



Lawrence Association of Neighborhoods

Neighborhoods Working Together

Dear City Staff and City commissioners;

10-4-11

The members of the Lawrence Association of Neighborhoods have voted in favor of supporting the Oread Residents Association in their efforts to correct the square footage of single dwelling units that qualify for a parking exception as per the amendment passed on 1-25-11. We believe that the parking "exception" stated in the present amendment nullifies that standard parking requirement of one parking space per bedroom that both the Planning Commission and the City Commission supported. The original amendment was intended to provide a uniform parking standard for all multi-dwelling units. Reduced parking standards favor one type of unit over another by increasing the opportunity for financial gain. The "exception" of 3,500 sq ft, including unfinished basements, does not reflect an exceptional size house in the Oread Neighborhood. In fact most of the present congregate living units are 3,500 sq ft or larger. Given this consideration, nearly all congregate living units qualify for reduced parking. This is even less than the original boarding house parking standard of .75.

LAN believes that the 1-25-11 amendment can achieve its goal and benefit the Oread Neighborhood and the city by changing the interpretation of the size of structures that qualify for a parking exception to NOT include basements or attics. LAN supports the data and analysis presented by the planning staff and believes that 3% is a reasonable number to be considered for a parking exception. Thank you for your continuing efforts to assure fair and responsible planning.

Thank you for your consideration,

Gwendolyn L. Klingenberg
Lawrence Association of Neighborhoods - President

4 October 2011

Mayor Cromwell and Commissioners Amyx, Carter, Dever and Schumm:

I very much appreciate your once again addressing the issue of parking standards and this chance to share with you my understanding of the issue.

When parking standards were first adopted, a likely assumption was that students near campus who had meals provided where they lived would have less need for a car; lower parking requirements were adopted for fraternities, sororities, and boarding houses. Recently (12 years ago?) developers became aware of the opportunity to use these lower parking standards and began converting older properties into so-called boarding houses. Although these houses provided for group living, they did not have organized meal programs; most residents in these houses need transportation to access food and are likely to own cars.

The “boarding” houses (mainly due to frequent loud parties) attracted attention in the neighborhood. There was concern that lower parking standards for the boarding houses (.75 parking spaces per bedroom) created an incentive to convert and enlarge properties to that over apartment use which required 1 parking space per bedroom, and neighbors questioned why this should be the case.

Residents of the neighborhood asked the commission to consider changes to the parking requirements; it didn't make sense to have different parking standards for boarding houses than for apartments – without providing food there isn't an argument for a lesser need for parking - and it didn't make sense to have lower parking requirements allow for expansion of properties in a neighborhood that was developed without adequate parking. Those issues have been addressed.

There was agreement that there should be exceptions to redevelop very large older structures on small lots for both congregate living and for apartments, but this is where the misunderstandings occurred. Although it was requested and would have been a part of reasonable planning, the changes were proposed without information about the number and location of properties that would be eligible. No information was given as to why the exception should have a parking standard not of .75 but be further reduced to .5.

There was also agreement when the new Oread Neighborhood Plan was adopted that there were areas in the neighborhood that could be considered for higher density development. The exception allows for parking requirements to create greater density scattered throughout the neighborhood, not focused on the areas that were targeted. Of particular concern is the block of Tennessee between 10th and 11th Streets, an area designated for medium density where nine structures on the west side of Tennessee Street and five on the east side qualify for the exception and there is on-street parking only on one side of the street . How will the parking in this block be accommodated?

One commissioner has said that this is not the long-term solution, and that we need may change standards in overlay districts. In this case, maintaining the current staff interpretation may create non-conforming properties. I hope that you either ask the planning commission to create a new text amendment with a higher size for exceptions or direct staff to interpret the code in a manner to exclude existing unfinished basements and attics. Thank you once again for your help in maintaining a great Oread neighborhood.

marci francisco

Dear City Commissioners and City staff,

10-3-2011

On 6-7-2011 a second Congregate Living Amendment was proposed to correct errors in the Congregate Living Amendment of 1-25-2011 passed by the Lawrence City Commission. The 1-25-2011 amendment established a parking standard for congregate living of one parking space per bedroom. This standard conforms with parking standards for all other rental units, honors the Oread Neighborhood Plan and was also supported by the Planning Commission. ***Parking exceptions*** to the standard of one space per bedroom, however, are now viewed as problematic after a study of the impact of such an *exception*. Data, previously not available from the County Appraisers Office, was recently analyzed by the planning department. That new information now makes it possible to make effective and accurate planning decisions that reflect the intention of the original amendment.

The parking code *exception* of .5 spaces per bedroom was intended to be used for exceptionally large structures that make up a very small percentage of neighborhood dwelling units. 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 translates 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 20% of the dwelling units in the Oread Neighborhood to qualify for a parking *exception* (1 in 5 units). The selected numbers of sq ft that could qualify for an *exception* to the standard is in fact about the average size of most congregate living units, thus making the standard parking requirement essentially null and void. The resulting unintended negative consequences, especially concerning parking, place an additional burden on the Oread Neighborhood. The ORA would like to see this corrected to honor the standard parking code that conforms with all other rental parking code standards.

The ORA supports staff option # 3 that suggests an interpretation of the code that does **NOT** include basements or attics in the calculation of the size of a structure. We adamantly support the parking standard of one parking space per BR but would support a 3% consideration for exceptions to that standard.

Thank you for your time and thoughtful consideration,
Candice Davis, ORA Representative

Date: Oct. 2, 2011

To: City Commissioners

From: Linda Haskins

Oread Neighborhood Resident

Re: First Agenda item for Oct. 4, 2011 City Commission Meeting (Consider land use information related to recently adopted code amendments for Congregate Living and Multi-Dwelling Structures)

Dear City Commissioners,

As a resident and homeowner in the Oread Neighborhood for the past 30 years, I am concerned about parking problems that will occur by allowing boarding houses (congregate living structures) under the current text amendment to have exceptions from parking requirements of 1 space per bedroom to .5 if the houses are 3,500 sq. ft. including basements and attics. I favor the third option that Scott McCullough presented in his Sept. 19th staff memo to David Corliss:

Direct staff to interpret the code in a manner that does not include basements or attics when calculating the size of a structure. (administrative direction – would not require a text amendment process)

This would allow nearly 8% of all structures in the RM32 district of Oread Neighborhood to be boarding houses/congregate living structures (this includes those already converted to boarding houses and those that would be eligible in the future). This is a reasonable percentage considering the already dense population of the neighborhood.

The purpose of a parking exception was to help preserve large houses on small lots in the Oread Neighborhood. Boarding houses/congregate living units are not the only way to preserve large structures. Many houses have been rehabbed to accommodate a variety of styles of living needs.

Thank you for your consideration, Linda Haskins

AMENDMENT DISCUSSION 9-9-2011

On 6-7-11 a Congregate Living Amendment was proposed to honor the agreed upon parking code requirement (1-25-11) of one parking space per bedroom for Congregate Living/Boarding Houses. The 1-25-11 code conforms with parking requirements for all other rental units, honors the Oread Neighborhood Plan and was supported by the Planning Commission and the City Commission. *Parking exceptions* to the standard of one space per bedroom, however, are now viewed as problematic after a study of the impact of such an *exception*. Accurate data from the County Appraisers Office in 8-2011 and recently analyzed by the planning department is reflected in the following commentary:

The parking code *exception* of .5 spaces per bedroom should only be granted to a small percentage of dwelling units as it is the *exception* to the rule of one space per bedroom. 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 translates 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 20% of the dwelling units in the Oread Neighborhood to qualify for a parking *exception* (1 in 5 units). The average size of a single dwelling unit in Oread, RM32, is 2,171 square feet. Houses qualifying for an *exception* would only be slightly larger than an average size house. Most existing congregate living units are 3,500 sq ft or greater, making the *exception* now the rule. The additional parking required on the street will be untenable and unfair to existing residents.

The amendment for congregate living should read: 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 ft of lot width beyond 50 ft.

Dwelling units that qualify for parking *exceptions* within the Oread Neighborhood should be identified in the Oread Neighborhood Overlay District Map. Additional *exceptions* that demonstrate special and unique circumstances may be noted in the overlay district study process. *Oread Residents Association*