

To Mayor Larsen and City Commissioners

May 3, 2019

I am asking the City Commission to deny the requests to amend H2020 and to rezoning the Elkins property to Multi-Dwelling. I apologize for the length of this letter, but the applicant's requests are problematic for the Parkhill neighborhood from many aspects.

### Compatible Zoning

Below is a partial map of the Parkhill neighborhood with the structures outlined. I super-imposed the applicants' concept plan for 16 townhomes. The most recent version of the McGrew listing claims that "up to 18 units could be allowed."



Re: Request by Williams and Sharon Elkins to rezone 2314 Tennessee St. from Single Dwelling Residential to Multi-Dwelling



At left is the view of the Elkins property at 2314 Tennessee Street from between the abutting properties, 314 and 308 Dakota Street, taken Wednesday, May 1. One of the Elkins' houses is barely visible.

The view at right is a slightly different angle showing O'Reilly's Auto Parts on the left.



Here is a backside view of The Villa townhomes on 3800 Clinton Parkway. There are six patio slabs and six AC units. The Elkins concept plan submitted has nine patio slabs and nine AC units and almost no setback facing neighbors on Dakota Street. The city would be expecting Parkhill property owners to accept drastically lower property values and a drastically lower quality of life if the Elkins property is rezoned. And the RM-12 zoning offers no protection.

I suggest that the city keep the Single Dwelling zone, but allow a variance like townhomes that are compatible with the neighborhood and with appropriate guidelines for setback, density, and home ownership. The map above illustrates the extreme difference in density of the Elkins concept plan offers. Even the auto parts store has a larger buffer. The submitted plan is not compatible with the surrounding area. The city needs more affordable housing, but the city must also maintain the stability of its existing neighborhoods.

## Storm Water

Three years ago, the city asked Parkhill homeowners to install sump pumps to separate storm water from solid waste to relieve the water treatment plant of high volume. Many of us complied. It was not easy to figure out where to drain water from the pumps. Basically, we were redirecting and retaining storm water in our own yards. That might mean that we have more runoff now than we had before. Andy Tuttle, 232 Dakota Street, submitted the picture of Dakota Street after a rain in 2010 and before the sump pumps were installed. That is a trashcan floating in the street.



I have been following the discussions on affordable housing. Given the low density in the Parkhill neighborhood, you'd think we would be a prime candidate for infill. I've had a lot of ideas, but reality is setting in. We cannot increase our footprint unless the city addresses the flooding issue in this area of town. Our entire neighborhood is looking at water in basements and standing water in yards after the last rain. Spot engineering cannot fix this problem.

From NEXTDOOR.COM, Parkhill Terrace group, May 01, 2019:

### **Foundation drainage and grading**

I believe at one time my 1950's house had a proper drainage solution and grading around the foundation - but that's not how it is today, we're taking on a lot of water. I'm looking for recommendations for someone to evaluate the situation and make further recommendations on what action needs to be taken. Thanks!

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Thank you all for your recommendations, comments, and private messages! We'll be taking a two-prong approach; landscaping to prevent further foundation damage, and foundation repair to fix what's already done.

## The Application Process Was Not Transparent

We received notification of the applicants' request for rezoning the Elkins property after March 4, 2019. There was no indication in the letter that there was a concept plan for 16 townhomes, or what RS7 or RM12 means. The last I knew, we had Single Family and Multifamily zones. Two Dakota Street residents went to city hall for an explanation of the letter. Word of the 16 townhome concept plan spread in the neighborhood. The agenda materials online were technical, voluminous and not helpful. We had to scramble to make sense of this request before the Planning Commission meeting on March 27. If those two residents had not gone down to city hall and asked for an explanation, no one would have been aware of the sixteen townhome concept plan before the Planning Commission meeting.

**Re: Request by Williams and Sharon Elkins to rezone 2314 Tennessee St. from Single Dwelling Residential to Multi-Dwelling**

The agenda was posted Thursday, May 2, for the City Commission meeting, Tuesday, May 7. We did not receive any written or email notification of the meeting. I was informed by the Planning Department that a schedule is posted at the beginning of the year only because I asked. There was no information about the schedule in the letter we received.

Either the city has streamlined the application process too much, or the process was not intended to include the public. Especially for infill development requests, the process should involve the neighborhood at the onset. While informal, potential developers could get feedback and support that would be more productive, and the neighbors would have an opportunity to give constructive input.



City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

1 Riverfront Plaza, Ste 320  
P.O. Box 708  
Lawrence, KS 66044

[www.lawrenceks.org/pds/](http://www.lawrenceks.org/pds/)

Phone 785-832-7700  
Tdd 785-832-3205  
Fax 785-832-3110

March 4, 2019

Dear Property Owner:

The Lawrence-Douglas County Metropolitan Planning Commission will hold its regular meeting on **Wednesday, March 27, 2019, beginning at 6:30 p.m., in the Commission Meeting Room on the first floor of City Hall, 6 E. 6<sup>th</sup> Street, Lawrence.** The following items may be of interest to you:

**CPA-19-00032:** Consider a Comprehensive Plan Amendment to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23<sup>rd</sup> St. Submitted by Allen Belot Architect.

**Z-18-00566:** Consider a request to rezone approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23<sup>rd</sup> St. Submitted by Allen Belot Architect on behalf of William & Sharon Elkins, property owner of record.

Comprehensive Plan Amendments & Rezoning requests are considered public hearing items and the public will be given the opportunity to make oral comments on such requests at the meeting. Written comments are welcomed and encouraged. The Commission has established a **deadline for receipt of all written communications of no later than 10:00 a.m. on Monday, March 25, 2019.** This deadline allows time for the Commission to receive and review comments prior to the meeting.

A complete legal description for this property is available at the Planning & Development Services Office, 1 Riverfront Plaza, Suite 320, Monday - Friday from 8:00 a.m. until 5:00 p.m. If you have questions relating to this matter, please contact me at 832-3153.

**PLEASE NOTE:** If you have recently transferred ownership of your property in the area of this request, or if such property is under a contract purchase agreement, we ask you to please forward this letter to the new owner or the contract purchaser.

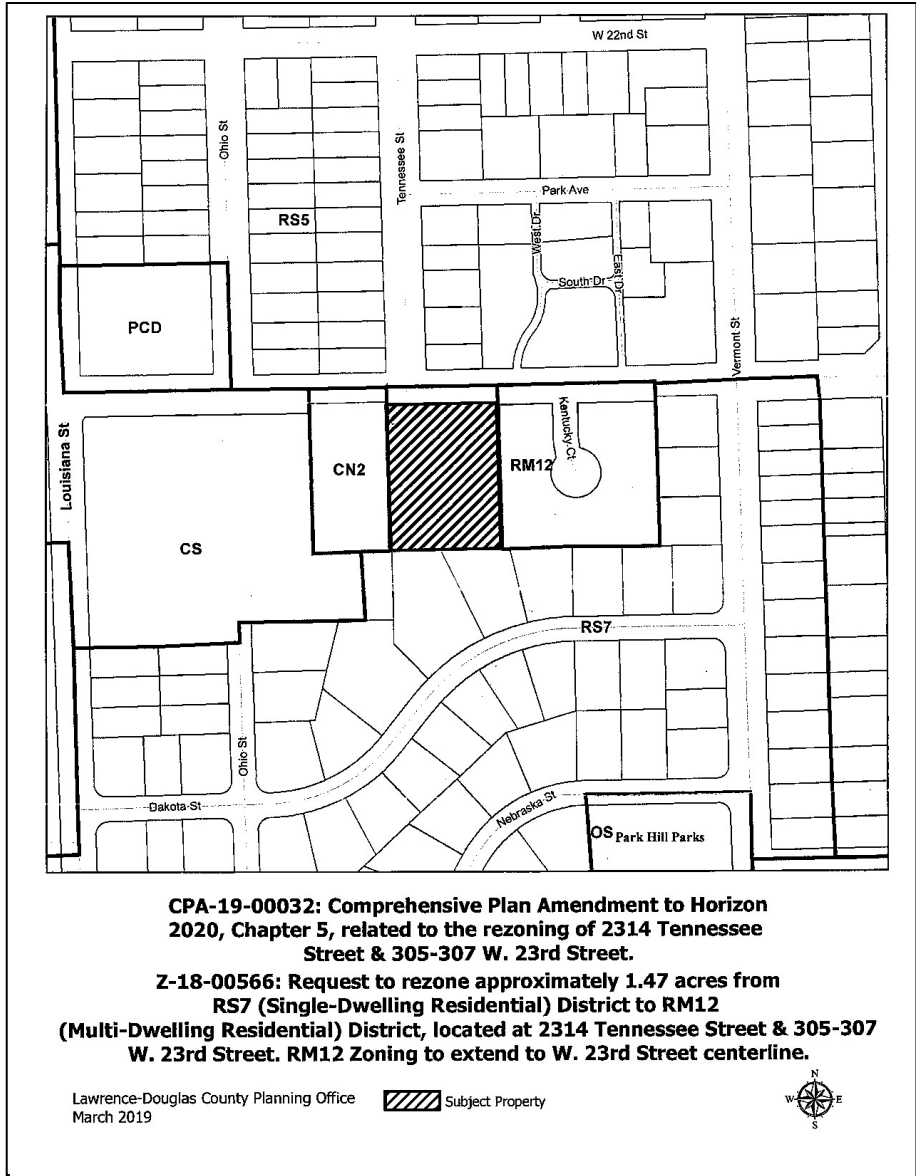
Sincerely,

  
Becky Pepper  
Planner II



We are committed to providing excellent city services that enhance the quality of life for the Lawrence Community

Re: Request by Williams and Sharon Elkins to rezone 2314 Tennessee St. from Single Dwelling Residential to Multi-Dwelling



## Comprehensive Planning

### From the Executive Summary:

“*Horizon 2020* defines Medium Density Residential development as having an overall density of 7 to 15 dwelling units per acre while the density scale associated with Low Density Residential development is 1 to 6 dwelling units per acre. The proposed comprehensive plan amendment would bring *Horizon 2020* into alignment with the requested rezoning.”

This rationale assumes that a single property owner has rights but no responsibility for the surrounding area. Essentially, we are allowing a developer do the neighborhood planning. Otherwise we would follow H2020, which offers quite a bit of guidance on infill development in established neighborhoods. See excerpts below.

## H2020

### CHAPTER 3 – GENERAL PLAN OVERVIEW

#### KEY FEATURES OF THE PLAN

- The Plan proposes the progression of land uses to help achieve a transition in land use and intensity levels, and to help avoid major or abrupt changes in density and building type. – H2020, 3-1

### CHAPTER 5 – RESIDENTIAL LAND USE

#### STRATEGIES: RESIDENTIAL DEVELOPMENT

- Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low density residential land uses and more intensive residential development, and between higher density residential uses and non-residential land uses. – H2020, 5-1
- The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods. H2020, 5-1

#### Low-Density Residential Development

Low-density residential development, reflecting a density of six or fewer dwelling units per acre, would continue to be the predominant land use in the city. While this classification includes densities that would encompass duplex and some townhouse development, emphasis is placed on single-family detached development.

While existing single-family neighborhoods are essentially built-up, several vacant parcels are scattered throughout the existing community where new low-density residential development should occur in the future. In general, new development should be of a scale and character, including building type, the same as and

compatible with existing or planned homes in the immediate area. New low-density residential areas are located generally in the southern and western portions of the community and in the UGA. H2020, 5-4

#### Medium-Density Residential Development

Medium-density residential development, reflecting an overall density of 7 to 15 dwelling units per acre, is recommended as clustered development at selected locations along major roadways, near high-intensity activity areas, and when adjacent to important natural amenities. This type of land use may be a likely choice for cluster development where density can be transferred from the natural area to the remainder of the property to creatively retain natural features which will enhance the overall development.

Medium-density residential areas are intended to promote a mix of housing types within planned development areas. Medium-density areas should include a mix of single-family detached and attached homes, cluster homes, townhouses and similar housing types, designed and arranged to create compatible and attractive new residential environments. Extensive concentrations of the same housing type or development pattern should be avoided.

Most of the sites recommended for new medium-density residential development occupy transitional locations between single-family neighborhoods and office/commercial areas. Some sites are recommended near large open space or natural areas. In addition to providing attractive new housing options within the city, these areas should be designed to help avoid major and abrupt changes in density or use. Existing and planned medium-density residential development is widely scattered throughout the city.

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Based on the rationale above, I am requesting the following:

- No Comprehensive Plan Amendment at this time,
- No rezoning to Multi-Density Residential, and
- An improved application process.

Sincerely,

Carol Bowen  
403 Dakota Street  
Lawrence KS 66046  
(785) 842-9082

**Request to rezone 2314 Tennessee St. from Single Family to Multifamily Residential  
City Commission Meeting, Tuesday, May 7 at 5:45 pm**

Wednesday, May 1, 2019

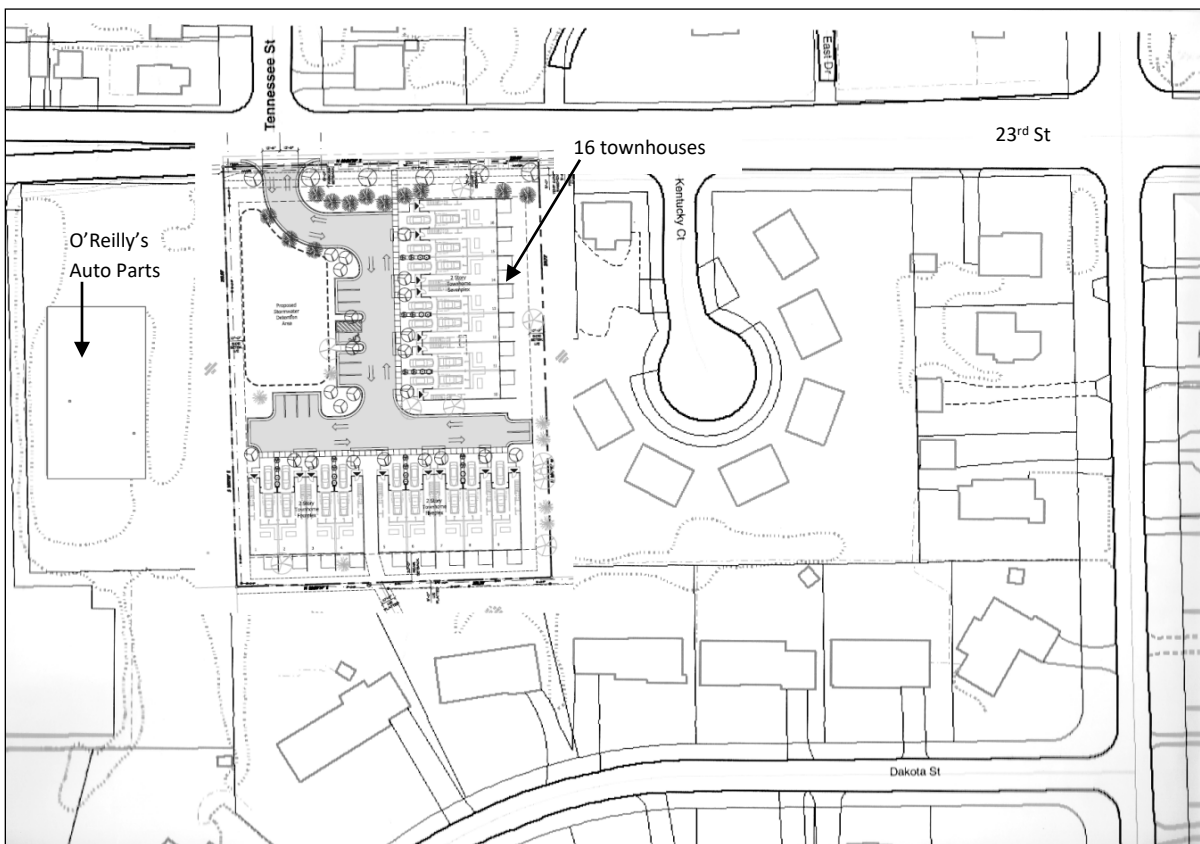
Hello Parkhill Neighbors,

I want to inform you of the request to rezone the lot between O'Reilly's Auto Parts and the Kentucky Court townhomes from Single-Dwelling to Multi-Dwelling Residential. The Planning Commission approved the request unanimously. The thinking was that townhomes would be a transition between commercial use and our neighborhood.

At the Planning Commission meeting, the architect proposed 16 town homes for the 1.47 acre lot. The real estate ad now lists 18 town homes. (See [Zillow.com](http://Zillow.com)). There are serious concerns about storm water runoff, uncontrolled housing density, setbacks, and if the units would be owned or rented. The plan has already escalated from 16 to 18 units. We have no idea what will actually be built. The ad also claims that there will be no additional public comments. That is not correct. The City Commission is the next level of the approval process. We anticipate that this topic will be on the City Commission's agenda. Tuesday, May 7 at 5:45 pm, but you can make comments now and again at the meeting. Below is a map of the area from Dakota St. to 23rd Street with the architect's proposal inserted.

Write to City Hall, PO Box 708, Lawrence, KS 66044, Re: Rezoning 2314 Tennessee Street from single dwelling to multifamily residential; or contact:

Lisa Larsen	Mayor	<a href="mailto:llarsen@lawrenceks.org">llarsen@lawrenceks.org</a>	(785) 331-9162
Jennifer Ananda	Vice Mayor	<a href="mailto:jananda@lawrenceks.org">jananda@lawrenceks.org</a>	(785) 840-8255
Leslie Soden	Commissioner	<a href="mailto:lsoden@lawrenceks.org">lsoden@lawrenceks.org</a>	(913) 890-3647
Stuart Boley	Commissioner	<a href="mailto:sboley@lawrenceks.org">sboley@lawrenceks.org</a>	(785) 979-6699
Matthew Herbert	Commissioner	<a href="mailto:matthewjherbert@gmail.com">matthewjherbert@gmail.com</a>	(785) 550-2085



We have not had time to discuss this as a neighborhood. If you have concerns, now is the time to let city commissioners know. Personally, I plan to suggest that the city keep the Single Dwelling zone, but allow variations such as townhomes that are compatible with the neighborhood. The submitted plan is not compatible. The city needs more affordable housing, but the city must also maintain the stability of the existing neighborhood. Call or stop by if you want to discuss the request for rezoning.

Just my two cents,  
Carol Bowen  
403 Dakota Street  
785-842-9082  
[carolb@sunflower.com](mailto:carolb@sunflower.com)



To the Lawrence-Douglas County Metropolitan Planning Commission

Re: CPA-19-0032: Consider an amendment to H2020 related to the rezoning of 2314 Tennessee St. and 305-307 W, 23<sup>rd</sup> St. submitted by Allen Belot Architect

Re: Z-18-00566: Consider a request to rezone 1.47 acres from RS7 (Single dwelling Residential) to RM12 (Multi-Dwelling Residential)

March 25, 2019

The Parkhill neighborhood is bounded by South Louisiana Street, 23<sup>rd</sup> Street, and Vermont Street. The proposed rezoning is part of the Parkhill neighborhood. Parkhill is a very stable neighborhood. There are approximately 210 single-family homes including the homes on this lot. The homes vary in value and many are affordable. Even homes that are rented function as single family. Residents stay in their homes for a very long time, and sometimes pass them down to the next generation. There are many pedestrians and cyclists. The walkability score is 74 (very walk-able).

We live on Dakota Street and previously lived on Nebraska Street, which is one block south of Dakota Street. On both streets, the houses have significant flooding problems from storm water runoff from 23<sup>rd</sup> Street and ground water that seeps up into our basements. Homeowners spend a lot of money on foundation repair and redirecting storm water.

I object to the rezoning proposal for the following reasons:

- There is not enough allowed open space to absorb the storm water runoff. The location of the retention pond does not benefit and could be detrimental to the homeowners to the south of the proposed development. This flooding affects more than just the abutting properties. It affects all the homes south of this property.
- The townhomes should be owner-occupied like the rest of the neighborhood. Even the townhomes on Kentucky Court have individual valuations. It is not clear what the target population for these townhomes would be.
- The multi-dwelling zone is not a sensible zone for property on Parkhill's border. Note that a zone for townhomes (Kentucky Court) was removed from the comprehensive plan. Infill in a residential area should more carefully coexist with the existing environs.
- The placement of off-the-shelf townhomes maximizes the use of the property, but the plan totally ignores the character of the surrounding area. The number of housing units would be increased by roughly 8% with this proposal. The density and appearance are shocking and encroach on the neighborhood.
- Lastly, since this project would add significant traffic to 23<sup>rd</sup> Street, the Transportation Commission should review the proposal.

Unlike the redevelopment of George's Hobby Shop farther west, this developer made no attempt to communicate with the neighborhood. Infill and urbanization are exciting concepts, but that does mean that established neighborhoods should accept a token effort at infill development. The property was listed at \$525,000 last spring. The developer should not need so many units to clear a profit, and the developer should work with the neighborhood.

Sincerely,

Carol Bowen  
403 Dakota Street  
Lawrence 66046  
carolb@sunflower.com

## Becky Pepper

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**From:** Andy Tuttle <astuttle4611@gmail.com>  
**Sent:** Monday, March 18, 2019 8:25 PM  
**To:** Becky Pepper  
**Subject:** Rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Pepper,

I am writing today to lodge my strong opposition to CPA-19-00032 and Z-18-00566. We should not rezone this property from single family to multi-dwelling and Horizon 2020 be not be amended to allow this development.

There are already serious issues with water and drainage coming off 23rd st onto Dakota st., where we have lived since 2003. Developing those lots with townhouses would only make that problem worse. In addition, traffic on 23rd st. would be made worse than it already is, especially since there is no light and many of those people would be making left turns.

In addition I am concerned what this development would mean for our property value and the esthetics of the neighborhood. Lawrence does not need this and neither do the property owners in the Parkhill Neighborhood and on Dakota st.

Sincerely,

Andrew Tuttle  
785-979-9974

**From:** DANIEL YOE <[YOEDAN@msn.com](mailto:YOEDAN@msn.com)>  
**Sent:** Monday, March 25, 2019 5:21 PM  
**To:** Scott McCullough <[smccullough@lawrenceks.org](mailto:smccullough@lawrenceks.org)>  
**Subject:** Letter for Planning Commission

Dear Mr. McCullough:

I am including in the body of this email a letter I would like for the Planning Commission to consider.

Lawrence/Douglas County Planning Commission

1 Riverfront Plaza, Suite 320

Lawrence, Kansas 66044

Dear Sir/Madam:

The purpose of this letter is to voice concern regarding two issues effecting our neighborhood. First, we would like the Planning Commission to consider several changes to the site development for the proposed rezoning for Township Court Townhomes, 313 W. 23rd Street. The proposed development will add far too much density of usage for that stretch of 23rd Street. Traffic flow on 23rd Street does not need an additional thirty or more cars turning in and out of a drive multiple times a day. Our second concern is the proposed storm-water runoff mitigation is inappropriate for the site. The site and its surroundings slope from north to south generally. The current proposal has a retention pond located at the north, or high side of the property. For it to work as a retention pond the entire site would have to be regraded and raised causing runoff issues for neighboring properties that will not be solved by the retention pond. Additionally, having a retention pond located so close to the sidewalk for 23rd Street will collect trash and invite accidents.

Our second subject of concern is in regard to proposed changes to Parkhill Park Number One located at the eastern end of Utah Street. While our children are adults, we look forward to a time when we have grandchildren and can continue to entertain children at all three Parkhill Parks. We walk along Parkhill Terrace and Montana Street regularly and frequently hear the happy sounds of children playing in the park. We think it would be a disservice to our neighborhood and to the city to remove play equipment or substantially change the use of any of the Parkhill Parks.

We have lived in our home at 433 Nebraska Street since 1985 and look forward to enjoying Lawrence in our home for many years to come.

Sincerely,

Dan and Janet Yoe

433 Nebraska Street

Lawrence, KS 66046

785-749-0730