be placed on hold until the Land Use Director's Determination is issued. At that point, the planner supervising the Site Plan Review will decide whether significant SPR issues need to be resolved or to forward a submitted building permit to the Plans Examiners. If the planner thinks an appeal or call-up is likely, then the building permit will remain on hold.

ATTENTION!

The Land Use office highly encourages applicants to wait until their Site Plan Review is complete before formulating the construction drawings necessary for Building Permit Applications. Please note that, in most instances, Site Plan Review submittal requirements are conceptual in nature whereas Building Permit plans are highly detailed, time consuming and often expensive. Applicants submitting Building Permit Applications prior to completing SPR, do so at their own risk, with the understanding that amendments to these plans may be required to comply with the SPR approval.