

## **8/26/09 Planning Commission Meeting Notes 6:30PM**

### **Joint Work Session with Historic Resources Commission regarding the Draft Oread Neighborhood Plan**

Commissioners in attendance: Greg Moore, Chuck Blaser, Brad Finkeldei, Charlie Dominguez, Lisa Harris, Rick Hird, Hugh Carter, Stan Rasmussen, Ann Marvin and Matt Veatch

Mr. Scott McCullough, Planning Director, provided a brief introduction about the purpose for the joint meeting.

Ms. Lynne Braddock Zollner, Historic Resources Administrator, provided a history of development pattern

- Early plat – parks, ravine (Watson Park), Mount Oread,
- Lawrence unique in that it had a plan – not an ad hoc settlement
- Parks, Oread Avenue laid out on diagonal – connection of North College to expansion area
- Bird's eye view – sparse ... started near river, developed to south
- 1858 – development along Mass and towards Mt Oread
- Bird's eye view from Mt Oread – development near campus was large lots (rural dev)
- Sanborn maps – showed some structures (fire insurance maps – started with commercial areas first to sell ins)
- Some of these maps actually showed number of brick or frame structures in certain blocks
- Last map was in 1927 (updated in 1945)
- Population trends – booms after wars
- Transportation system – trolley went up to the university – business people would live in Oread neighborhood because of trans system that provided way to get to Mass or other business areas
- A number of very large structures but also small structures with significant amount of architectural detail
- Neighborhood is unique because of the diversity of housing developed here – larger lot with infill developed over time – 1880s thru 2009 – eclectic mix
- Examples of several of rehabilitation projects and new construction – setback, massing, bulk are major issues to review

Ms. Michelle Leiningner, Long Range Planner, presented a brief review of comprehensive planning process and purpose for neighborhood plans –

- Review of Hierarchy of Plans – where neighborhood plans fall in overall structure – more detailed
- What the plan does – future land uses, goals & policies, implementation
- Doesn't change zoning when adopted
- Starting with the 1979 Plan – Goals & Policies – stabilize neighborhood
- Mixed density, historical character, student housing, maintenance of existing structures
- Update plans in timely manner – something we are trying to schedule to be reviewed on regular basis

- Existing plan implementation identified downzoning of several areas – a variety of suggestions – some done, some not
- Sidewalk gap/repair program occurring through CDBG funding
- Showed the future land use plan from 1979 plan – pointing out where low-density areas are, high density near campus, medium for majority of rest of neighborhood
- Show current (existing) Land Use Map
- Point out commercial development that is sprinkled through neighborhood – very mixed uses throughout
- Map showing residential density by block – majority medium density
- Commissioner Rasmussen how it was classified
- Calculation based on number of units by block size – Horizon 2020 density ranges (medium is 7 – 15 dwelling units/acres)
- Focus on the Land Use Descriptions (text in plan) – identify the intent with density and anticipated zoning districts with primary uses (housing types)
- Option 1 – first draft in plan
- Option 2 – based on comments heard thus far including recommendations from the 1979 plan – strips out some of the high density, protecting historic districts,
- Map provided from Oread Neighborhood Group that shows proposed zoning (not same as proposed land use or density)
- Review of comments from HRC meeting (provided in paper packet tonight too)
- Comments from previous meetings with stakeholders – also in memo provided
- Potential Implementation Tools – Historic Districts, Conservation Districts (with Overlay Districts & Design Guidelines), Rezoning, Text Amendments (potential changes in code city-wide), Comprehensive Plan amendments

Ms. Zollner –

- Overview of Historic Districts – intent to preserve collection of structures, typical focus on architecture – what are defining characteristics – historic fabric – design review
- Nomination may be made only by application – typically by property owners
- Criteria for historic districts in Chapter 22 of the City Code
- Conservation Districts (Overlay Districts) – community character of the area – what is needed to maintain – lot coverage, setbacks, uses, not focused on preserving existing historic structures (character not fabric)
- Application – typically by property owners
- Conservation Districts are required to have an associated set of design guidelines (not required for historic districts)
- Less criteria – 25 years old, focused on characteristics, at least 5 years
- Hybrid in Lawrence – combination of Historic and Conservation Districts – Downtown and 8<sup>th</sup> & Penn
- Downtown Design Guidelines are based on the Secretary of the Interior Standards which are what are used for historic district review
- 8<sup>th</sup> & Penn Guidelines outline different zones – separate historic areas out from those areas that have lost their historic character

Ms. Leininger – Next Steps

Take comments from PC and HRC and review – perhaps back for action in October

Mr. McCullough –

How we have approached this exercise

Greater detail to the block level

Get to the issues – stabilize the neighborhood, is that single-family or reduce boarding houses, more owner-occupancy

Vested rights for existing developments – need to get at some way to allowing those uses while using overlay district(s) to stabilize areas

Area north of stadium – a number of single-family homes, but now zoned duplex – find development tool that zones to less intense use, but maintain existing uses –

Commissioner Harris inquired about keeping uses there – even if non-conforming use is destroyed.

Mr. McCullough replied yes, we may want to change the standard if we want to be able to keep those uses into the future – downzoning may be a hard sell

Commissioner Hird asked if conditional zoning would be another tool.

Mr. McCullough said perhaps, but overlay district may be better --

Neighborhood Group proposed map – focused on the mixed use areas –

Staff Revised Plan shows conventional uses by block – helpful to hear what the owners' desires are for their properties

Staff asked the Neighborhood Group to develop proposal for what they might want for the area

This proposal shows RM-D to the north, several mixed use areas (not fully compliant with the current code), multi-family areas with single-family to south

Commissioner Carter asked if the University has been involved. Have they been invited?

Ms. Leininger – various groups were on the stakeholders list, housing groups contacted, including our contact through KU Agreement

Ms. Jodie Wente, Oread Neighborhood Coordinator, stated one of the Board members sent letter to the Chancellor's office

Commissioner Marvin – looking at the University comprehensive plan – now a CLG for their own property. There are a number of properties along the south edge of campus identified

Ms. Sheila Stogsdill, Assistant Planning Director, provided a brief review of KU-City Agreement – additional properties that KU Endowment might purchase must be developed according to the City's dev code standards

Commissioner Harris – is there any single-family on Group's plan? Only at south, none at the north – what is the mixed use areas

Commissioner Moore – asked for a brief show of hands for public comment – 4 -5 minutes each

## **PUBLIC COMMENTS**

Mr. Rob Farha, owns the business, The Wheel (tenant in building) – non-conforming use, does have sprinkler system, but want to preserve business investment – reviewed history many businesses along 14<sup>th</sup> Street – want to protect commercial (bookstore prior to Wheel in 1955) – University Master Plan originally had 14<sup>th</sup> Street as grand entrance to campus. As part owner of Boarding Houses also concerns about those uses.

Commissioner Carter – more commercial in past?

Mr. Farha – there were several others – he doesn't want just spot zoning so proposed 'white' mixed use area – every parcel in that area is represented by some part of their development groups

Mr. Tim Homburg – worked with Group to create the 'plan' – went through bullet points in narrative – critical elements – preserve historic structures & patterns, more owner-occupied homes, remove CBD from this plan now that it has its own district – Preserve historic structures and allow for reconstruction of exist non-conforming structures – larger structures that might be redeveloped as something other than single-family – would keep mix of housing types – address blight concerns

Historic Patterns and Context – overlay district, recognize different nodes without using blunt tool of downzoning

Using 3-plex infill to replace the aging multi-family structures that were inappropriately inserted in neighborhood – a 3-plex can have more residential feel for streetscape – rebuilding non-conforming uses – maintain mix

Encourage owner-occupancy -- increase percentage of single-family homes in area – changes to code (can't build SF in RM districts) – change parking standards to one space per occupant –

Revitalization – promote high density housing near campus if parking requirements can be met on-site – environmentally friendly architecture as infill

Commissioner Harris– 3-plexes – because of aesthetics? If duplex could be built that was more appealing, would neighborhood be OK with it?

Commissioner Rasmussen – in making recommendations, did you look at goals set forth in the draft plan? Section 3 – were you trying to fit these to the draft goals?

Mr. Homburg – our proposal should be assimilated into the draft plan

Commissioner Harris - has staff had time to take a look at this to see if it aligns with our goal statements?

Mr. McCullough – generally aligns, they feel that they have a 79 plan that wasn't fully implemented

Mr. Paul Werner – we were trying to be more specific about what Neighborhood Association wanted to see in some of these blocks

Mr. McCullough – we spent first several meetings trying to develop goals – we may need to go back and refine after what we hear tonight

Ms. Candice Davis, Oread Neighborhood Association – main interest is stability in neighborhood – mixed, residential uses – some limited commercial – concerns about large boarding houses and huge duplexes – doesn't make sense is putting 8+ young individuals in one living unit – affects livability of area – Ohio has several on one block – behavior affects ability to keep owner-occupied homes – large duplexes not reasonable on small lots – respect existing massing and size – need year-round residents or it will become a slum

Mr. Farha – what do you do with all the Boarding Houses that we don't know about now – there are many more out there – what will happen – will owners have to kick people out

Ms. Fadila Boumaza, – supportive of looking at plans --- broader consideration – some stakeholders that are louder – many owners not represented at meetings – what do we mean by stabilizing neighborhood? Is it unstable now? How do we make sure all owners have equal access? Will bringing families back solve all problems? Plan is very heavy on family-owned houses – please look at this carefully considering the many owners that aren't here.

Commissioner Harris – where should families be?

Ms. Boumaza - Higher density near campus.

Mr. Glenn Skulborstad – lived in neighborhood since 1992 – live near 10<sup>th</sup> & Illinois – fewer families, when properties sold – go to investors, don't change – he will probably leave, getting tired of parties.

Commissioner Dominguez – do you have other properties?

Mr. Skulborstad - Yes, six other all single-family homes, but rentals

Ms. Beth Myers – 10<sup>th</sup> & Alabama – need to think what we want in the future 30 years, 100 years from now – want to have nicer properties

Ms. Marci Francisco – lived in neighborhood since 1976 – thanked commissions and staff for all the time and goodwill that has been shared with neighborhood in working with this plan – helped work on the list of objectives – thinks there are parallels with staff's draft goals – 3-plex is more benefit compared to 4-plex and large duplexes – 4-plexes were infill without doors facing the street – understand that changing the zoning is difficult – area requirement for duplex, some lots are larger and appropriate for duplex, but smaller lots should not be developed that way – neighborhood is a good place to live and a very good place to make money – parking standards may put pressure to develop that way – if standard is less for boarding house than apartment pushes development toward boarding houses – how can we find ways to preserve larger structures but not allow additions to small structures for Boarding Houses – we understand that there is a

mix of property owners – many have participated, but there are many out of town landlords – make sure trash areas are provided – trash collection area for every multi-tenant structure even if they aren't needed currently (area should be provided for future dumpster) –

Commissioner Finkeldei – difference between owner-occupancy and single-families – which is goal? Trick or treaters may be renters – is goal to get more owner-occupancy, more families living there, reduce number of students?

Ms. Francisco – many residents started as students and have continued to live there – student-owner in cooperatives – many have purchased properties nearby to control things near – looking for people that are invested in our neighborhood – need to change the impression that this is the student ghetto – drinking laws have been an impact

Commissioner Hird – what is the pressure increase for student housing in the area over time?

Ms. Francisco – will get the stats – fairly stable student population – reduced rooms in dorms with change to suites, changes to number living in RS Districts has affected desire to live here

Ms. Myers – all students have cars now – big change

Commissioner Hird – if you don't provide housing close by, pushes students to fringe – more emissions due to cars – have you addressed transportation as part of plan?

Ms. Francisco – bike plans was part of 79 Plan – not sure that we can look at retaining the historic structures, rather than tearing them down – we are densest neighborhood in city – do we need to add more density here?

Commissioner Rasmussen – what are your goals? Meat of this plan are in Chapters 3 & 4 – what do you want to achieve – policies – implementation steps – hearing a lot of ideas, but not sure he has heard the goals – what are goals from your perspective

Ms. Francisco – preserve historic structures

Commissioner Rasmussen – but he heard stability

Ms. Francisco – 19<sup>th</sup> century and early 20<sup>th</sup> century structures – this is what gives the neighborhood the character – replace some of the blighted construction – don't want to keep all the aging 4-plexes – historic pattern & context – Original Townsite Development Standards to address development pressures – encourage owner-occupancy in neighborhood – only about 9% now – establish a reasonable target – benchmark that could add stability – helps to have some neighbors who really live there (put lights on for Halloween)

Commissioner Harris – is there research out there about what percentage is needed to provide stability for owner-occupancy

Commissioner Harris – how does trash work?

Ms. Francisco – dumpster behind property --- back in 80s – City said you needed to pay for dumpster – if 4 kitchens paid for, city put them in – CDBG funds used for pads and screening – requirement removed from site planning – cans don't always work – not always required an area on a lot, no place for future accommodation – everyone should either have space for trash cans/dumpster, even if not used now – off alley for all areas except 1100 block

Mr. Aaron Paden – Student Housing Coops – supports commercial areas in neighborhood – good mixed use – stability may be in feel of the area, may be occupants who may be owners or renters, some owners have renters in part of property, some students (not ghetto) – coops around country have similar zoning for coops and boarding houses – in Canada, much different – good use for low-income housing – Madison is working to create separate definition – provided definition that explains difference from boarding houses – coops can be answer to problem – investment in neighborhood – tenet of cooperatives is sustainability – students invested in neighborhood – can have conversations with the neighbors – handbook of history – what do we do about cars? Austin car share – will try to start in coops –

Commissioner Rasmussen – said you support commercial areas in neighborhood?

Mr. Paden – don't typically go in The Wheel, but adds character to area – would be nice to have more shops, places to eat, mixed use neighborhoods, fun places to congregate, keep it in pockets but spread out – makes for more enjoyable living

Ms. Carol von Tersch – live in Hancock District – question about students driving – the ones pushed out are riding buses – no place to park on campus –

Commissioner Hird – clarify that it would be helpful to address land use and transportation – does bus go through Oread

CLOSE PUBLIC COMMENT – 8:50PM

Commissioner Carter – empathy for people who have been in neigh for a long time and have seen changes --- important to get a rep from KU involved – how has this changed related to number of students – if only 4 owner-occupied in 1992 – that's along time ago – even if we zone it, can't guarantee that people will want to move in – goal should be to make this a sustainable neighborhood –look at other examples of communities that have done a better job near universities – still needs to be attractive to developer – landlords need to step up to help change behavior – keep Wheel and Hawk protected – maybe more commercial in that area

Commissioner Finkeldei – pleased with staff's plan and Oread's implementation suggestions – key is diversity of residents – protect investments – non-conforming uses are issue – need to use Overlay District – not sure what the goal is – Single Family buildings, % of owners or families, reduce students – not sure what the goal is – Marci

said we want people who care about the neighborhood – but that isn't easy to get to --- visual and occupancy mix – when we get to implementation phase need to solve parking problem – 20 years ago they all didn't bring cars, but will they bring them 20 years from now – don't want to increase parking for occupants in coop – Single Family structure can affect parking numbers more than coop – need to address it with a parking permit system (Harvard – 12 unit apt with only 7 street spaces) – consider enforcement mechanisms (budget issue) – dedicated enforcement officer for this neighborhood – dedicate police personnel – to address some of social issues – like some of the group's suggestions

Commissioner Rasmussen - G&P sections are really important – encourage good look at that – what is vision for 30 years out – coffee shops, restaurants, mixed use – look at these hard – is it preserving historic structures – word student is not used in these goals – need goal about promoting responsible student living/housing – walkable, multiple transportation options, -- these goals will drive it

Commissioner Hird – preservation of historic structures seems to be dominant & universal goal – conservation district can help with – encourage residents to take ownership/being invested in neighborhood – encompasses the social issues (trash, drinking, partying) – take ownership no matter what your reason for living there -- goal for mixed use – surprised that there wasn't more opposition – maintain Wheel and Hawk, but could be more commercial uses --- what is missing is analysis of transportation – highly congested area – how can we get buses through and get students out to shopping areas without cars – parking shouldn't just focus on units – maybe permit system – commend staff and Neighborhood Association for efforts

Commissioner Harris – term stability – need more definition (or find other) – and then how to get there – 20% is not high enough goal – some communities have had University-Overlay Districts with relaxed standards – value in maintaining historic structures – should be owners or responsible tenants – not sure that larger structures for Boarding Houses, may not be good for the interiors – quality of life – like Brad's ideas (parking and dedicated code enforcement officer) – Austin has University-Overlay – Boulder – nuisance ordinance (educational – how to throw a good party for students)

Commissioner Moore – Brad's comments – out of box, good solution (parking) agreed with

Commissioner Rasmussen – look hard at goals – transportation system improvement – overlay district is important

Commissioner Marvin – Overlay District is also very labor intensive to draft guidelines – if trying to streamline Historic Resources Commission, Overlay Districts may not be best tool – Local Register is Overlay Zoning – Concern about complexity --- been on HRC since 2002, there has been a lot of streamlining since then – object to that in plan – what could be improved is how all city regulations all overlap



Commissioner Veatch – Ms. Zollner says that 80% of Historic Resources Commission applications are approved administratively – Overlay Districts can be cumbersome, but when Design Guidelines are included it does help system

Commissioner Marvin -- Guidelines do not automatically include protection for historic structures -- must be written in

Commissioner Dominguez – live at edge of Oread – students do add lively interest – important to keep property owner rights in mind – better landlord regulations to keep property maintenance a priority – better ways to educate the students about living in neighborhood –

Commissioner Veatch – have struggled with Boarding House issues – Section of Intent Guidelines – have not been able to deny the large building additions – if plan can address the setbacks and size of those additions would be helpful to Historic Resources Commission

Commissioner Carter – Boulder is a good example, their solutions came from much worse situation – want to see more Best Practices

Commissioner Veatch – 1912 there were 1700 students (but no student housing)

Ms. Francisco – student housing not built on campus until 1935

Commissioner Moore – like Option 2 a lot more

Mr. McCullough – careful balance between historic preservation and revitalization – good portion of area may redevelop – need to articulate the goals more closely –

Commissioner Marvin – disagree with Scott's implication that there is inherent conflict

Mr. McCullough – just need to understand that some areas, may conflict with historic preservation guidelines (but may address other community goals)

Commissioner Carter – so in mixed use areas, we might see different

Commissioner Dominguez – are you concerned about what kind of businesses in the mixed use areas – would market be open for other uses we might not want in area – if you turn it into mixed use, it won't be neighborhoods

Ms. Leininger – conditional zoning can help limit

Mr. McCullough – next steps – staff will bring back a report on Goals, Policies and Implementation steps – may be other things to look at such as Rental Registration programs, impact of outlying apartment complexes, etc

Commissioner Moore – thank all for interest and input