

City of Lawrence

Affordable Housing Advisory Board

June 10, 2019 minutes

MEMBERS PRESENT: Rebecca Buford, Susan Cooper, Ron Gaches, Edith Guffey, Thomas Howe, Patrick Kelly, Paul Nuzum, Dana Ortiz, Shannon Oury, Monte Soukup, Sarah Waters, Erika Zimmerman

MEMBERS ABSENT: Andrew Brown

STAFF PRESENT: Diane Stoddard, Assistant City Manager; Scott McCullough, Director of Planning and Development Services; Danielle Buschkoetter, Budget and Strategic Initiatives Manager; Danelle Walters, Community Development Manager; Jeff Crick, Planning Manager; Brad Karr, Community Development Analyst

Chair Gaches called the meeting to order at 11:00 am. [ENTIRE VIDEO](#)

1. General Public Comment [VIDEO](#)

There was no public comment.

2. Approve Minutes from the May 13, 2019 meeting [VIDEO](#)

Kelly moved to approve the [minutes from the May 13, 2019 meeting](#). Buford seconded the motion. The motion passed 12-0.

3. Monthly Financial Report [VIDEO](#)

The monthly financial report is available on the [City of Lawrence opengov.com](#) website.

Buschkoetter said the sales tax revenue would begin to be received at the end of June, and would be reflected on next month's financial report. Gaches asked if the sales tax revenue stream would include taxes collected on internet sales from out of state. Buschkoetter said she believed it did, but she would have to double check.

4. Consider policy questions about affordable housing text amendment TA-18-00467 [VIDEO](#)

Buford recused herself from the discussion and left the room.

Sandra Day, Planner, presented the board with a memo on [policy questions about affordable housing text amendment TA-18-00467](#).

Oury asked if the board could be shown where the RS districts were currently located in Lawrence. Day presented the board with a [map showing all of the RS districts](#), and a [map showing just the RS5 and RS7 districts](#).

Staff provided the board with recommendations on the policy questions:

1. Permit two detached dwellings in the RS5, RS7, RS10 and RS20 zoning districts.
2. Permit them only with special use permit approval.
3. Require that both units must be permanently affordable.
4. Require that the applicant provide a methodology, acceptable to the city through the special use permit process and legal review, which reflects an established way to maintain the dwellings in permanent affordability.
5. Require that the dwellings meet the appropriate density and dimension standards of the base zoning district.

Chair Gaches asked for public comment on this agenda item.

Tim Metz, Board Member of Tenants to Homeowners, Inc., spoke to the board about the policy questions and staff recommendations.

Sara Taliaferro, Justice Matters Affordable Housing Research Team, spoke to the board about their support for the text amendment and positions on the policy questions.

Bob Rummell, resident in the Brook Creek Neighborhood, spoke to the board about his concerns surrounding the proposed text amendment.

Michael Almon, Vice President of the Brook Creek Neighborhood Association (BCNA), spoke to the board, and later presented a [letter from the BCNA](#), to explain why they do not support the proposed text amendment in their neighborhood.

The board discussed the policy questions and staff recommendations.

McCullough suggested having staff prepare the code language for permitting the second dwelling, with options for both by right and with a special use permit, for the board to review and discuss at a future meeting.

Buford returned to the meeting.

5. Discussion regarding Plan 2040 and requests from the Lawrence Home Builders Association and the Lawrence Board of Realtors [VIDEO](#)

Staff provided the board with copies of a previous [memo on plan 2040](#) and [correspondence received about Plan 2040 from LHBA and LBOR](#).

Chair Gaches asked for public comment on this agenda item.

Danielle Davey, Governmental Affairs Director of the Lawrence Board of Realtors (LBOR), spoke to the board about the community benefit policy proposed in [Plan 2040](#).

Sara Taliaferro spoke to the board about Plan 2040, and indicated Justice Matters has no recommendations for change of the language concerning community benefit.

The board discussed the community benefit language in Plan 2040. Oury asked if developers would always choose to build a park instead of affordable housing, since it would be cheaper as a community benefit. Crick said the community benefit would be determined in annexation negotiations between the governing body and developer, and it might be determined that additional parks were not needed.

Soukup suggested a developer could sell some lots in a new development to a non-profit, at a slightly reduced rate, to possibly qualify as a community benefit. Howe said an incentive would have to be offered to the developers in order for them to pass any reduction in price on to the homebuyer. Soukup said a non-profit could possibly use funds from the housing trust fund to buy the lots at full price from the developer.

Oury asked if it would be a community benefit if a developer sold a lot to a non-profit. Crick said it would depend on the annexation negotiations between the governing body and developer.

Buford said developers could build houses under \$262,000 while still making a profit, and that could be the community benefit since that price range was identified as needed in the market.

Kelly asked about the language concerning offsetting incentives to the developer. Crick said the language about offsetting incentives was added by the Planning Commission in response to a request submitted by the LHBA. Stoddard said the policy language is intentionally broad to allow different opportunities and details to be discussed during the annexation process.

Nuzum said there are multiple options a developer could pursue as part of the community benefit, and more often than not, to protect their investment, they would chose a benefit that would not include affordable housing. Howe said it was his understanding the community benefit would be determined during an annexation negotiation; it is not a choice by the developer. Crick said that was correct.

Gaches asked if the board wanted to take any opinion or offer any comments about Plan 2040. Nuzum asked if their voice would have a seat at the table with the City Commission. Gaches said he felt the board was not in a position to change the recommendation coming out of the Planning Commission. Soukup said the board could make a statement indicating they did not see anything in the policy that was a detriment to the AHAB's mission. Kelly said there was a process in place that Plan 2040 went through to get to where it is now, and he did not feel the AHAB should change the process. Oury said she was not in a position to determine the outcome of the language in Plan 2040, and was reluctant for the board to make any statement, either for or against the policy. Guffey said she agreed, and the board should respect the process that has been going on for years. Howe said that seemed to be the consensus of the board.

6. Staff memo on Housing Trust Fund 2020 Budget Summary [VIDEO](#)

Buschkoetter presented the board with a [memo on the Housing Trust Fund 2020 Budget Summary](#).

7. Quick Updates [VIDEO](#)

a. [NOFA application review timeline](#)

Ortiz asked if the board needed to take a roll call for the July 1, 2019 meeting, since some members would be recusing themselves as applicants. Ortiz, Oury, Buford, and Zimmerman all indicated they would be recusing themselves from the application review process. Stoddard said staff would review the number of members needed for a quorum.

b. Attendance policy from [AHAB bylaws](#); [2019 AHAB attendance record](#)

Stoddard said this was reminder of the board attendance policy in the AHAB bylaws, and staff would be providing an attendance record regularly.

8. Other New Business / Next Meeting / Future Agenda Items [VIDEO](#)

The next meeting will be on July 1, 2019.

9. Adjourn [VIDEO](#)

Gaches adjourned the meeting.

Future Meeting Dates / Tentative Agenda items

July 1, 2019 – NOFA applicant presentations

July 8, 2019 – NOFA applicant deliberations

August 12, 2019 -

September 5, 2019 - Douglas County Community Foundation, community conversation on behavioral health,
5:30-7:30 p.m., Theatre Lawrence

September 9, 2019 -

October 14, 2019 -

November 11, 2019 -

December 9, 2019 –

These minutes were approved by the Board: July 1, 2019

2019 Attendance	Jan	Feb	March	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brown, Andrew	+	U	E	E	U	U						
Buford, Rebecca	+	+	E	+	+	+						
Cooper, Susan	+	E	+	U	+	+						
Gaches, Ron	+	E	+	+	+	+						
Guffey, Edith	+	E	+	E	+	+						
Howe, Thomas	+	+	U	+	+	+						
Kelly, Patrick	N/A	E	+	+	+	+						
Nuzum, Paul	+	+	+	+	+	+						
Ortiz, Dana	+	+	+	+	+	+						
Oury, Shannon	+	+	+	+	+	+						
Soukup, Monte	+	+	+	+	+	+						
Waters, Sarah	+	+	+	E	+	+						
Zimmerman, Erika	+	+	+	E	+	+						

(+) - in attendance; (U) - unexcused absence; (E) - excused absence

A Board member having **three or more unexcused absences** or **five or more absences for any reason** during one (1) calendar year shall be deemed by the Board to have involuntarily resigned his or her position. Failing to notify the Chair of an absence at least 24 hours prior to a scheduled meeting shall count as an unexcused absence. Attendance will be reviewed regularly to ensure compliance.