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Lawrence Preservation Alliance

City County Planning Office
Lawrence, Kansas

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12-18-09

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Lawrence/Douglas County Planning Commission
Oread Neighborhood Plan

VIRGIL DEAN

KATE DINNEEN

ERNIE ECK
CO-TREASURER

A good neighborhood plan describes existing resources and conditions, and presents a community-based vision for the future, while listing specific actions to take which will get us there.

MIKE GOANS

PAT KEHDE
SECRETARY

DALE NIMZ

WESTON NORWOOD

NICOLE SABATINI
VICE-PRESIDENT

Page 3-1 of the current draft, letter C under Land Use Policies states: "maintain and stabilize the strongest concentrations of owner-occupied housing and encourage owner-occupancy throughout the neighborhood." At the top of that same page, under Goals, Policies and Implementation Strategies, the draft states: "Preserving the existing housing stock, increasing homeownership and improving property maintenance will be important for the future."

MICHAEL SHAW

DALE SLUSSER
CO-TREASURER

The Lawrence Preservation Alliance believes that these are the two overriding goals to be achieved if the Oread neighborhood is to survive in any semblance of what was intended when it was originally formed in Lawrence's earliest years.

MARY LYNN STUART

REV. VERDELL TAYLOR JR.

CAROL VON TERSCH

While revisions to the proposed plan have clearly helped, we do feel there are not enough clear actions proposed that will meet the stated goal of increasing owner-occupied housing.

DENNIS DOMER
EMERITUS

MARCI FRANCISCO
EMERITUS

Clearly this is and always was a neighborhood of many varied uses. LPA would not wish to change that, and we recognize that there is room for investment with profit in Oread. But when we look at the neighborhood in its current state, we see that teardown and infill is thriving, rental rehab is doing well, and boarding house activity is burgeoning. The only use that is declining, to the point of possible nonexistence, is owner-occupied housing. This is not going to improve without some specific interventions that will need to be identified in this plan.



Lawrence
Preservation
Alliance

The Oread neighborhood currently suffers from being zoned RM32 in most areas, which makes lots more valuable than the structures that stand on them. This has led to demolition by neglect, teardowns to increase density, or worse, combining lots for multiple teardowns and even larger replacement structures.

This plan adopts the tool of Urban Conservation Overlay Districts to address the problem rather than downzoning. LPA agrees with this, but we do feel that some downzoning in targeted areas may be necessary to achieve the goal of increased owner-occupancy.

The real strength of the UCO's will be the design standards that will be adopted for each zone. We need an outside consultant with preservation planning expertise to lead the development of these guidelines. Failing that, the effort should be led by planning staff with strong Neighborhood Association representation, and lesser but equal representation by non-resident investors and LPA.

We strongly support the additions in the most recent draft of overlays 4 and 5 to reflect the neighborhood's two National Historic Districts, the Hancock District and the Oread District. Previous drafts had the Hancock District, an early 1900's residential district, in the high-density overlay 2, which was very alarming to us.

We also support pursuing local ordinance Chapter 22 historic district status, with minimum maintenance standards, for both the Hancock and Oread National Historic Districts.

LPA supports the Oread neighborhood's efforts to close the development loophole in congregate living uses known as boarding houses. Boarding house owners should be required to provide one offstreet parking space per bedroom, just as other apartment owners do.

LPA is not against boarding houses per se. But we would support design standards in the UCO's that would keep boarding houses within the existing footprints of the houses being renovated in the low and medium-density districts, perhaps limit their numbers within the historic districts, and encourage boarding house developments in the high-density overlay.

Four bedroom per side duplexes are also taking their toll on what's left of the Oread neighborhood, particularly in the stadium area covered by the low-density overlay in this plan. Eight bedroom structures are not low-density residential. Two bedroom per side duplexes are reasonable investment in this area; four bedrooms per side are not.

The more we continue to allow it, the more single-dwelling structures will come down.

Within the high-density overlay, LPA will have just as much concern for those design standards as the low and medium-density overlays. There are historic resources within the high-density area, and we would encourage any proposed high-density infill to replace existing infill, built in 1960 or later. Demolition of viable structures in the high-density overlay originally constructed as single-dwelling or owner-occupied should be discouraged, and multi-lot redevelopment that includes demolition of those structures should be discouraged.

There are currently four viable structures in the 1200 block of Louisiana, in the same block where 1232 Louisiana once stood, that are for sale by one owner. 1043 Indiana was recently bought at auction for over \$300,000, and likely not to renovate. Boarding house outcomes for those structures provided parking requirements are met would be acceptable to LPA. Teardowns for multi-lot redevelopment are not.

There is general language throughout the plan concerning mixed use commercial designations. You or I might think of a corner grocery or neighborhood bistro. This may not be what developers are thinking. Any language concerning commercial needs to be specifically defined, or we will soon be seeing plans with enough commercial in them to possibly threaten downtown.

But, most importantly, LPA feels that there needs to be clear incentives and protections within targeted areas if the plan's goal of increased owner-occupancy is to succeed.

The state tax credit is our best incentive , but only for contributing properties in historic districts, and it applies to rental as well as owner-occupants. There is also generally a movement every legislative session to overturn it, especially in tough budget times.

The draft includes action to amend the Land Development code to permit detached single-dwellings in RM districts if the structure was originally built as a single-dwelling. This is a very necessary protection if a year-round resident were to lose their structure to fire, but it doesn't help with the goal of adding year-round residents.

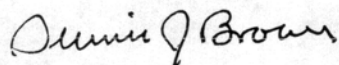
There is language about exploring the use of the Neighborhood Revitalization Act, a property tax reimbursement program. The language sounds half-hearted and needs much more detail if it is to help with increased owner occupancy.

No property investor wants to go to the limit with their personal finances only to see the other side of the block become entirely eight bedroom boarding houses and the only other owner-occupant on the street put their house for sale in despair.

The Oread neighborhood Association needs to show planning staff where the strongest concentrations of owner-occupied housing are, and staff needs to develop a plan, probably using several planning tools, to protect and encourage some expansion of owner-occupants in those concentrated areas.

LPA believes that this plan is possibly the community's last chance to keep the Oread neighborhood as a mix of uses, and avoid the spectre of it becoming a 100% student-rental neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Dennis J Brown".

Dennis J Brown

LPA Recommendations for Actions
Planning Commission Could Take

The phrase "hotel uses" on page 1-9 should be changed to "a hotel".

Page 3-2, section H of the draft should be changed to "...support new mixed and light commercial uses, if they are determined to not be detrimental to existing downtown commercial uses."

Page 3-1, Land Use Policies A. dealing with rezoning, has been deleted. We think this tool should at least be listed as a possible action. We would suggest "Consider rezoning targeted areas where the strongest concentrations of owner-occupied housing remains, to protect the investments of those owner-occupants and encourage more owner-occupants to live in those areas."

Ask the Planning Director to make a presentation at your January meeting about the Neighborhood Revitalization Act. Exactly how would it work, and would it help with the goal of increasing owner-occupancy.

Ask the Oread Neighborhood Association to identify areas of owner-occupied housing, even as small as one side of a block, where they feel it is not too late to protect and encourage more owner-occupants. Ideally this would not be a central-core mini-Oread, but several areas throughout all the overlays with the possible exception of the high-density overlay.

Ask the Planning Director to designate a staff person to work with two or three Oread Neighborhood representatives to develop a clear plan of action to put in the Oread Plan to stabilize and increase owner-occupancy.

Planning Staff and Planning Commissioners:

Thank you for allowing LPA the time to evaluate this draft document.

LPA Recommendations for Oread Neighborhood Plan

LPA supports the use of Urban Conservation Overlay (UCO) districts instead of full scale downzoning, but believes that some downzoning in targeted areas may be necessary to achieve the plan's goal of increased owner-occupied housing and year-round occupants.

Strong design standards for each UCO will be necessary for the plan to meet its goals. Standards development should be undertaken by an independent, preservation-knowledgeable consultant, or by planning staff with strong Neighborhood Association representation, and lesser but equal representation by developer and non-resident investors and LPA.

LPA strongly supports the additions of overlays 4 and 5 to reflect the Hancock and Oread National Historic Districts. Inclusion of the Hancock Historic District in the high-density #2 overlay is totally unacceptable.

LPA supports pursuing Chapter 22 local ordinance historic district status, with minimum maintenance standards, for both the Hancock and Oread National Historic Districts.

LPA agrees with the Oread Neighborhood Association that congregate living (boarding house) parking requirements should be the same (one space per bedroom) as other apartment properties.

LPA believes that UCO design standards should discourage establishment of boarding houses within the low and medium density UCOs, particularly within the two established Historic Districts, and encourage the establishment of boarding houses in the high-density overlay district.

LPA believes that if downzoning for the area around the stadium (overlay #1) is not recommended, then a downsizing of allowable bedrooms in duplexes from 4 bedrooms per side to 2 is absolutely necessary.

LPA believes that, within the high-density overlay #2, new high-density infill should replace older infill (1960s built or later). Demolition of viable structures 50 years or older, and originally constructed as

single-dwellings or owner-occupied homes in overlay#2 should be discouraged. Multi-lot redevelopment that includes demolition of those structures should be discouraged.

Document language concerning commercial uses should be specific. The phrase "hotel uses" on page 1-9 should be changed to "a hotel". Page 3-2, section H of the draft should be changed to ".....support new mixed and light commercial uses, if they are determined to not be detrimental to existing downtown commercial uses."

LPA believes that the only way to achieve the stated goal of increased owner-occupied housing and year-round residents is to identify targeted areas and offer increased incentives and block-wide protections to prospective new residents wishing to purchase and occupy single dwelling housing stock. While recognizing that there are no easy answers, this plan should not be adopted until a stronger, well-defined action plan to achieve this goal is agreed upon.

Michelle Leininger

From: steven c. watts [scajj@sbcglobal.net]
Sent: Thursday, January 07, 2010 4:27 AM
To: Bradley R. Finkeldei; ksingleton@kcsdv.org; Hugh Carter; Lisa Harris
Cc: Scott McCullough; Michelle Leininger
Subject: Another, large, compelling reason
Follow Up Flag: Follow up
Flag Status: Orange

Happy New Year to each of you.

One last, straggling piece of information data that is rather significant relative to the need for 1649 Edgehill Rd. to be included in the Oread Neighborhood Plan:

1613 Tennessee in Lawrence (Ludington-Thacher home) was placed on the historical list. This address is in the ONA defined boundary and also in the City's boundary for the Oread Neighborhood.

Because my home and my property are within the prescribed boundaries as set down by law once a property is officially designated "historical" (the fact my land and home are close to the site.....within 300 feet or 300 yards....I forget...), any and all matters relating to modifying my home must first be approved by all manner of governmental bodies.

This simple fact alone is very compelling as it relates to being part of the Oread Neighborhood; particularly when coupled with all the other realities I have tried to make you aware of.

Thank you

Steven C. Watts
1649 Edgehill Rd.
Lawrence, KS

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25 January 2010

Greg Moore, Chairman, and Members of the Lawrence-Douglas County Planning Commission

**RE: ITEM NO. 10 - COMPREHENSIVE PLAN AMENDMENT TO CHAPTER 14
– THE OREAD NEIGHBORHOOD PLAN**

I am writing on behalf of the ONA Board to thank you for many improvements that have been made to the plan draft. Reading each reiteration though, brings up new concerns.

Goal 1 – for Land Use is **“Maintain a variety of housing types to provide a balance in the diversity of people living in the neighborhood while maintaining strong neighborhood scale commercial areas.”** Unfortunately none of the actions listed in Table 43-1, the Implementation Schedule, really address this concern. The suggestion to review the Land Development Code **“regarding boarding houses to address neighborhood concerns while maintaining boarding houses as a feasible option for owners and students”** seems to assume every residential structure in the neighborhood could be developed as a boarding house. This is unacceptable.

One Land Use Implementation Strategy is **“Encouraging more owner occupants and families to locate in the planning area...”** However when **“to permit by right detached dwellings (single-dwelling use) in multi-dwelling districts (RM) with certain standards”** is the only action, and it goes on to say **“Among other things, the standards could include that the structure must have been originally constructed as a single-dwelling structure”** seems to require proof rather than give encouragement.

For the Urban Conservation Overlay Districts:

4.2.2.1. District 4 (Hancock Historic District) consider adding:

Lot size (assembly)

Limit size of building additions

4.2.2.2. District 5 (Oread Historic District) consider adding:

Lot size (assembly)

Limit size of building additions

Alley access as opposed to street access

We suggest just a little more work to be done on the history. It says:

“The creation of the neighborhood association allowed for a grant to be applied for and received by the federal Community Development Block Grant program. This was used to assist the neighborhood in crime prevention, provide dumpster pads, repair of stairs and various other projects.” Grant funds have been received annually, not just once, and they are available without the creation of the neighborhood association. Perhaps this could be changed to read **“The neighborhood association has used Community Development Block Grant funds to build alley parking, dumpster pads and screening, repair steps, and for other projects.”**

There seems to be some misunderstanding about parking. The section reads:

"Parking is an issue in the neighborhood because of the proximity to KU. With automobiles not being available until the early 1900's, automobile parking was not a consideration when the neighborhood was developed. Auto parking has been added into available areas through the years. With the evolution of the neighborhood to include more renters, and more people having cars, and people driving to campus, there has been less space to park."

Neighborhoods other than Oread are in proximity to KU, however they have been able to restrict street parking. The amount of space for parking has not changed. We suggest:

"Parking space is an issue in the neighborhood. Alleys generally allow for off-street parking, however increasing densities prior to required increases in off-street parking and greater car ownership means many residents must park on the streets. Residents compete for street parking with students commuting to KU or living in the scholarship and residence halls. The KU scholarship halls built in the 1950s had no parking because it was assumed that students living there would not own automobiles; the parking space at Corbin-GSP cannot accommodate the demand."

Some additional suggested wording changes:

Fix the first sentence in Section 3 – Goals, Policies and Implementation Strategies:

"The Oread Neighborhood planning area is anticipated to continue in the future to be a neighborhood with a mix of residential housing types as the dominate land uses and various a number of mixed use and commercial areas."

Perhaps:

"The Oread Neighborhood planning area is anticipated to continue in the future to be a neighborhood with a mix of residential housing types as the dominate land use and various mixed use and commercial areas."

In the implementation schedule, dumpster does not apply to trash enclosure standards:

"to ensure appropriate dumpster and ~~other~~ trash enclosure standards"

Thank you very much for your consideration of these additional comments.

Marci Francisco

Member, Oread Neighborhood Association Board