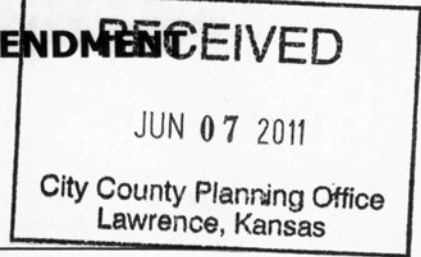




REQUEST FOR INITIATION of a TEXT AMENDMENT

APPLICATION FORM



APPLICANT/AGENT INFORMATION

Contact Candice Davis
Company Oread Residents Association - ORA
Address 947 Louisiana St.
City Lawrence State Ks ZIP 66044
Phone (785) 842-9265 Fax ()
E-mail Candicedavis@sunflower.com Mobile/Pager ()
Pre-Application Meeting Date _____ Planner _____

Are you submitting any other applications? If so, please state which one(s).	<u>No</u>

Please identify the section of the Development Code or Subdivision Regulations proposed to be amended. Boarding House / Congregating amendment #

Please provide proposed amendment. (Attach additional sheets if needed)

See attached.



Please respond to the following questions to the best of your knowledge. In reviewing and making decisions on proposed text amendments review bodies shall consider the following factors. (Attach additional sheets if needed.)

- 1. Does the proposed text amendment correct an error or inconsistency in the Development Code or Subdivision Regulations?** If so, please provide the specific error found and/or reference the specific section of the Development Code that is inconsistent with the section identified to be amended above.

The .5 parking exception stated in the congregate living amendment of January 2011 could impact 25% of single dwelling units in the Oread Neighborhood. It is believed that this was never the intention of the parking exception. If the exception applies to 25% of properties on a block than available on-street parking would be needed to accommodate the overflow not provided on site. As the amendment is presently written, congregate living units could potentially take up 100% of on-street parking spaces.

- 2. Does the proposed amendment meet the challenge of a changing condition?**
If so, please explain.

It assures equity in code standards for all housing types but allows for a special exception for uniquely large structures. It makes sense to limit the number of dwelling units that qualify for a parking exception to 5%. This amendment addresses serious parking issues that will result if the present amendment remains in place. It is unfair to other property owners to allow one type of housing to take up all off street parking spaces.

- 3. Is the proposed amendment consistent with Horizon 2020? Please explain.**

Neighborhoods are the building blocks of strong communities both physically and socially. Consequently, neighborhoods should be designed to promote social interaction, efficient use of automobiles, and encourage pedestrian and non-motorized activity. To enable this, neighborhoods should provide residents with a functional and aesthetic environment where a sense of identity is created, historic features and cultural traditions are respected, choices are offered, basic services are provided, and connections to a common past maintained.

- 4. Is the proposed amendment consistent with the stated purpose of the Development Code? See Sec. 20-104 of the Development Code for the stated purpose.**

YES- The proposed amendment protects, enhances and promotes the health, safety and general welfare of the citizens of Lawrence and would allow for development that could be accommodated within the neighborhood.

PROPOSED AMENDMENT 6-7-2011

This amendment is proposed to honor the agreed upon premise that one parking space per bedroom should be provided for Congregate Living/Boarding Houses. This position also honors the Oread Neighborhood Plan and was supported by the Planning Commission and the City Commission.

Parking exceptions of .5 spaces per bedroom should only be granted to a small percentage of dwelling units in the area, 5% or fewer. The present Congregate Living/Boarding House Amendment passed on 1-25-2011 states that dwelling units that are 3,500sq feet or greater, including unfinished living space can qualify for a .5 parking exception. This can translate to include units that are 2,500sq feet when counting unfinished dwelling areas. Adding an additional 1,000sq feet of unfinished living space to the stated dwelling unit size allows 22%-25% of the dwelling units in the Oread Neighborhood to qualify for a parking exception, about 1 in 4. The average size of a single dwelling unit in Oread RM32 is 2,078 square feet. Given the specifications of size by the Planning Department, the numbers selected for a parking exception are slightly above an average size house in Oread. Data supporting these figures came from the County Appraisers Office on 5-6-2011.

This amendment states: Dwelling units built before 1950 that are identified as being greater than 3,500 gross sq feet NOT counting unfinished living areas (basements, attics, crawl spaces or porches), on lots 8,775 sq or less, 6 months from the date of this ordinance according to the records in the Douglas County Appraisers Office, and that are being renovated for congregate living or multi-family dwelling, shall provide parking at the overall rate of .5 parking spaces per 1 bedroom plus .5 spaces for every 10 feet of lot width beyond 50 feet.

Dwelling units that qualify for a parking exception within the Oread Neighborhood should be identified in an Oread Neighborhood Overlay District Map and listed in the Oread Neighborhood Plan.



SIGNATURE

By execution of my/our signature, I/we do hereby officially apply to request initiation of the proposed text amendment as indicated above.

Signature(s): Condice Davis Date 6-7-2011

_____ Date _____

_____ Date _____

STAFF USE ONLY

Application No. _____

Date Received _____

Planning Commission Date _____

Fee \$ _____

Date Fee Paid _____



REQUEST FOR INITIATION of a TEXT AMENDMENT

To the Land Development Code or Subdivision Regulations of Lawrence and Douglas County

*Only the Lawrence-Douglas County Planning Commission, Historic Resources Commission, Lawrence City Commission or Douglas County Commission may initiate review and consideration of a proposed text amendment. (Sec. 20-1302(a))

Pre-Application Meeting

A Pre-Application meeting is required for all matters that require a public hearing.

The applicant shall meet with Planning Staff at least seven (7) working days prior to submittal of the application.

Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) working days of submission.

Pre-submittal _____, **20**__.

Target Submission Date _____, **20**__.

Fee _____

Submittal Requirements

❖ Application Form

- ☐ A complete Application Form. (Application, 3 pages)
 - Page 1 – Owner, Applicant, and Property information
 - Page 2 – Description and details of proposal
 - Page 3 – Description and details/signature page

❖ Other

- ☐ Additional documentation provided by the applicant demonstrating need for amendment proposed.
- ☐ Payment of review fee. (Make check payable to the City of Lawrence.)



REQUEST FOR INITIATION of a TEXT AMENDMENT

To the Land Development Code or Subdivision Regulations of Lawrence and Douglas County

DETERMINATION OF COMPLETENESS, ACCURACY, AND SUFFICIENCY (Completed by Staff)

The following items apply to rezoning applications. Submission of less information than necessary to adequately review and process your application may delay the review process. The following submittal requirements will be deemed either fully completed and Provided (P) or Not Provided (NP) by the applicant. (Circled items have not been reviewed due to time constraints.)

Pre-Application Meeting

P NP

- ☐ ☐ 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

Submittal Requirements

- ☐ ☐ 2. A complete application form.
- ☐ ☐ 3. Payment of review fee.
- ☐ ☐ 4. Additional documentation provided by the applicant demonstrating need for amendment proposed.



**Determination Of Completeness, Accuracy, and Sufficiency
(Completed by Staff)**

I have reviewed the rezoning application submitted by:

Name: _____ Date: _____

Application No. _____

Based upon the submitted information, I find the application to be:

- ☐ Complete (based upon the items reviewed)
- ☐ Incomplete, inaccurate, or insufficient (circle) for the following reasons:
- ☐ The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - ☐ The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - ☐ The application or plan cannot be approved without a variance or some other change or modification that the decision-making body for that application or plan does not have the authority to make.
 - ☐ Other

Planner _____

Date _____

Resubmit by _____ to be placed on the agenda for the Planning Commission meeting on _____. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)