

**LAWRENCE HISTORIC RESOURCES COMMISSION  
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION  
CITY HALL, 6 EAST 6<sup>TH</sup> STREET, CITY COMMISSION MEETING ROOM  
ACTION SUMMARY  
FEBRUARY 18, 2016 6:00PM - 8:00PM**

**GENERAL BUSINESS:**

Commission members introduced themselves.

**COMMUNICATIONS**

- a) All communications were included in the online packet.
- b) There were no additional written communications to disclose.
- c) There were no abstentions.

**NON-PUBLIC HEARING ITEMS:**

**Convene Joint Meeting with Lawrence Historic Resources Commission & Lawrence-Douglas County Planning Commission**

**ITEM NO. 1 JOINT REVIEW AND DISCUSSION OF THE OREAD DESIGN GUIDELINES (JSC)**

**STAFF PRESENTATION**

Mr. Jeff Crick presented the item.

**JOINT COMMISSION DISCUSSION**

Commissioner Hernly asked if garages, until now, needed to be 5 ft from the alley.

Mr. Crick said that is correct.

Commissioner Hernly said if that is the case, he feels the diagram should reflect that.

Mr. Scott McCullough said there is a 2 ft setback.

Commissioner Hernly said the idea behind the 5 ft setback was to provide 26 ft between garages across the alley.

Mr. McCullough said that Parking Option 1 would be most desirable from a developer's standpoint, and the question is whether a five bay garage would be allowed as opposed to just a tray of surface parking.

Commissioner Hernly wondered such a garage was permitted if it must adhere to the 5 ft setback.

Mr. McCullough said there would still be a setback requirement.

Commissioner Culver asked about the possibility of removing Parking Option 1 if there aren't many accessory structures set back from the alley.

Mr. Crick said the majority of the existing garages don't have enough space between the property line and the garage. He said most people would not want to leave their car parked in that space.

Commissioner Hernly asked if those garage scenarios were just 1% of the neighborhood.

Mr. Crick said yes, he explained that a small portion were more than 20 ft from the alley, but most were within 10 ft.

Mr. McCullough said they should discuss stacked parking as well as the configurations the guidelines suggest. He said the issue with horizontal stacking is the lack of user convenience.

Commissioner Fry asked if stacked parking would be difficult to achieve with only a 15 ft space.

Mr. Crick said the parcels they looked at varied, from allowing a garage and driveway to having no option for either. He said it largely depends on the configuration and architecture of the house.

Mr. McCullough said historically, the pattern doesn't support stacked parking.

Commissioner Hernly said it's possible and would depend on whether a property owner was considering an addition or if it was new construction.

Mr. McCullough said it's happening now.

Commissioner Kelly said District 1 seems to have the most possibility for stacked parking.

Commissioner Buchanan asked how frequent the driveways are in District 1 from the street.

Mr. Crick said those are not a common feature, maybe one a block at best.

Mr. McCullough said they're infrequent enough for the guidelines to prohibit them unless that's the only option.

Commissioner Fry asked how many properties are currently utilizing stacked parking.

Mr. Crick explained that there is informal and formal stacking. He said informal stacking is the most common scenario, and it mostly depends on the week.

Commissioner Foster said Parking Options 1 and 2 are new configurations, so he'd like to know how those options were decided upon.

Mr. McCullough said they are new and have not been submitted to the subcommittee. He said that staff wanted to cover all bases for requests they anticipate from developers.

Mr. Crick said the guidelines don't allow carports at this time, so any parking accessory would have to be a garage structure.

Mr. McCullough said there are some recent structures that have been wider than two bays.

Commissioner Denney asked how prevalent those types of structures are.

Ms. Zollner said there's nothing over two bays in the historic district.

Mr. Crick said they are more common in Districts 1 and 3.

Commissioner Foster said he lives just north of the neighborhood and his garage is turned 90 degrees, so it would reasonably fit Parking Option 1. He said Parking Option 2 seems too large and he would not want to see that option in new construction.

Mr. McCullough said he agrees.

Commissioner Foster said, at the subcommittee level, that's where they drew the line- three to five bays is too large.

Commissioner Arp asked if the height of structures is addressed in the guidelines.

Commissioner Bailey asked if height is tied to the massing.

Mr. McCullough said it is, but the standards do not prohibit a two story accessory structure, which can sometimes add value to a property.

Commissioner Arp said that's something they should address.

They briefly discussed types of accessory structures and reiterated that carports are not allowed in the guidelines.

Commissioner Arp pondered whether stacked parking is really practical or if it just done to meet zoning guidelines. He feels a tray is preferable.

Mr. McCullough explained that the parking portion of the zoning code allows stacked parking for detached dwellings on single family homes and duplexes; otherwise, parking lot standards are enforced for greater parking needs. He said the idea behind the allowance of stacked parking in that instance is the element of a family unit with a greater ability to share keys for the purpose of moving vehicles. The code has not distinguished between stacked parking off alleys and stacked parking off streets and driveways.

Commissioner Buchanan asked how that effects game day parking.

Mr. McCullough said it doesn't, game day parking is controlled by a separate ordinance.

Commissioner Britton said it seems the parking tray is preferable over stacked parking from a historic resources standpoint. He asked if a garage that is five bays is also undesirable.

Commissioner Foster said yes, in his opinion it's too large in mass.

Commissioners Buchanan and Arp agreed.

Commissioner Arp said two garage bays is fine.

Commissioner Bailey asked if that should be a blanket prohibition or if there should be a case by case review.

Commissioner Foster said the current guidelines document doesn't allow anything above two bays.

Commissioner Bailey said three bays then could not be considered.

Mr. McCullough said this sets expectations at two maximum bays and then surface parking.

Commissioner Hernly asked if there is a standard that addressed how big a two bay garage can be.

Commissioner Buchanan asked if the zoning and setbacks address that.

Mr. McCullough said that's when the HRC sees requests, when a proposal doesn't meet the Code.

Commissioner Sands said he sees the point in addressing the maximum size of two bays, but two garage doors could only be so wide.

Commissioner Hernly said someone could do two bays and a shop, for example.

Commissioner Foster said the footprint can grow for reasons other than the parking spaces.

Mr. McCullough said they could define that in the guidelines if that is the desire to keep an accessory structure no larger than two bays.

Commissioner Arp asked if they can impose a height requirement.

Mr. McCullough said staff can check. He said there is currently language that addresses the accessory structure's relationship to the primary structure. He said staff can review that and address it at the next meeting.

Commissioner Hernly said there are some historic accessory structures that are tall with some loft space.

Commissioner Buchanan said the key is whether there are stairs, and the loft space is just for storage.

Commissioner Fry asked why an internal staircase matters.

Commissioner Foster explained that, as the accessory structure grows and with the addition of stairs it overshadows the primary structure, and historically it should be truly accessory.

Mr. Crick said the draft guidelines state that "...any new covered parking structure shall be a garage and not a carport. It shall not exceed two car capacity."

Commissioner Denney said he doesn't think more than two car capacity is appropriate, and he suggested 1 ½ story limit because two stories threatens living space.

Commissioner Sands said it should be scaled to the home, and that would be the judgment of the Commission.

Commissioner Buchanan said the back of the home could be very different than the front depending on grade change, so you could exceed one and a half stories if looking at the back elevation.

Commissioner Denney said stacked parking is generally undesirable but single family arrangements could utilize stacked parking effectively.

Mr. McCullough said stacking allows seven bedrooms for duplexes, and zoning allows four unrelated occupants per unit, so disallowing stacked parking will change duplex development going forward.

Commissioner Kelly asked if it restricts duplex development completely or just when there are four bedrooms per side.

Mr. McCullough said it reduces the intensity from seven or eight bedrooms to four or five.

Commissioner Culver said if they don't allow for parking on the lot they'll park somewhere else, an unintended consequence of not allowing stacked parking is off-street parking. He said the

subcommittee was ok with two cars stacked to find a balance and alleviate any unintended consequences.

Commissioner Kelly said it seems that stacking is not possible on many lots.

Commissioner Hernly said that's not true, especially with new developments, most lots have enough room to do spaces off the alley and a garage.

Mr. McCullough said the information regarding what currently exists was provided to establish a historic pattern.

Commissioner Hernly said it's done currently because it provides parking enough parking for renters of new developments, which is necessary income for developers to afford the rehabilitation of a property. He said the number of bedrooms per unit doesn't matter if it's a duplex, they can still rent to four unrelated people. He said there can either be a five car tray, which sends the remaining occupants to find parking on the street, or there can be a garage with stacked spaces.

Commissioner Foster said the subcommittee decided they could have a seven bedroom duplex based on parking.

Commissioner Hernly said that Code allows eight people.

Commissioner Britton asked about the historic compatibility of parking configurations.

Commissioner Arp said historically, there weren't many cars that required parking, so it's a more modern problem.

Mr. McCullough said the on-site parking should be for the users of the site; historically, the street parking was used by visitors.

Commissioner Kelly asked if the Oread Neighborhood is currently historically accurate.

Commissioners agreed that it is not.

Commissioner Kelly said he'd like to see this become a more walkable neighborhood and zoning changes should discourage large duplexes, but right now it's being used for high density housing. Alternatively, they can embrace the current state of the neighborhood for what it has become and allow stacked parking.

Commissioner Culver said they can even say they want to preserve what it currently is but not encourage furthering that pattern.

Commissioner Arp said they need to find a balance between the high density demand and protecting the historic fabric of the neighborhood. He said the stacked parking configuration doesn't really work practically for the uses in this neighborhood and won't promote walkability.

Commissioner Denney asked if many duplexes can be built on a 50 ft lot.

Mr. McCullough said no.

Commissioner Denney said that statistic will keep that issue from spreading, since lots can't be combined for duplex development.

Commissioner Fry asked if a permit would trigger this whole process.

Mr. McCullough said it would but you have to have a certain lot size for a duplex.

Commissioner Foster said they're focusing on a holding pattern as opposed to continuing the current development pattern.

Commissioner Kelly asked whether density can be added or if it needs to be haulted, citing the Horizon 2020 guidelines.

Mr. McCullough said the neighborhood plan holds the line except in District 5, which abuts the university and permits lot consolidation to allow more density.

Commissioner Foster said there is a lot of diversity built into the neighborhood plan.

Ms. Zollner said when the Oread Neighborhood Plan went through, it went to Planning Commission and then was adopted by City Commission, so it has been thoroughly reviewed.

Commissioner Britton said it makes sense to take a balanced approach, to take opportunites to increase density but maintain historic nature.

Commissioner Sands agreed. He said it's definitely a value judgment to balance the needs of the neighborhood while not discouraging rehabilition.

Mr. McCullough asked whether commissioners plan to take public comment.

Commissioner Buchanan said the neighborhood wants to see the density dialed down just a bit and bring back the walkability.

Commissioner Foster said enforcement should be better enforced because there have been some developments that were not in compliance.

Ms. Zollner said the guidelines do limit the height of an accessory structure to 25 ft, or it must be subservient to the height of the primary structure.

## **PUBLIC COMMENT**

Ms. Candice Davis said due to the large number of single family homes, it was an error to zone the neighborhood to the highest density in the City. She said the biggest problem is duplexes, because the Code says they are family-oriented (and they are not), but no other multi-family neighborhood allows that. She believes the duplex zoning code needs to be updated and she is not in favor of any stacked parking.

Commissioner Von achen asked if not allowing stacked parking will push more people to park on the street.

Ms. Davis said they've already spilled onto the street because it's more convenient to park there.

Mr. Kyle Thompson said tray parking omits dumpster space on the alley, and current parking/garage configurations don't consider the side yard setback.

Mr. Jon Josserand said parking is a significant issue, and the duplex zoning classification is highly abused and only used for profit. Stacked parking doesn't work and students don't park in the garages. If the plan is to attract families, he feels that duplexes and parking need to be addressed.

Ms. KT Walsh said she was glad to hear there needs to be a definition of a two car garage. She said the 50 ft lots create density without adding height.

## **JOINT DISCUSSION**

Commissioner Von achen asked why a two car garage with tray parking is allowed.

Mr. Crick said the guidelines permit a two car garage and they permit tray parking, so that option was created for consideration.

Commissioner Hernly said that came about because a typical duplex scenario, not in this neighborhood, includes a garage and a driveway, and the driveway counts as parking.

Mr. Crick noted that 1/3 of the district does not have alleys, so principal access is off the street with a driveway and garage.

Commissioner Von achen said the ones with a driveway won't have stacked parking in addition to the driveway.

Mr. McCullough said it was built off the premise of existing code, since a driveway can be two cars wide but 26 ft long, it was a balance in converting that thinking to tray and stacked parking.

Commissioner Von achen asked if the guidelines differentiate between single family and duplex scenarios.

Mr. McCullough said the configuration is for single family or duplex- triplex and above do not have these parking options.

Commissioner Britton said it sounds like the question is whether they will excise the option of stacked parking.

Commissioner Arp said there was some discussion about not allowing any stacked parking.

They discussed stacking configurations.

They agreed Parking Option 2 was not desirable.

Commissioner Hernly said Parking Option 1 should require the garage at least 5 ft off the alley.

Mr. McCullough said staff would like direction on stacked parking for a 2 bay wide configuration.

Commissioner Hernly said there should be no stacked parking, period.

Commissioner Bailey asked what is stopping someone from constructing a garage even farther off the alley and not parking there.

Commissioner Buchanan said it has to be so far from the primary structure.

Commissioner Hernly said someone could do that but it would come to HRC.

Mr. McCullough said it couldn't be a garage but they could place an accessory structure off the alley 15 ft from the house with no driveway or parking.

Commissioner Hernly said being 20 ft off the alley actually would be an advantage for game day parking options.

Commissioner Foster asked what disallowing stacked parking does to bedrooms.

Mr. McCullough said it reduces the number of allowable bedrooms, not the number of occupants.

Commissioner Foster asked how many bedrooms would be allowed on a 50 ft lot with no stacked parking vs a 60 ft lot.

Mr. McCullough said 5 bedrooms on a 50 ft lot and 6 bedrooms on a 60 ft lot.

Commissioner Foster said he's worried that the guidelines take up issues that are better addressed by zoning.

Commissioner Hernly said it's been this way for 30 years or longer- parking has always been used to control density in Oread.

Mr. McCullough said the guidelines do affect the zoning standards, but commissioners need to understand what the impact will be, intended and otherwise.

Commissioner Foster expressed concern that disallowing stacked parking will be a great obstacle for the forward movement of the guidelines, and pondered whether parking issues are better addressed elsewhere.

Mr. McCullough said this is the proper place to address parking, the balance is the question. He mentioned the pending text amendment on parking standards.

Commissioner Culver said balancing the guidelines is important, but taking out stacked parking completely is an uphill battle. He suggested smaller quantities of stacked parking.

Commissioner Buchanan asked if they're addressing stacked parking citywide.

Mr. McCullough said they're addressing stacked parking but there are elements that specifically relate to alleys that need to be addressed.

Commissioner Buchanan asked what happens when the zoning code and the Oread Design Guidelines conflict.

Commissioner Britton said he understands that the design guidelines will control specifically in this neighborhood.

Commissioner Denney feels there could be scenarios where stacked parking is appropriate, but the Oread Neighborhood is not one of those places. He feels the guidelines should control.

Commissioner Carpenter said it would take a majority of commissioners to overrule the consensus that stacked parking is not appropriate.

Commissioner Hernly said eliminating stacked parking doesn't effect the number of allowable occupants so it isn't necessary.

Commissioner Britton said it's harder to rent a couch with no parking.

Commissioner Buchanan said eliminating stacked parking does improve walkability.

Commissioner Carpenter said if it changes the number of possible bedrooms, it creates a category of non-conforming duplexes that can't be replaced once they deteriorate.

Mr. Crick said staff would definitely like some clarification on parking before they wrap up.

Commissioner Buchanan mentioned the 1000 block of Ohio, home to the Bell House, and wondered whether that particular District 5 could be excluded from lot consolidation.

Mr. Crick said consolidation cannot occur except in District 2, and apologized if he misspoke earlier.

Mr. McCullough mentioned that staff sent letters to all property owners in the neighborhood to inform them of this meeting and the next, which will be a formal public meeting.

Commissioner Denney asked if it would be appropriate to review the zoning elements as well at that time.

Mr. McCullough said he would prefer to keep them separate.

**ADJOURN 7:50 PM**

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