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1031 Vermont Street, Suite B • Lawrence, Kansas 66044  
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To: Lawrence City Commission

Re: Oread Neighborhood Plan

March 9, 2010

Dear Commissioners:

I would urge you to vote against the Oread Neighborhood Plan.

I was absolutely flabbergasted when I read the plan. My first impression was that the Oread Neighborhood Association (ONA) only wants wealthy families to own and live in the houses in the Oread Neighborhood. This is preposterous!

How did I reach this conclusion? Under the purpose section of the plan it states "Creative solutions to address crime, owner occupants, landlords and structural neglect..." I was unaware that there needed to be a creative solution to address landlords. The purpose section goes on to distinguish between owner-occupied homes and rental homes. Why is this necessary? It is a residential neighborhood, plain and simple.

Under the Policies it clearly states that the Oread Neighborhood should be owner occupied. I know of no other area where the City has adopted a policy of owner occupancy. This is blatant discrimination! As I am sure you are aware, the cost of a home in the Oread Neighborhood is significant. I ran a quick search on the Lawrence Journal World's real estate section and could not find a home priced under the mid \$200,000s. Most of these homes were also very large and old. The average Lawrence citizen does not have the resources to purchase a large old home in the Oread Neighborhood which will require significant maintenance and higher than average utility bills. Why should only the wealthy be permitted to live in the Oread Neighborhood?

A majority of the properties in the Oread Neighborhood are rental properties and the landlords whom I am familiar with have invested significant sums of money to bring older structures into compliance with code and improve the esthetics of the neighborhood. These improvements have raised significant tax revenues for the City of Lawrence. While there are blighted structures in the Oread Neighborhood, the same is true in almost any other older part of the City. This is why there is a comprehensive building code in place. If this is truly the issue, then we should be looking at the resources that are available to the Planning Department and come up with solutions to address the issue of structural neglect throughout Lawrence and not just in a particular area.

The ONA has gone through a significant change. I would attribute that change partially to the Oread Neighborhood Plan. For too long have a very vocal minority dictated the policies of the Oread Neighborhood. It is my hope that the new board will encourage more participation in the ONA by not only property owners, but also by the people who reside in the neighborhood and would be impacted by this plan.

Please deny this terribly biased plan.

A handwritten signature in blue ink, appearing to be "Brandy L. Sutton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brandy L. Sutton  
Pendleton & Sutton Attorneys at Law, LLC

## **Bobbie Walthall**

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**To:** David L. Corliss  
**Subject:** Change in Direction of Oread

-----Original Message-----

From: colonialcolonyllc@sunflower.com [mailto:colonialcolonyllc@sunflower.com]  
Sent: Wednesday, March 03, 2010 1:47 PM  
To: David L. Corliss  
Subject: Change in Direction in Oread

Dear Mr. Corliss,

We have provided very high quality green housing in the Oread neighborhood for nearly three decades. We bought over 50 blighted properties and improved them to the point that if we ever live as well as our tenants, we will know we have made it to the big time.

We have sold most of our property in the Oread neighborhood and the rest is on the market. We wanted to get our property sold before the legal environment destroyed property values and the housing stock. Our decision was based on decades of experience and both undergraduate and graduate studies in real estate and finance.

The easy thing to do would be to walk away and watch houses going to foreclosure, windows being boarded up and the wholesale erosion of the property tax base. However, we hate to see our lives' work destroyed through inaction.

Currently more than 9 out of 10 properties in the Oread neighborhood are tenant occupied and housing provider maintained.

I was at the last Oread Neighborhood Association (ONA) when elections were held. The past president described it as the best attended meeting he had ever seen by a factor of ten. It is our belief that the newly elected ONA board and membership are against the proposed changes at the planning commission and need time to review and hold a real vote of what the majority of Oread taxpayers want. The majority of Oread taxpayers have spent their time making the neighborhood better through direct action, rather than political action. We are now prepared to do both.

We would very much like you to defer taking action until ONA can hold a discussion and vote on what the neighborhood really wants rather than a vocal 1% minority.

No Longer Part of the Silent Majority,  
James Hicks and Rhonda Weber-Hicks

# Lawrence Preservation Alliance

P.O. BOX 1073 • LAWRENCE, KANSAS 66044

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3-3-2010

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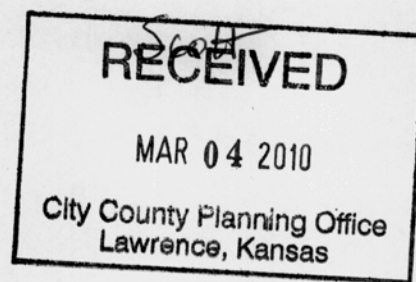
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Lawrence  
Preservation  
Alliance



LPA wishes to comment regarding the Oread Neighborhood Plan rewrite awaiting your approval. We have been following this process, independent of Oread Neighborhood leadership, for some time; providing comment when appropriate. The plan is certainly a better document than it was six months ago.

In December 2009 we advised the Planning Commission that we were uncomfortable with the passage of the document unless stronger actions were proposed to back up the stated goal (3-1 section 3, first paragraph, 3.1.1.1 Land Use Policies A., 3.1.1.2 Land Use Implementation Strategies A.), of maintaining and stabilizing owner-occupied housing in the neighborhood. We are concerned that of all the mixed-uses that make up the Oread Neighborhood, owner-occupancy is the one use that is declining to the possible point of virtual non-existence within our lifetimes.

In non- single-family residential zonings, LPA strongly supports mixed-use and hopes for a spirit of acknowledgement and cooperation that allows each use to co-exist. We know, and are reminded with the current debate over the closing of neighborhood schools, that a certain mix of owner-occupants is essential to the longterm stability of core neighborhoods. The actual percentage of owner-occupants will vary by neighborhood. In Oread, current estimate of owner occupancy is about 15% and declining, and it might be that we should have a modest goal here of 15-20% and stable. We remind that in Oread an owner-occupant could even be a single homeowner who rents one or two rooms to professors or graduate students. We believe that a carrot (incentive) approach, and probably a combination of approaches, needs to be in the toolbox if we are to stabilize owner-occupancy in Oread.



With this philosophy in mind, LPA would recommend that the plan be approved if the following ~~three~~ changes are adopted.

~~three~~  
Four

3-6 B (under Neighborhood Atmosphere Implementation Strategies),  
Action 2.

change from "Promote and educate owners about tax incentive programs available for historic properties" to "Promote and educate owners of State or Nationally listed historic properties about state and federal tax credit programs available for qualifying rehabilitation projects."

We think our proposed language is more precise and therefore more useful. Neighborhood Atmosphere B. is referring to rehabilitation of existing housing stock whether it's used for owner-occupancy or rental. The State Tax Credit program (25%), applies to both. The federal program (20%), applies only to income-producing properties.

3-2

3.1.1.2 Land Use Implementation Strategies, deals directly with the encouragement of more owner-occupants in the neighborhood. Here again, a tax credit program is an important incentive to remember. We would ask that you add

Action 3 "Promote and educate owner-occupants of State or Nationally listed historic properties about the Kansas State Tax Credit (25%), program for qualifying rehabilitation projects.

We would also ask that you add

Action 4. Explore a partnership between the City and the University of Kansas to fund a pilot program of small, forgivable loans to assist university or city employees willing to become owner-occupants in targeted areas of the Oread Neighborhood.

For your information we include a paper on a similar partnership developed in East Lansing, Michigan. It's important that we try to involve the University in our attempts to improve the Oread Neighborhood.

4-5

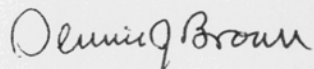
Regarding proposed general elements for the urban conservation overlay districts, we would also ask that you add to 4.2.1.2 district 2 (high-density)

I. ~~encourage~~ congregate living rehabilitation of existing single-lot residential structures.

LPA believes that congregate living is in many cases the best way to save existing structures that fall within the high-density proposed overlay near campus, thus avoiding proposals for multi-lot teardowns of historic structures for replacement with monolithic structures. Part of the encouragement here could be relaxing parking standards for congregate living proposals within the high-density area. In all other areas of Oread and for that matter the City, LPA strongly believes that parking requirements for congregate living should be the same 1 bedroom 1 space as for apartments, unless a specific project can gain a different requirement by achieving a Special Use Permit..

Finally, LPA agrees with the concept of developing urban conservation overlay districts as described in the plan, but we are concerned that there is no discussed mechanism for how design guidelines for each overlay will be developed. We believe this action to be the meat of the plan. Without prompt followthrough, all this work will be a much less meaningful exercise.

Respectfully submitted,



Dennis J Brown  
president

AUG 04

## Home Ownership Encouraged Near MSU/Downtown East Lansing

Buyers

Add comments



A program to encourage home ownership near MSU and East Lansing's downtown is expected to be formally approved by the city council. It is a revival of an old program, but with one new spin: A new partnership between the city and Michigan State University.

The Employee Home Ownership Program (EHOP) is an incentive for city and MSU employees to buy a home in specific neighborhoods in East Lansing. It will disburse forgivable \$5,000 loans to assist with the closing costs. Targeted neighborhoods include Bailey, Southeast Marble, Red Cedar, Chesterfield Hills/Central, Oakhill and Brookfield. The city administered its own program, strictly for city employees, between 1997 and 2003. MSU was looking to do something for their employees this year, so the two joined forces to come up with the new program. The neighborhoods involved in the program were selected because they are near the MSU campus, East Lansing City Hall and downtown East Lansing.

The program will be administered through Hometown Housing Partnership, formerly known as East Lansing Housing and Neighborhood Services. Funding will come from \$15,000 contributions from the city and the university. Three qualified city and three qualified MSU employees will be selected on a first-come, first-served basis after turning in a completed and approved application packet. The loans will be forgiven at a rate of 20% each year. After five years of living in a home purchased under the program, the forgivable loan will be considered paid in full as long as all requirements of EHOP have been met, including not using the home as a rental property.

The program will be funded for the 2008-09 fiscal year. Beyond that, it will continue as long as the money is there.

**HOW TO APPLY** - Application packets will be available Monday, August 18. Packets may be picked up in the East Lansing Department of Human Resources at City Hall, 410 Abbot Road; or in the MSU Department of Human Resources, located in Rm 110 in the Nisbet Building, 1407 S. Harrison Rd, East Lansing.

Share and Enjoy:

## Michelle Leininger

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**From:** Scott McCullough  
**Sent:** Wednesday, March 03, 2010 3:58 PM  
**To:** Michelle Leininger  
**Subject:** FW: Change in Direction for Oread

For file.

Scott McCullough, Director - smccullough@ci.lawrence.ks.us Planning and Development Services |  
www.lawrenceks.org City Hall, 6 E. 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785)  
832-3154 | fax (785) 832-3160

-----Original Message-----

**From:**  
**Sent:** Wednesday, March 03, 2010 1:49 PM  
**To:** Scott McCullough  
**Subject:** Change in Direction for Oread

Dear Mr. McCullough,

We have provided very high quality green housing in the Oread neighborhood for nearly three decades. We bought over 50 blighted properties and improved them to the point that if we ever live as well as our tenants, we will know we have made it to the big time.

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No Longer Part of the Silent Majority,  
James Hicks and Rhonda Weber-Hicks



**Michelle Leininger**

---

**From:** steven c. watts  
**Sent:** Wednesday, March 03, 2010 7:42 PM  
**To:** Michelle Leininger  
**Cc:**  
**Subject:** Boarding House Text Amendment on the Oread Neighborhood Plan

Ms. Leininger:

I am an Associate Member of the ONA. Until my property was gerrymandered out of the ONA boundaries I was a regular member. I have been in conversation with most recent new regular members of the ONA, both resident and owner members, and there seems to be confusion now about the Oread Plan and Boarding Houses.

Are the Boarding Houses included in this proposed Plan or are they excluded?

There is so much confusion over this proposed text amendment since the Feb. 25 ONA meeting and election which garnered many new owners and residents representing over 300 properties in the neighborhood. Given this representation of owners and residents it would be prudent and timely that the Planning Dept. city staff, the City Commission, and the Planning Commission defer any items of discussion regarding the Oread Neighborhood and this proposed plan.

By deferring action or discussion, a cooperative spirit is demonstrated by City Hall to work with the neighborhood.

Cordially,

Steven C. Watts  
Associate Member, ONA  
1649 Edgehill Road

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3/4/2010



3-2-10

Dear City Commission

Please consider these points in your discussion of the new Oread Neighborhood leadership and plan to turn more of the older homes into boarding houses, thus exempting them from the current constraints on the numbers of unrelated people that can occupy one residence:

**The Neighborhood as Representative of Lawrence**

Student apartments and residences are often not currently maintained up to code.

In the past five years, I have seen:

- An unheated sleeping porch with single-pane windows termed a bedroom for year-round use, and the apartment rented as such.
- Space heaters plugged into aging outlets that also connected to light switches that are the old push-button type
- Not enough outlets in older homes' apartments for the electronics used today, including microwave ovens, flat-screen TVs, multiple computers, toaster ovens, indoor grills and breadmakers.
- A roof that leaked to the point the ceiling caved in one corner. The landlord told the tenant that if he, the landlord, fixed it, the tenant would be charged a higher rent. The impoverished tenant covered the hole with a plastic trash bag instead of requiring the repair to be made.
- Students, many from other areas who have no idea of existing laws and codes in Lawrence, are held hostage by landlords who say that to maintain their property would mean charging rents the students could not then afford. They don't complain, mainly because they can't afford more than the \$400-\$500 they routinely pay for substandard housing.
- In an article by Sally Tidwell in the "Lawrence Journal World" this past Sunday, she addresses the problem of increased violence in that neighborhood and writes, "...We are the ones wandering back and forth from our DILAPIDATED STUDENT HOUSING (caps mine) to computer labs on campus.

**What Definition of 'Neighborhood' Does The Commission Want?**

- The neighborhood's owner-occupiers worked together with some of the local landlords to keep the neighborhood attractive and safe for students and permanent residents. The unforeseen way in which they were ousted points to a group that is not interested in working with the permanent residents at all. Not to mention that a woeful lack of any meaningful code enforcement of student apartments in the Oread area for decades won't be made better by allowing the population density to increase.
- From a safety standpoint alone, making the Oread neighborhood even more densely populated with what is mostly an impermanent group seems a bad decision on its face. Students will be gone in fewer than five years on average. They have no ongoing interest in the preservation of the neighborhood.
- Absentee landlords also have no vested interest in preserving the neighborhood as a cohesive unit. Some are notoriously hard to reach at all. The fact that so many of the

apartments wouldn't pass code, and the students, afraid of eviction or rent increases, don't complain about bad conditions, does not bode well for the neighborhood, either.

- If the buildings can become 'boarding houses' in Oread, can that carry over to other parts of Lawrence? Other neighborhoods rejoiced at the constraints on unrelated roommates; would changing this rule in Oread be an unwelcome precedent?

- If the 'boarding houses' can be appraised as commercial properties at a higher valuation than owner-occupied homes, then that alone would make the area unattractive and less affordable for those who would honor the neighborhood's heritage and keep it viable for those who would live there for decades, not a few years.

Students will ALWAYS outnumber owner-occupiers in the Oread neighborhood, but that doesn't mean that the neighborhood should simply become a student-only ghetto.

**PLEASE HELP KEEP THE OREAD NEIGHBORHOOD A TRUE NEIGHBORHOOD WITH A MIX OF RENTALS AND OWNER-OCCUPIED HOMES.**

**MAKE IT EASIER FOR PEOPLE TO CONVERT DIVIDED HOMES BACK TO SINGLE –FAMILY, IF THEY SO CHOOSE.**

**PLEASE DO NOT ALLOW A DENSER POPULATION DESIGNATION THERE.**

**HAVE THE CITY INSPECT ALL RENTALS IN THE NEIGHBORHOOD AT LEAST ONCE EVERY YEAR, DUE TO THE TRANSIENCE OF THE RENTAL POPULATION**

**GIVE LOCAL RESIDENTS AND LANDLORDS MORE WEIGHT IN THE NEIGHBORHOOD'S GUIDANCE THAN ABSENTEE LANDLORDS OR STUDENTS.**

Please preserve a cherished neighborhood for those owner-occupiers, landlords and students who want a great, funky place to live that is still safe and not an incipient slum.

Thank You,  
Beth Meyers