

PC Minutes 6/24/09

ITEM NO. 8 OREAD NEIGHBORHOOD PLAN (MJL)

CPA-2-1-09: Receive and give direction on the draft Oread Neighborhood Plan.

STAFF PRESENTATION

Commissioner Singleton recused herself from the meeting.

Ms. Michelle Leininger presented the item.

Commissioner Harris asked how it was decided that so much higher density residential development would take place generally east of Tennessee Street.

Ms. Leininger said there was a comparison of the 1979 plan to the existing land use and the existing densities. All of those different things were taken into account and discussed. She stated it is an overall density, not a lot by lot density. Staff took the current densities and current land use and derived it from there.

Commissioner Harris asked if higher density developments were put in place that were not consistent with the plan in 1979.

Ms. Leininger said not necessarily; she would have to look at the existing land use map. She said it is always up for discussion if she would like it changed.

PUBLIC HEARING

Ms. Elle LeCompte, landlord of three properties in the Oread neighborhood, addressed the blight of newly constructed apartment buildings. She said the materials do not stand up to water, cold and heat and the buildings have a short shelf life. She showed pictures on the overhead projector. She also expressed concern over parking in the Oread neighborhood. She suggested parking on both sides of the street on all streets. She said she has spent the last year working on a blight survey looking at each house in the neighborhood.

Commissioner Carter asked Ms. LeCompte how much longer it would be before she is done with the blight survey she has been working on.

Ms. LeCompte said she spends about 2-4 hours a weekend and hopes to get it done by the end of the summer.

Commissioner Rasmussen asked what she would recommend for the blight in the neighborhood.

Ms. LeCompte said it was a tough decision to make because some landlords are not going to maintain properties without incentives. She expressed concern about beautiful old historic houses being torn down and replaced with poorly constructed apartment buildings.

Ms. Candice Davis, 947 Louisiana Street, said the Oread Plan is meant to extend the life of the neighborhood for all residents. She said she lives in the Oread neighborhood and is also a landlord. She said it is essential to have permanent residents in a neighborhood or it will promote blight, disrepair, and crime. She felt the plan as written does not reflect mixed use. She said that if parking was addressed it would create a reasonable neighborhood for everyone. She said she is not against density but that adequate parking needs to be provided. She showed pictures on the overhead

projector of boarding houses. She felt there needed to be adjustments to provide stability for the neighborhood.

Commissioner Harris asked Ms. Davis what percentage of the block she would recommend be owner occupied.

Ms. Davis said on her block there are two homeowners and it creates stability and less blight to the neighborhood.

Commissioner Hird asked if she considered permanent renters as permanent residents and if there has been any attempt to quantify the number of renters.

Ms. Davis said she would consider permanent renters as permanent residents.

Commissioner Finkeldei inquired about the history of trying to implement a new parking policy.

Ms. Davis said that Ms. Marci Francisco could speak to that.

Ms. Carol von Tersh, 706 W 12th Street (historic Snow House), said she likes the mixed use neighborhood she lives in and does not want it to change. She said she was not opposed to the Oread Hotel. She felt the high density on the future land use map will be the downfall of the neighborhood. She felt there needed to be solutions to maintain the mixed use value. She said the plan did not offer solutions to the problems and does not respect historic preservation.

Mr. Kyle Thompson, 1041 Tennessee Street, said the lot sizes in the neighborhood are 50' x 117' and are substantially different than the rest of Lawrence. He hoped the plan would maintain the lot sizes and have better setbacks.

Mr. David Holroyd, 1224 Louisiana Street, gave background and brief history of the area. He stated that people are being discouraged from improving their property and that the city needs to look ahead.

Ms. Marci Francisco, 1101 Ohio Street, discussed areas that still needed improvements such as bike paths on the right blocks, steps added to hills, and trash. She asked that LINK and the open shelter be noted on the map of community facilities. She was concerned about the plan because areas proposed for higher density need to be identified. She said they need help being specific about the direction. She wants the Oread neighborhood to be a sustainable neighborhood. She also discussed the overlay zoning concept and incentives for rehabilitation.

Commissioner Finkeldei asked Ms. Francisco about the history on parking.

Ms. Francisco said when the Scholarship Halls were built there was not parking built with it because it was thought that the students would not drive cars. In the 1970's a parking study was done and determined 1 ½ cars for every 2 bedroom apartment and ended the construction of four-plexes in the neighborhood. From that point forward the parking issue has controlled what can be built. She stated one of the issues with boarding houses is that they have lower standards for parking and duplexes allow for tandem parking. She said most of the people who live in the neighborhood live there because they enjoy the mixed uses.

Commissioner Finkeldei inquired about the proposed plan where there are two areas that are just low density. He asked if that was bothersome because it takes away from the mixed use feeling of the neighborhood.

Ms. Francisco said those two areas represent traditional areas of single family so those are appropriate areas for low density.

Commissioner Rasmussen inquired about the statement in Ms. Francisco's letter *'The actions to encourage the rehabilitation of the existing housing stock should not be limited to tax incentives...'* He asked if she had any other suggestions on how to encourage that.

Ms. Francisco said zoning.

Commissioner Rasmussen asked if it would be helpful to have goals that say there needs to be a certain percentage in the area that are single family residential and if that percentage is bumped up against than no more multi-family development can be built.

Ms. Francisco said she thinks they need to look at each block and say 'is this a block that it makes sense to preserve.' She felt they should locate blocks that need to be torn down due to blight. She said she would like to keep the commercial areas and apartments in the neighborhood but do not need to necessarily add to it.

Commissioner Hird said if high density is not allowed in areas adjacent to the university then apartments would be built on the outskirts of town and create more traffic to the campus, therefore getting away from being a green city.

Ms. Francisco said there is an opportunity to continue adding density to existing structures without necessarily tearing what is there down. She also suggested redeveloping Stauffer Place on campus.

Mr. Rob Farha, stakeholder in boarding houses and owner of The Wheel, concerned about the plan keeping mixed uses. He would like to protect his property and have the area around The Wheel designated as a mixed use district.

Commissioner Carter asked if he was saying he would like to keep mixed use in the plan.

Mr. Farha said whatever option would fit that would protect his business.

Commissioner Finkeldei asked about the location of The Wheel.

Mr. Farha said The Wheel is located at 507 W 14th Street (corner of 14th & Ohio). He said the parking lot behind it is owned by the university.

Commissioner Rasmussen asked Mr. Farha if he thought there should be any other commercial uses in the neighborhood.

Mr. Farha said he was not opposed to having commercial businesses on 14th Street.

Commissioner Harris said that the residents have expressed concern about congregate housing not being an asset to the neighborhood. She asked for Mr. Farha's thoughts on that issue.

Mr. Farha gave the example of 1334 Ohio Street that he is co-owner of. He said it was a large house structure with seven two-bedroom apartments. It had add-ons and was dilapidated. He opened it up to turn it back into one house with 12 bedrooms. So the density was lowered and increased parking was added in the alley. He said the argument is that people want to call it a party house but he cannot control what people do in the house. He said he put a big investment in the house and it is a beautiful safe structure now.

COMMISSION DISCUSSION

Mr. McCullough elaborated on the process of building the plan. He said that staff's role has been to gather and reflect all of the big issues out of three public meetings that had pretty good attendance. Once the issues were captured staff brainstormed on creative ways to address them. There are some complex issues that have been around for a long time in this neighborhood. He said an insufficient answer was given earlier when Commissioner Harris asked about the designation of the future land use map. He directed them to look at page 286 of the June Planning Commission packet and note the existing zoning in that area. The highest density zoning district RM32, reflects the designation for high density zoning. He said they also have to take into account some of the proposed policy and action statements in the plan to provide an overlay district to get at some of the other issues about the fact that the zoning standards may not be appropriate for the neighborhood. He encouraged them to look at the plan in its totality in terms of what the ultimate goal is. He agreed with Ms. Francisco that there could be more detail included. Staff chose to be vague in terms of a policy document and give the detail when the action steps are taken to look at where zoning should or could be. He said it is difficult because doing any one action step presents challenges. There are different sides to any one of the issues. He said the term mixed use was being used differently during public comments because there are mixed housing types in the Oread neighborhood. He directed them to look at page 307 of the Planning Commission packet where the goals and policies are located. He said that is where the policies are located to consider rezoning appropriate areas and consider zoning solutions to support higher density development in existing high density areas adjacent to the KU campus. Staff does believe that this is an area that can support higher density because it is between campus and downtown. This plan helps identify the issues and provide policy statements. Staff would like to prioritize the action steps at the end of the plan.

Commissioner Finkeldei inquired about the next step for the process.

Mr. McCullough said it has to formally go back to Historic Resources Commission, Planning Commission, and then ultimately City Commission.

Ms. Lynne Braddock Zollner, Historic Resources Administrator, stated that the Historic Resources Commission looked at this last week and they felt that this was a beginning type of draft and they wanted more input from staff on how the plan proposes to protect historic structures.

Commissioner Moore said he liked the action items at the end of the plan. He said regarding the RS5 rezoning of the area it makes sense but he was hesitant to throw it in there without speaking to property owners in the neighborhood first. He also liked the thought regarding boarding houses that there are better places than others to put them.

Mr. McCullough reminded Planning Commission that they initiated a text amendment in May to possibly place a moratorium on boarding houses.

Commissioner Moore said the land use map is basically a reflection of zoning. He said this is one of the most un-conforming neighborhoods in the city regarding zoning so he suggested maybe tracking uses instead of rezoning.

Mr. McCullough said Commissioner Moore was correct that the densities do not match RM32.

Commissioner Rasmussen said the maps that show the existing land use and residential density do not lend themselves to making good comparisons. He wondered if it would be possible to revise them to be a more meaningful comparison.

Mr. McCullough said the maps could be looked at.

Commissioner Rasmussen suggested a cross-walk or discussion about the 1979 plan. He said maybe they should discuss the differences between the 1979 and the new plan. He asked if it would be possible for staff to give a walking tour of the Oread neighborhood to the Planning Commissioners.

Mr. McCullough said there could be a walking tour at the next mid-month meeting.

Commissioner Carter asked if there were any development projects on hold waiting on this plan.

Mr. McCullough said there is one property 1232 Louisiana Street that cannot develop until this plan is completed, but he did not think they were ready to develop at this time. He said he knew of no other development that is waiting on this plan.

Commissioner Carter said that Ms. Francisco had a great idea about working with KU regarding additional student housing. He thought the goals and policies are fairly solid and the challenge is how to achieve them in a small area. He said the area around The Hawk and The Wheel seem like it could be a fairly easy fix.

Commissioner Rasmussen said the land use policy G on page 307 of the Planning Commission packet says *'maintain the existing commercial areas to their current locations in the planning area.'* He said he interprets that to mean that the recommendation is no new commercial anywhere within the Oread neighborhood.

Mr. McCullough said no, that was not the intention. The intension was to maintain commercial there and land use policy H was to support mixed use and commercial uses where appropriate.

Commissioner Rasmussen asked if there was a proposal for a bakery or coffee shop in the neighborhood where there wasn't commercial this is not saying that could not happen.

Mr. McCullough said that was correct. Commercial uses can be appropriate elsewhere but staff has not done the analysis to say where. This would provide a policy statement that other commercial uses or mixed uses could be appropriate for the plan.

Commissioner Harris said she was struck by what Ms. von Tersh said that it does not fix what problems are in the neighborhood. She said it does address some of the problems but just in a general way right now. It can be a challenge for a plan that is in an infill situation. She felt it was difficult to visualize the changes when looking at a map with zoning designations. She said that if she lived in the Oread neighborhood she would be very concerned when looking at the future land use map. She wondered if there could be different designations. She said if the intent is to have high

density residential mixed with historical preservation she felt it should be stated. She was confused about the overlay idea because in the text it talked about preserving single family areas but the action statement the overlay is called an urban conservation overlay.

Mr. McCullough said the urban conservation overlay districts gets at the issues that we heard in the meetings that the neighborhood is developing out greater than it historically has. One of the examples is that there was a large addition put on a house and an overlay can help get at the bulk and mass of structures, setbacks, and open space that will have a physical impact of the neighborhood. He also noted that every development talked about today meets the current Development Code or has sought waivers to meet the current Development Code. He said the value in this plan is in the action plan because that is where real impacts are made.

Commissioner Harris asked if the purpose of the urban conservation overlay district is to try and create more sensitive development in relation to existing structures in the area.

Mr. McCullough said it could be different things and could be a block by block thing. He gave the example of one overlay district for two blocks that would allow greater heights and greater densities, and five other blocks of a different nature and step it down as it comes from KU. He said different things can be done to preserve the physical development.

Commissioner Harris felt that there was opportunity to do great things in the area.

Commissioner Hird said he repeatedly heard concerns this evening about parking. He said it would be helpful to have discussions about bicycles and how to improve transit.

Commissioner Finkeldei struggled with the maps serving much purpose because they might confuse the issue more than help. He said he did like the current use map though. Suggesting taking the future map out of the plan. He said the action plan should somehow separate enforcement issues from action items of change. He felt they should also clearly identify on the future land use map where commercial uses should be in the future.

Commissioner Rasmussen said when he served on the Board of Zoning appeals with Ms. Francisco one issue that they saw over and over again was variance requests from people wanting to do something on their house but they did not meet the setbacks. He asked if that was ever resolved.

Mr. McCullough said in the 2006 Development Code there is a provision that grandfathers in existing structures. He stated that today what is typically seen are owners seeking variances during the process of a new addition.

Commissioner Harris said she would like more detail on some of the policy statements.

ACTION TAKEN

No action taken.