



City of Lawrence

CITY COMMISSION

MAYOR
ARON E. CROMWELL

COMMISSIONERS
ROBERT J. SCHUMM
MICHAEL DEVER
HUGH CARTER
MIKE AMYX

• DAVID L. CORLISS
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January 24, 2012

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Cromwell presiding and members Amyx, Carter, Dever and Schumm present.

A. RECOGNITION/PROCLAMATION/PRESENTATION

1. Proclaimed the month of February 2012 as Career and Technical Education Month.
2. Recognized the 25th Anniversary of the Lawrence Association of Neighborhoods.

B. CONSENT AGENDA

It was moved by Schumm, seconded by Amyx, to approve the consent agenda as below. Motion carried unanimously.

1. Approved City Commission meeting minutes from 1/10/12.
2. Received minutes from various boards and commissions:
Homeless Issues Advisory Committee meeting of 12/13/11
Community Development Advisory Committee meeting of 12/08/11
Sign Code Board of Appeals meeting of 11/03/11
Board of Zoning Appeals meeting of 12/01/11
Lawrence-Douglas County Bicycle Advisory Committee meeting of 12/06/11
3. Approved claims to 224 vendors in the amount of \$1,249,994.68.
4. Approved licenses as recommended by the City Clerk's Office.

Drinking Establishment License for Margaritas, 815 New Hampshire and Sidewalk Dining & Hospitality License for Pachamama's, 800 New Hampshire.
5. Approved appointment of James Minor (766.1483) to the Community Development Advisory Committee to a term that expires 09/30/14; Bernie Kish to the Convention & Visitors Bureau Advisory Board to a term that expires 07/01/14 and Derek Felch to a term that expires 07/01/15; Reappointed Tracy Green (843.5277) and Jay Zimmerschied



(785.235.0012) to the Fire Code Board of Appeals to additional terms that expire 01/31/15; and Larry McElwain (843.1120) to the Lawrence Citizen Advisory Board to an additional term that expires 03/01/15.

6. Bid and purchase items:

- a) Awarded Bid No. B1157 for the Lawrence Custodial Contract to ISS Facility Services in the amount of \$101,071.56 for the term of one year with the option to extend annually, by mutual agreement, between both the City and the contractor.
 - b) Authorized the City Manager to Execute an Engineering Services Agreement with Black & Veatch in the amount of \$246,354.00 for a Pre-design Study for Project UT1102KA Kaw WTP Raw Water Intake.
 - c) Approved the purchase of laboratory cabinets for the clean laboratory at the Clinton Water Treatment Plant off the VWR NASPO state contract for \$31,500.
7. Approved Special Event Permits, SE-1-1-12, requested for seasonal garden sales at 2300 Louisiana Street from May 27th through June 30th, 2012. (Four administrative permits have been approved for this property for April 1st through May 26th.) Submitted by Kaw Valley Greenhouses, Inc. for 2300 Louisiana Co, LLC, property owner of record.
8. Approved selection and authorized staff to negotiate a scope of services with the team of Urban Development Services and Anne Benson McGlone LLC for the Oread Neighborhood Design Guidelines.
9. Authorized the City Manager to negotiate with Wilson-Estes Police Architects/Treanor Architects concerning the scope of services and price for a Facility Needs Assessment for the Lawrence Police Department.
10. Authorized staff to request proposals from design/build firms to make needed repairs and improvements to the Centennial Skate Park.
11. Received request from the Lawrence Arts Center, Inc., requesting a renewal of the lease of the Lawrence Arts Center Facility, located at 940 New Hampshire; referred to staff for report.

C. CITY MANAGER'S REPORT:

David Corliss, City Manager, presented the City Manager's Report regarding the following: a 2011 Residential Lot Inventory; a public meeting to discuss the possibility of relocating the Transit office to the Santa Fe Depot; the City's participating in the WorkWell, KS Program; and, an inventory of city owned properties.

Carter said regarding the inventory of City owned properties, he asked about the individual listings and if those listings were not contiguous.

Corliss said that was correct, and one part could actually have numerous parcels as designated by the County.

D. REGULAR AGENDA ITEMS:

1. Consider renaming portion of 11th Street, Mississippi to Missouri, to Fambrough Drive.

Chuck Soules, Director of Public Works, presented the staff report.

Cromwell asked what the costs would be.

Soules said a couple hundred dollars, nothing significant.

Amyx asked about emergency services, if they had concerns.

Corliss said they did not.

Mayor Cromwell called for public comment.

Robert Lewis said the proposal was ridiculous because such short lengths of street had different names. He said it was confusing. It was no wonder corporate America bypassed Lawrence when looking for sites.

Judy Malone said she was a proponent of renaming the street. She said Don Fambrough was a strong proponent of the community as a citizen, volunteer and fundraiser. He had been a strong proponent of Visiting Nurses.

David Lawrence said Fambrough had been a part of the community since 1945. His love for Lawrence sometimes defied logic. He came to Lawrence from Texas after the war and decided this was where he wanted to be. He served in numerous capacities. Fambrough had spoken to numerous groups without compensation. He had several opportunities after being named coach of the year on two occasions but never considered leaving. Fambrough's wife had been a great teacher in Lawrence. He thought this was a perfect way to honor the man.

Janet Campbell, Audio Reader and KPR, said it was confusing to give directions and find their studio as it is. She strongly opposed the change. 11th Street would change names three times in 8 blocks if this proposal went through. It would be difficult to give people directions, perspective volunteers and other visitors. She encouraged the commission to find other ways to honor Coach Fambrough.

Hank Booth said he thought if we took a vote in Lawrence we would find support for this proposal. He suggested that naming this street also was an honor for his beloved wife, for many years a tough dedicated teacher at Lawrence High School.

Joe Flannery said Don Fambrough had as much positive influence on his life as anyone. No matter what happened, his love for Lawrence and the university never wavered. If you approved this street name change you would also honor his wife and make thousands of people proud when they saw the sign. Regarding Janet's comments, he thought 11th would still remain 11th Street and wouldn't be that confusing. He hoped the commission would support this.

Frank Baron said he taught at KU. They had a research institute and library next to KPR and audio reader and they had the same issues. It was a question of principle and there must be other ways to honor people as important as Fambrough. It was also a practical issue of giving directions and navigational purposes and the usefulness of the numerical street designations.

A woman said she wondered if there was another way to honor Fambrough. A sign at the stadium entrance at Fambrough Way may be better and wouldn't confuse future generations.

Walt Houk said this was a great way to honor Fambrough. Do we want to name a street after someone then hide it? Wouldn't it be great for people to ask about Fambrough and learn who he was. He said the directions would be plugged into GPS systems and maps and many people would see the Fambrough name. He said he had

known Fambrough for 50 years. He said he handled all the travel for the football team in Fambrough's days as assistant and coach. He had never seen Fambrough react in a way that was disrespectful to anyone. If we can't honor this man, there isn't a man alive worth honoring. Wouldn't it be fun for people to ask why the street was named after Fambrough.

Marci Francisco said this was a better proposal than renaming Missouri Street. She hoped you might consider keeping the last block as you meet Mississippi as 11th Street. The most confusing location would be at 11th and Mississippi.

Carter said Sue Hack had called him and said that David Lawrence might be calling him about doing something to honor Coach Fambrough. He says he would have been happy to run with the idea, but he had also met Don as part of the 3D event. He said his son has also got to know Don as well. Don was a great guy and very helpful. As others mentioned, he had been fired twice and stayed and he was an ambassador for Lawrence. He said the university had already set in motion to rename a street into the stadium as Fambrough Way. He thought it was best to collaborate and dedicate both streets at the same time during the Spring Game. He said he appreciated staff's ideas about where to do this to make it easier on people. He said he had faith that the future generations would be less confused than we are and would find their way.

Schumm asked if it was possible to put the name Don Fambrough Drive underneath the 11th Street sign.

Soules said it was possible and just a matter of the size of the sign. It could be done.

Schumm said it seemed like for the people operating their institutions that might be easier.

Amyx asked if that would be permanent or temporary.

Schumm said permanent.

Carter asked if he meant at 11th and Missouri or at each intersection.

Schumm said at each intersection.

Cromwell said the street wasn't straight either, which is why the street name changed a few times unlike other numbered streets. This section isn't in line with 11th Street.

Amyx said a few years ago there had been a development proposal at that corner and lots of things were happening there. He personally believed that the change should happen. He thought a marker at 11th and Mississippi to alleviate confusion would be a help.

Carter said he agreed.

Cromwell said when you looked at the map it was important to realize this is a couple blocks next to the biggest landmark in town. 11th Street does not go through to the east or west without a jog, and no one addressed off this section of 11th. He appreciated that it was hard to give directions over there and it was largely an issue of topography. He didn't have an issue with the renaming of the street and thought this was one of the least confusing to rename.

Corliss said we would need to be working on the signage anyway with the University. The other thing to keep in mind that the precedent of dual naming is not unheard of and we have that situation in some areas. If the commission adopts the ordinance tonight staff will work on a design solution that will work with what KU is doing and try to find ways to include 11th Street on one or all of the signs.

Carter said just to be clear, it was Fambrough Drive.

Moved by Carter, seconded by Amyx, to adopt Ordinance No. 8695 on first reading and direct staff to work on sign designs that incorporate 11th Street. Motion carried unanimously.

2. **Consider a request to establish No Parking along the north side of 12th Street between Indiana Street and Mississippi Street. (TSC Item 3; approved 5-3 on 11/7/11).**

David Woosley, Transportation/Traffic Engineer, presented the staff report.

Cromwell asked about the opinions from Fire Medical.

Woosley said if they have to get through the area they have to go through only on the south side. If there was a fire on the middle of the block it may be difficult to reach over parked vehicles to reach the structures.

Schumm asked about the width of the street.

Woosley said there was only about 9 feet for vehicles to get through when vehicles were parked.

Mayor Cromwell called for public comment.

Diane Robinson said she was the one who brought up the concern when her son moved in. Numerous people had their mirrors knocked off. Many people parked more than 12 inches from the curb. When she started this issue everyone said the street was a nightmare. Plows had to back down, trash trucks had to back down. The Fire Medical Department had been supportive and said they would not be able to reach the structures with a ladder from the far side of the street. She thought just because it had always been like that didn't make it right. She understood parking was an issue. It had been a hassle, people couldn't turn around and people were parking into the intersection and no parking areas. It was her wish that the city go along with the TSC and Fire Chief. It made sense some day to just remove the median. Safety had to out weigh six parking spaces. If no one monitors the area people will continue to park there unless good notice goes out.

Carol Von Tersch said she had lived on the block for 30 years and had never ever been unable to get down the street and no one had been sideswiped until this year. The issue was coming up now because the 5 young men living in the house at the bottom were inconvenienced. The only people in support at the TSC meeting had been

the requestors and the fire chief. She said she had parking in her driveway but parking could be a problem for visitors. She said she could go either way on the issue.

Schumm asked if there was no parking on the south side.

Von Tersch said that was correct, so fire vehicles could come down that side. She said her neighbors had a fire years ago and the truck stayed in the intersection. She had ambulances visit her property numerous times and she assumed that was why there was no parking on the south side.

Schumm asked which house had no parking.

Von Tersch said the triplex to the west, which had three parking spaces in front of it. Since the hotel was built they didn't have the student traffic but they had hotel employees and that had been an aggravation to some people. She said she could go either way with it because she had 4 parking spaces and it wouldn't affect her, but she was sensitive to the needs of others.

Schumm asked about the median, if you could pass through it in the middle.

Woosley said about halfway through there is a break where you can make the turn depending on the size of the vehicle.

Cromwell asked what the reason for the median was.

Woosley said it had always been there and it had historic value.

Amyx said he had been through there on Sunday and it was pretty tight. The big thing here was that the center median was wide enough that it concerned him regarding emergency services, especially fire trucks. He asked Von Tersch if fire trucks had always come down the south side.

Von Tersch said not fire trucks, but ambulances had. The north side seems real narrow to people that don't come there all the time. She said her daughters and grandsons come down there with big pickups and had not ever been able to come

through. She said she knew it would have a marked effect on the property that had no parking.

Carter said if it is just a safety issue it would be a no brainer to him. He didn't really understand the vote of the TSC because the "no" votes didn't necessarily say anything about safety. The fire chief and others had said it was a safety issue and as long as the median was there he thought he would have to support that.

Schumm said if on-street parking created a safety issue here it would create an issue all over the place.

Amyx said in this case there was also the center median. The real thing is whether the safety issues take precedence over everything else. It's amazing that we are talking about the need for more parking in Oread and here we are talking about taking it away.

Dever asked when we prohibited parking on the south side.

Von Tersch said the request went to the city after she bought the house 30 years ago, because of the emergency vehicles.

Dever said it was a landowner's request because of safety.

Amyx said at that time we had the same median and cul-de-sac and at that time we wouldn't have been able to get anything down there.

Moved by Schumm, seconded by Carter, to approve request to establish No Parking along the north side of 12th Street between Indiana Street and Mississippi Street. Motion carried unanimously.

3. **Consider land use information related to recently adopted code amendments (TA-6-17-09) for Congregate Living and Multi-Dwelling Structures. (Requested by City Commission at their July 12, 2011 regular meeting and considered at their October 4, 2011 meeting and returned to Planning Commission. Considered by the Planning Commission at their November 14, 2011 meeting.) This item was continued from the 01/17/12 City Commission Meeting. Additional information will be posted before the meeting.**

Scott McCullough, Director of Planning/Development Services, presented the staff report.

Cromwell said this answered the outstanding question from last time.

Amyx said because this amendment would affect the entire community, he asked if we knew of other areas that would be affected.

McCullough said they didn't know of specific parcels outside of the Oread neighborhood but there could be others where it would have an impact.

Amyx said we didn't know where there might be a large impact.

McCullough said it had not been an issue in other areas.

Amyx asked what happens to other properties if this was adopted.

McCullough said as this amendment would be applied City wide, if the area met the criteria for structure size and lot size then the area would be eligible to receive the reduced parking standard as well. If this text amendment was initiated staff would attempt to do a similar exercise in other areas of pockets of RM zoned property in bringing it forward with the text amendment

Schumm said he thought this was exactly what we had in mind. It was a clarification to make sure we understood what was included and what was not.

Amyx said as we look at the Oread Plan and overlays, what would happen as we set up these districts in reference to boarding houses.

McCullough said there would certainly be a component of the design guideline planning exercise and there might be even more specific standards related to how properties converted to a congregate living facility. It might be additional restrictions on the number of bedrooms on the addition size related to parking or it might open up and make some areas of Oread more flexible than what the current code was. The intent of the overlay districts was that they were intended to be very specific to the area set of zoning guidelines and standards that were meant to address very specific context

issues. It would likely have an affect on this amendment as it went through. At the end of the day it might be that a completely different set of standards affected boarding houses in the Oread district.

Carter said as the overlay districts were beginning to be planned that was when they could take a good look with the neighborhood's input as well as investment community's input as far as what really made more sense for the neighborhood because they were looking at quality of life issues as well. There were blocks that might not have the right larger home on that particular block that made sense for another boarding house and the overlay district would supersede.

Amyx said the Text Amendment tonight would just give us a holding time until the overlay districts were established?

McCullough said it would either give staff time to hold it or would end up being the preferred choice as the overlay districts were established and the base zoning standards were accepted and adopted as such.

Cromwell said he guessed they would establish some amount of precedent and would carry some weight with the overlay district, but hopefully the overlay district would have broader scope. He said they could take a look at the entire neighborhood and the effects of any type of boarding house and parking issues.

Amyx said this item would go before planning commission in March and before the City Commission in April as well as the overlay districts in the fall.

McCullough said yes.

Cromwell said we are talking about having a few months in effect.

Amyx said potentially there was a chance depending on the time that this Commission might not decide that issue.

Carter said that would be the first time the overlays came to the City Commission in the fall which was the big project.

Moved by Schumm, seconded by Carter, to initiate a text amendment to the Land Development Code to revise the minimum amount of area of a structure needed to be eligible for a .5 parking space per bedroom standard from 3,500 square feet to 4,500 square feet. For purposes of calculating the structure's area the following shall be considered to be included and in existence at the time of making application for use of the parking standard:

- Living Area, including attic space that is accessed by a permanent stairway.
- Total Basement Area, finished or unfinished and at least 6'-6" in height.
- Enclosed Space, Not Living Area, i.e. enclosed porches, sunrooms, and breezeways that are seasonal in nature and that may or may not be connected to the structure's HVAC system.

Motion carried 4-1 with Dever in the negative.

E. PUBLIC COMMENT:

None.

F. FUTURE AGENDA ITEMS:

David Corliss, City Manager, outlined potential future agenda items.

G: COMMISSION ITEMS:

None.

H: CALENDAR:

David Corliss, City Manager, reviewed calendar items

Carter asked if we had the Youth of the Year on the calendar.

Corliss said we would get that on.

Carter said he would send the information.

I: CURRENT VACANCIES – BOARDS/COMMISSIONS:

Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

Moved by Schumm, seconded by Carter, to adjourn at 7:59 p.m. Motion carried unanimously.

APPROVED:

Aron E. Cromwell, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk