

ITEM NO. 7 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE; RM32 DISTRICT (MJL)

TA-6-8-10: Consider Text Amendments to the City of Lawrence Land Development Code, Chapter 20, related to the density and development standards in the RM32 (Multi-Dwelling Residential) District including potentially increasing the maximum dwelling units per acre limit in that district. *Initiated by City Commission on 7/13/10.*

STAFF PRESENTATION

Ms. Michelle Leininger presented the item.

Commissioner Harris inquired about 80% impervious surface that was mentioned in the staff report. She said that seemed high.

Ms. Leininger said that was a current regulation in the Code.

Commissioner Harris inquired about the cost of adding energy efficient elements to building.

Ms. Leininger said she did not have a specific answer but that she would lean toward yes.

Commissioner Harris asked if the returns would benefit the community.

Ms. Leininger said it would benefit the property owner by using the earth to heat/cool the structure with no chemicals or gas. She also mentioned tax rebates.

Commissioner Hird said dwelling units are counted by the number of kitchens, so this could save 32 kitchens per acre. He wondered why and how dwelling units were counted by the kitchen.

Mr. McCullough said its more than just a kitchen or bedroom, it's a living unit which has those elements in it. He said it was possible to have one dwelling unit with two kitchens.

Commissioner Harris asked for clarification on the goal of what they were trying to do. She said one goal was to target higher density to locations where it serves the community and where infrastructure can support it and another goal was to provide incentives for energy efficiency in buildings. She wondered who benefited from the energy efficiency and why provide incentives for that.

Mr. McCullough said that was the overriding public and national goal, to become energy efficient and that would be done incrementally through each building that would be approved. It could benefit both the public and the individual property owner/tenant.

Commissioner Harris said it would make sense to provide incentives if it in fact costs the builder more to provide that service to the community.

Commissioner Finkeldei said Mr. Paul Werner put together some of his own bonuses and one that struck him as interesting was the renovation of contributing structure or redevelopment of inappropriate structures in the Oread neighborhood.

Ms. Leininger said staff has not had the text for very long but that their initial thought was who says if they are appropriate or inappropriate. She said there was a process to identify what was appropriate and what was inappropriate.

Commissioner Finkeldei said the Lawrence Preservation Alliance made a good point by saying that if it doesn't support the Oread Neighborhood Plan then it should not get a density bonus.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, apologized to staff for not getting information to them earlier. He said the premise was about properties around KU that should be ripe for redevelopment in the upcoming years. He suggested possibly coming up with language to look at equivalent bedrooms or some sort of density bonus.

Commissioner Harris was concerned about density bonuses applying to the entire district.

Mr. Werner said a percentage of the Oread falls under the Historic Resources Commission. He said there could be discussions about what the appropriate structures are. He suggested maybe having something tied to the existing building that could get the bonus.

PUBLIC HEARING

Mr. Dennis Brown, President of Lawrence Preservation Alliance, said it was easy to understand the concept of adding kitchens as they move from 4 bedroom units to 1-2 bedroom units. He wondered if it would just be a reshuffle of the same number of occupants. He struggled with understanding if the proposal would add occupants and allow more occupants within the same footprint. He suggested additional considerations; the new Oread Plan does allow for the creation of urban conservation overlay districts that are named low, medium, and high density districts, as well as the two historic districts. If they increase density in the RM32 why not restrict the amendment to areas they all agree are high density. He said RM32 was found in other areas outside of the Oread Neighborhood as well. He expressed concern about incentivizing tearing down older single family homes.

Ms. Marci Francisco, 1101 Ohio, said the proposal encourages redevelopment and not necessarily targeted to those areas with inappropriate structures. She did not want to give bonuses to replace an inappropriate structure if it was not replaced with a more appropriate structure. She said there was still confusion about bonuses for distances from a school or university. She did not want to see bonuses given in the RM32 areas that are not next to a university. She felt it was important to protect some of the areas in the Oread Neighborhood that were identified as moderate density. She said there has to be some limit to redevelopment through overlay districts or looking at a much smaller area.

Mr. Stan Hernly said Mr. Werner addressed some of the issues he expressed in his letter. He was concerned about the number of occupants per apartment unit. He felt they should adopt a method to reduce the number of people allowed based on the number of bedrooms. He said it was a good idea but really hard to police. He said it was important for the community to know that zoning regulations were in place that provide a known entity of what's possible. He did not want to have something changed that would leave the door wide open because architects were creative and could create more possible density. He felt parking should increase to 1.5 parking spaces for one bedroom units. He felt that bonuses shouldn't be available for historic properties that are eligible for listing on the state or national register.

COMMISSION DISCUSSION

Mr. McCullough said staff needed time to digest the new information provided by Mr. Werner this evening.

Commissioner Singleton said this was an exciting amendment. She felt there would be a shift in the way housing was looked at in the next 20 years because nobody can afford a single family house anymore. She said they have the opportunity to address that with some of the language. She said Lawrence has an interesting housing situation because of all the college students and that there are apartment buildings all over town but that as students become more green they will prefer to be more focused around the university. She felt they needed to figure out a way to get more density to the neighborhoods around the campus but make it look good with the policy. She also felt that they needed to address low income housing, allow for density, encourage green building, and encourage public policy about the appearance and amenities available. She also felt they needed to figure out a way as a community to address enforcement issues of the housing policies.

Commissioner Harris said there were some things she liked and other things that concerned her. She did not think having density bonuses throughout the area for RM32 was a good idea. She did favor another high density zoning district and thought they should decide where they would want those higher densities to be. She liked the idea of looking at a different way to calculate density. She also liked the idea of having higher densities in a district in the Oread Neighborhood through an Overlay district. She agreed with comments about understanding the parameters of increased density. She was interested in Mr. Hernly's comments about having 1.5 parking spaces for one bedroom units. She stated she was also interested in hearing how parking has worked in apartment complexes that were already built at a higher density with that standard and if there was sufficient parking for the tenants living there.

Commissioner Liese said inquired about college communities to use as an example.

Mr. McCullough said staff did a lot of research of different programs from different cities. He said how Lawrence does it was pretty typical.

Commissioner Finkeldei suggested a two step process of a simpler way to look at density definitions and identifying properties that should be redeveloped and allow bonuses.

Mr. McCullough said that was an issue identified in the Oread Plan and the Overlay district would help get to that in that area.

NO ACTION TAKEN