



# Brook Creek Neighborhood Association

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Lawrence/Douglas County Planning Commission  
 Lawrence City Hall  
 6 East 6th St.  
 Lawrence KS 66044

June 24, 2019

Hello Commissioners:

Brook Creek Neighborhood Association and its members do not support the double density text amendment, TA-18-00467, that alters zoning so that two houses may be built on one lot in our neighborhood. Brook Creek Neighborhood’s mission, as well as our neighborhood plan, is to stabilize and maintain the quality of our neighborhood as a primarily single-dwelling residential neighborhood, among other goals.

Although we do support affordable housing as a universal good, the text amendment TA-18-00467 that was proposed by Tenants To Homeowners, Inc. (TTH), and is being championed by the Affordable Housing Advisory Board (AHAB), mainly benefits TTH assets and staff or any other private developer, and has negative consequences for virtually everyone else.

Brook Creek Neighborhood consists mostly of 5000 sq. ft. RS5 lots, many being sub-standard at 40 feet wide. Some areas are RS7, about half of which oddly are three trailer courts with very sub-standard lots of only 2250 sq. ft. As such, we currently are at an optimal density of roughly 8 units per acre. It is wholly misguided to target already dense single-dwelling neighborhoods such as ours for even greater density.

The logical candidates for increased density are the sparsely settled low-density neighborhoods – the RS10 and RS20 zoned areas of 4 units and 2 units per acre respectively. Besides which, unlike the RS10 or RS20 zoning districts where there are no, or virtually no, affordable units, Brook Creek Neighborhood already has an undue proportion of low-income housing. We call for equitable distribution of affordable housing in the RS10 and RS20 neighborhoods first, and a moratorium on affordable units in Brook Creek and similar neighborhoods.

20-1101(e) TABLE 2 Density Cap per Zoning District			
Comprehensive Plan Designation	Density Cap Horizon 2020 (du/acre)	Zoning District	Max. Density per Code (du/acre)
Very-low density: single dwelling	1	RS40	1.09
Low-density: single dwelling	2-6	RS20	2.18
		RS10	4.26
		RS7	6.22
Medium density: single dwelling	7-15	RS5	8.7
		RS3	14.52
		RS0	14.52
Medium density: multi dwelling	7-15	RM12,	12
		RM12D,	12
		RM15	15
High-density: multi-dwelling	16-21 du / acre	RM24,	24 du / acre
		RM32	32 du / acre

On 16 May 2018, at the Lawrence Association of Neighborhoods meeting, TTH Executive Director, Rebecca Buford made a pitch for an affordable density bonus. But she said contradictory things. She said (quote) “Chapel Hill NC has some sort of density bonus that allows it only in areas that lack affordable housing. We would love to build these on the west side”. Then she said “We’re not going to put a small bungalow next to a

\$1 Million house. We'll put it where it fits". The same dog whistle was uttered by Ron Gauches, AHAB Chair, on 10 June 2019 when he said "Let's put them where they fit" (1:08:15 time stamp of the meeting). This is not about fitting on a lot, rather it's fitting "those folks" where they belong. That's the worst kind of NIMBY-ism.

Single-dwelling homes in Brook Creek Neighborhood and other older east side neighborhoods tend to be affordable because they're typically small and on small lots. But a disproportionate amount of multi-dwelling units in Brook Creek Neighborhood are clusters of low-income houses, including: three mobile home parks of about 275 units, the 130 Housing Authority units at Edgewood Homes, a scattering of Habitat for Humanity homes, and 41 units by Tenants to Homeowners – 14 clustered at 15th and Prairie Ave., 15 clustered at Bullene and LaSalle St., 6 clustered on Laura St. (with 3 in the works), and plans to cluster 13 at Bullene and 19th St. When viewed at the city level, low-income housing is clustered on the east side. All the 106 TTH lots are east of Iowa St., and seven of the eight mobile home parks are east of Iowa St., six of them east of Massachusetts St.

It's been recognized for 46 years that clustering low-income houses is unwise and counter-productive. In the 1950s and 1960s, the Federal urban renewal program leveled inner-city areas and created ghettos of low-income housing. It was a disaster in terms of placing a stigma on the residents (whether Black or White), trapping them in poverty, inducing more crime and drug use, crippling their education, depressing nearby property values, and making the tenants a greater burden on society. Since the creation of the Section 8 Program in 1974, housing agencies have transitioned to scatter-site housing, including the Lawrence-Douglas County Housing Authority (LDCHA). Unfortunately, Edgewood Homes pre-dated this change, built in 1972.

In fact, Shannon Oury, the LDCHA rep to the AHAB said at their meeting on 10 June 2019 "We do not want to create areas of just low-income housing. All of the research rejects that model" (49:10 time stamp of the meeting). This reality was echoed by Erika Zimmerman, Habitat for Humanity rep, Dana Ortiz, Family Promise rep, Edith Guffey, the United Church of Christ rep, and others. Only Tenants To Homeowners persists in this discredited and harmful model of crowding low-income housing in clusters.

We ask the Planning Commission to entirely reject the double density text amendment TA-18-00467 as a wrong headed way to affordability. Tweaks won't turn a sow's ear into a silk purse.

Beyond the functional flaws of double density, the approval process being pushed to grant its use is alarmingly anti-democratic. In all land use procedures, the rights of the immediate property owners to a proposed change of use are paramount. The concerns of the surrounding neighborhood are similarly respected, with notification if nothing more. As the parties who would be most directly impacted by a land use change, the neighbors have a right of notification, a right of a public hearing, a right to a legal protest petition, and a right to sue.

AHAB Chair, Ron Gauches, said on 10 June 2019, he wants to "do something bold and aggressive", meaning to strip citizens of all the above mentioned rights. He continued: "In my mind that would be not requiring a Special Use Permit that puts so much control on these projects and where they occur" (1:09:19 time stamp of the meeting). At the end of a 10 minute monologue, he said why he would deny citizens their rights, saying "Where ever projects go, there will be neighbors that are opposed". To his way of thinking, the problem is not the defects of a project, but the ability to object by parties who suffer damages from the project.

We ask you to entirely reject TA-18-00467. Send the issue of affordability back to the AHAB with direction to investigate better ways to achieve affordability. We suggest the following better ways:

1. Have Lawrence adopt a \$15/hr. living wage ordinance.
2. Build Net-Zero energy houses that eliminate utility bills, one of the largest financial burdens.
3. Install split-minis for AC and heat, powered by solar electric panels.
4. Use home rule to institutionalize energy efficient mortgages that qualify for reduced interest rates.
5. Restructure the aberration of the Lawrence Community Land Trust (CLT) to align itself with the original and true model of a CLT, in which the property purchasers are equal members who hold shares in ownership of the underlying land, the real property.

For the Board of Directors,  
Michael Almon, Vice President