



City of Lawrence

CITY COMMISSION

MAYOR
LISA LARSEN

COMMISSIONERS
JENNIFER ANANDA, JD, MSW
MATTHEW J. HERBERT
LESLIE SODEN
STUART BOLEY

THOMAS M. MARKUS
CITY MANAGER

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May 7, 2019

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 Larsen presiding and Vice Mayor Ananda, Commissioner Boley, Commissioner Herbert and Commissioner Soden present.

A. APPROVE AGENDA:

1. The City Commission reserves the right to amend, supplement, or re-order the agenda during the meeting.

Moved by Commissioner Boley, seconded by Vice Mayor Ananda, to approve the agenda as presented. Motion carried unanimously.

B. RECOGNITION/PROCLAMATION/PRESENTATION:

1. Proclaim May 5 – 11, 2019 as National Travel and Tourism Week.
2. Proclaim May 6 – 10, 2019 as the Week of the Early Childhood Educator.
3. Proclaim May 8, 2019 to be Bike to School Day, May 13-17, 2019 to be Bike to Work Week, and May 2019 as Bicycle Month.
4. Proclaim the month of May 2019 as Mental Health Month.

C. CONSENT AGENDA:

Commissioner Soden requested removal of items 9, 10 and 22 for a separate vote.

Moved by Vice Mayor Ananda, seconded by Commissioner Boley, to approve the consent agenda as listed below except for items 9, 10 and 22. Motion carried unanimously.

1. Approve City Commission meeting minutes from 04/16/19 and 04/22/19.
2. Receive minutes from various boards and commissions:

Affordable Housing Advisory Board meeting of 03/11/19
Aviation Advisory Board meeting of 12/13/18 - corrected 05/03/19
Community Development Advisory Committee meeting of 03/14/19
Lawrence Cultural Arts Commission meetings of 01/13/19, 02/13/19, and 03/20/19
Lawrence Douglas County Advocacy Council on Aging meeting of 03/19/19
Parks & Recreation Advisory Board meeting of 03/11/19
Public Health Board meeting of 02/18/19



Sister Cities Lawrence Governing Board meetings of 01/09/19 and 03/13/19
 Transportation Commission meeting of 02/04/19 and 03/04/19

3. Approve claims in the amount of \$10,523,362.24 to 331 vendors.
4. Approve licenses as recommended by the City Clerk's Office.

Caterer	Expires
Arterra, LLC dba Arterra Event Gallery 2161 Quail Creed Dr	4/23/2019
Lawrence Beer Company 826 Pennsylvania St	New License
Cereal Malt Beverage (Pending Departmental Approvals)	Expires
Casey's General Store 1703 W. 6 th St	New License
Terrebonne Po Boys, LLC 805 Vermont St	New License
Retail Liquor	Expires
Aarna LLC dba Joker Liquor 3514 Clinton Parkway	New License
Sidewalk Dining & Hospitality	Expired
Aimee's Café & Coffeehouse 1025 Massachusetts St, Suite A	11/01/2018
Frank's North Star Tavern 508 Locust St	11/01/2018
Genovese 941 Massachusetts St	11/01/2018
Global LLC dba Global Café 820 Massachusetts St	11/01/2018
Graham Enterprises 943 Massachusetts St	11/01/2018
La Parrilla 724 Massachusetts St	11/01/2018
Zen Zero 811 Massachusetts St	11/01/2018

5. Bid and purchase items:
 - a) Award Bid No. B1915, Louisiana Street Waterline Replacement Project, to Hettinger Excavating, LLC, in the amount of \$493,720.00, and authorize the City Manager to execute the construction contract.
 - b) Award Bid No. B1916, 14th Street Waterline Replacement Project, to Hettinger Excavating, LLC, in the amount of \$758,254.00, and authorize the City Manager to execute the construction contract.

- c) Award Bid No. B9120, for two Ford F550 Trucks with plows and spreaders, to Laird Noller Ford, in the amount of \$169,812.00, in accordance with the one percent (1%) local preference policy, as outlined in the City of Lawrence purchasing policy.

6. Adopt on first reading, the following ordinances:

- a) Ordinance No. 9668, pertaining to the duties of the Community Police Review Board.
- b) Ordinance No. 9671, allowing the sale, possession and consumption of alcohol on the public right-of-way in the 1000 block of Massachusetts Street on Saturday, July 6, 2019, associated with the Live on Mass event.
- c) Ordinance No. 9672, allowing the sale, possession and consumption of alcohol on the public right-of-way in the 1000 block of Massachusetts Street on Friday, July 12, 2019, associated with the Live on Mass event.
- d) Ordinance No. 9673, allowing the sale, possession and consumption of alcohol on the public right-of-way in the 1000 block of Massachusetts Street on Friday, September 6, 2019, associated with the Live on Mass event. Staff Memo & Attachments
- e) Ordinance No. 9674, allowing the sale, possession and consumption of alcohol on the public right-of-way in the 100 block of E. 9th Street on Saturday, June 22, 2019, associated with the Big Pig event.
- f) Ordinance No. 9675, allowing the sale, possession, and consumption of alcohol on the public right-of-way in the 800 block of Pennsylvania Street on Friday, August 23, 2019, associated with the Lawrence Beer Co. Anniversary Street Party event.

7. Adopt on second and final reading, the following ordinances:

- a) Ordinance No. 9626, repealing existing Chapter 5, Article 2 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 2 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Building Code, regulating building and construction within the City of Lawrence, Kansas.
- b) Ordinance No. 9627, repealing existing Chapter 5, Article 3 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 3 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Residential Code, regulating building and construction within the City of Lawrence, Kansas.
- c) Ordinance No. 9628, repealing existing Chapter 5, Article 4 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 4 of the Code of the City of Lawrence, Kansas, 2018

Edition, and amendments thereto, which adopts and incorporates by reference the NFPA 70, National Electrical Code, 2017 Edition, regulating building and construction within the City of Lawrence, Kansas.

- d) Ordinance No. 9629, repealing existing Chapter 5, Article 5 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 5 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Plumbing Code, regulating building and construction within the City of Lawrence, Kansas.
- e) Ordinance No. 9630, repealing existing Chapter 5, Article 6 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 6 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Mechanical Code, regulating building and construction within the City of Lawrence, Kansas.
- f) Ordinance No. 9631, repealing existing Chapter 5, Article 7 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 7 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Fuel Gas Code, regulating building and construction within the City of Lawrence, Kansas.
- g) Ordinance No. 9632, repealing existing Chapter 5, Article 8 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 8 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Energy Conservation Code, regulating building and construction within the City of Lawrence, Kansas.
- h) Ordinance No. 9633, repealing existing Chapter 5, Article 9 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, and enacting, in its place, Chapter 5, Article 9 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, which adopts and incorporates by reference the 2018 International Existing Building Code, regulating building and construction within the City of Lawrence, Kansas.
- i) Ordinance No. 9636, adopting the 2018 International Fire Code.
- j) Ordinance No. 9625, repealing existing Chapter 5, Article 1 and enacting, in its place, Chapter 5, Article 1 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, pertaining to building and construction.
- k) Ordinance No. 9635, repealing existing Chapter 5, Article 16 and enacting, in its place, Chapter 5, Article 16 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, pertaining to the Building Code Board of Appeals.

- l) Ordinance No. 9634, repealing existing Chapter 5, Article 15 of the Code of the City of Lawrence, 2018 Edition, and enacting, in its place, Chapter 5, Article 15 of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, pertaining to the licensing of contractors.
 - m) Ordinance No. 9663, amending Chapter 5, Article 17 of the Code of the City of Lawrence, 2018 Edition, and amendments thereto, pertaining to licensing residential plumbers and repealing Section 5-1706.
8. Adopt Resolution No. 7286, authorizing the application for the 2019 State of Kansas Emergency Solutions Grant.
 9. **REMOVED FOR SEPARATE VOTE:** Approve a Comprehensive Plan Amendment, CPA-19-00032, to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect. Adopt on first reading, Ordinance No. 9676, for Comprehensive Plan Amendment (CPA-19-00032) to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. (PC Item 10A; approved 9-0 on 3/27/19)
 10. **REMOVED FOR SEPARATE VOTE:** Approve a request to rezone, Z-18-00566, approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect on behalf of William & Sharon Elkins, property owner of record. Adopt on first reading, Ordinance No. 9664, to rezone (Z-18-00566) approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. (PC Item 10B; approved 9-0 on 3/27/19)
 11. Approve a request to rezone, Z-19-00044, approximately 5.046 acres located at 2210, 2240, and 2270 Wakarusa Dr. from PCD-[Stoneridge Plaza] to PCD-[Stoneridge Plaza] (Planned Commercial Development) District to amend the use restrictions applied with Ordinance No. 6989. Submitted by Tim A Herndon Planning & Design on behalf of Off-Piste Inc, property owner of record. Adopt on first reading, Ordinance No. 9665, amending Ordinance No. 6989 to amend the use restrictions placed on the PCD-[Stoneridge Plaza] (Planned Commercial) District and repealing existing Ordinance No. 6989, for 2210, 2240, and 2270 Wakarusa Dr. (PC Item 13; approved 9-0 on 3/27/19)
 12. Approve a request to rezone, Z-19-00036, approximately 21.254 acres from OS (Open Space) District to GPI (General Public and Institutional) District, located at 5100 Overland Drive. Submitted by Hoefer Wysocki on behalf of the City of Lawrence, property owner of record. Adopt on first reading, Ordinance No. 9666, to rezone (Z-19-00036) approximately 21.254 acres from OS (Open Space) District to GPI (General Public and Institutional) District, located at 5100 Overland Drive. (PC Item 14A; approved 9-0 on 3/27/19)
 13. Approve a Special Use Permit/Institutional Development Plan, SUP-19-00071, for Lawrence Police Headquarters, located at 5100 Overland Dr. Submitted by Hoefer Wysocki on behalf of the City of Lawrence, property owner of record. Adopt on first reading, Ordinance No. 9667, for a Special Use Permit/Institutional Development Plan, SUP-19-00071, for Lawrence Police Headquarters, located at 5100 Overland Dr. (PC Item 14A; approved 9-0 on 3/27/19)

14. Authorize the Mayor to sign Releases of Mortgage for Merle L. Jackson, 447 Ohio Street and Terry Borders, 2336 Louisiana Street.
15. Receive Bert Nash Community Mental Health Center 2019 1st Quarter Performance Report.
16. Authorize the City Manager to execute a contract with BG Consultants for the design of Kasold Drive – Clinton Parkway to 22nd Street, in the amount of \$180,161.00.
17. Authorize the City Manager to execute the 2018 Edward Byrne Memorial Justice Assistance Grant request, if the application is successful.
18. Approve change orders in the amount of \$302,532.37 to R.D. Johnson for work performed on Kasold Drive, from 6th Street to Bob Billings Parkway.
19. Approve Change Order No. 10, in the amount of \$1,548.00, to B.A. Green for work performed at Fire Station No. 1 and Senior Resource Center Renovation Project.
20. Receive a revised 2016 annual report, and the 2017 annual report from the Sales Tax Audit Committee.
21. Approve bylaws, as amended, for the Community Police Review Board.
22. **REMOVED FOR SEPARATE VOTE:** Receive recommendations from the Sustainability Advisory Board (SAB) regarding updating the Climate Protection Plan and other issues related to climate change and emissions reduction.
23. Receive Economic Development Policy Update and refer to the Public Incentives Review Committee and the Affordable Housing Advisory Board to review and provide recommendations.
24. Receive proposed revisions to the 826 Pennsylvania Street NRA Plan and refer to the Public Incentives Review Committee and Affordable Housing Advisory Board to review and provide recommendations.
25. Authorize changing the start time of the May 14, 2019 City Commission meeting to 5:30 p.m.

Items removed for separate vote:

9. Approve a Comprehensive Plan Amendment, CPA-19-00032, to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect. Adopt on first reading, Ordinance No. 9676, for Comprehensive Plan Amendment (CPA-19-00032) to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. (PC Item 10A; approved 9-0 on 3/27/19)

Moved by commissioner Boley, seconded by Commissioner Herbert, to approve a Comprehensive Plan Amendment, CPA-19-00032, to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect. Adopt on first reading, Ordinance No. 9676, for Comprehensive Plan Amendment (CPA-19-

00032) to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. Aye: Mayor Larsen, Vice Mayor Ananda, Commissioner Boley, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 4-1.

10. Approve a request to rezone, Z-18-00566, approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect on behalf of William & Sharon Elkins, property owner of record. Adopt on first reading, Ordinance No. 9664, to rezone (Z-18-00566) approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. (PC Item 10B; approved 9-0 on 3/27/19)

The City Commission declared ex-parte communications.

Moved by Commissioner Boley, seconded by Vice Mayor Ananda, to approve a request to rezone, Z-18-00566, approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect on behalf of William & Sharon Elkins, property owner of record. Adopt on first reading, Ordinance No. 9664, to rezone (Z-18-00566) approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. Aye: Mayor Larsen, Vice Mayor Ananda, Commissioner Boley, Commissioner Herbert. Nay: Commissioner Soden. Motion carried 4-1.

22. Receive recommendations from the Sustainability Advisory Board (SAB) regarding updating the Climate Protection Plan and other issues related to climate change and emissions reduction.

Moved by Commissioner Herbert, seconded by Vice Mayor Ananda, to receive recommendations from the Sustainability Advisory Board (SAB) regarding updating the Climate Protection Plan and other issues related to climate change and emissions reduction. Motion carried unanimously.

D. PUBLIC COMMENT:

The Commission heard public comment on items and issues not scheduled on the agenda.

E. REGULAR AGENDA ITEMS:

1. **Receive update on the Police Facility Phase 1 and consider approving the Lawrence Police Facility Park Master Plan.**

Melinda Harger, Assistant Director, Municipal Services & Operations, presented the staff report.

Ken Hinton, Hoefler Wysocki Architect, presented a report.

Brian Sturm, Landworks Studio, presented a report on the Lawrence Police Headquarters Park Master Plan.

Moved by Vice Mayor Ananda, seconded by Commissioner Herbert, to receive update and approve the Lawrence Police Facility Park Master Plan. Motion carried unanimously.

2. **Consider selection of final site for the location of the future Transit Transfer Hub, along Bob Billings Parkway, between Crestline Drive and Iowa Street. Consider directing staff to work with the University of Kansas on necessary preparations and site analysis leading to a design proposal.**

Robert Nugent, Transit Administrator, presented the staff report.

Moved by Vice Mayor Ananda, seconded by Commissioner Herbert, to select the Bob Billings Parkway, between Crestline Drive and Iowa Street, location as the final site for the future Transit Transfer Hub; and, authorize staff to work with the University of Kansas on necessary preparations and site analysis leading to a design proposal. Motion carried unanimously.

3. **Consider authorizing staff to issue Request for Proposals No. R1905 for preliminary design services for the City Field Operations Facility.**

Andy Ensz, Engineering Program Manager, presented the staff report.

Moved by Commissioner Soden, seconded by Commissioner Boley, to authorize staff to issue Request for Proposals No. R1905 for preliminary design services for the City Field Operations Facility and provide direction for consideration of the Farmland Remediation Site for the location of the Field Operations Facility. Motion carried unanimously.

The Commission took a 10-minute break.

4. **Consider the following items related to The Hub at Lawrence:**

The City Commission declared ex-parte communications.

Randy Larkin, Deputy City Attorney, presented a staff report.

Lynne Braddock Zollner, Historic Resources Administrator, presented a staff report.

Becky Pepper, Planner II, presented a staff report.

Core Lawrence Massachusetts LLC, the Applicant, presented a report.

The Commission heard public comment on this item.

The Commission took a 5-minute break.

The Commission resumed hearing public comment on this item.

- a) **Consider an appeal of the Historic Resources Commission decision to deny a Certificate of Appropriateness, associated with Design Review, DR-18-00503, for demolition and new construction of a mixed use structure for The Hub at Lawrence located at 1040 Massachusetts Street and 1041 New**

Hampshire Street, and a parking garage and mixed use structure located on the east side of the 1000 block of New Hampshire Street. This is a continuation of the public hearing from the April 16, 2019 City Commission meeting.

Moved by Commissioner Soden, seconded by Commissioner Vice Mayor Ananda, to deny the Certificate of Appropriateness. Motion carried unanimously.

- b) **Consider an appeal of the Historic Resources Commission determination that the project associated with Design Review, DR-18-00503, for demolition and new construction of a mixed use structure for The Hub at Lawrence located at 1040 Massachusetts Street and 1041 New Hampshire Street, and a parking garage and mixed use structure located on the east side of the 1000 block of New Hampshire Street does not meet the Downtown Design Guidelines. This is a continuation of the public hearing from the April 16, 2019 City Commission meeting.**

Moved by Commissioner Soden, seconded by Vice Mayor Ananda, to make a determination that the project does not meet the Downtown Design Guidelines. Motion carried unanimously.

- c) **Consider the demolition of the existing structures located at located at 1040 Massachusetts Street and 1041 New Hampshire Street.**

Moved by Commissioner Soden, seconded by Vice Mayor Ananda, to deny the demolition of the structures located at 1040 Massachusetts Street and 1041 New Hampshire Street. Motion carried unanimously.

- d) **Consider a Special Use Permit, SUP-18-00502, for ground floor dwelling units, The Hub at Lawrence, located at 1040 Massachusetts Street and 1041 New Hampshire Street Submitted by Core Lawrence Massachusetts LLC on behalf of Allen Press Inc and Allen Realty Inc, property owners of record.**

Moved by Commissioner Soden, seconded by Vice Mayor Ananda, to deny Special Use Permit No. SUP-18-00502 for ground floor dwelling units for The Hub at Lawrence, located at 1040 Massachusetts Street and 1041 New Hampshire Street. Motion carried unanimously.

- e) **Consider approving a Special Use Permit, SUP-19-00033, for ground floor dwelling units, The Hub at Lawrence, located at 1000 New Hampshire Street Block 1. Submitted by Core Lawrence Massachusetts LLC on behalf of Allen Realty Inc, property owner of record.**

Moved by Commissioner Soden, seconded by Vice Mayor Ananda, to deny Special Use Permit No. SUP-19-00033 for ground floor dwelling units for The Hub at Lawrence, located at 1000 New Hampshire Street Block 1. Motion carried unanimously.

- f) **Consider a request for the use of alley right-of-way for the proposed mixed-use development, The Hub at Lawrence, located at 1040 Massachusetts Street and 1041 New Hampshire Street.**

No action was taken on this item.

F. COMMISSION ITEMS:

- a) Future agenda item to add.
None.
- b) Future work session item to add.
None.
- c) Other items.

Mayor Larsen stated Commissioner Boley would be on the Community Health Plan Steering Committee.

Mayor Larsen stated the next joint City/County/USD497 meeting would focus on equity in the community and that Vice Mayor Ananda will be working on the agenda for that meeting.

G. CITY MANAGER'S REPORT:

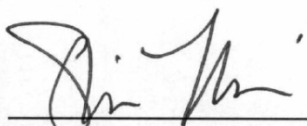
Thomas M. Markus, City Manager, presented information on the following items: Senate Bill 105 – Start Date for City Commissioner's Term of Office, Planning & Development Services Monthly Project Report, March 2019 Monthly Building Permit Reports, Non-Owner Occupied Short Term Rental Update, Announcement of Two Additional Public Open Houses on Bicycle Boulevard Design, Update on Lawrence Community Shelter Assessment by SS&G, IRS Issues 2nd Round of Guidelines for Opportunity Zones, Opportunity Zone Request from LAN and staff response, K-10 West Leg Widening Request forwarded to Congressional Delegation, 19th Annual Earth Day Parade and Celebration, Article regarding Ban of Plastic Bags, Future Agenda Items and Future Work Session Items.

H. CALENDAR:

The Commission reviewed calendar items.

Moved by Commissioner Herbert, seconded by Commissioner Boley, to adjourn at 1:23 a.m. Motion carried unanimously.

MINUTES APPROVED BY THE CITY COMMISSION ON MAY 14, 2019.



Sherril Riedemann, City Clerk