



Lawrence Preservation Alliance

LPA Officers

Mike Delaney (President)
Patrick Watkins (Vice President)
Michelle Compton-Muñoz (Secretary)
Toni Clogston (Treasurer)

LPA Board

Sarah Bell
Dennis Brown
Amanda Davis
Katie Gates
Chris Millspaugh
Ife Olusanya
Mark Potts
Verdell Taylor, Jr.
Amy Van de Riet
Leslie VonHolton
G.W. Weld

Emeriti Board Members

Dennis Domer
Marci Francisco

August 23, 2024

Members of the Lawrence-Douglas County Metropolitan
Planning Commission

Members of the Land Development Code Update Steering
Committee

Members of the Historic Resources Commission

Mayor and Members of the Lawrence, Kansas City
Commission

Deliver by Email: planning@lawrenceks.org,
DevelopmentCodeUpdate@lawrenceks.org,
commissioners@lawrenceks.org, lzollner@lawrenceks.org.

**Re: Planning Commission Meeting, August 26, 2024,
Agenda Item E. 2 - Receive Update on the Land
Development Code Revision**

Dear Chair Duvvar and Members of the Lawrence-Douglas County Metropolitan
Planning Commission,

This letter is written on behalf of the Lawrence Preservation Alliance to express our deep concerns about one aspect of the current residential draft of the Land Development Code revision. The specific provisions that give rise to our concerns are the grant of a right to place a duplex on any parcel in virtually all residentially zoned districts, amplified by the change from three to five unrelated individuals who would be permitted to reside in a single dwelling unit, as well as the elimination of parking minimums.

We share the concerns already expressed by a number of neighborhood groups that the combined effect of these provisions, which were obviously intended to promote denser infill development of vacant lots and allow for the addition of ADUs in most residential neighborhoods, will instead become powerful incentives for the rapid

demolition of significant numbers of well-maintained structures in older Lawrence neighborhoods that are not presently on an historic register. The damaging effects of the changes are likely to occur long before the community is able to deploy the resources necessary to fully survey, nominate and have the structures added to a register, either individually or as a part of a historic district. Surveys and registry nominations require a funding mechanism and often take several years to complete.

The current LDC already contains significant economic incentives for developers to purchase a structure originally built as a single-family home (although now, in many cases, housing multiple tenants), demolish it, and build a new structure consisting of two units or more, each capable of housing three or more unrelated individuals. This is not a hypothetical concern — in just the past few weeks demolition permits have been sought for two single-family homes on Kentucky St. to make way for several large multi-unit structures. Indeed, it was precisely this economic incentive, leading to the loss of multiple single-family structures in the Oread neighborhood, that ultimately resulted in neighborhood pressure to create an overlay district there that limits the demolition of existing older residences.

Especially in neighborhoods close to the KU Campus, such as University Place, the proposed changes to the LDC would almost certainly quickly result in the purchase by developers and demolition of existing houses that that presently have no historic preservation protection — even as the city currently is seeking to survey them to determine whether they may, in fact, be eligible to be nominated to a historic register, either individually or in an historic district.

When the Lawrence City Commission adopted PLAN 2040 in 2023, it made a clear commitment to the community to be respectful of the city's built environment, by promising to, among other things:

“Preserve and enhance the character elements of existing neighborhoods...” in part by “maintain[ing] historic structures and elements to help conserve the unique aspects of the neighborhood, as well as the whole community.” - *PLAN 2040 Chapter 4 - Lawrence Neighborhoods & Housing, Goal 3 & 3.1*

“Identify, evaluate, designate, and preserve our community’s historic resources...” in part by “continu[ing] locating, surveying, and assessing historic resources throughout Douglas County and the City of Lawrence” and “evaluat[ing] all structures over 50 years old for their historic significance and educat[ing] owners on the ways such structures could be protected as a historic asset.” *PLAN 2040 Chapter 7 – Community Resources, Historic Resources , Goals 1 , 1.7 & 1.9.*

“Conserve and protect the visual context of historic resources,” in part by “encourag[ing] infill development that is compatible with historic patterns and styles” and by “maintain[ing] historic patterns and styles while accommodating accessory dwelling units in all Lawrence RS zoning districts.” *PLAN 2040 Chapter 7 – Community Resources, Historic Resources , Goals 2 , 2.1 & 2.2.*

LPA is not convinced that any of the City’s expressed commitments to historic preservation have been adequately considered and factored into the specific LDC provisions we identify above.

We also think that other important equity, affordability, and public policy considerations have been overlooked in the present version of the LDC draft.

- With regard to equity, the older neighborhoods where this policy is likely to have the most immediate impact are among the less affluent in the city. They are already among the most densely populated in the city, but are likely to suffer much more significant impacts than newer, wealthier, and much less dense areas, at least in the short term. Moreover, many of these older neighborhoods are much more economically diverse than many newer ones and may become less so if single-family affordable properties and affordable apartments in formerly single-family structures are replaced with “luxury” apartments in newly constructed units.
- Secondly, since no developer appears to be interested in constructing smaller, truly affordable single-family detached houses, every existing small single-family home that is demolished and converted either to a larger home or apartment unit reduces the total supply of affordable owner-occupied housing. Apart from

reducing the options available to first-time home buyers, diminishing the number of owner-residents weakens a neighborhood's fabric. There can be little argument that healthy communities benefit greatly from the long-term commitment to a neighborhood's quality of life that home ownership brings.

- Lastly, demolition of serviceable housing stock to make way for newer structures has undeniable adverse environmental impacts. Not only are potentially hazardous construction demolition wastes consigned to landfills, but the carbon emissions embodied in the construction and demolition of the old structure are then added to by the carbon emissions required to build the new one.

Our organization has no fundamental objection to the quest for increased density that lies at the heart of the LDC revisions. We have generally been pleased with much of what we have seen in earlier drafts, particularly the provisions about conforming infill development to existing neighborhood patterns. We do not believe that the drafters' revisions intentionally set out to enact powerful incentives to bulldoze historic structures out of a single-minded focus on increased density. But we do believe that they must more carefully balance the City's commitments to neighborhood and historic preservation with their desire for increased density before the final draft is ready to be submitted to the City Commission.

To that end, LPA urges that the Planning Commission and the City Commission seek the advice of the Historic Resources Commission about the appropriate weight to give to the City's PLAN 2040 preservation commitments in balancing the goals of increased density with historic and neighborhood conservation. Seeking input from the HRC is appropriate, inasmuch as the HRC is charged under the City's Historic Resources Code (Chapter 22) with:

“[t]estify[ing] before all boards and commissions, including the Governing Body, the Lawrence-Douglas County Planning Commission, or the Board of Zoning Appeals, on any matter affecting historically, culturally, or architecturally significant sites, structures, objects, and areas.” (Section 22-210 (b)(16))

and,

“[d]evelop[ing] and periodically review[ing] and propos[ing] amendments, if needed, to preservation components of the City’s comprehensive plan and recommend[ing] such amendments to the Governing Body and to the Lawrence-Douglas County Planning Commission.” (Section 22-210 (b)(17)

LPA believes that with further thought and an active effort to consider and ameliorate the negative impacts of the current proposal on historic and neighborhood conservation goals, an acceptable balance can be achieved that appropriately accommodates those goals as well as the important goal of promoting increased density.

Respectfully,

A handwritten signature in blue ink, appearing to read "M. Delaney", with a long horizontal flourish extending to the right.

Michael F. Delaney, President