



# City of Lawrence

## CITY MANAGER'S OFFICE

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CITY MANAGER

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### CITY COMMISSION

**MAYOR**  
MIKE AMYX

**COMMISSIONERS**  
LESLIE SODEN  
STUART BOLEY  
MATTHEW J. HERBERT  
LISA LARSEN

November 15, 2016

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 Commissioner Boley, Commissioner Herbert and Commissioner Larsen present.

A complete video recording of this meeting is available on the City's website at [www.lawrenceks.org/agendas](http://www.lawrenceks.org/agendas).

#### **A. RECOGNITION/PROCLAMATION/PRESENTATION:**

1. Proclaim Thursday, November 17, 2016 as World Pancreatic Cancer Day.
2. Proclaim November 12 – December 24, 2016 as the Salvation Army Christmas Kettle Season.
3. Proclaim Saturday, November 26, 2016 as Small Business Saturday.

#### **B. CONSENT AGENDA:**

**Moved by Commissioner Boley, seconded by Commissioner Larsen,** to approve the consent agenda as below. Motion carried unanimously.

1. Approve City Commission meeting minutes from 11/01/16.
2. Receive minutes from various boards and commissions.

Board of Zoning Appeals meeting of 08/04/16

Historic Resources Commission meeting of 09/15/16

Public Transit Advisory Committee meeting of 09/06/16

Sustainability Advisory Board meetings of 06/08/16, 09/14/16, and 10/12/16

Traffic Safety Commission meeting of 10/03/16

3. Approve claims and payroll in the amount of \$13,080,765.95 to 204 vendors; including a payment to State Treasurer for \$8,585,989.45 and Garney Companies Inc. for \$2,340,758.36.
4. Approve licenses as recommended by the City Clerk's Office.

#### **Drinking Establishment**

El Matador Café  
Tiburcio J Reyes

#### **Expiration**

11/06/16



446 Locust St.

**Retail Liquor**

Cork & Barrel  
South Mountain LLC  
2000 W 23<sup>rd</sup> St.

**Expiration**

11/11/16

Cork & Barrel Downtown  
McDowell Mountain LLC  
901 Mississippi St.

11/16/16

**Sidewalk Dining & Hospitality**

715  
8<sup>th</sup> Street Taproom  
Aladdin Café  
The Bourgeois Pig  
Chipotle Mexican Grill #24  
Dillons #98  
Einstein Bros Bagels #1290  
Fuzzy's Taco Shop  
Genovese  
Henry's on Henry Street  
Jeffersons  
Jimmy Johns  
Ladybird Diner  
La Parrilla  
Le Roy's  
Limestone Pizza Kitchen Bar  
The Mad Greek  
Merchants Pub & Plate  
Mexquisito  
Minsky's Pizza  
Noodles & Company  
Pepper Jax Grill  
Picklemans Gourmet Café  
RND Corner Grille  
The Roost  
Sandbar Subs  
Signs of Life  
Wa Restaurant  
Zen Zero

**Address**

715 Massachusetts  
801 New Hampshire  
1021 Massachusetts  
6 E. 9<sup>th</sup> St.  
911 Massachusetts  
1740 Massachusetts  
1026 Massachusetts  
1115 Massachusetts  
941 Massachusetts  
11 E 8<sup>th</sup> St.  
743 Massachusetts  
922 Massachusetts  
721 Massachusetts  
724 Massachusetts  
729 New Hampshire  
814 Massachusetts  
907 Massachusetts  
746 Massachusetts  
712 Massachusetts  
934 Massachusetts  
8 W. 8<sup>th</sup> St.  
919 Massachusetts  
818 Massachusetts  
801 Massachusetts  
920 Massachusetts  
17 E 8<sup>th</sup> St.  
722 Massachusetts  
740 Massachusetts  
811 Massachusetts

5. Adopt on first reading, Ordinance No. 9315, amending Chapter 19, Article 3, Section 19-318 of the Code of the City of Lawrence, Kansas, 2015 Edition, pertaining to Utilities: meters, billings, and rates, to reflect the new elderly low-income guidelines.
6. Accept the dedication of a 15' utility easement associated with Minor Subdivision, MS-16-00289, for Oread Addition No. 2, located at 1200 Louisiana Street (future address 1220 Oread). Submitted by the City of Lawrence, property owner of record.

7. Approve a Special Use Permit, SUP-16-00361, for Central Soyfood, a Manufacturing and Production, Limited use to be located at 1501 Learnard Avenue. Submitted by Sunrise Green LLC, property owner of record. Adopt on first reading, Ordinance No. 9306, for Special Use Permit (SUP-16-00361) for Central Soyfood, a Manufacturing and Production, Limited use to be located at 1501 Learnard Avenue. (PC Item 2; approved 7-0 on 10/24/16)
8. Approve a Text Amendment, TA-16-00180, to the City of Lawrence Land Development Code, Article 13, regarding Public Notice Procedures. Adopt on first reading, Ordinance No. 9307, for a Text Amendment (TA-16-00180) to the City of Lawrence Land Development Code, Article 13, regarding Public Notice Procedures. (PC Item 3; approved 7-0 on 10/24/16)
9. Approve a Special Event Permit, SE-16-00462, for the Lawrence Parks and Recreation Department's Annual Holiday Extravaganza Arts and Craft Show. The event will be located at Rock Chalk Park, 100 Rock Chalk Lane, on December 3 and 4, 2016. Submitted by Lawrence Parks and Recreation Department.
10. Accept the 2016 annual Bicycle and Pedestrian counts.
11. Accept the Regional Pedestrian Plan.
12. Concur with the following recommendations from the Traffic Safety Commission:
  - a) To establish No Parking along the west side of Tennessee Street, for a distance of 85 feet north of 18th Street. Adopt on first reading, Ordinance No. 9308 establishing No Parking along the west side of Tennessee Street, for a distance of 85 feet north of 18th Street (TSC item #2; approved 8-0 on 10/3/16).
  - b) To establish Traffic Calming on North Street between 5th Street and 7th Street (TSC item #3; approved 8-0 on 10/3/16).
  - c) To establish No Parking, 8am-5pm, Mon-Fri, along both sides of St. Andrews Drive, from Bob Billings Parkway, to a point 790 feet south of the centerline of Seminole Drive. Adopt on first reading, Ordinance No. 9309, establishing No Parking along both sides of St. Andrews Drive, from Bob Billings Parkway, to a point 790 feet south of the centerline of Seminole Drive, 8am-5pm, Monday-Friday (TSC item #4; approved 7-0-1 on 10/3/16).
13. Approve the City of Lawrence Investment Policy.
14. Authorize the City Manager to enter into an agreement for strategic planning services with The Novak Consulting Group in the amount not to exceed \$43,600.
15. Approve funding for 2016 employee longevity payments.
16. Authorize distribution of agreements to outside agencies for 2017 City funds.

**C. PUBLIC COMMENT:**

Ted Boyle addressed the Commission regarding soil removal issues in North Lawrence; the closure of Fire Station No. 1 during the remodel project; and, noise generated by the grain elevators located in North Lawrence.

**D. REGULAR AGENDA ITEMS:**

**1. Consider the following items related to the HERE Parking Project:**

- a) Consider adopting on second and final reading, Ordinance No. 9300, for Comprehensive Plan Amendment (CPA-16-00309) to Chapter 14 of Horizon 2020 to amend the Oread Neighborhood Plan Future Land Use Map.
- b) Consider adopting on second and final reading, Ordinance No. 9301, rezoning (Z-16-00310) approximately .918 acres from RM32 (Multi-Dwelling Residential) District and U-KU (University of Kansas) District to RM32-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 1029 and 1031 Mississippi Street and 0 Illinois Street.

**Moved by Commissioner Herbert, seconded by Commissioner Larsen,** to defer regular agenda items 1(a) and 1(b) until the next regular City Commission meeting. Motion carried unanimously.

**2. Consider adopting on second reading, Ordinance No. 9304, establishing the revitalization area and approving the Neighborhood Revitalization Area Plan for 826 Pennsylvania Street. Consider authorizing the City Manager to execute the necessary agreements.**

Diane Stoddard, Assistant City Manager, presented the staff report.

**Moved by Commissioner Larsen, seconded by Commissioner Boley,** to adopt on second and final reading, Ordinance No. 9304, establishing the revitalization area and approving the Neighborhood Revitalization Area Plan for 826 Pennsylvania Street, and authorize the City Manager to execute the necessary agreements. Motion carried 3-1. Aye: Mayor Amyx, Commissioner Boley, Commissioner Larsen. Nay: Commissioner Herbert.

**3. Consider the following items related to Historic Resources:**

Lynne Braddock Zollner, Historic Resources Administrator, presented the staff report for items 3(a) and 3(b).

- a) Conduct a public hearing and consider recommendations from the Historic Resources Commission to designate the following properties as Landmarks on the Lawrence Register of Historic Places:
  - i) L-16-00095 1106 Rhode Island Street, Rhody Delahunty House (HRC Item 3; approved 4-0-1 on 5/9/2016).
  - ii) L-16-00273 819 Avalon Road, Patrick Mugan House (HRC Item 5; approved 4-0 on 8/18/2016).

iii) L-16-00295 1028 Rhode Island Street Parnham House (HRC Item 4; approved 6-0 on 9/15/2016).

b) Conduct a public hearing and consider a recommendation from the Historic Resources Commission to designate the Johnson Block Historic District consisting of 801, 805, 809, 815, 817, 823, 825, 829, 833, 839, 845 Missouri Street, and 800, 804, 806, 818, 820, 824, 828, 832, 838, 844, 846 Arkansas Street as a historic district on the Lawrence Register of Historic Places. (HRC Item 4; approved 3-1 on 8/18/16)

Moved by Commissioner Boley, seconded by Commissioner Herbert, to open the public hearing. Motion carried unanimously.

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to close the public hearing. Motion carried unanimously.

Moved by Commissioner Larsen, seconded by Commissioner Herbert, to adopt on first reading, Ordinance No. 9311, Ordinance No. 9312, and Ordinance No. 9313 for landmark designations of 1106 Rhode Island Street, 819 Avalon Road, and 1028 Rhode Island Street to the Lawrence Register of Historic Places; and, adopt on first reading Ordinance No. 9314, designating the Johnson Block Historic District to the Lawrence Register of Historic Places. Motion carried unanimously.

After a short break, the City Commission resumed its regular meeting.

Vice Mayor Soden joined the meeting via telephone at 7:14 p.m.

4. Consider the following items related to the Oread Design Guidelines. Commissioners should declare Ex Parte communications.

a) Consider approving a Text Amendment, TA-12-00171, to the City of Lawrence Land Development Code, Chapter 20, Articles 3, adopting the Oread Design Guidelines. Initiated by City Commission on 8/28/12. Adopt on first reading, Ordinance No. 9211, for a Text Amendment (TA-12-00171) to the City of Lawrence Land Development Code, Chapter 20, Articles 3, regarding the adoption of the Oread Design Guidelines. (PC Item 2; approved 8-0 on 3/21/16 and PC Item 7; approved 8-0-2 on 7/25/16)

b) Consider rezoning and applying the Urban Conservation Overlay District (-UC) to 190.8 ACRES; OREAD NEIGHBORHOOD DESIGN GUIDELINES. Districts 1 – 6 as identified in the interactive map available on the City's website at [http://lawrenceks.org/pds/draft\\_plans](http://lawrenceks.org/pds/draft_plans)

i) Consider approving rezoning, Z-12-00172, Oread Design Guidelines District 1 (Low Density), 38.1 Acres, from RM12 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RM32 (Multi-Dwelling Residential) District, U-KU (University) District to RM12-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM12D-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential

– Urban Conservation Overlay) District, U-KU-UC (University – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9212, to rezone (Z-12-00172) Oread Design Guidelines District 1 (Low Density), 38.1 Acres, from RM12 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RM32 (Multi-Dwelling Residential) District, U-KU (University) District to RM12-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM12D-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, U-KU-UC (University – Urban Conservation Overlay) District. (PC Item 3A; approved 8-0 on 3/21/16 and PC Item 8A; approved 8-0-2 on 7/25/16)

- ii) Consider approving rezoning, Z-12-00175, Oread Design Guidelines District 2 (High Density), 43.7 Acres, from MU (Mixed Use) District, MU-PD (Mixed Use – Planned Development Overlay) District, PCD (Planned Commercial) District, RM32 (Multi-Dwelling Residential) District, RM32-PD (Multi-Dwelling Residential – Planned Development Overlay) District, RMG (Multi-Dwelling Residential – Greek Housing) District, RMO (Multi-Dwelling Residential – Office) District, U-KU (University) District to MU-UC (Mixed Use – Urban Conservation Overlay) District, MU-PD-UC (Mixed Use - Planned Development Overlay - Urban Conservation Overlay) District, PCD-UC (Planned Commercial – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-PD-UC (Multi-Dwelling Residential – Planned Development Overlay – Urban Conservation Overlay) District, RMG-UC (Multi-Dwelling Residential – Greek Housing - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office District - Urban Conservation Overlay) District, U-KU-UC (University - Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9213, to rezone (Z-12-00175) Oread Design Guidelines District 2 (High Density), 43.7 Acres, from MU (Mixed Use) District, MU-PD (Mixed Use – Planned Development Overlay) District, PCD (Planned Commercial) District, RM32 (Multi-Dwelling Residential) District, RM32-PD (Multi-Dwelling Residential – Planned Development Overlay) District, RMG (Multi-Dwelling Residential – Greek Housing) District, RMO (Multi-Dwelling Residential – Office) District, U-KU (University) District to MU-UC (Mixed Use – Urban Conservation Overlay) District, MU-PD-UC (Mixed Use - Planned Development Overlay - Urban Conservation Overlay) District, PCD-UC (Planned Commercial – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-PD-UC (Multi-Dwelling Residential – Planned Development Overlay – Urban Conservation Overlay) District, RMG-UC (Multi-Dwelling Residential – Greek Housing - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office District - Urban Conservation Overlay) District, U-KU-UC (University - Urban Conservation Overlay) District. (Z-12-00172) (PC Item 3B; approved 8-0 on 3/21/16 and PC Item 8B; approved 8-0-2 on 7/25/16)

- iii) Consider approving rezoning, Z-12-00177, Oread Design Guidelines District 3 (Medium Density), 63.5 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CS-UC (Commercial Strip - Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office - Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9214, to rezone (Z-12-00177) Oread Design Guidelines District 3 (Medium Density), 63.5 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CS-UC (Commercial Strip - Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office - Urban Conservation Overlay) District. (PC Item 3C; approved 8-0 on 3/21/16 and PC Item 8C; approved 8-0-2 on 7/25/16)
- iv) Consider approving rezoning, Z-12-00173, Oread Design Guidelines District 4 (Hancock Historic District), 4.8 Acres, from RM32 (Multi-Dwelling Residential – Urban Conservation Overlay) District to RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9215, to rezone (Z-12-00173) Oread Design Guidelines District 4 (Hancock Historic District), 4.8 Acres, from RM32 (Multi-Dwelling Residential – Urban Conservation Overlay) District to RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District. (PC Item 3D; approved 8-0 on 3/21/16 and PC Item 8D; approved 8-0-2 on 7/25/16)
- v) Consider approving rezoning, Z-12-00174, Oread Design Guidelines District 5 (Oread Historic District), 28.9 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District, RSO (Single-Dwelling Residential – Office) District to CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District, RSO-UC (Single-Dwelling Residential – Office – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9216, to rezone (Z-12-00174) Oread Design Guidelines District 5 (Oread Historic District), 28.9 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District, RSO (Single-Dwelling Residential – Office) District to CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District, RSO-UC (Single-Dwelling Residential – Office – Urban Conservation Overlay) District. (PC Item 3E; approved 8-0 on 3/21/16 and PC Item 8E; approved 8-0-2 on 7/25/16)

- vi) Consider approving rezoning, Z-16-00058, Oread Design Guidelines District 6 (Commercial), 11.9 Acres, from CN2 (Neighborhood Commercial) District, CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CN2-UC (Neighborhood Commercial – Urban Conservation Overlay) District, CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9217, to rezone (Z-16-00058) Oread Design Guidelines District 6 (Commercial), 11.9 Acres, from CN2 (Neighborhood Commercial) District, CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CN2-UC (Neighborhood Commercial – Urban Conservation Overlay) District, CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District. (PC Item 3F; approved 8-0 on 3/21/16 and PC Item 8F; approved 8-0-2 on 7/25/16)

The City Commission declared any Ex Parte communications.

Jeff Crick, Planner II, presented the staff report for items 4(a) and 4(b).

**Moved by Commissioner Herbert, seconded by Commissioner Boley,** to approve Text Amendment, TA-12-00171, to the City of Lawrence Land Development Code, Chapter 20, Articles 3, adopting the Oread Design Guidelines and adopt on first reading, Ordinance No. 9211. Motion carried 4-1. Aye: Vice Mayor Soden, Commissioner Boley, Commissioner Herbert, and Commissioner Larsen. Nay: Mayor Amyx

**Moved by Commissioner Larsen, seconded by Commissioner Herbert,** to approve rezonings Z-12-00172, Z-12-00175, Z-12-00177, Z-12-00173, Z-12-00174, and Z-16-00058; and adopt on first reading, Ordinances No. 9212, Ordinance No. 9213, Ordinance No. 9214, Ordinance No. 9215, Ordinance No. 9216, and Ordinance No. 9217. Motion Carried 4-1. Aye: Vice Mayor Soden, Commissioner Boley, Commissioner Herbert, and Commissioner Larsen. Nay: Mayor Amyx.

5. **Conduct public hearing regarding Pioneer Ridge and Pioneer Ridge Center Benefit Districts and consider adopting on first reading, Ordinance No. 9310, levying the assessments for the benefit districts.**

Charles F. Soules, P.E., Director of Public Works, presented the staff report.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to open the public hearing. Motion carried unanimously.

**Moved by Commissioner Boley, seconded by Commissioner Herbert,** to close the public hearing. Motion carried unanimously.



**Moved by Commissioner Larsen, seconded by Commissioner Herbert,** to adopt on first reading, Ordinance No. 9310. Motion carried unanimously.

6. **Consider approving economic development funding agreements between the City of Lawrence and the Chamber of Commerce and the City of Lawrence and the Biosciences & Technology Business Center.**

Diane Stoddard, Assistant City Manager, presented the staff report.

**Moved by Commissioner Herbert, seconded by Commissioner Boley,** to approve economic development funding agreements between the City of Lawrence and the Chamber of Commerce and the City of Lawrence and the Biosciences & Technology Business Center. Motion carried unanimously.

7. **Consider authorizing staff to negotiate a service agreement with Desman Design Management for the purpose of conducting a comprehensive study of the parking system serving Downtown, East Lawrence Neighborhood, and neighborhoods surrounding the University of Kansas, and authorize the City Manager to execute the agreement.**

Brandon McGuire, Assistant to the City Manager, presented the staff report.

**Moved by Commissioner Larsen, seconded by Commissioner Boley,** to authorize staff to negotiate a service agreement with Desman Design Management and the City Manager to execute the agreement. Motion carried unanimously.

**E. COMMISSION ITEMS:**

None.

**F. CITY MANAGER'S REPORT:**

Memorandum from Tom Markus, City Manager, regarding the request for Standing Rock donations.

**G. CALENDAR:**

Review of calendar items.

- H. **Consider motion to recess into executive session for approximately 45 minutes for the purpose of consultation with attorneys for the City deemed privileged in the attorney-client relationship. The justification for the executive session is to keep attorney-client matters confidential at this time. The City Commission will resume its regular meeting in the City Commission Room at the conclusion of the executive session.**

**Moved by Commissioner Boley, seconded by Commissioner Larsen,** to approve motion to recess into executive session for approximately 45 minutes at 8:18. Motion carried unanimously.

**Moved by Commissioner Larsen, seconded by Commissioner Herbert,** to direct staff to release report from the accounting firm of Allen, Gibbs & Houlik, L.C. concerning the 12<sup>th</sup> and Oread Tax Increment Financing District redevelopment agreement between the City and Oread Inn LLC. Motion carried unanimously.

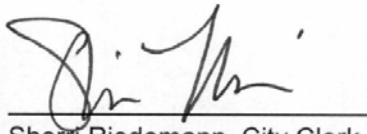
**Moved by Commissioner Larsen, seconded by Commissioner Herbert,** to direct the City Attorney to file the appropriate court documents to take action against Oread Inn, L.C. and related parties. Motion carried unanimously.

**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 Boley,** to adjourn at 9:13 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON DECEMBER 6, 2016.**

  
Sherril Riedemann, City Clerk