



# City of Lawrence

## CITY MANAGER'S OFFICE

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INTERIM CITY MANAGER

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CITY COMMISSION

MAYOR  
MIKE AMYX

COMMISSIONERS  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN

October 20, 2015

The Board of Commissioners of the City of Lawrence met in regular session at 5:45 p.m., in the City Commission Chambers in City Hall with Mayor Amyx presiding and Commissioners Boley, Herbert, Larsen and Vice Mayor Soden present.

**A. RECOGNITION/PROCLAMATION/PRESENTATION: None**

**B. CONSENT AGENDA**

**It was moved by Commissioner Boley, seconded by Vice Mayor Soden, to approve the consent agenda as below. Motion carried unanimously.**

1. Approve City Commission meeting minutes from 06/16/15.
2. Receive minutes from various boards and commissions:  
  - Mechanical Board of Appeals meeting of 08/27/15
3. Approve claims to 254 vendors in the amount of \$2,208,083.40.
4. Approve licenses as recommended by the City Clerk's Office.

**Drinking Establishment**

**Expiration**

Port Fonda  
Port Fonda LK LLC  
900 New Hampshire Suite B

New License

Jade Garden Restaurant  
Jade Garden Restaurant Inc  
1410 Kasold Dr.

October 11, 2015

Club Liberty  
Liberty Hall Inc.  
642 Massachusetts St.

November 7, 2015

5. Approve appointments as recommended by the Mayor.

**Board of Zoning Appeals/Sign Code Board of Appeals:**

Reappoint Joshua Mahoney (766.2082) to a position that would expire 09/30/18.

**KU Central District Committee:**



Appoint Megan Bost, Chuck Soules, Scott McCullough, Bob Nugent, and Commissioner Stuart Boley. The University of Kansas requested appointments from the City related to its Central District Plan in concurrence with the City's agreement with KU regarding development on the edge of campus

6. Bid and purchase items:
  - a) Award City Bid No.B1544, Project No.PW1504 City Hall HVAC and Digital control upgrade to, Johnson Controls Inc., in the total amount of \$276,275.00. For the Base Bid, Alternate 1, Alternate 2 and Alternate 3.
  - b) Approve a change order for the 2015 KLINK Project No. PW1501 - Iowa Street milling and overlay between 23<sup>rd</sup> Street and Irving Hill Road bridge and Harvard Road to south of 6<sup>th</sup> Street - of \$44,910.03, as well as \$200,000 for the matching funds portion from the Kansas Department of Transportation (KDOT) from the Infrastructure Sales Tax fund, which will be reimbursed by KDOT in 2016.
7. Approve a Special Event Permit, SE-15-00475, for an indoor arts and crafts Holiday Extravaganza sponsored by the City of Lawrence Parks & Recreation Department on December 6, 2015 from 9:00 am to 4:00 pm. Submitted by the City of Lawrence Parks & Recreation Department on behalf of the City of Lawrence, property owner of record.
8. **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Approve a Special Use Permit, SUP-15-00334, for an *Active Recreation* use, an indoor/outdoor KU Tennis Facility, at Rock Chalk Park, located at 6100 Rock Chalk Drive (associated with 100 Rock Chalk Lane). Submitted by Paul Werner Architects, for RCP LLC (City of Lawrence equitable owner, IRB), property owner of record. Adopt on first reading, Ordinance No. 9162, for a Special Use Permit (SUP-15-00334) for an *Active Recreation* use, an indoor/outdoor KU Tennis Facility, at Rock Chalk Park, located at 6100 Rock Chalk Drive (associated with 100 Rock Chalk Lane). (PC Item 1; approved 9-0 on 9-21-15)
9. Authorize the Mayor to sign the joint City/County correspondence with respect to the expansion of the western leg of K-10.
10. **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Authorize staff to apply for a LiveWell Community Wellness Grant to install 74 additional bicycle parking spaces downtown: 30 spaces of on street bicycle parking spaces in bike corrals replacing 2 on street parking spaces and 44 spaces at inverted U racks on existing pavement on the perimeter of the sidewalk.
11. **REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.** Authorize staff to apply for a LiveWell Community Wellness Grant to install four (4) bike repair stands at the Burroughs Creek Trail parking on 15<sup>th</sup> Street (near playground), the North Lawrence Levy Trail Head Parking Lot, Rotary Arboretum - Trail parking for SLT, and on the Library Plaza (near garage).
12. Authorize the Interim City Manager to execute a License Agreement permitting USD 497, for the safety of its students and others using the 6th Street tunnel, to purchase a surveillance camera for City installation in the 6th Street tunnel.

13. Authorize the City Manager to execute the necessary agreements with Sun Life Financial and the Hays Coop to provide stop-loss coverage at the current levels for the City's Employee Healthcare Plan for 2016 in the amount of \$944,471 and Cigna for interface fees in the amount of \$15,426, as recommended.
14. Authorize the Mayor to sign Subordination Agreement for Tricia Prohaska, 1230 Laura Avenue.

Commissioner Herbert removed consent agenda item no. 8 for separate discussion.

Commissioner Herbert:

In reviewing the site plan and the lighting and in speaking with some neighbors that will be affected by that, I think it would be reasonable for us to not only move towards placing light hoods on all exterior lighting, as part of that facility, but also to look towards the 12 inch light hoods as opposed to the 10 inch which will provide much better protection. If you had a chance to tour any of the homes out in that area, just the existing lights out at Rock Chalk, put out a tremendous amount of light that's impacting neighbors whose homes have been there long before Rock Chalk was ever constructed and so you know, what's right for one is right for all. I think it's reasonable that we work with the neighbors out there and make sure that we mitigate the light as much as possible and to do that I'd recommend amending this to read, all exterior lighting for the tennis court will have 12 inch hoods placed upon it.

Mayor Amyx:

I had the opportunity to visit with Scott today about the lighting plan and you and I talked about if there was going to be a change in the requirement of those hoods or whatever we call them, now is the time that we want to do that and looking at the development of the homes that are already there, I think that we need to take into consideration the property to the south that is undeveloped as of yet. It's going to have commercial and maybe hotels or whatever, in that area also. I think if we're going to do anything we ought to consider doing it tonight, the requirement. As I understand the plan that we have now, two of the lights have the 12 inch hood and the rest of them have the 10.

Scott McCullough:  
Planning & Development  
Services Director

Correct.

Mayor Amyx:

So if we want to make the requirement that all of them would have the 12, then this is the time.

Scott McCullough:  
Planning & Development  
Services Director

It's much easier to do it while their designing the court lights then to retro-fit them later if it's found to be an impact later.

Mayor Amyx: Other questions or comments from the Commissioners? I know Mr. Warner you're here. Do you have comment for anything at this time on it?

Paul Warner: Mayor, I got to live through a pretty long lighting discussion a couple of years ago and it's hard to believe, I think we started this 4 years ago. There is a lighting company that points out that after 500 feet. The reality is that the 10 inch to the 12 inch shield really makes zero difference. I understand your concern. I understand your comments. If you require it, we can obviously do it. It's not that many lamps. If that's your wish, but the reality is, it's a light on the highway. I mean after 500 feet you just see the glare and the glare is very hard to read. That's the thought, but if that's the concern, we can certainly do it.

Mayor Amyx: Okay. Thank you.

Commissioner Herbert: Paul, so what would your solution be for mitigating the light that's reaching the neighbor's homes?

Paul Werner: Well, I've only heard from one neighbor. I mean there's only one neighbor that actually showed up for the last meeting. Planning Commission, it could have gone either way. There's a long list of things that we have done that mitigated this facility. I'm the first to admit, and I said it the other night, maybe Jack Graham has a bigger issue with the existing tennis court lights, but he probably does. They're 1500 feet closer to his house. So the point about this facility was, the tennis courts are 4 feet lower. Right or wrong, the tennis building almost 60 feet tall so I think we've made the right decision on the height of the light poles so it really does shield it, the buildings to the north of the exterior tennis court. All of those things take into consideration and a half mile away. I really don't think this one is the issue. Now, maybe we're being penalized for the tennis courts that are closer to his house. I understand that. If these need the next series lights, the assumption is there that better because the shields are two inches longer. I know we talked about it in the Planning Commission is the reality is if you're staring square into that light, it doesn't matter how long that shield is, you still see the lamp, but maybe this is one. Let's see if they're better, if that's their wish. If KU want to move their tennis facility there, you know, a half a million people are ecstatic about Rock Chalk Park. I like the think we're all just really happy on how things have turned out and if this helps mitigate some issues, you know, let's do it. We're out there all the time, out there 3 days a week. It is not that big a deal, but I do want to emphasis that taking the lighting companies word for it, the reality is, there probably isn't any change or any difference in either of the lamps.

Mayor Amyx: This is like my 3rd lighting project.

Paul Werner: I know.

Mayor Amyx: I've looked at lighting tennis courts, Centennial School and Rock Chalk Park and now we're back again. If I'm going to err this time Paul, I'm going to err on 12 inch hoods. Anyway, other questions of Paul. Public comment on this item? Okay, back to the Commission then. So then your recommendation, if I understand this would be, to approve and with the change of all lights, all outdoor lights at the tennis facility would have the 12 inch hood versus the 10 inch. What did we call it? The gold series.

Commissioner Herbert: It's not that big of deal to do, we might as well try it. I think that facility certainly serves its purpose and a lot of people are excited about it. Let's just make sure that the facility is being...good fences make good neighbors. In this case, good light hoods will make good neighbors.

Mayor Amyx: In looking at the landscaping and realizing these poles are still up there and those trees are going to take a while to block. Here again, if I'm going to err, we're going to cut them down a little bit, okay? Do we have to have specific language or just the 12 inch hood from the gold series?

Scott McCullough:  
Planning & Development  
Services Director We'll revise the ordinance for 2nd reading to include this condition assuming it gets approve.

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to approve a Special Use Permit, SUP-15-00334, for an *Active Recreation* use, an indoor/outdoor KU Tennis Facility, at Rock Chalk Park, located at 6100 Rock Chalk Drive (associated with 100 Rock Chalk Lane) Submitted by Paul Werner Architects, for RCP LLC (City of Lawrence equitable owner, IRB), property owner of record. Adopt on first reading, Ordinance No. 9162, for a Special Use Permit (SUP-15-00334) for an *Active Recreation* use, an indoor/outdoor KU Tennis Facility, at Rock Chalk Park, located at 6100 Rock Chalk Drive (associated with 100 Rock Chalk Lane) with the condition that all lights at the tennis facility would be installed with 12 inch Gold Series hoods. (PC Item 1; approved 9-0 on 9-21-15). Motion carried unanimously.

Commissioner Boley removed from the consent agenda, for a separate vote, consent agenda item no. 10, authorizing staff to apply for a LiveWell Community Wellness Grant to install 74 additional bicycle parking spaces downtown: 30 spaces of on street bicycle parking spaces in bike corrals replacing 2 on street parking spaces and 44 spaces at inverted U racks on existing pavement on the perimeter of the sidewalk; and, consent agenda item no. 11, authorizing staff to apply for a LiveWell Community Wellness Grant to install 74 additional bicycle parking spaces downtown: 30 spaces of on street bicycle parking spaces in bike corrals replacing 2 on street parking spaces and 44 spaces at inverted U racks on existing pavement on the perimeter of the sidewalk, due to a possible appearance of conflict of interest.

Mayor Amyx: Any public comment on these items.

Lisa Hallberg:  
Lawrence-Douglas County  
Bicycle Advisory Committee

I just want to speak in favor of this proposal. I think that Lawrence has made many investments and commitments towards building a healthy and inviting community and good bicycling infrastructure is part of that vision. Bicycling is not just a sport or an exercise activity, but it is a safe and effective and particularly, cost effective means of transportation and Lawrence needs to live up to its commitment to provide infrastructure that supports bicycling, in addition to auto traffic. I just want to give you a couple a numbers that reflect how it saved me money to be able to bicycle and to have infrastructure, downtown particularly that is supportive of bicycling. I appreciate that a lot of people feel like were taking something away, by taking a few parking spaces away or spending or even applying for grant money to get additional bicycle parking. Even though it seems like it's only few cyclist, even someone who is just like me, save so much money by not having to drive, by being able to make that choice and in terms of dollar amounts, I have literally saved hundreds of dollars not paying for gas and not having to buy new car every few years, not having to pay for parking at KU or parking downtown. It makes me a healthy active member of the community. It makes me spend money eating at restaurants downtown because I've burned off some of those calories and not to mention the fact that I'm not using a parking space. I'm not putting wear and tear on the road infrastructure. This is a good investment for Lawrence to make and I do hope that you will continue to support infrastructure improvements. Thank you very much.

Michael Almon:  
Sustainability Action Network,

We submitted a letter this afternoon, posted to the agenda and I just wanted to make sure you all saw that, first of all. Secondly, I wanted to give our absolute support to both of these agenda items, but when our letter is focused on is sustainable funding mechanism. Additional bicycle parking certainly means to sustainability actions goal of reducing fossil fuel use, encouraging bicycle use, bicycle transportation and reducing motor vehicle use as well as alleviating auto parking pressure downtown. We supply information to staff and the Bicycle Advisory Committee on several occasions, but much of the details didn't get into the staff report so that's what the letter reflects. What we would like to see is for the benefit of pretty much everybody that Lawrence follows a model that's being done in many, many other cities as far as funding bicycle corrals. The merchant initiates a request for a bicycle corral in front of their business and we do that because they see a benefit to their business of increased sales. They seem to think that a bicycle clientele would appreciate it and come to their business more. So anyway, that's why a business might choose it. As a result, you're not going to get a business complaining and resisting it if you put a bicycle corral in front of

the business because they asked for it. After they've requested it then public works will review an application. Some cities do a public hearing. That's a choice that we can make. Then if it's approved then the City provides the parking rack, provides the permits, the signs, the delineator posts, everything for typically in most instances and I've seen around \$3,000 that was invoiced to the merchant. The City doesn't pay, the merchant pays. In addition to that, the merchant agrees to maintain it from debris and snow so it's no problem for City crews and potentially, just like sidewalk dining, you could actually charge a fee, a per square foot fee to the merchant. This is somewhat comparable to the parking meters for automobiles. Parking meters generally fees, pay for the parking facilities downtown. Well this will generate bicycle parking fees. So it's a way that these grants are a great short-time solution. This kind of funding mechanism would be a long term solution that pretty much is a win/win. So that's basically what I wanted you to be aware of. At the end I request that you have staff investigate as a funding mechanism, for long-term use, and maybe report back for your consideration. That's something we'd like to do. Thank you.

Mayor Amyx:

Thank you. Other public comment?

Jacki Becker

I am a long time small business owner in downtown Lawrence. I live on the east side and I ride bike. I'm utterly thrilled and happy to be part of the bicycle advisory committee that has helped kind of research, trying to find additional parking for bicycles in downtown Lawrence and the area around it. Upon walking the streets, different times of the day, I would be checking alleys and other streets and sidewalks and I really feel very strongly that it would be really great for the City of Lawrence take on this project initially right now through a grant to see if it actually works. I'm pretty sure, it probably will, but I think it's really important for the City to embrace this first before we potentially start looking to local businesses to request and then cover the cost of having these bike spaces. Sometimes the issues you might have with it are like having a wonderful bike rack over there, but it's also not the safest of bike racks at night. I think that research has been done by the City and by those of us on the BAC to find places that bike racks can go that potentially are dangerous places for cars to actually be a part of that might create blind spots, like the alley at 9<sup>th</sup> and Massachusetts. The one parking space we're talking on Mass Street, that was kind of a difficult one to pull in and back out from which would be great for bicycles instead and obviously, by the Library we realized they put a bunch of spaces up and then put the little places for you to park your bike and people aren't using them in their sort of in the grass. These three suggestions that were looking at now for adding more bike racks to the City, definitely think will add to downtown and will

add to people coming downtown, spending money, being active and less cars on the street. I really hope we move forward with this and say “yes.”

Mayor Amyx: Any other comment on this item? Okay, back to the Commission.

Vice Mayor Soden: Sounds like a good idea to me

Mayor Amyx: The Sustainability Network, do we want to have staff look at that any further?

Vice Mayor Soden: Before this grant, or just in general

Mayor Amyx: No, just a separate item.

Commissioner Larsen: I think it would be a good idea.

Mayor Amyx: I got to tell you Michael, it would be a hard application for me to make, but that’s another story. Diane, if you would, have staff look into the request of the Sustainability Action Network and let us know

Diane Stoddard: We’ll also pass that on to the Bicycle Pedestrian Task Force, I think their talking about similar issues.  
Interim City Manager

Commissioner Amyx: Good idea.

**Moved by Vice Mayor Soden, seconded by Commissioner Herbert,** to authorize staff to apply for a LiveWell Community Wellness Grant to install 74 additional bicycle parking spaces downtown: 30 spaces of on street bicycle parking spaces in bike corrals replacing 2 on street parking spaces and 44 spaces at inverted U racks on existing pavement on the perimeter of the sidewalk. Aye: Mayor Amyx, Commissioners Herbert and Larsen and Vice Mayor Soden. Nay: None. Abstain: Commissioner Boley. Motion carried.

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to authorize staff to apply for a LiveWell Community Wellness Grant to install four (4) bike repair stands at the Burroughs Creek Trail parking on 15<sup>th</sup> Street (near playground), the North Lawrence Levy Trail Head Parking Lot, Rotary Arboretum - Trail parking for SLT, and on the Library Plaza (near garage). Aye: Mayor Amyx, Commissioners Herbert and Larsen and Vice Mayor Soden. Nay: None. Abstain: Commissioner Boley. Motion carried.

### **C. CITY MANAGER’S REPORT:**

Diane Stoddard, Interim City Manager, presented the report regarding an update on various City/USD traffic related issues; recycling reports; fiber update; and, Santa Fe Station update regarding the land transaction.

Mayor Amyx: Diane, on the Santa Fe Station, we’re just slowing down, there’s no stopping?

Diane Stoddard: Yes. There have been some changes in some of the personnel



Interim City Manager

that we've been working with and I think that's maybe coming through a variety of departments. Obviously, the railroad is an extremely large organization and they have a variety of departments legal and environmental, permitting construction and a passenger rail and it has to really make its way through all of these different people. Unfortunately, I think it's got to make its way through all of that again. So that's really the issue. We believe that Amtrak is really on board with the project and that side is ready to proceed when the railroad gives us the green light.

Mayor Amyx:

I saw the article the other day and questions that come up about class. I know that you all are staying on top of everything that we do, in regards to that, but one of the things...Diane and I looked around on-line to see, we've got a heck of a program. We've got a program that we should always be pretty proud of and one that is very affordable. One of the things that, you know you look around and see that what other communities are paying for some of the service that we have, in solid waste, and recycling and stuff. We have a deal and I think that folks appreciate the fact that we do that. Are there going to be some bugs from time to time? Absolutely. The truth of the matter is, we got a great program and we need to say that pretty loud. I mean we've got one that's extremely affordable and the savings that we have of things not going to the landfill any longer. I mean it's incredible so I appreciate all the work that you and Chuck and everybody involve please pass along because Tammy, I see you back there. I just want you all to know, I appreciate the work that's done because that price tag on our service and the work that's done, it's pretty amazing.

Diane Stoddard:  
Interim City Manager

I appreciate you mentioning that Mayor. I echo those comments as well.

Mayor Amyx:

You can talk tons, but I mean when you look at the dollar amount that we do this service for, it's pretty amazing, so anyway, thank you very much for all of the hard work. Please pass along to the folks that are picking up every day, no matter what that weather is like. So anyway, thanks.

**D. PUBLIC COMMENT: None**

**E. REGULAR AGENDA ITEMS:**

1. **Consider adopting on second and final reading, Ordinance No. 9161, authorizing the issuance of \$12.5 million in Industrial Revenue Bonds for the Eldridge Hotel Expansion project.**

Diane Stoddard, Interim City Manager, introduced the item.

Mayor Amyx:

The memo that we got this afternoon, talking about anything that

was happening with the discussion that we had last week about the shoring of the wall and stuff.

Scott McCullough  
Planning & Development  
Services Director

We did receive an update that was progressive in a positive direction from all parties. I didn't expect it to be resolved tonight, but we do have the trigger of the building permit, per your direction last week.

Mayor Amyx:

Vice Mayor brought up a point, she wanted everybody to know yesterday that that had been tied to the building permit and not to the bonds per say, just so that everybody knows. Okay? Other questions of Diane or staff? Any public comment on this item? Okay, back to the Commission.

After receiving no public comment, **it was moved by Commissioner Boley, seconded by Commissioner Herbert**, to adopt on second and final reading, Ordinance No. 9161, authorizing the issuance by the City of Lawrence, Kansas of not-to-exceed \$12,500,000 aggregate principal amount of taxable industrial revenue bonds (Eldridge Hotel, LLC Project), Series 2015, to provide funds to acquire, construct and equip a project for Eldridge Hotel, and authorizing and approving certain documents and actions in connection with the issuance of said bonds. Aye: Mayor Amyx, Commissioners Herbert and Boley; Nay: Vice Mayor Soden and Commissioner Larsen. Motion carried.

2. **Receive the East Ninth Complete Street Concept Plan.**

Porter Arneill, Director of Arts and Culture, presented the staff report.

Mayor Amyx:

I got a question. Let's say when it's all said and done Porter, we said "okay, well, we want to build a brick street." Would we have that opportunity, being able to incorporate things we could do? I just want to know, we keep getting closer to a point here where we're going to be asked to go to design or engineering or whatever we call it here. At one point do we actually make decisions on what we see happen here?

Porter Arneill:  
Director of Arts & Culture

We, being the City Commission or the governing body.

Mayor Amyx:

The governing body, because we get asked that a lot. I want to clear that.

Porter Arneill:  
Director of Arts & Culture

I understand and it is this email. There're many approaches to design, the way to develop the design and this is the one that was developed through this contract. Basically, the final design development package that comes to you all would have been approved by the various entities, the Art Commission, East Lawrence Neighborhood Association, etc... So that would be a set of, basically, plans that outlines the scope and the full potential of the project that then engineers would have to work on to develop full blown construction documents before anything could actually be implemented. Does that make

sense?

Mayor Amyx: It does and I bring up brick streets because that was one of the things that were brought to me, you know, why can't we just build a brick street and so I use that as just something to bring up and then the Art Place Grant, \$500,000, so that everybody knows and is clear on this has got to be incorporated into this project, the East 9<sup>th</sup> Project, right? It's only for that project.

Porter Arneill:  
Director of Arts & Culture None of the art will be constructed until the overall project would be constructed. The art will be designed as part of that design package, but until construction actually moved forward, none of this stuff becomes bricks and mortar.

Mayor Amyx: Okay, just making sure everybody understands.

Porter Arneill:  
Director of Arts & Culture Yeah, it is confusing and it's been an iterative process and as you know, the Citizen Advisory Committee again meets October 28<sup>th</sup>, in a couple of weeks and it's been something of a delay with the City Commission circumstances, so it would be good to get back on track with that as well.

Mayor Amyx: Okay.

Diane Stoddard:  
Interim City Manager Mayor, I think also, additionally, at these points, if there are any concerns that the Commission has, related to an element of the design, this would be a good time to voice that otherwise, as Porter mentioned, there will certainly be that opportunity when that design development comes back as a next step, but I think these points are kind of opportunities for other input and as we been gathering that from other groups, so, if the Commission has any thoughts or direction on the project, I think now would be a good time to voice that as well.

Porter Arneill:  
Director of Arts & Culture As part of the agenda memo, I hope you all had seen that there is actually a document that outlines what has been presented to Josh, his concerns and ordinances already.

Commissioner Boley: I guess one question is if the bike lanes are going to be made out of these pavers?

Porter Arneill:  
Director of Arts & Culture At this point that's been proposed. Concrete pavers are one possibility, but again, what actually occurs from now, you know we've had a lot of feedback on that, there are some concerns. We know that some cities have implemented that so noting is written, forgive the pun, in stone or concrete at this point.

Mayor Amyx: Okay, anyone else? So the extended patios at the alley way, I think it is, at 9<sup>th</sup>.

Vice Mayor Soden: Can you pull it up on the big screen?

Mayor Amyx: Where we extended patios, I think at the Bourgeois Pig and the bike corral as something that is planned or suggested, there at east of 9<sup>th</sup> and Massachusetts Street.

Porter Arneill:  
Director of Arts & Culture What page are you on?

Mayor Amyx: I don't know.

Commissioner Larsen: 52

Mayor Amyx: How can you read that? Anyway, like in that area there, since I'm pretty familiar with as I walk it quite a bit. What happens to the sidewalk there?

Porter Arneill:  
Director of Arts & Culture I'm going to ask Josh. He knows the details here much better than I do at this point.

Josh Shelton  
el dorado inc. Lisa, I haven't had the chance to meet you so "hi." So within this proposal, we were proposing narrower lanes which ultimately provided a bit more room for sidewalk space so we were just simply suggesting rather than to park both sides, we were suggesting to think about balancing, in this case, parking one side of the street, parallel parking and extending patio for either bike coral or patio seating on the other. I've gotten on-going feedback about being fair and equitable to businesses and to not provide one business with more seating than another. I've also gotten feedback that we might want to consider changing the bike coral to the other side of the street as there's an existing taxi stand there. So those are examples of comments that are logged publically at this point within our list of considerations. So just to address those ideas that's what was being proposed as an idea. It kind of is at the epicenter of what the conversation of the project really has been about where we're balancing kind of the vehicular accommodations with kind of a more pedestrian kind of a presence on the street. So the give and take, for example, with parking and pedestrian activities is something that we're seeking the balance and this is very high level kind of concept plan that's going to flush out these comments. So moving forward we'd be very careful, diplomatic about how we would propose to implement the exact solution to that law.

Mayor Amyx: The only thing, like at that location, and I'm not picking on it, I don't see a sidewalk. So that's one of the things that concern me there a little bit.

Josh Shelton  
el dorado inc. I'm sorry, but you don't see a sidewalk?

Mayor Amyx: I see a bike coral and then an extended patio.

Josh Shelton  
el dorado inc. I think the idea is that the sidewalk would get larger to accommodate the bike coral, where the existing parallel parking is, is where the sidewalk would extend to accommodate more patio space than a bike coral.

Mayor Amyx: Okay.

Josh Shelton  
el dorado inc. But here again, I think these are all kind of an entrees, if you will, into a deeper conversation with City Engineering. I think it represents the whole series of what I have been referring to as “these neighborhood moments” and I think these have to be just right. There are many more conversations to have, in order to get this just right. I mean another example would be, I don’t think by any means we were suggesting a full blown “orchard” in front of Turnhalle, but it sparked a lot of conversations with Historic Resources and also with the City about maintenance with fruit trees in the public right-of-way is what we ultimately do. Fruit trees there, I don’t know at this point. We’d likely need to have much deeper conversations about whether that’s appropriate there or other places and if so, would it be with partnering organization that there doing public orchards already. So these are sort of concepts that we were throwing out there, some have been really well received, others have received some critical feedback, you just have to sort through those, but this list really does kind of outline the feedback we’ve gotten.

Mayor Amyx: Okay. Lisa, you’ve got a question?

Commissioner Larsen: On that same page, can you explain to me what landscape seeding means?

Josh Shelton  
el dorado inc. Oh, landscape seeding was just simply an idea that because at that location the grade is pretty intense. We were trying to think about how that could be a kind of social gathering area, given the mixed use entrepreneurial, kind of spirit, of that site that people could come out and have lunch, sit down, but I think there would be room to do two or three terraces and the idea would be integrating landscaping such as trees and bushes and that kind of stuff within kind of a terrace seating area. I’ve definitely gotten feedback that there’s concern that there’s kind of an artist that’s proposing a front porch for the neighborhood, right across from this landscape seating that there’s a stage a seating for some kind of venue. That’s not at all the intent and if that continued to be kind of a conflicting situation with people, we would just simply opt to not do that neighborhood. I think for us it was more realizing that there’s unique topography there and it adjoins kind of this dynamic collection of small business and a catering company and a Makers Space. We

just thought it would be interesting to have seating in the same way we were proposing something similar outside the church where there was what we were calling the stoop/ADA ramp, but it would be a similar idea to try to work in seating along the ADA ramp to negotiate the grade there and perhaps provide a place to sit, before and after service. Just trying to deal with topography in interesting ways.

Commissioner Larsen:

That would be in the easement area? Is that where it would be at?

Josh Shelton  
el dorado inc.

In that case it's within the right-of-way. It's within our 80 foot right-of-way. That's considered our project site. We would have to work around...you know, one of the things we concerned about as a design team is the entry into the parking lot right there is on a fairly steep grade. It's not the safest condition for pedestrians. So we were trying to think about how that could become more of a pedestrian occupied space and maybe route people to the parking lot on the site if it was more, other than having cars come down a steep grade, right to the sidewalk area there.

Vice Mayor Soden:

I'm concerned about the intimate gatherings that you have on here where the one in particular is Arch and John Naramore's building over at K.T.'s and so you would be extending into the street, narrowing the street and creating the bonus space which is what I think, I heard. Has anyone talked to Arch and John Naramore about how they feel about having gatherings and what is traditionally seen as private property?

Josh Shelton  
el dorado inc.

It's not private property. It's all within the right-of-way.

Vice Mayor Soden:

Right, but I mean that's why I say traditionally seen as private property because now you're having kind of a gathering on someone else's property, even though technically, it's the City's, it's the right-of-way, I get that. The question is have you talked to Arch and John Naramore, how they feel about that?

Josh Shelton  
el dorado inc.

I've talked at length with John Naramore about his properties and how we're handling that. I haven't talked with Arch in that particular case. I think if we pursued that, we would need to talk with Arch and K.T. about the appropriate way to engage that, but I would also say that to some extent, we also need to understand that it is public right-of-way and we're trying to do a pedestrian friendly streetscape so the perception of private space as a public space, I don't know where that starts and stops as far as a line of logic, but I do think in each one of these cases our intent would be to sit down and think through what's appropriate in terms of it's a place to sit down and take a break or a place to park your bikes for a minute and have some

water. Whatever the case may be, we were trying to kind of create some intimate places along the street for people to pause and take a break and with that mural there, it seemed a really nice place to do that.

Vice Mayor Soden:

Well, I have some concerns about that. I feel like we're setting a precedent of basically, I could come to your house, the area in front of your house, next to the street that might be considered right-of-way that I could just pull up some chairs there and just start hanging out in front of your house. To me, that seems really inappropriate. That seems like a precedent we would be setting across the City, but just saying, "Hey, these are right-of-way, these aren't your property" and you have no say in what happens to it. I don't like that message to be sending out.

Josh Shelton  
el dorado inc.

Okay, I'll take care of that. Thank you.

Mayor Amyx:

I think we're at a situation here and we're trying to get through this planning process so we have the opportunity to say "yeah" or "nay" on whether or not to proceed with the planning of this and ultimately the financing of this project. Somehow we got to get to that point, right? We're going to be able to say, we don't want intimate gathering, you know whatever we can pick and pull things out of here, whatever we want to do, right? Do I understand this right?

Josh Shelton  
el dorado inc.

Yeah, you can take all the intimate gathering out of this plan. If that's the value that you all are landing on in terms of the plan proposal that you want to take all the intimate gathering areas out. We can certainly explore doing that.

Mayor Amyx:

At this point, I'm just trying to get us to the point where we have the entire plan in front of us so that we're actually able to decide that and I hope that's kind of where we're heading as that we can see that final piece and if we don't, that will be the decision that we will make or maybe we like bits and pieces of it too. I think somehow we got to get Josh and el dorado to that point to present us that final deal. That's what we're paying for, right?

Josh Shelton  
el dorado inc.

That's correct.

Vice Mayor Soden:

Well I would certainly dial out and just say then; I'm not really in favor of narrowing the street at all.

Mayor Amyx:

Okay, no part of it?

Vice Mayor Soden:

No, no narrowing of the street, at all.

Mayor Amyx: Anyone else want to chime in on that?

Commissioner Larsen: I like the idea that there is going to be bike lanes from what I can tell, right?

Josh Shelton  
el dorado inc. That's correct, yeah.

Commissioner Larsen: That's what I'm saying. I like that idea.

Mayor Amyx: So we're shrinking some lanes, we're putting a bend in it that you kind of suggested.

Josh Shelton  
el dorado inc. We may rethink the bend all together, based on further conversations with Historic Resources and also relationship of street curb to historic structure, Turnhalle. That needs some further conversation, I think. I think the intent to create the perception of a buffer between downtown and what becomes kind of a more a historically sensitive neighborhood, intuitively, continues to feel like the right thing to establish, as people traverse from Mass Street, east on East 9<sup>th</sup> and then also back from East 9<sup>th</sup> to Mass Street.

Commissioner Herbert: One of the things I noticed looking at the drawings you've done and kind of following the process is, a lot of times when we talk about redeveloping streets or redoing infrastructure, things of that nature, what we're really talking about doing is taking a chunk of property and dropping a lot of concrete on top of it. One of the things I like about the renderings I've seen so far, when you talk about the fruit trees and these intimate gatherings, I'm going to call them pocket parks. I think intimate gathering areas, makes me uncomfortable so when we talk about these pocket parks, the thing that appeals to me, it looks like we're redeveloping an area and we're not redeveloping it by dropping a millions pounds of concrete on top of it. When we build infrastructure, obviously sidewalks are going to require some concrete and when we rebuild streets, that's obviously going to require some of that. We can't live in a world where that doesn't exist, but I do like the notion of incorporating green space within it. Based on the renderings I've seen, I think that's a nice touch and I hope that doesn't get lost in translation at some point.

Josh Shelton  
el dorado inc. I just wanted to ... Leslie, if you'll entertain the notion behind these gatherings, they were less to suggest an imposition on people's personal property, and more a genuine hope to celebrate what is special about certain physical aspects of the street and the neighborhood. I think the sentiment is to reach out and embrace special moments along the way that already exist, rather than just focusing on creating new ones. If that's



not well-received, we'll come up with a different strategy, but I know that that was the sentiment from the design team was to embrace what's great.

Commissioner Larsen: Who will maintain these areas, the city?

Josh Shelton  
el dorado inc. The city would maintain the areas, correct.

Commissioner Larsen: But right now, the property owners maintain them. Is that right, is that correct?

Vice Mayor Soden: Mm-hmm (affirmative).

Josh Shelton  
el dorado inc. Correct.

Mayor Amyx: Anything else, sir? Okay.

Josh Shelton  
el dorado inc. If I could have the mic for one second, I wanted to put this out there. I've been receiving a lot of feedback. I wanted to offer some feedback, if it's okay. For the past 10 months, I've certainly done a deep dive into downtown Lawrence and the East Lawrence Neighborhood Association, and also the Warehouse Arts District and aspirations to connect the Boroughs Trail system with downtown. The East Lawrence neighborhood is a very special place. I think there's been some head butting and some contentious moments, but I also recognize that it's an ongoing struggle, in a way, about people that have come together to care about the neighborhood. I find myself personally conflicted at times because I still believe this can be a great project, that's why I keep coming back. I want to realize this project with the stakeholders and the City of Lawrence to be a great project for the city of Lawrence. I also want to go on record, I strongly advocate and support other efforts that might take place, surrounding this effort, that have to do with zoning analysis, that have to do with a careful look about conversation overlay, maybe property tax freezes or abatement of some kind. I just think we're at a pivotal moment with this project where there does need to be leadership that steps forward to start to engage those conversations as well. They're a critical part of what's going on. I think that it's quite easy for me personally to get locked into just this design, what needs to happen with this design, but I think there is a larger picture. I know there have been conversations that have started around some larger policy considerations for preserving what is special and amazing about this neighborhood. I just want to tell you all I really support that. I hope that those conversations take hold. I hope that the city leadership finds a way to engage neighborhood leadership to pursue those, and to see those through. Thank you.

Mayor Amyx: Appreciate that. Anything else?

Commissioner Larsen: I got one more question for Josh.

Mayor Amyx: Who, Josh?

Commissioner Larsen: I know you had a lot of meetings with the neighbors, and getting their ideas as to what they wanted to see in the design. Can you tell me a couple of the items that are on this design that they actually contributed to? That they asked for, and you gave them or that you added into the design?

Josh Shelton  
el dorado inc.

More than anything, the time spent with neighborhood, and certainly the workshops that we held at the New York School, what those contributed, to me, was to have a light touch and to tread lightly with what we do. I've heard a lot that there's nothing broken about East Lawrence, there's nothing broken about East 9th. We don't need someone to come in and do a grand gesture of fixing it. I think what we were trying to accomplish with the proposal was to A) celebrate what's already special and great about the neighborhood through these small, intimate engagements. Then, also, to come in, bring sidewalks up-to-speed, make them accessible, and repair them, but allow the way that people navigate and understand the street to remain intact, not to produce and promote a totally different logic. If you notice with the plan and what we presented, what we've tried to do is leave certain aspects of the experience of East 9th alone, and really focus in on slowing traffic down and making it more of a multi-modal transportation system. That involved narrowing the lanes, and pinching down traffic. The areas between the edge of the right-of-way to the existing curb, the trees, the way the landscaping works, the way that they business front the street and the side yards front the street, we were proposing, in large part, to leave that alone. I think that that was a general sensibility that we got from talking to a lot of people that live in the neighborhood.

Commissioner Herbert: I have a comment, but I'll wait until its back to us.

Mayor Amyx: Any other questions of order, at this point? Okay, thanks. Public comment?

Dennis Domer: I've been working in the East Lawrence neighborhood for years. I have to say that, as a member of the El Dorado team, I've been placed in somewhat conflicting positions. Like everyone else, I really want something for East Lawrence that is I would like to see the historic neighborhood preserved. I would like for us to recognize that this is the cultural district, and I would like for us all to recognize that we cannot stop change from occurring. We have often talking about gentrification, and certainly East Lawrence has been gentrifying

for 30 years, in an organic way. We have never gotten the commission or the neighborhood really together in a way that we could preserve it, except that in 2000, this commission passed the East Lawrence Neighborhood Revitalization Plan. In my conflicted position, I believe that really what the East 9th project is trying to do is to revitalize East Lawrence in a way that that plan suggested. Not specifically, and you don't even add specific issues to decide tonight. It seems to me that if you look at the revitalization plan, it both encourages the residential, historic preservation of that community, and at the same time, encourages business. This is, in some ways, going to encourage business. I think we have to recognize that. What is success? Foot traffic, probably. I don't, in any way, oppose this kind of change in the neighborhood because I think it represents an opportunity for us to finally take preservation in East Lawrence seriously, and to follow that revitalization plan. Usually, a large preservation perspective on a place as large as this will require a kind of cause celebra, something to make it happen. For example, the Lawrence Preservation Alliance occurred because of 10 or 12 buildings being torn down along Kentucky Street a long time ago. We hardly remember what happened, but that's why the Lawrence Preservation Alliance occurred. I see no chance of planning in a better way for gentrification in East Lawrence, unless there is a cause celebra to make it happen. This probably is it. I don't know exactly what this design should be, and I think fortunately, we have you to look over every part of it when it comes to that point. I think that what is, at least from my perspective, a great opportunity, maybe an imperative, is that you can't do one without the other. You need to do some kind of preservation planning, outside of that 9th Street corridor, and this is the opportunity to do it. You'd need to show that you're actually serious about what all of us say. This is our cultural district, this is the most historic place we have in the city, there is more building culture, street culture, curb culture, sidewalk culture, historic culture here than really any other place in the city, in terms of numbers. Here is our chance. Whatever we do, if we just put a straight brick road there and just make a nice street, still, that will change that street. That is change. Lots of people don't want change. I don't think there's any way for us to avoid it. What we really could do is to take seriously a larger preservation plan. I would suggest maybe a conservation overlay would be the first to think about. I got my five minutes.

Mayor Amyx:

You got them all.

Dennis Domer:

All right, thank you.

Mayor Amyx:

Other public comment? KT?

KT Walsh:

Good evening, Mayor and commissioners. I'm speaking only

for myself tonight. I was really interested in Dennis's comments just now, and I'm really glad he said what he said. I think one of the concerns, firstly, is the original historic street grid in the original town site. I'm very interested in hearing what the Historic Resources Commission will think about that when they go before the HRC. Deeper thoughts from Dennis, Lynn Zollner, our preservation planner, the Lawrence Preservation Alliance. This is a pattern, I'm not saying either way, but we need to look at that. I also wanted to say that mural on the old Key Press building is not my mural. I was artist-in-residence for a year at New York Elementary, and that's the mural of 59 fourth and fifth graders who researched it, designed it, and painted it. Just so you know, some rocking kids. Mr. Mayor, I know this is a draft. We always say we can go back, we can change it, we can pick it apart now, but we've had some issues with repeating things at meetings and them not being either written down, heard, or taken seriously. I think it's important that we pick at it a little bit. I also wanted to say whenever we talk about connecting the Burroughs Creek Trail to downtown, and there's been talk about 9th Street being a piece of that, we need to remember all the neighborhoods that are involved in the Burroughs Creek Trail. That is Barker, The Oaks, Brook Creek, and East Lawrence. They need to be at every single meeting when we talk about signage or connections to the Burroughs Creek Trail. They're the people who did it from the get-go, with the city. Under Project Background on page 6, they quote the cultural district task force report. They say, "Efforts will be made to employ residents and business of the cultural district." To that point, I would just like to say that we are very good at building benches in our neighborhood, there are a lot of us who can do it. The Lawrence Fruit Tree project, it has shown remarkable ... They have a 60 tree and bush orchard going right now. There are a lot of people who understand native plantings, swills, and filtering storm water to slow it. We have all done actual brick sidewalk repair ourselves, we do it several times a year. I think I would be really interesting to hire some of us so that some of the money would stay in the neighborhood. Remember that 3 male, out-of-town artists are getting \$100,000 each to make the art, and I would just love to see some of us in the neighborhood get a little work out of it. There is a precedent, Oread, Old West, and East Lawrence neighborhood all did asphalt removal on some of their brick streets. The city provided a Bobcat and a dump truck, and it was great. It's easy, it's fun. We could be paid a little more than minimum wage. On page 27, here's something that keeps getting dropped through the cracks. Will Ogle, who is an East Lawrence business owner and the Citizen's Advisory Committee for East 9th Street, brought up three times, maybe more, the fact that there are semi-trucks that need to get into the alley behind Patchen Motors, and there are semi-trucks that need to get into the alley behind the old Kansas Key Press

building. Also, I was going through the trucks today, and because of the New York School construction, there are an awful lot of delivery trucks, semi, and big truck deliveries happening right now that didn't show up in the plan. Lastly, Josh was referring to the de-facto stage, and then the terrace seating across the way that had been talked about as bleachers. I think that is a de-facto stage, and that's in a very quiet part of the neighborhood. The noise needs to be kept downtown. We don't want downtown expanded into East Lawrence. I'm almost done, Mike. I did say lastly, but I have one more thing. When you look at the extended patio, these are just proposals, in front of the Bourgeois Pig, maybe across the street. Then, the big orchard space adjacent to the Turnhalle, we may have to check with the legal staff, but to me, those are infrastructure projects that benefit owners of buildings and businesses. It seemed more appropriate to create a benefit district, if we're going to do that. We've already given Mr. Kresnik 2.3 million, so I wonder, should we create a garden space for his building without him helping to pay for it? Thank you.

Mayor Amyx:

Thank you. Other comment? Any other public comment? Mike?

Michael Almon:

Good evening, Mayor Amyx and commissioners, Michael Almon again. Regarding the bicycle corral at 9th and Massachusetts, like Josh says, it's a concept, it's an element. Earlier this evening, you approved application for a grant that puts that bicycle corral on the south side of 9th Street in a parking space. This was after much discussion of the Bicycle Advisory Committee, who came up with the proposal. That's almost resolved, just barely, but you could always do more bicycle corrals, and I don't think I would complain. Yes, this is a concept plan, and it's the same concept plan that was at the Citizen Advisory Committee 8 weeks ago, August 26th. As concepts go, they're vaguely defined initially, and get more and more refined and narrowed down. That's the process, that's how it works. Initially, the concept was a complete street with bicycle lanes, repaired sidewalks, improved lighting, maybe some other amenities or whatever, it was just a general concept, and art. Now, as the months go by, the concept gets more and more details, more and more elements added in. As we go along, those details and concepts are going to get more and more stabilized, and more and more nailed down, not necessarily. The idea of the concept, in this regard, is that it's a conglomeration of all these elements. These elements don't have to be of the scale, location, or the type that is in this concept. I want to caution you, what you might accept tonight as a concept is very malleable. You're noting earlier that we might just want to do a brick street. Well, yeah. Two months from now, early next year...

Mayor Amyx: I wish right now I hadn't said that, because people start writing it down.

Michael Almon: That's just a good example. We can change the concept later. I just want to caution you, if you do accept the concept, be aware that there are a number of people who will want to change it later. Our society tends to operate in dualisms: black and white, Kansas City-Toronto, Democrats-Republicans. Yes, want an arts corridor. No, we don't want an arts corridor. It's not a yes or no. It's how the elements come together. If we put a porch of a very large scale in a very quiet part of the neighborhood, that's a very different location than if it's in the activity center of 9th and New Hampshire. That's basically what we have to be aware of. We're needing to be open to ... Just don't put East Lawrence in a position, 3 or 4 months from now, an up or down vote, if you know what I mean. Josh is trying to make an attempt to accommodate some of these things, but he may not read everything. What the artist intends for this porch is irrelevant. If it functions as an amphitheater, or pocket parks. Or, as Josh called them, parklets. Parklets are not large gathering spaces. They're not even as big as what' is next to Watkins Museum. That's a pocket part. A parklet is about 10 feet by 10 feet, with maybe seats for four people, and maybe a little table. It's just tucked into a corner, it's under a tree. How we define these things, the scale, is going to make a big difference. There are lots of different nuances here that have to be accommodated, and I get the feeling that Josh wants to work with the neighborhood, and I hope that's sincere. He's taken input from me before, and hopefully, he will from you even more so, and then the neighborhood, ultimately.

Mayor: Okay, thanks Mike. Other comment? Anyone else?

Aaron Paden: I just wanted to voice support for the idea of this being tied together with the conservation overlay. I know we've moved forward with looking at how things are zoned, north of 9th Street, I think that's very appropriate, and would like to continue moving that along. I say a long time ago that it would be handy if this could be all done as one package. I've been told over and over again that that's not possible, it's not feasible. I think you guys could make that happen by just saying, "No, that's a good idea. We should do it that way." Maybe you guys could consider that. Thank you, Dennis. It's something that I think is universally, generally, people would all like to see it done. I don't think there's opposition to it. I wanted to say basically what Michael was saying, that it being a concept plan, there are things that freak people out. I definitely think that there ought to be some more, as much coming and going as possible would be good. Going back and forth between neighborhood on one end, and maybe downtown with other discussions with other things that will be happening on that end. I know, from my

perspective, that from the New York School perspective, I can say I'm marginally speaking for Nancy DeGarmo, the principle, myself, and I would probably say the PTO too, that having sidewalks that are wide enough for bicycles, that de-conflicts from cars. Bike lanes are not appropriate for that street with an elementary school right there. I would like to see the city move away from bike lanes as much as possible and put in infrastructure where bicycles and pedestrians are de-conflicting from cars as much as possible. This would be a great instance where we could pull that off. We already have it on Burroughs Creek nearby, going practically across the whole city, north to south. The other thing I wanted to make sure that, you're probably going to say something about, I hope is the semi-trucks. We do have industry, and that's one of the wonderful things about East Lawrence is that there is a mix of industry in with the residential. I think there's a lot of fondness for Patchen's Electric, and the groups that are down there that have been there for a long time. They're handy for the residents to be able to immediately go and get to, and we don't want to chase them out with a street that's unfriendly to business. That's my two cents.

Mayor:

Thanks, Aaron. Other public comment? Okay. Josh, you had one last thing?

Josh Shelton  
el dorado inc.

Yeah. There are few things that I just wanted to clarify. We are fully aware of the semi traffic that shows up on page 67. In concept, we were proposing a center divider there that would pull back to allow truck radius. We've gotten feedback from Arch and John both about that, and I actually talked to Patchen Electric a couple of days ago in detail about it. That's not something that will slip through the cracks at all. The porch thing has come up multiple times, just to bring everyone up to speed, one of the artists spent a lot of time in the neighborhood talking to people, actually lived in the neighborhood for the a week, and noticed the front porch culture was very alive and well in East Lawrence, and I think genuinely wants to propose a front porch for East 9th. It should be a place that's a neighborhood place, and in fact, has taken it upon him to have several meetings with New York School with teachers, parents, and the principle, and is talking about collaborative programming for what that proposal would be. In fact, the idea is drifting the opposite direction of that being any kind of performance venue, and more of an outdoor classroom in a place where the school can interact as an active partner with the project. He also plans to follow up with the church to explore possible partnerships there, too. He's really thinking about this as a neighborhood amenity. Like I said if there's some kind of concern that seating across the street puts that in a position of a performance venue, we'll just do away with the seating. That was never the intent. There was one other point

of clarification that seemed really important to make, and at the moment, it's slipping my mind. I'll step down, for now, but...

Commissioner Herbert:

Josh, will talk you about, I think it was Michael, your comment about the definition of pocket park versus parklet. What are we looking at? Are we talking 10 by 10, as Michael mentioned? What are we looking at here?

Josh Shelton  
el dorado inc.

One of the ideas of the parklet shows page 78. In that case, you can see the open area there that isn't landscaped. That proposed area has room for a couple of small tables and chairs. Maybe the word intimate, page 78. This is the one I think that Leslie has referred to, that it might be an imposition to the building. I don't think the building opens up to the sidewalk there. I think it is the mural of the school kids. We just thought that was a special moment and wanted that to be potentially a good candidate for one of these little parklets where you'd stop, rest, and have conversations with others. Porter just asked me about the conservation overlay. I'm with Dennis on this, and hopefully, over the course of many meetings, I've vocalized this in all the ways I know how. I'm supportive of this running in tandem. As we progress on this project, I think it would be appropriate to start to activate a process where we consider a policy that takes preservation of the heart and soul of East Lawrence. It's not just the physical fabric. What I've come to know about East Lawrence, it's a community that shows up over and over and over again. I think that that has to be protected. As growth happens, as change happens, the reason why we're attracted to East Lawrence is because it's East Lawrence. I think if we lose that, we also lose the project and we lose the forward thrust of what this community is. I think that should happen. I think it needs to happen, and I'm certainly in support of sharing information, contributing into that conversation, should be embark upon that. I think it's absolutely necessary. Thank you very much.

Mayor Amyx:

Yep, thank you.

Josh Davis:

I think a lot of people have had really good comments, and I almost agree with all of them that have come from the public, at least in part. I just wanted to address responsiveness, in terms of el dorado. I know one commissioner asked specifically how was East Lawrence neighborhood feedback from the residents incorporated? I think Josh gave a good answer, in the sense that when you look at different types of potentially place making, place keeping, sometimes people come in and just make, "We're going to have a massive video screen here, and we're going to have something else there." Early on, but then also as there was feedback, there was the understanding that this couldn't some kind of bombastic project. You really had to take in consideration of what was there now. I think that Josh,



as he said, incorporated that. I would also point out that even in the page that's been looked at a lot, which I believe is 53, there's consideration of local things about memorial trees that is off of Connecticut on 9th Street. There's discussion with the church on a regular basis, and I talked to Reverend frequently about parking, about integrating into that. There's also talk of the artists. In terms of the lighting, one of those artists is very specific about not having light bleed. The lights that are at least initially proposed as part of his art project are specific to providing pedestrian lighting. I know many of you have walked on 9th Street during the day, and at night. In general, in East Lawrence, it is very difficult to be a pedestrian and walk. You pretty much have to walk in the street. I think it would make sense that we have some lighting available so there's a way for people to get through, and the artists actually have incorporated a lot of that information. I'm talking about the artist who was doing the front porch, I attended the New York School PTO this past week, or maybe the week before, I'm not sure, where he presented. He took a lot of feedback from the principle and other people there. They can speak for themselves, but there were a lot of good ideas passed around. Even there, as the neighborhood has said, we don't want this venue, we don't want seating here, or whether the perception is that we're going to have a massive concert with these 12 seats on each side. Even when that was an issue, this artist has potentially oriented this porch back towards the school, both so if kids are on the porch with their parents, or whatever it is, that they're not running right out into the street. Also, the school seems receptive to it, so that's an adaptive thing. The school actually seems receptive to the idea that there would be an in between place where people were leaving, where they could go that they could meet their parents and other things. I just want to talk about overall, I feel like el dorado has been receptive to a lot of the feedback, which I talked about. I think the two artists I mentioned, and the other one, I won't go into. I don't have anything negative to say, but I really think, in at least those 3 cases out of the 4, there's been a lot about taking in neighborhood input. There are some things, like bike lanes, should we have them separated? Should we have them not separated? A lot of those issues are not, "Oh, el dorado is not listening", a lot of that is that's a national debate that happens in experts in the field. It's not like they're not taking that and doing it right away. That might be the best approach, where Aaron's might be the best approach, but there is national debate on these things. It's not like we're just missing it, there is back and forth and decisions have to be made. I don't ultimately agree with everything that's here, I do think that they're listening to the neighborhood a great degree, and I would hope that you would accept it and continue to keep a close eye on it. Thank you.

Mayor Amyx: Thanks. Is there any other public comment?

KT Walsh: Could I ask a clarification question?

Mayor Amyx: Please.

KT Walsh: Thank you. Since everybody on this side of the room seems really in favor of conservation overlay, but we know we have to wait in line until the Oread overlay district is done because planning doesn't have the staff, might a piece of the grant be used to add part-time planner who could help finish that up, then help East Lawrence start on their conservation overlay? I'm just asking.

Mayor Amyx: Thank you. I wouldn't know, so...

Diane Stoddard:  
Interim City Manager Mayor, I don't think that that grant can be used in that manner. That would need to be a question that is posed to the Art Center, if the question from K.T. is related to the Art Place Grant.

KT Walsh: No, to the city. I'm sorry, to the city.

Diane Stoddard:  
Interim City Manager Okay.

KT Walsh: The city piece.

Diane Stoddard:  
Interim City Manager Oh, the city part of the funding. With that then, Scott may provide a brief update with regard to where we're at with that project, if that would be helpful.

Mayor Amyx: Okay, let's just wait one more second. Is there any other public comment? Okay, thank you all very much for your comments this evening. Scott, you want to answer that real quickly?

Scott McCullough:  
Planning & Development  
Services Director Yeah. Mayor, commissioners, we are in the process of doing some field work in the neighborhood. It's pretty extensive research that we have to do to get it right. We're talking about property and people's investment in their property, so that issue that we've described a little bit the last time we submitted our memo to you about non-conformities, different zoning district options, and those kinds of things. We still owe you a memo to take the next steps, which outlines the process in re-zoning the area north of 9th Street. We've talked a little bit about an urban conservation overlay district that the biggest bang for the buck right now, we think, is just getting the zoning right to match the uses in the area. Then, we can talk afterward about the added protection of an urban conservation overlay district.

Mayor Amyx

One of the things that would concern me a little bit here is that if we do all these together, and it probably makes the most sense to do them all together, but one of the concerns that I would have, they're separate issues. You have the infrastructure of the street, but it seems to me, I won't speak for the entire commission, but I think we're onboard as looking at the conservation overlay district and the zoning as separate from whether or not the street ultimately happens. I think we generally like the idea of the zoning, we like the idea of the overlay district, but those are still separate.

Scott McCullough:  
Planning & Development  
Services Director

I think if the street project doesn't happen; we still will pursue those items.

Mayor Amyx:

We're still going to do the other items.

Scott McCullough:  
Planning & Development  
Services Director

They're a bit independent of each other.

Mayor Amyx:

I think that that goes to what Professor Domer was talking about. The street may be that deal that makes it happen, but not really. The thing that's going to make it happen is this body, and from the neighbors and everybody involved here. I think the thing is that to put them all together, I'd be a little bit concerned about that. I think we can talk together, but still, at the same time, they're a separate deal. I don't want to tie them together. I'll say it again. I don't want people to think that whatever the decision is on the street is going to change whatever thinking process that we may have on the zoning and the conservation. I think land use has got to be separate. We, as a commission, believe in the land use that we are going to consider, and that's the deal there. The infrastructure, the grid system of streets and all of that stuff has got to be separate. It's got to be separate.

Vice Mayor Soden

I think the message we don't want to inadvertently send is that we will only do the re-zoning and the urban conservation overlay if the street is changed. That is not the message we want to send.

Mayor Amyx:

Yeah. I think if we look at it as all one package, when you get into that situation of saying it's all of it, or nothing, I don't do that. I would suggest that we don't do that.

Vice Mayor Soden:

Mm-hmm (affirmative). 1:33.02

Commissioner Herbert:

We started talking about the overlay district. I didn't know when to interject this because it doesn't have anything to do with the overlay district. Two quick comments I would make. First of all,

we've spent a lot of time talking about what the election in April taught us and all that. I come back to all those forums we did, one of the big things that I kept saying over and over and over and over again in those forums was I thought the role of a commissioner was two things. I thought it was public safety, and I thought it was infrastructure. I look at this project, and I look at ... Josh comes up and talks about, as a pedestrian; Josh lives literally where the project's going. Your front yard fence is part of the project, virtually. He talks about, as a pedestrian; he doesn't feel safe walking in that neighborhood, there's no lighting. Aaron came up and talked about the risk of the bike lane, should we have it on the road? Should we have it on the sidewalk? I think that's a conversation we absolutely have to have, and to be honest with you, I tend to agree with you. I think that there's a real good use of building infrastructure that allows for pedestrian movement with the wider sidewalks, the multi-use paths, and all that stuff. I think that there's, particularly right in front of a school, a pretty big danger in funneling a bunch of bicycles that are right there on the road. The second comment I want to make would be in response to the vice mayor, she said that she's very concerned with sending the message about use of right-of-way and easements, and planting chairs in people's front yards. I'm a big of an advocate of personal property protections as anybody here, but I'd be real careful with that comment because I think Leslie, you and I are both really big advocates of bus benches and bus chairs. You and I are really big advocates of making sure that where we have people getting on RT, they have places to sit. That's literally what we're doing with bus benches, we're plopping chairs in people's front yards that exact comment you made. I don't see this as sending a message that we're going to put chairs in people's front yards any more than a bus bench would be, to be perfectly honest with you. I'm a big advocate of bus benches, so in that same consistent notion, I'd be an advocate of this.

Mayor Amyx:

Anyone else? What do you need from us tonight?

Diane Stoddard:  
Interim City Manager

I think your comments have been helpful. Josh has mentioned that he's taking those comments in. I don't think that the commission needs to make any formal motion this evening, but rather, this feedback has been helpful, related to the project. The next time that that would come before you would be the next step of conceptual design.

Josh Shelton:  
el dorado inc.

The design development. I do owe you all a quick turnaround on an updated schedule. We did delay the project for a month, and I am faced with a few challenges just getting everyone back together and back here to get the ... Not insurmountable challenges, but just timing and scheduling. I will use tomorrow to dial everyone back in, and get refocused on the design

development phase. I wanted to make sure that we were all on the same page tonight. We'll turn around to schedule update to Porter and the city, get that posted on your website, and look forward to working with you all, with the city. Probably more and more increasingly with the city, and continued hard work with the CAC, stakeholders, and the East Lawrence Neighborhood Association to see this through. Thank you.

Mayor Amyx: Josh, we appreciate that. Again, we want to thank everyone for coming this evening and offering input, as usual. One of the things that did take us a ... Yeah, it took us a while to appoint Lisa. We're all back up to speed and ready to move. Anyway, before we do the next steps.

Josh Shelton:  
el dorado inc. Mayor, I didn't want to suggest with what I said before that this should be lumped as a package with other efforts, I just said I thought that they could happen in tandem, and I'd support that.

Mayor Amyx: No, I appreciate that, and I appreciate your comments of bringing up the zoning in the overlay district. They are important parts of the neighborhood, but again, I think that there are separate applications here. In no way do I want somebody to think, "Well, support the street, you got to support all the rest of it." No, it's different stuff.

Josh Shelton:  
el dorado inc. Yeah. Thank you very much.

3. **Consider accepting dedications of rights-of-way and easements for Final Plat, PF-15-00380, for Morgan Addition, a 2 lot subdivision on approximately 2.5 acres located at 800 Monterey Way. Submitted by Landplan Engineering, for Robert J. and Beverly G. Morgan, property owners of record. (PC Item 2B; approved 9-0 on 9-21-15)**

Mary Miller, Planner, presented the staff report.

Mayor: Thanks for going ahead and explaining the other parts of the request tonight. I think it's important to look at it all together. If the applicant doesn't own that property, or we can't find who has title to it, we can't really force a connection there, can we?

Scott McCullough:  
Planning & Development  
Services Director Well, Mayor, I'm not sure there's been any discussion with the owner of that sliver of ground. I think we thought it was platted or the easement hit is, so there probably is a little more follow-up that we need to do, and the applicant needs to do, we need to do with the neighbor. I think what we're asking from the city commission is to allow the connection there, direct the connection there. Then, if we went into a monumental challenge with it, then we may need to bring it back to you for some direction. The owners, as we understand it, don't oppose

the connection. There's a little bit of this unknown about this small parcel of land that needs to be worked out, but typically, those are issues borne by the applicant who wants to develop, and who's driving the demand for the connection. We're happy to facilitate that discussion and try to resolve it.

Mayor Amyx: Okay. In 2000, this was to be considered part of the benefit district for Comet Lane, correct?

Scott McCullough:  
Planning & Development  
Services Director

Correct.

Mayor Amyx: The commission, at the time, decided no, you don't have to be a part of it. Normally, because the benefit district is paid for and it's done, so we can't go back and make a requirement that this property owner pay into that district.

Scott McCullough:  
Planning & Development  
Services Director

That's my understanding. Had the timing of the development happened within that time frame of benefit district assessments, it would be a different discussion.

Mayor Amyx: Right. I can't ever remember a time where we could go back and do it after the fact. That being said, it's my belief that we probably ought to really consider that connection to happen since we have a fire department right around the corner and the access would be easy. I'm not sure that we would ever want to have the access of emergency service having to go through a parking lot or somewhere else. That wouldn't make sense there. The area to the south there and the fence will be built, and that is borne by the applicant.

Mary Miller:  
Planner

It's already in place. Just the condition means that it has to remain. They already have a fence on the east side.

Mayor: Right.

Scott McCullough:  
Planning & Development  
Services Director

Only on the single-family lot. The buffer yard, the screening of the trees, the proposal before us tonight is, Mary didn't explain this a lot, but it's intended to keep that buffer yard as much as possible. As utilities get provided back there, Mary and the applicant will actually go out and survey the trees, note the ones that have to come out. Is it a one-for-one replacement?

Mary Miller:  
Planner

Mm-hmm (affirmative).

Scott McCullough:  
Planning & Development  
Services Director

Of trees. For every one that comes out for utility, they put one back just to keep that thick buffer of screen for the properties to the south.

Mayor Amyx: Okay. Questions?

Vice Mayor Soden: I was looking here to see what our action was for this first item, and it says, "Accept dedications of right-of-way and easement for the final plat." Does that include us connecting Comet Lane and Morgan Lane?

Mayor Amyx: The connections, actually, is part of the development in the second item, isn't it?

Scott McCullough:  
Planning & Development  
Services Director: It is, yes.

Vice Mayor Soden: Okay. I want to make sure we weren't skipping that.

Mayor Amyx: Yeah, we'll get to that.

Vice Mayor Soden: Okay.

Mayor Amyx: Questions? Is the applicant here this evening?

Scott McCullough:  
Planning & Development  
Services Director: No. Mr. Belot is representing the applicant, he's not here this evening.

Mayor Amyx: We do have a unanimous recommendation, as Mary brought up, from the Planning Commission. If there are no other questions, we'll do this in the order that they're here. Let's talk about the plat, were there any other questions on the plat?

Scott McCullough:  
Planning & Development  
Services Director: Mayor, I'm not sure you called for public comment.

Mayor Amyx: Thanks, Scott. Anyway, back to the commission. The item that we do have is that we have the final plat for Morgan Addition No. 2, a two-lot subdivision on approximately two and a half acres at 800 Monterey Way. If there are no other questions or comments, I would entertain a motion to accept dedication of rights of way and easement for the final plat for Morgan Addition.

**Moved by Commissioner Herbert, seconded by Vice Mayor Soden, to accept dedications of rights-of-way and easements for Final Plat, PF-15-00380, for Morgan Addition. Motion carried unanimously.**

4. **Consider a Preliminary Development Plan for 6<sup>th</sup> & Monterey Way PCD Morgan Addition, PDP-15-00378, for a multi-use development consisting of Multi-Dwelling Structures, a Detached Dwelling, and Construction Sales and Services, including specifically approving a connection of the private street Morgan Avenue with Comet Lane, located on approximately 2.5 acres at 800**

**Monterey Way.Submitted by Allen Belot Architect, for Robert J. and Beverly G. Morgan, property owners of record. (PC Item 2A; approved 9-0 on 9-21-15)**

Mayor: Was there any public comment on this item? Last chance. Okay, back to the commission. This includes the connection, and this gives staff and the applicant, I assume the applicant, the opportunity to go through and find out who owns the street that we're going to require him to get a hold of. This hits exactly what you were talking on, Vice Mayor. This one here probably really goes after it. This includes that, plus whatever other conditions that we have. Correct?

Scott McCullough:  
Planning & Development  
Services Director Correct.

Mayor: Okay. Are there any questions on this side?

Vice Mayor Soden: No. I think infill is great. It's an appropriate step down, from higher intensity to lower intensity. I think that's great.

Mayor Amyx: Okay. You believe that the connection ought to happen?

Vice Mayor Soden: Mm-hmm (affirmative).

Mayor Amyx: Everybody on board with that? Okay. Any other separate discussion that we need to have, as part of this?

Scott McCullough:  
Planning & Development  
Services Director No, sir. Appreciate the discussion on this.

Mayor: Okay. This will be one of those times where you'd have to be a little bit concerned somebody figured out that ... and It made sense in 2000 that this not be part of that, but here were are, 15 years later. They have to build private street and have it connected into the deal, so there was no free deal. They were part of another benefit district. It was up on Monterrey, right?

Scott McCullough:  
Planning & Development  
Services Director There was a benefit district for that, yes.

Mayor Amyx: They got to pay all the way around. Are the conditions that we have in the staff memo, are they all still the conditions of this? Okay. With that being said, if there are no other questions or comments, I would consider the motion to approve the a Preliminary Development Plan for 6<sup>th</sup> & Monterey Way PCD Morgan Addition, PDP-15-00378, for a multi-use development consisting of Multi-Dwelling Structures, a Detached Dwelling,



and Construction Sales and Services, including specifically approving a connection of the private street Morgan Avenue with Comet Lane, located on approximately 2.5 acres at 800 Monterey Way.

**Moved by Commissioner Boley, seconded by Commissioner Larsen,** to approve a Preliminary Development Plan for 6<sup>th</sup> & Monterey Way PCD Morgan Addition, PDP-15-00378, for a multi-use development consisting of Multi-Dwelling Structures, a Detached Dwelling, and Construction Sales and Services, including specifically approving a connection of the private street Morgan Avenue with Comet Lane, located on approximately 2.5 acres at 800 Monterey Way. Motion carried unanimously.

**F. FUTURE AGENDA ITEMS:**

Diane Stoddard, Interim City Manager, outlined potential future agenda items.

**G: COMMISSION ITEMS:**

Commissioner Boley: Yeah. There was a driving the first nail, raising the first wall event for Habitat. Commissioner Weiss and I were there. I'd really like to have the Habitat events put on our calendar so we can all feel like we can all go. They'll be doing another event in November. If we can get those on the calendar, I think that's a really good thing for us to show up for. A lot of good things going on in this town.

Mayor Amyx: There are. Any other commission items?

Vice Mayor Soden: I just realized that Douglas County Dental Clinic on here, it's not what we're going to. They're having a fundraiser, I think next weekend.

Commissioner Boley: It's Saturday night, isn't it?

Vice Mayor Soden: Yeah. We should put that on there, because we're going to that.

Mayor Amyx: Okay.

Diane Stoddard:  
Interim City Manager I didn't know if there were any more than two of you attending.

Vice Mayor Soden: Yeah, I don't know. If there's not more than two, it doesn't have to go on there.

Diane Stoddard:  
Interim City Manager Not necessarily.

Vice Mayor Soden: Okay.

Mayor Amyx: I won't be there.

Diane Stoddard: If there is, we can err on the side of adding, if you'd like.  
Interim City Manager

Mayor Amyx: Is it just you two?

Commissioner Boley: I'm heading there, yeah.

Mayor Amyx: Matt, you going?

Commissioner Herbert: Nope, not that I know of.

Mayor Amyx: Okay.

Commissioner Larsen: Hadn't heard of it.

Mayor Amyx: Okay. Why don't we go ahead and put it on there, just in case.  
Okay?

Diane Stoddard: Got it.  
Interim City Manager

Commissioner Boley: What about Bert Nash.

Mayor Amyx: Is that on there?

Commissioner Herbert: Two of us will be going, so if you're down to just three of you  
left.

Mayor Amyx: It's on here, Stuart. It's right under National League of City's  
Conference.

Vice Mayor Soden: Yeah, we're gone the 4th through the 7th.

Mayor Amyx: Okay, got it.

#### **CALENDAR:**

Diane Stoddard, Interim City Manager, reviewed calendar items

#### **I: CURRENT VACANCIES – BOARDS/COMMISSIONS:**

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

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to adjourn at 7:47 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON JANUARY 12, 2016.**

  

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Brandon McGuire, Acting City Clerk